



Mr David Aber
General Manager
Moree Plains Shire Council
PO Box 420
MOREE NSW 2400

Our ref: PP_2015_MOREE_001_00 (13/15013)
Your ref: trim file 14/115

Dear Mr Aber

Planning proposal to amend Moree Plains Local Environmental Plan 2011

I am writing in response to your Council's letter dated 18 March 2015 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 reclassify certain Council owned land from community to operational status, extinguish certain interests applying to some of the land and to correct existing errors in Council's reclassification schedule.

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.

I have also agreed, as delegate of the Secretary, the planning proposal's inconsistency with S117 Direction 6.2 Reserving Land for Public Purposes is of minor significance. In relation to this Direction, I have agreed to the reduction of land for public purposes on the basis of the positive outcomes that will result from the Housing NSW plan for reinvigorating the public housing sector in South Moree and to help facilitate the redevelopment of land that does not, and is unlikely in the future, to perform an open space function. No further approval is required in relation to this Direction.

I note that seventeen sites identified in the planning proposal are currently in the process of being reclassified from operational to community status under a separate process. This process is designed to allow their future reclassification to operational status with the extinguishment of certain interests applying to the land. The reclassification of these sites to community status must be completed prior to the finalisation of this planning proposal.

The amending 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 for the Department of Planning and Environment to draft and finalise the LEP should be made 8 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, I have arranged for Mr Jon Stone of the Department's regional office to assist you. Mr Stone can be contacted on (02) 6701 9688.

Yours sincerely

 30 March 2015
Stephen Murray
General Manager, Northern Region
Planning Services

Encl:
Gateway Determination



Gateway Determination

Planning proposal (Department Ref: PP_2015_MOREE_001_00): to reclassify certain Council owned land from community to operational, extinguish certain interests applying to some of the land and to correct existing errors in Council's reclassification schedule.

I, the General Manager, Northern Region 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* (EP&A Act) that an amendment to the Moree Plains Local Environmental Plan (LEP) 2011 to reclassify certain Council owned land from community to operational, extinguish certain interests applying to some of the land and to correct existing errors in Council's reclassification schedule should proceed subject to the following conditions:

1. Community consultation is required under sections 56(2)(c) and 57 of the 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 and Infrastructure 2013)*.
2. No consultation is required with public authorities under section 56(2)(d) of the EP&A Act
3. That a public hearing on the reclassification of the subject land in accordance with section 29 of the Local Government Act 1993 and section 57 of the *Environmental Planning and Assessment Act 1979* be held after the completion of the public exhibition period.
4. The planning proposal is to be amended prior to public exhibition to include a revised project timeline that is consistent with the exhibition and public hearing requirements contained in the Department's *A Guide to Preparing LEPs (Department of Planning and Infrastructure 2013)*.
5. The timeframe for completing the LEP is to be **9 months** from the week following the date of the Gateway determination.

Dated

30

day of

March

2015

Stephen Murray
General Manager, Northern Region
Planning Services
Department of Planning and Environment

Delegate of the Minister for Planning