



Mr Frank Zaknich
Chief Executive Officer
Albury City Council
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ALBURY NSW 2640

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Dear Mr Zaknich

Planning proposal PP_2020_ALBUR_001_00 to amend Albury Local Environmental Plan 2010

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 include 'artisan food and drink industry' as a permissible use in the B1-B4 Business Zones and RU5 Village Zone of the *Albury Local Environmental Plan 2010* (ALEP 2010).

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

Council may still need to obtain the agreement of the Secretary to comply with the requirements of relevant Section 9.1 Direction 4.4 Bushfire Prone Land, should the NSW Rural Fire Service object to the progression of the planning proposal. 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 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 made directly to Parliamentary Counsel's Office six weeks prior to the projected publication date. A copy of the request should be forwarded to the Department of Planning, Industry 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)(d) of the Act if the time frames outlined in this determination are not met.

Should you have any enquiries about this matter, I have arranged for Ms Barbara Gilbert, Planning Officer, from the Department of Planning, Industry and Environment, Western Region office, to assist you. Ms Gilbert can be contacted on 6926 8671.

Yours sincerely



14.8.20

Damien Pfeiffer
Director, Western Region
Local and Regional Planning

Encl: Gateway determination
Authorised plan-making reporting template