

Mr Adrian Butler
General Manager
Federation Council
PO Box 77
COROWA NSW 2646

Dear Mr Butler

Planning proposal (PP_2018_FEDER_001_00) to amend Corowa Local Environmental Plan 2012 – Howlong Industrial Estate.

I am writing in response to Council's request for a Gateway determination under section 3.34(1) of the *Environmental Planning and Assessment Act 1979* (the Act) in respect of the planning proposal to rezone 50ha of RU1 Primary Production land to IN1 General Industrial and remove the Minimum Lot Size (MLS) at Lots 67, 68, 69 and 70 DP753744, Kywong Howlong Roads, Howlong.

As delegate of the Minister for Planning, I have now determined that the planning proposal should proceed subject to the conditions in the enclosed Gateway determination.

I have also agreed, as delegate of the Secretary, the planning proposal's inconsistencies with section 9.1 Direction/s (1.2 Rural Zones and 1.5 Rural Lands) are justified in accordance with the terms of the Direction. No further approval is required in relation to these Directions.

Council may still need to obtain the agreement of the Department of Planning and Environment's Secretary to comply with the requirements of relevant section 9.1 Directions 1.3 Mining, Petroleum and Extractive Industries. Consultation with the Department of Planning and Environment – Resources and Energy is required to address the inconsistency.

I have considered Council's request to be the local plan-making authority and have determined not to condition the Gateway determination for Council to be the local plan-making authority for the following reasons:

- Council owns the subject land relating to the rezoning.
- Council will be the future proponent for developing the subject land.

The amending Local Environmental Plan (LEP) is to be finalised within 12 months of 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 forwarded to the Department of Planning and

Environment (westernregion@planning.nsw.gov.au) ten (10) weeks prior to the projected publication date.

All related files for the LEP Amendment, including PDF Maps, Map Cover Sheet, planning proposal document 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 further enquiries about this matter, I have arranged for Ms Nikki Allen from the Department of Planning and Environment, Western Region office to assist you. Ms Allen can be contacted on 5852 6800.

Yours sincerely



28.9.18

Damien Pfeiffer
Director Regions, Western
Planning Services

Encl: Gateway determination