



Planning & Environment

Mr Alan Cairney
General Manager
Oberon Council
PO Box 84
Oberon NSW 2787

**Attention: Mr Gary Wallace – Planning and Development
Manager**

15/03283

Dear Mr Cairney

**Amended Gateway determination for Planning Proposal to amend Oberon Local
Environmental Plan 2013 (Amendment2) (PP_2014_OBERO_002_00) - heritage
descriptions and mapping.**

I refer to the telephone discussion between myself and Council Officer Mr Gary Wallace on 12 February 2015 regarding the Gateway determination which was issued by the Department on 17 December 2014 to remove 8 local heritage items from Schedule 5, re-number heritage items in Schedule 5, correct the boundary of the Urban Conservation Area in O'Connell and amend the heritage maps.

While it is noted that the original amendment was lodged as a section 73A Amendment, to correct minor errors and descriptions to heritage items it was determined during the assessment process that as the amendment also involved the removal of heritage items from Schedule 5, and could not be considered as a minor amendment.

After speaking with Mr Wallace I am now advised that Council does not wish to proceed with the removal of the 8 heritage items at this time. Therefore as a delegate for the Minister for Planning I have determined that the correction of the boundary of the O'Connell Urban Conservation Area and renumbering of heritage items in Schedule 5 and related mapping changes to the Oberon Local Environmental Plan 2013 (LEP) is a minor amendment and can proceed as a Section 73A amendment. In this regard, community and agency consultation is not required in this instance and the amended Gateway determination is now issued as **Attachment 1**.

Please note that this Gateway determination dated 20 February 2015 supersedes the original Gateway determination dated 17 December 2014.

Mr Wallace has also advised in our telephone conversation that a new planning proposal will be prepared to remove the local heritage items from Schedule 5 of the LEP and will be forwarded to the Department for assessment at a later date.

This amended LEP is to be finalised within 3 months of the week following the date of this letter.

Due to the minor nature of the amendment the Department will now proceed to request the Parliamentary Counsel's Office to commence drafting the plan.

Council is to prepare the related mapping and map coversheet in accordance with the Department's "Standard Technical Requirements for LEP Maps" as soon as possible. The amended LEP maps and GIS data is to be uploaded to the Departments FTP site at ftp://lepup:lep_upload@203.3.194.247/ and the map information emailed to: pcgis@planning.nsw.gov.au and a copy to westernregion@planning.nsw.gov.au.

The Department will keep Council informed of the progress of this amendment.

Should you have any further enquiries about this matter, I have arranged for Jenna McNabb, Planning Services – Western Region office to assist you. Ms McNabb can be contacted on telephone number 02 68412180.

Yours sincerely

 24-2-2015
Ashley Albury
**General Manager, Western Region
Planning Services**



Planning & Environment

Gateway Determination

Planning proposal (PP_2014_OBERO_002_00): to amend the Oberon Local Environmental Plan 2013 to update and re-number heritage items in Schedule 5, correct heritage maps and correct the boundary of the Urban Conservation Area in O'Connell.

I, the General Manager, Western Region at 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 Oberon Local Environmental Plan 2013 to update and re-number heritage items in Schedule 5, correct heritage maps and correct the boundary of the Urban Conservation Area in O'Connell should proceed subject to the following conditions:

1. This is a minor matter that can be dealt with under section 73A of the EP&A Act.
2. No community consultation is required
3. No consultation is required with public authorities under section 56(2)(d) of the Environmental Planning and Assessment Act 1979.
4. A public hearing is not required to be held into the matter by any person or body under section 56(2)(e) of the Environmental Planning and Assessment Act 1979. 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).
5. The timeframe for completing the LEP is to be **3 months** from the week following the date of the Gateway determination.

Dated 24th day of February 2015.


Ashley Albury
General Manager, Western Region
Planning Services
Planning & Environment

Delegate of the Minister for Planning