

Mr Ashley Wielinga
General Manager
Warren Shire Council
PO Box 6
WARREN NSW 2824

Dear Mr Wielinga

Planning Proposal (PP_2017_WARRE_001_000) to amend the Warren Local Environmental Plan 2012 to change the land use zone and minimum lot size at Mabel Street, Sewage Treatment Works and Bundemar Road, Warren.

I am writing in response to your Council's email dated 2 March 2017 and further information provided on 7 April 2017 requesting a Gateway determination under section 56 of the *Environmental Planning and Assessment Act, 1979* in respect of the planning proposal to amend the Warren Local Environmental Plan 2012 (LEP) to change the land use zoning on various land.

As delegate of the Minister for Planning, I have now determined the planning proposal should proceed subject to the conditions in the attached Gateway determination (**Attachment 1**).

I am satisfied that the planning proposal's inconsistencies with section 117 Directions (1.2 Rural Zones, 1.5 Rural Lands, 3.1 Residential Zones and 4.3 Flood Prone Land) are of minor significance. No further approval is required in relation to these Directions.

Prior to undertaking community consultation Council is to produce subject land maps which clearly delineate the extent of the proposed changes to the subject land. These maps are to form part of the community consultation package.

The Minister delegated plan making powers to Councils in October 2012. It is noted that Council has requested not to be issued with delegation for this planning proposal. I have considered Council's request and agree in this instance not to issue Council authorisation to exercise delegation to make this plan.

The amending Local Environmental Plan (LEP) is to be finalised within 12 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 of Planning and Environment to draft and finalise the LEP should be made 10 weeks prior to the projected publication date. Council's request to

finalise the LEP should be made to the Department of Planning and Environment (westernregion@planning.nsw.gov.au).

All related files for LEP Amendment, including PDF Maps, Map Cover Sheet, Planning Proposal document and GIS Data, if available, must be submitted to the Department via the Planning Portal Website at <https://www.planningportal.nsw.gov.au/planning-tools/online-submission-planning-data>. To submit the data, Council is required to create an account and log in using these details.

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 *Environmental Planning & Assessment Act, 1979* if the time frames outlined in this determination are not met.

Should you have any queries in regard to this matter, I have arranged for Tim Collins of the Departments Western Region office to assist you. Mr Collins can be contacted on 02 6841 2180.

Yours sincerely



Katrine O'Flaherty
Director Regions, Western
Planning Services

12/05/2017

Attachment 1 – Gateway determination

Gateway Determination

Planning proposal (Department Ref: PP_2017_WARRE_001): amend the Warren Local Environmental Plan 2012 to change the land use zone and minimum lot size at Mabel Street, Sewage Treatment Works and Bundemar Road, Warren

I, the Director Regions, Western at the Department of Planning and Environment as delegate of the Minister for Planning, have determined under section 56(2) of the *Environmental Planning and Assessment Act, 1979* that an amendment to the Warren Local Environmental Plan 2012 in relation to several lots 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* as follows:
 - (a) the planning proposal must be made publicly available for a minimum of 28 days;
 - (b) subject land maps which clearly delineate the extent of the subject land are to form part of the community consultation package.
 - (c) 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 submission of the planning proposal under section 59 of the *Environmental Planning and Assessment Act, 1979*, the final LEP maps must be prepared and be compliant with the Department's 'Standard Technical Requirements for Spatial Datasets and Maps' 2015.
3. The timeframe for completing the LEP is to be 12 months from the week following the date of the Gateway determination.

Dated 12th day of May 2017.



Katrine O'Flaherty
Director Regions, Western
Planning Services
Department of Planning and
Environment

Delegate of the Minister for
Planning