

Mr Pat White
General Manager
Narrabri Shire Council
PO Box 261
NARRABRI NSW 2390

Dear Mr White

Planning Proposal to amend Narrabri Shire Council Local Environmental Plan 2012

I am writing in response to your Council's letter dated (18 July 2012) 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 rezone part Lot 3 DP 519595 and part Lots 5 & 6 DP 533507, 5-11 Maitland St, Narrabri from RE1 Public Recreation to RE2 Private Recreation.

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

I have also agreed the planning proposal's inconsistencies with S117 Directions 4.3 Flood Prone Land and 6.2 Reserving Land for Public Purposes are of minor significance. In relation to S117 Direction 6.2 Reserving Land for Public Purposes, I have agreed to the reduction of land for public purposes on the basis that it had been incorrectly identified in Narrabri LEP 2012 due to a mapping error.

The Minister delegated his plan making powers to councils 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 6 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 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, please contact Gina Davis of the regional office of the department on 02 6701 9687.

Yours sincerely

 1 August 2013
Stephen Murray
Regional Director
Northern Region



Gateway Determination

Planning Proposal (Department Ref: PP_2013_NARRB_001_00): to rezone part of Lot 3 DP 519595 and part of Lots 5 & 6 DP 533507, 5-11 Maitland St, Narrabri, from RE1 Public Recreation to RE2 Private Recreation.

I, the Regional Director, Northern Region at the 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 Shire Council Local Environmental Plan (LEP) 2012 to rezone part of Lot 3 DP 519595 and part of Lots 5 & 6 DP 533507, 5-11 Maitland St, Narrabri from RE1 Public Recreation to RE2 Private Recreation, 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 & Infrastructure 2013)* and must be made publicly available for a minimum of **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 5.5.2 of *A Guide to Preparing LEPs (Department of Planning & Infrastructure 2013)*.
2. Prior to undertaking public exhibition, Council is to update the project timeline within the planning proposal to include all relevant information in accordance with Section 2.6 Part 6 of the *A Guide to Preparing Planning Proposals*.
3. No consultation is required with public authorities under section 56(2)(d) of the EP&A Act.
4. 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).
5. The timeframe for completing the LEP is to be **6 months** from the week following the date of the Gateway determination.

Dated / day of *August* 2013.



Stephen Murray
Regional Director
Northern Region

Department of Planning and Infrastructure

Delegate of the Minister for Planning and
Infrastructure



WRITTEN AUTHORISATION TO EXERCISE DELEGATION

Narrabri Shire Council is authorised to exercise the functions of the Minister for Planning and Infrastructure 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_2013_NARRB_001_00	Proposed rezoning part of Lot 3 DP 519595 and part of Lots 5 & 6 DP 533507, 5-11 Maitland St, Narrabri, from RE1 Public Recreation to RE2 Private Recreation.

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

Dated *1 August* 2013


Stephen Murray
Regional Director
Northern Region
Department of Planning and Infrastructure