



Contact: Jon Stone
Phone: (02) 6701 9689
Fax: (02) 6701 9690
Email: Jon.Stone@planning.nsw.gov.au
Postal: PO Box 550, Tamworth NSW 2340

Our ref: PP_2014_LPLNS_001_00 (14/08043)
Your ref: DLA:dla 14/0180

Mr Robert Hunt
General Manager
Liverpool Plains Shire Council
PO Box 152
QUIRINDI NSW 2343

Dear Mr Hunt,

Planning proposal to amend Liverpool Plains Local Environmental Plan 2011

I am writing in response to your Council's letter dated 8 May 2014 requesting a Gateway determination under section 56 of the Environmental Planning and Assessment Act 1979 ("EP&A Act") in respect of the planning proposal (Amendment No. 3) to rezone land at Centre Street, Quirindi from R1 General Residential to IN2 Light Industrial and amend the minimum lot size to 1,000sqm; rezone land at Allnutt Street and Whittaker Street, Quirindi from R1 General Residential to B4 Mixed Use and amend the land use table of the IN2 Light Industrial zone.

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

The proposal to permit 'shops' in the IN2 Light Industrial zone is not supported because this land use is inconsistent with the objectives of the industrial zone, which is to support and protect industrial land for industrial uses. If shops are to be permitted on the land, Council is to rezone the land to an appropriate business zone. Consequently, Council is to prohibit shops in the IN2 zone by amending the planning proposal to remove shops from Item 3 'Permitted with consent' within the proposed land use table of the IN2 zone.

I have also agreed the planning proposal's inconsistencies with S117 Directions 1.1 Business and Industrial Zones, 2.3 Heritage Conservation, 3.1 Residential Zones, 3.4 Integrating Land Use and Transport and 4.3 Flood Prone Land are of minor significance. No further approval is required in relation to these Directions.

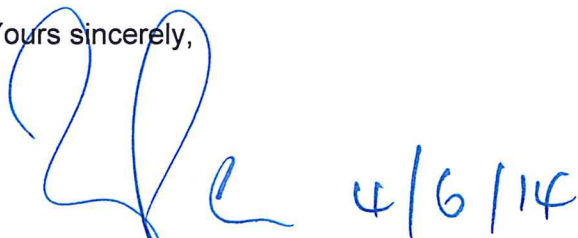
Plan making powers were delegated to councils by the Minister in October 2012. It is noted that Council has requested to be issued with delegation for this planning proposal. I have considered the nature of Council's planning proposal and have decided to issue an authorisation for Council to exercise delegation to make this plan.

The amending Local Environmental Plan (LEP) is to be finalised within 9 months of the week following 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 6 weeks prior to the projected publication date. A copy of the request should be forwarded to the Department of Planning and Environment for administrative purposes.

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 54(2)(d) of the EP&A Act if the time frames outlined in this determination are not met.

Should you have any queries in regard to this matter, I have arranged for Mr Jon Stone of the Department's regional office to assist you. Mr Stone can be contacted on (02) 6701 9689.

Yours sincerely,

A handwritten signature in blue ink, followed by the date '4/6/14' written in the same ink.

Richard Pearson
Deputy Secretary
Growth Planning and Delivery

Encl:

Gateway Determination

Written Authorisation to Exercise Delegation

Attachment 5 – Delegated Plan Making Reporting Template

Gateway Determination

Planning proposal (Department Ref: PP_2014_LPLNS_001_00): to rezone land at Quirindi for industrial and mixed use purposes and amend the land use table for the IN2 zone.

I, the Deputy Secretary, Growth Planning and Delivery at the Department of Planning and Environment as delegate of the Minister for Planning, have determined under section 56(2) of the EP&A Act that an amendment to the Liverpool Plains Local Environmental Plan (LEP) 2011 to rezone land at Centre Street, Quirindi from R1 General Residential to IN2 Light Industrial and amend the minimum lot size to 1,000sqm; rezone land at Allnutt Street and Whittaker Street, Quirindi from R1 General Residential to B4 Mixed Use and amend the land use table of the IN2 Light Industrial zone should proceed subject to the variations as outlined in the following conditions:

1. Prior to undertaking public exhibition, Council is to amend the planning proposal to prohibit shops in the IN2 zone by removing 'shops' from Item 3 'Permitted with consent' of the proposed IN2 Light Industrial zone.
2. Prior to undertaking public exhibition, Council is to update the project timeline within the planning proposal to reflect the 9 month timeframe allocated for completing the LEP and reflect that Council will be finalising the LEP under delegation.
3. Prior to undertaking public exhibition, Council is to update the planning proposal to advise that the proposed minimum lot size for land to be zoned IN2 Light Industrial in Centre Street, Quirindi is 1,000sqm and the planning proposal is to include existing and proposed land zoning, lot size and location maps, which are at an appropriate scale and clearly identify the subject lands.
4. Community consultation is required under sections 56(2)(c) and 57 of the Environmental Planning and Assessment Act 1979 ("EP&A Act") as follows:
 - (a) the planning proposal must be made publicly available for a minimum of **28 days**; and
 - (b) the relevant planning 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 LEPs* (Department of Planning and Environment 2013).
5. Consultation is required with the Australian Rail Track Corporation under section 56(2)(d) of the EP&A Act. The Australian Rail Track Corporation is to be provided with a copy of the planning proposal and any relevant supporting material, and given at least 21 days to comment on the proposal.
6. A public hearing is not required to be held into the matter by any person or body under section 56(2)(e) of the EP&A 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).

7. The timeframe for completing the LEP is to be **9 months** from the week following the date of the Gateway determination.

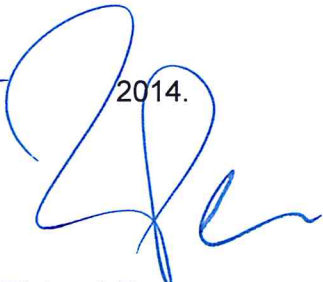
Dated

4

day of

June

2014.



Richard Pearson
Deputy Secretary
Growth Planning and Delivery

Delegate of the Minister for Planning



WRITTEN AUTHORISATION TO EXERCISE DELEGATION

Liverpool Plains Shire Council is authorised to exercise the functions of the Minister for Planning under section 59 of the *Environmental Planning and Assessment Act 1979* that are delegated to it by instrument of delegation dated 14 October 2012, in relation to the following planning proposal:

Number	Name
PP_2014_LPLNS_001_00	Planning proposal to rezone land at Centre Street, Quirindi from R1 General Residential to IN2 Light Industrial and amend the minimum lot size to 1,000sqm; rezone land at Allnutt Street and Whittaker Street, Quirindi from R1 General Residential to B4 Mixed Use and amend the land use table of the IN2 Light Industrial zone

In exercising the Minister's functions under section 59, the Council must comply with the Department of Planning and Environment's "*A guide to preparing local environmental plans*" and "*A guide to preparing planning proposals*".

Dated

4 June

2014

Richard Pearson
Deputy Secretary
Growth Planning and Delivery

Attachment 5 – Delegated plan making reporting template

Reporting template for delegated LEP amendments

Notes:

- Planning proposal number will be provided by the Department of Planning and Environment following receipt of the planning proposal
- The Department of Planning and Environment will fill in the details of Tables 1 and 3
- RPA is to fill in details for Table 2
- If the planning proposal is exhibited more than once, the RPA should add additional rows to **Table 2** to include this information
- The RPA must notify the relevant contact officer in the regional office in writing of the dates as they occur to ensure the publicly accessible LEP Tracking System is kept up to date
- A copy of this completed report must be provided to the Department of Planning and Environment with the RPA's request to have the LEP notified

Table 1 – To be completed by Department of Planning and Environment

Stage	Date/Details
Planning Proposal Number	PP_2014_LPLNS_001_00
Date Sent to DoP&E under s56	08/05/2014
Date considered at LEP Review Panel	22/05/2014
Gateway determination date	04/06/2014

Table 2 – To be completed by the RPA

Stage	Date/Details	Notified Reg Off
Dates draft LEP exhibited		
Date of public hearing (if held)		
Date sent to PCO seeking Opinion		
Date Opinion received		
Date Council Resolved to Adopt LEP		
Date LEP made by GM (or other) under delegation		
Date sent to DoP&E requesting notification		

Table 3 – To be completed by Department of Planning and Environment

Stage	Date/Details
Notification Date and details	

Additional relevant information: