

Mr Barry Barlow
General Manager
Conargo Shire Council
PO Box 56
Deniliquin NSW 2710

14/07679

Attn: Ms Marie Sutton, Development Manager

Dear Mr Barlow

I refer to Council's letter received on 7 May 2014 requesting minor mapping amendments to the Conargo Local Environmental Plan 2013 (LEP) under section 73A of the *Environmental Planning and Assessment Act 1979*.

As delegate of the Minister for Planning I have determined the section 73A submission should proceed subject to the conditions in the attached Gateway Determination. I have also agreed the inconsistencies with s117 Direction 1.2 Rural Zones and 1.5 Rural Lands are of minor significance and no further approval is required in relation to these Directions.

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 submission and have decided to issue an authorisation for Council to exercise delegation to make this plan (**Attachment 1**).

The amending 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 (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 (planmaking.monitoring@planning.nsw.gov.au) 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.

In accordance with "*A Guide for the preparation of local environmental plans*" attachment 5 – Delegated plan making reporting template (**Attachment 2**) is enclosed for Council's information. Table 2 of the attachment is to be completed and included in Council's section 59 submission.

Should you have any further enquiries about this matter, I have arranged for Megan Jones of the Department's Western Region office to assist you. Ms Jones can be contacted on telephone number 02 6841 2180.

Yours sincerely

a.w. albury 16-05-2014

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



Gateway Determination

Planning proposal (PP_2014_CONAR_001_00) to amend Land Zone Map LZN_007A and Lot Size Map LSZ_007A and insert CL1_006 into the Watercourses, Groundwater Vulnerability and Wetlands Map Series of the Conargo Local Environmental Plan 2013.

I, General Manager, Western Region Team of the Department of Planning and Environment, as delegate of the Minister for Planning, have determined under section 73A(1)(c) of the EP&A Act that an amendment to the Conargo Local Environmental Plan (LEP) 2013 to amend the abovementioned maps and map series 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* 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*.
2. No consultation is required with public authorities under section 56(2)(d) of the EP&A Act.
3. 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).
4. The timeframe for completing the LEP is to be **6 months** from the week following the date of the Gateway determination.

Dated 16 day of May 2014.


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

Delegate of the Minister for Planning



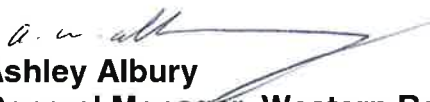
WRITTEN AUTHORISATION TO EXERCISE DELEGATION

Conargo 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_CONAR_001_00	Planning proposal to amend <i>Land Zone Map LZN_007A</i> and <i>Lot Size Map LSZ_007A</i> and insert <i>CL1_006</i> into the <i>Watercourses, Groundwater Vulnerability and Wetlands Map</i> series of the Conargo Local Environmental Plan 2013.

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

Dated 16th May 2014


Ashley Albury
General Manager, Western Region
Growth Planning and Delivery
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 following receipt of the planning proposal
- The department 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 department's publicly accessible LEP Tracking System is kept up to date
- A copy of this completed report must be provided to the department with the RPA's request to have the LEP notified

Table 1 – To be completed by the department

Stage	Date/Details
Planning Proposal Number	PP_2014_CONAR_001
Date Sent to Department under s56	Received 7 May 2014
Date considered at LEP Review Panel	
Gateway determination date	16 May 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 DP&I requesting notification		

Table 3 – To be completed by the department

Stage	Date/Details
Notification Date and details	

Additional relevant information: