



Ms Margot Stork
General Manager
Murray Shire Council
PO Box 21
Mathoura NSW 2710

14/16296

Attention: Mr Simon Arkinstall, Director of Environmental Services

Dear Ms Stork

Planning Proposal (PP_2014-_MURRA_002_00) to amend Murray LEP 2011 – Amend Schedule 1 Additional Permitted Uses to include ‘Vehicle Body Repair Workshop’ on Lot 1 DP 222761, No. 75 Meninya Street, Moama.

I refer to your letter of 19 September 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 amend Schedule 1 Additional Permitted Uses to include ‘Vehicle Body Repair Workshop’ as an additional permitted use with consent on the land known as Lot 1 DP 222761, 75 Meninya Street, Moama.

As a delegate of the Minister for Planning, I have determined 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. I have considered the nature of Council’s Planning Proposal and have decided to issue authorisation for Council to exercise delegation and make this plan (**Attachment 2**).

The amended 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 (parliamentary.counsel@pco.nsw.gov.au) 6 weeks prior to the projected publication date.

A copy of the request should be forwarded to the Department of Planning and Environment (westernregion@planning.nsw.gov.au) for administrative purposes.

The amended LEP maps and GIS data is to be uploaded to the Departments FTP site at ftp://lepup:lep_upload@203.3.194.247/ and the map information emailed to: pccgis@planning.nsw.gov.au and a copy to westernregion@planning.nsw.gov.au.



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State Government is committed to reducing the time taken to complete LEP's 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 57(2)(d) of the EP&A Act if the time frames outlined in the determination are not met.

In accordance with 'A guide for the preparation of local environmental plans' attachment 5 – Delegated plan making reporting template (**Attachment 3**) is enclosed for Council's information. Table 2 of the attachment is to be completed and included in Council's section 59 submission and forwarded to the westernregion@planning.nsw.gov.au when requesting the planning proposal to be finalised.

Should you have any further enquiries about this matter, I have arranged for Rebecca Kell from the Western Region office to assist you. Miss Kell can be contacted on 02 6841 2195.

Yours sincerely

a w. albury 10-10-2014

Ashley Albury
General Manager, Western Region
Planning Services

Enclosed:

- Attachment 1 – Gateway Determination
- Attachment 2 – Written Authorisation to Execute Delegation
- Attachment 3 – Delegated Plan Making Reporting Template

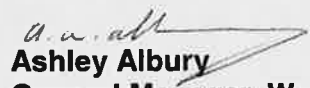
Gateway Determination

Planning Proposal (Department Ref:PP_2014_MURRA_002_00): to amend the Murray LEP 2011 -Schedule 1 Additional Permitted Uses to include 'Vehicle Body Repair Workshop' as an additional permitted use with consent on the land known as Lot 1 DP 222761, No. 75 Meninya Street, Moama.

I, the General Manager, Western Region 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 Murray Local Environmental Plan 2011 (LEP) to amend Schedule 1 Additional Permitted Uses to include 'Vehicle Body Repair Workshop' as an additional permitted use with consent on the land known as Lot 1 DP 222761, No 75 Meninya Street, Moama 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 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 & Infrastructure 2013)*.
- No consultation is required with public authorities under section 56(2)(d) of the EP&A Act.
2. 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).
3. Prior to submission of the Planning Proposal under section 59 of the EP&A Act an Additional Permitted Use Map to clearly identify that an Additional Permitted Use applies to the subject land is to be prepared and be compliant with the Department's "Standard technical requirements for LEP Maps".
4. The timeframe for completing the LEP is to be **9 months** from the week following the date of the Gateway determination.

Dated 10 day of October 2014.


Ashley Albury
General Manager, Western Region
Planning Services

**Delegate of the Minister for Planning and
Infrastructure**



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WRITTEN AUTHORISATION TO EXERCISE DELEGATION

Murray 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_MURRA_002_00	To amend Schedule 1 Additional Permitted Uses to include Vehicle Body Repair Workshop as an additional permitted use with consent on the land known as Lot 1 DP 222761.

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

Dated 10 October 2014

Ashley Albury
General Manager, Western Region
Planning Services
Department of Planning and Environment

Delegate of the Minister for Planning

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_MURRA_002_00
Date Sent to DoP&E under s56	19 September 2014
Date considered at LEP Review Panel (if applicable)	Not referred to LEP Panel as considered by the General Manager Western Region as the delegate of the Minister for Planning
Gateway determination date	10 October 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: