



Mr Greg Lamont  
General Manager  
Narromine Shire Council  
PO Box 115  
Narromine NSW 2821

14/13061

**Attention: Kylie Rowe, Manager of Planning**

Dear Mr Lamont

**Planning Proposal (PP\_2014\_NARRO\_003\_00) rezone land from zone RU1 to zone R5, Lot 5122 DP 1083390 Mitchell Highway, Narromine**

I refer to your letter of 29 July 2014 requesting a Gateway determination under section 56(1) of the Environmental Planning and Assessment Act 1979 (EP&A Act) in respect to the planning proposal to amend the Narromine LEP 2011 by rezoning land from zone RU1 Primary Production to zone R5 Large Lot Residential on lot 5122 DP 1083390, Mitchell Highway to facilitate further large lot residential subdivision.

As delegate of the Minister for Planning, I have determined the planning proposal should proceed subject to the conditions in the attached Gateway determination (**Attachment 1**).

The inconsistency with section 117 Direction 4.3 Flood Prone Land has been considered as being of minor significance in this case because the subject land is mapped on the Narromine Shire Council Flood Risk Precincts Map and must be assessed against the specific development controls outlined in the Narromine Shire Council Flood Policy for Developments in Urban Floodplains 2011. No further work is required in this regard.

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 planning proposal and have decided to issue authorisation for Council to exercise delegation and make this plan (**Attachment 2**).

The amended 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 to draft and finalise the LEP should be made directly to Parliamentary Counsel's office ([parliamentary.counsel@pco.nsw.gov.au](mailto: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 of Planning and Environment ([westernregion@planning.nsw.gov.au](mailto:westernregion@planning.nsw.gov.au)) for administrative purposes.

The amended LEP maps and GIS data is to be uploaded to the Department's FTP site at [ftp://lepup:lep\\_upload@203.3.194.247/](ftp://lepup:lep_upload@203.3.194.247/) and the map information emailed to: [pcqis@planning.nsw.gov.au](mailto:pcqis@planning.nsw.gov.au) and a copy to [westernregion@planning.nsw.gov.au](mailto:westernregion@planning.nsw.gov.au)

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 57(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 3**) 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 Rebecca Kell from the Western Region office to assist you. Miss Kell can be contacted on 02 6841 2180.  
Yours sincerely

*a.w. alb* 15-8-2014

**Ashley Albury**  
**General Manager, Western Region**  
**Housing, Growth and Economics**



## Gateway Determination

**Planning proposal (Department Ref: PP\_2014\_NARRO\_003\_00):** to rezone Lot 5122 DP 1083390, Mitchell Highway, Narromine (21.16Ha) from zone RU1 Primary Production to zone R5 Large Lot Residential to enable subdivision of land to 5 hectares - yielding four dwelling lots.

I, the General Manager, Western 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 Narromine Local Environmental Plan (LEP) 2011 for Lot 5122 DP 1083390 from zone RU1 Primary Production to zone R5 Large Lot Residential to enable for subdivision of land to 5 hectares should proceed subject to the following conditions:

1. Community consultation is required under section 57 of the EP&A Act as follows:
  - a. The planning proposal is required to be made publicly available on exhibition for 28 days as described in A Guide to Preparing LEPs (Department of Planning & Infrastructure 2012).
  - 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. Consultation with Roads and Maritime Services is required due to the subject land having frontage to the Mitchell Highway.
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. Prior to submission of the Planning Proposal under section 59 of the EP&A Act the Lot Size Map LSZ\_004A and Land Zoning Map LZN\_004A are to be compliant with the Departments 'Standard technical requirements for LEP Maps'.
5. The timeframe for completing the LEP is to be 9 months from the week following the date of the Gateway determination.
6. State Environmental Planning Policy No 55 – Remediation of Land is to be addressed in Councils section 59 submission.

Dated 15 day of August 2014

*a.w. all*

**Ashley Albury**  
General Manager, Western Region  
Growth, Housing and Economics  
Department of Planning and Environment

**Delegate of the Minister for Planning**



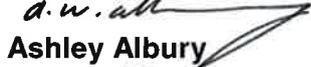
**WRITTEN AUTHORISATION TO EXERCISE DELEGATION**

Narromine 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_NARRO_003_00	To rezone Lot 5122 DP 1083390, Mitchell Highway, Narromine (21.16 ha) from zone RU1 Primary Production to zone R5 Large Lot Residential to enable subdivision of land to 5 hectares – yielding four dwelling lots.

In exercising the Minister’s functions under section 59, Council must comply with the Department’s “*A guideline for the preparation of local environmental plans*” and “*A guide to preparing planning proposals*”.

Dated 15 August 2014

*a.w.all*  
  
**Ashley Albury**  
General Manager, Western Region  
Housing, Growth and Economics  
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_NARRO_003_00
Date Sent to Department under s56	31/7/2014
Date considered at LEP Review Panel	
Gateway determination date	15/8/2014

**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: