



14/19937

Mr Steve Loane
General Manager
Warrumbungle Shire Council
PO Box 191
Coonabarabran NSW 2357

Attention: Ms Alia Slamet, Town Planner

Dear Mr Loane

Planning Proposal (PP_2014_WARRU_001_00) - Erection of dual occupancies and dwelling houses in Zone RU1 Primary Production

I refer to the Planning Proposal and supporting documentation received on 27 November 2014 requesting a Gateway Determination under section 56(1) of the Environmental Planning and Assessment Act 1979 (EP&A Act) with respect to the Planning Proposal to permit the erection of a dual occupancy or dwelling house in Zone RU1 Primary Production, on an allotment on which a dwelling house could have been lawfully erected on land zoned 1(b) Rural – General or 1(c) Rural – Small Holdings under the provisions of the former Coonabarabran LEP 1990.

As a delegate of the Minister for Planning, I have determined that the Planning Proposal should proceed subject to the conditions in the attached Gateway Determination (**Attachment 1**).

The Minister delegated his plan making powers to Councils in October 2012. It is noted that Council has accepted this delegation though have requested not to be authorised to exercise delegation for this matter. Council is not being authorised to exercise delegation in this case.

The amended Local Environmental Plan 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 to the Department of Planning and Environment (westernregion@planning.nsw.gov.au) 6 weeks prior to the projected publication date.

Once an Opinion is issued by Parliamentary Counsels office that the plan can be made, a copy will be forward for Councils consideration. Council must resolve to adopt the draft LEP and forward a request the Department of Planning and Environment that the Minister make the Plan. The Plan comes into effect on the date on which the LEP is published on the legislation website.

State Government is committed to reducing the time taken to complete Local Environmental Plans 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 timeframes outlined in the determination are not met.

Should you have any further enquiries about this matter, I have arranged for Jessica Holland from the Western Region office to assist you. Ms Holland can be contacted on (02) 6841 2180.

Yours sincerely

A. W. Albury 3-12-2014

Ashley Albury
General Manager, Western Region

Enclosed:
Attachment 1 – Gateway Determination