



Planning & Infrastructure

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

Our ref: PP_2012_NARRB_001_00 (12/04777)

Mr Phil Marshall
General Manager
Narrabri Shire Council
PO Box 261
NARRABRI NSW 2390

Dear Mr Marshall,

Re: Planning Proposal to rezone 25 - 29 Barwan St, Narrabri from 2(b) Residential to 2(d) Residential for the purpose of permitting with consent a motel development

I am writing in response to your Council's letter requesting a Gateway Determination under section 56 of the Environmental Planning and Assessment Act 1979 ("EP&A Act") in respect of the planning proposal to amend the Narrabri Local Environmental Plan No 2 to rezone 25 - 29 Barwan St, Narrabri from 2(b) Residential to 2(d) Residential for the purpose of permitting with consent a motel development.

As delegate of the Minister for Planning and Infrastructure, I have now determined that the planning proposal should proceed subject to the conditions in the attached Gateway Determination.

Council is to consult with the Office of Environment and Heritage prior to undertaking community consultation, take into account any comments made and amend the planning proposal accordingly if necessary.

I have also agreed that the planning proposal's inconsistencies with S117 Direction 4.3 Flood Prone Land are of minor significance. No further approval is required in relation to this Direction.

The amending Local Environmental Plan (LEP) is to be finalised within 6 months of the week following the date of the Gateway Determination. Council should aim to commence the exhibition of the Planning Proposal within four (4) weeks from the week following this determination. Council's request for the Department to draft and finalise the LEP should be made six (6) weeks prior to the projected publication date.

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 s54(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, please contact Gina Davis of the Regional Office of the Department on 02 6701 9689.

Yours sincerely,


Sam Haddad
Director-General

2/4/2012

Gateway Determination

Planning Proposal (Department Ref: PP_2012_NARRB_001_00): to rezone 25 - 29 Barwan St, Narrabri from 2(b) Residential to 2(d) Residential for the purpose of permitting with consent a motel development.

I, the Director General, Department of Planning and Infrastructure as delegate of the Minister for Planning and Infrastructure, have determined under section 56(2) of the EP&A Act that an amendment to the Narrabri Local Environmental Plan No 2 to rezone 25 - 29 Barwan St, Narrabri from 2(b) Residential to 2(d) Residential for the purpose of permitting with consent a motel development, should proceed subject to the following conditions:

1. 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 is classified as low impact as described in *A Guide to Preparing LEPs (Department of Planning 2009)* and must be made publicly available for **14 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 4.5 of *A Guide to Preparing LEPs (Department of Planning 2009)*.
2. Consultation is required with the following public authorities under section 56(2)(d) of the EP&A Act:
 - Office of Environment and Heritage

Each public authority is to be provided with a copy of the planning proposal and any relevant supporting material. Each public authority is to be given at least 21 days to comment on the proposal, or to indicate that they will require additional time to comment on the proposal. Public authorities may request additional information or additional matters to be addressed in the planning proposal.

3. 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).
4. The timeframe for completing the LEP is to be **6 months** from the week following the date of the Gateway determination.

Dated 2nd day of April 2012.


Sam Haddad
Director-General
Delegate of the Minister for Planning and
Infrastructure