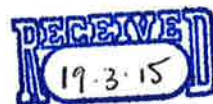


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Reference: TRIM FILE14/115



18 March 2015

Department of Planning & Environment
PO Box 550
TAMWORTH NSW 2340



Attention: Mr Craig Diss

Dear Mr Diss,

Re: Planning Proposal – Reclassification of Land – Moree Plains Shire LEP 2011

I refer to our recent discussion on this matter. As you would be aware, the origins of the current reclassification proposal go back to the preparation and gazettal of Moree Plains LEP 2011. At that time reclassification was attempted, however the necessary reserves and other affectations on land were not removed. Accordingly, and in discussion with the Department, Council re-started the process which involved a fresh Planning Proposal that updated the work undertaken for the 2011 LEP including introducing some additional lands. According to Council's records that Planning Proposal was first submitted to the Department on 23 May 2014.

Council engaged in ongoing discussions with the Department including amendments to the Planning Proposal and including a review of draft advertisements. The matter then proceeded to an exhibition period of 28 days and public hearing. Of particular note is that no submissions were received on either the exhibition or the public hearing. Council has been unable to locate a copy of a Gateway Determination and a review of the Departments LEP tracking system suggests that no such determination was, in fact, issued. While acknowledging the oversight regarding the exhibition Council is concerned regarding any further delays to this LEP. In particular, and following procedural advice from the Department, lands were reclassified "Community" by resolution of Council as part of the process. This affects lands which Council is in the process of either putting to commercial use (such as the Council subdivision adjoining Moree Airport) or which are already in commercial use but require more flexibility in terms of leasing arrangements (for example an existing Caravan Park).

Given the history and circumstances, in particular noting the absence of public submission on the recent exhibition and public enquiry, Council is seeking a formal Gateway Determination for the attached proposal that would enable Council to make use of the recent public exhibition and public enquiry without going through these processes for a third time. We submit that the circumstances constitute a special case noting that a fresh consultation process would be very unlikely to attract submissions. Council therefore seek the Department's support in facilitating this outcome.

We look forward to an opportunity to further discuss the matter with the Department once the Department has formed a view as to whether this path may be acceptable.

Please contact me to discuss this matter further.

Regards,


Murray Amos
Senior Strategic Development Officer
Planning & Development Department

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