

Mr Gary Wallace
General Manager
Oberon Council
PO Box 84
Oberon NSW 2787

Attention: Shane Wilson, Planning and Development Director

Dear Mr Wallace

Planning Proposal (PP_2018_OBERO_001_00) – to amend Oberon LEP 2013 by rezoning land from RU1 Primary Production to R5 Large Lot Residential and changing minimum lot size to 10 ha at Part Lot 4 DP 1023024, O’Connell Road, O’Connell

I am writing in response to Council’s letter dated 22 February 2018 requesting a Gateway determination under section 3.34 of the *Environmental Planning and Assessment Act 1979* (the Act) and additional information dated 19 April 2018 in respect of the planning proposal to rezone land and change minimum lot size at Part Lot 4 DP 1023024 O’Connell Road, O’Connell.

As delegate of the Minister for Planning, I have now determined the planning proposal has merit and should proceed subject to the conditions in the attached Gateway determination.

I have agreed to proceed with this proposal subject to strategic planning work being undertaken to review the rural residential land / large lot residential land component of the Oberon Land Use Strategy 2013 as identified in condition 1 of the Gateway determination. This strategic review is timely and will inform the merit of the subject proposal.

Council still needs to obtain the agreement of the Department’s Secretary to comply with the requirements of relevant section 9.1 Directions 1.2 Rural Zones, 1.3 Mining, Petroleum and Extractive Industries, 1.5 Rural Lands and 5.10 Implementation of Regional Plans and State Environmental Planning Policy (Rural Lands) 2008. Council is to ensure this occurs prior to community consultation.

Plan making powers were delegated to Councils by the Minister in October 2012. I have considered the nature of Council’s planning proposal and have decided not to issue an authorisation for Council to exercise delegation to make this plan at this time due to the strategic planning work required and the inconsistencies with section 9.1 Directions. I will review this decision after condition 1 of the Gateway determination has been completed.

The amending Local Environmental Plan (LEP) is to be finalised within 12 months of the date of the Gateway determination. 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.

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

All related files for the LEP Amendment, including PDF Maps, Map Cover Sheet, planning proposal documentation 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 3.32(2)(d) of the Act 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, Planning Officer of the Department's Western Region office to assist you. Mr Collins can be contacted on 68412180.

Yours sincerely



30.5.18

Damien Pfeiffer
Director Regions, Western
Planning Services
Department of Planning and Environment

Encl:
Gateway Determination