

Mr Lester Rodgers  
General Manager  
Moree Plains Shire Council  
PO Box 420  
MOREE NSW 2400

Dear Mr Rodgers

**Planning proposal PP\_2018\_MOREE\_001\_00 to amend Moree Plains Local Environmental Plan 2011**

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 to the planning proposal to rezone Council owned public recreation land to residential.

As delegate of the Minister for Planning, I have now determined 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 Directions 2.1 Environmental Protection Zones, 2.3 Heritage Conservation, 3.1 Residential Zones and 3.5 Development Near Licensed Aerodromes are justified in accordance with the terms of the Direction.

Council may still need to obtain the agreement of the Department's Secretary to comply with the requirements of relevant section 9.1 Direction 4.3 Flood Prone Land. Council should ensure this occurs prior to the plan being made.

It is noted that Council has requested to be authorised as the local plan-making authority. I have considered the nature of Council's planning proposal and have conditioned the Gateway for Council to be authorised as the local plan-making authority.

The amending Local Environmental Plan (LEP) is to be finalised within 6 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 made directly to Parliamentary Counsel's Office 6 weeks prior to the projected publication date. A copy of the request should be forwarded to the Department of Planning and Environment.

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) 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 Heidi Naylor to assist you. Ms Naylor can be contacted on 6641 6604.

Yours sincerely



14-3-2018

**Jeremy Gray**  
**Director Regions, Northern**  
**Planning Services**

Encl: Gateway Determination  
Local plan-making authority reporting template

## Attachment 5 – Authorised plan-making reporting template

### Reporting template for authorised LEP amendments

#### Notes:

- Planning proposal number will be provided by the Department of Planning and Environment following receipt of the planning proposal.
- The Department of Planning and Environment will fill in the details of Tables 1 and 3.
- Planning proposal authority (PPA) is to fill in details for Table 2.
- If the planning proposal is exhibited more than once, the PPA should add rows to **Table 2** to include this information.
- The PPA must notify the relevant contact officer in the regional office in writing of the dates as they occur to ensure the publicly accessible LEP Tracking System is kept up to date.
- A copy of this completed report must be provided to the Department of Planning and Environment with the PPA's request to have the LEP notified.

**Table 1: To be completed by the Department of Planning and Environment**

Stage	Date/Details
Planning proposal number	PP_2018_MOREE_001_00
Date sent to DPE under section 3.34(1)	
Date considered at planning panel (if applicable)	N/A
Gateway determination date	14-03-2018

**Table 2: To be completed by the PPA**

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		
Have changes been made to the draft LEP after obtaining final PC opinion?	YES NO	
Date LEP made under delegation		
Date sent to DPE requesting notification		



**Table 3: To be completed by the Department of Planning and Environment**

Stage	Date/Details
Notification date and details	

**Additional relevant information:**