



Planning & Infrastructure

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

Our ref: PP_2012_NARRB_002_00 (12/13749)
Your ref: PB:MR

Dear Mr White,

Planning proposal to amend Narrabri Local Environmental Plan 2012

I am writing in response to your Council's letter dated 15 May 2013 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 reduce the minimum lot size for Lot 81 DP 2855 at Ugoa Street, Narrabri from 40ha to 3ha.

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 inconsistency with S117 Direction 4.3 Flood Prone Land is of minor significance and the inconsistency with S117 Direction 1.2 Rural Zones is justified by an approved local strategy. No further approval is required in relation to these Directions.

I note that Council has not formally accepted plan making delegation. Council is strongly encouraged to formally accept plan making delegation, nominate the officers or employee of Council who will be granted the proposed delegation and advise the department that delegations have been accepted to enable locally significant proposals to be delegated back to Council.

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 for the department to draft and finalise the LEP should be made 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 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 9689.

Yours sincerely,


Neil McGaffin
Executive Director
Rural and Regional Planning

5.6.13

Gateway Determination

Planning proposal (Department Ref: PP_2012_NARRA_002_00): to reduce the minimum lot size for land at Ugoa Street, Narrabri.

I, the Executive Director, Rural and Regional Planning 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 Local Environmental Plan (LEP) 2012 to reduce the minimum lot size for Lot 81 DP 2855 at Ugoa Street, Narrabri from 40ha to 3ha should proceed subject to the following conditions:

1. Prior to undertaking public exhibition, Council is to update the project timeline within the planning proposal to reflect the correct date of the Gateway determination. It is noted that subsequent dates allocated within the project timeline will also need to be amended as a consequence of the above change.
2. 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)*.
3. Consultation is required with the Office of Environment and Heritage (OEH) under section 56(2)(d) of the EP&A Act. OEH 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.
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

5th

day of

June

2013.



Neil McGaffin
Executive Director
Rural and Regional Planning
Department of Planning and Infrastructure

Delegate of the Minister for Planning and Infrastructure