

Mr Stewart Todd
General Manager
Narrabri Shire Council
PO Box 261
NARRABRI NSW 2390

Our ref: PP_2016_001_00 (16/02956)
Your ref: TM:LF:MR;PP3/2016

Attention: Luke Flood

Dear Mr Todd

Planning proposal to amend Narrabri Local Environmental Plan (2012)

I am writing in response to your Council's letter dated 3 February 2016 requesting a Gateway determination under section 56 of the *Environmental Planning and Assessment Act 1979* (the Act) in respect of the planning proposal to amend Narrabri LEP 2012 by including an additional local provision relating to active street frontages within certain parts of the Narrabri, Boggabri and Wee Waa business districts.

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

Plan making powers were delegated to councils by the Minister in October 2012. It is noted that Council has requested to be issued with delegation for this planning proposal. I have considered the nature of Council's planning proposal and have decided to issue an authorisation for Council to exercise delegation to make this plan.

The amending Local Environmental Plan (LEP) is to be finalised within 6 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 6 weeks prior to the projected publication date. A copy of the request should be forwarded to the Department of Planning and Environment's Northern Region office for administrative purposes.

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 54(2)(d) of the Act if the time frames outlined in this determination are not met.

Should you have any queries in regard to this matter, I have arranged for Ms Gina Davis to assist you. Ms Davis can be contacted on (02) 6701 9687.

Yours sincerely

 12 February 2016
Stephen Murray
Director Regions, Northern
Planning Services

Encl:
Gateway Determination
Written Authorisation to Exercise Delegation
Attachment 5 – Delegated Plan Making Reporting Template

Gateway Determination

Planning proposal (Department Ref: PP_2016_001_00): to amend Narrabri LEP 2012 by including an additional local provision relating to active street frontages within certain parts of the Narrabri, Boggabri and Wee Waa business districts.

I, the Director Regions, Northern 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* (the Act) that an amendment to the Narrabri Local Environmental Plan (LEP) 2012 to include an additional local provision relating to active street frontages within certain parts of the Narrabri, Boggabri and Wee Waa business districts should proceed subject to the following conditions:

1. Prior to exhibition, the planning proposal shall be amended to remove the existing draft Active Street Frontages clause and contain only a 'plain english' explanation of the intended clause.
2. Community consultation is required under sections 56(2)(c) and 57 of the Act as follows:
 - (a) the planning proposal is classified as low impact as described in *A Guide to Preparing LEPs (Department of Planning and Infrastructure 2013)* and must be made publicly available for a minimum of **14 days**; and
 - (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 (Department of Planning and Infrastructure 2013)*.
3. No consultation is required with public authorities under section 56(2)(d) of the Act.
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 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).
5. The timeframe for completing the LEP is to be **6 months** from the week following the date of the Gateway determination.

Dated 12th day of February 2016


Stephen Murray
Director Regions, Northern
Planning Services
Department of Planning and Environment

Delegate of the Minister for Planning



WRITTEN AUTHORISATION TO EXERCISE DELEGATION

Narrabri 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_2016_NARRB_001_00	To amend Narrabri LEP 2012 by including an additional local provision relating to active street frontages within certain parts of the Narrabri, Boggabri and Wee Waa business districts.

In exercising the Minister's functions under section 59, the Council must comply with the Department of Planning and Environment's "*A guide to preparing local environmental plans*" and "*A guide to preparing planning proposals*".

Dated *12 February* 2016


Stephen Murray
Director Regions, Northern
Planning Services
Department of Planning and Environment

Delegate of the Minister for Planning