



Mr Stewart Todd  
General Manager  
Narrabri Shire Council  
PO Box 261  
NARRABRI NSW 2390

Dear Mr Todd

**Planning proposal PP\_2019\_NARRB\_001\_00 to amend Narrabri Local Environmental Plan 2012**

I am writing in response to Council's request for a Gateway determination under section 3.34(1) of the *Environmental Planning and Assessment Act 1979* (the Act) in respect of the planning proposal to rezone land in Burigal, Goobar, Mooloobar and Buri Streets, West Narrabri, from B1 Neighbourhood Centre to B4 Mixed Use.

As delegate of the Minister for Planning, I have now determined that the planning proposal should proceed subject to the conditions in the enclosed Gateway determination.

I have also agreed, as delegate of the Secretary, the planning proposal's inconsistencies with section 9.1 Directions 1.1 Business and Industrial Zones and 4.3 Flood Prone Land are justified in accordance with the terms of the Directions. No further approval is required in relation to these Directions.

It is noted that Council has requested to be authorised as the local plan-making authority. I have considered the nature of Council's planning proposal and have conditioned the Gateway for Council to be authorised as the local plan-making authority.

The amending local environmental plan (LEP) is to be finalised within nine months of the date of the Gateway determination. Council should aim to commence the exhibition of the planning proposal as soon as possible. Council's request to draft and finalise the LEP should be made directly to Parliamentary Counsel's Office six weeks prior to the projected publication date. A copy of the request should be forwarded to the Department of Planning and Environment.

The state government is committed to reducing the time taken to complete LEPs by tailoring the steps in the process to the complexity of the proposal, and by providing clear and publicly available justification for each plan at an early stage. In order to meet these commitments, the Minister may take action under section 3.32(2)(d) of the Act if the time frames outlined in this determination are not met.

Should you have any further enquiries about this matter, I have arranged for Ms Gina Davis to assist you. Ms Davis can be contacted on 5778 1487.

Yours sincerely



25-2-2019

**Jeremy Gray**  
**Director Regions, Northern**  
**Planning Services**

Encl: Gateway determination  
Authorised plan-making reporting template



## Gateway Determination

*Planning proposal (Department Ref: PP\_2019\_NARRB\_001\_00): to rezone land in Burigal, Goobar, Mooloobar and Buri Streets, West Narrabri, from B1 Neighbourhood Centre to B4 Mixed Use.*

I, the Director Regions, Northern at the Department of Planning and Environment, as delegate of the Minister for Planning, have determined under section 3.34(2) of the *Environmental Planning and Assessment Act 1979* (the Act) that an amendment to the Narrabri Local Environmental Plan (LEP) 2012 to rezone land in Burigal, Goobar, Mooloobar and Buri Streets, West Narrabri, from B1 Neighbourhood Centre to B4 Mixed Use should proceed subject to the following conditions:

1. Public exhibition is required under section 3.34(2)(c) and schedule 1 clause 4 of the Act as follows:
  - (a) the planning proposal is classified as low impact as described in *A guide to preparing local environmental plans* (Department of Planning and Environment 2016) and must be made publicly available for a minimum of **14 days**; and
  - (b) the planning proposal authority must comply with the notice requirements for public exhibition of planning proposals and the specifications for material that must be made publicly available along with planning proposals as identified in section 5.5.2 of *A guide to preparing local environmental plans* (Department of Planning and Environment 2016).
2. A public hearing is not required to be held into the matter by any person or body under section 3.34(2)(e) of the Act. This does not discharge Council from any obligation it may otherwise have to conduct a public hearing (for example, in response to a submission or if reclassifying land).
3. The planning proposal authority is authorised as the local plan-making authority to exercise the functions under section 3.36(2) of the Act subject to the following:
  - (a) the planning proposal authority has satisfied all the conditions of the Gateway determination;
  - (b) the planning proposal is consistent with section 9.1 Directions or the Secretary has agreed that any inconsistencies are justified; and
  - (c) there are no outstanding written objections from public authorities.

4. The time frame for completing the LEP is to be **9 months** following the date of the Gateway determination.

Dated 25 day of February 2019.



**Jeremy Gray**  
**Director Regions, Northern**  
**Planning Services**  
**Department of Planning and**  
**Environment**

**Delegate of the Minister for Planning**