



Gary Lavelle
General Manager
Temora Shire Council
PO Box 262
TEMORA NSW 2666

Attention: Claire Golder

Dear Mr Lavelle

I am writing in response to Council's request for advice as to whether it can proceed with draft Temora LEP 2010 (Amendment 7) to implement planning proposal PP_2019_TEMOR_002_00 to rezone land near Temora Airport.

In the Department's letter dated 26 August 2019, I indicated that the Council must obtain the agreement of the Secretary to comply with section 9.1 Direction 4.3 Flood Prone Land because the planning proposal seeks to rezone flood prone land for residential development. I also indicated that Council should ensure it obtains the Secretary's approval prior to the plan being made and after consultation with DPIE – Biodiversity and Conservation.

I note that DPIE Biodiversity and Conservation advised Council in October 2019 that it has no concerns with the planning proposal from a flooding perspective because of the very limited flood risks at this site. I have therefore determined, as delegate of the Secretary, to approve the justification for the planning proposal's inconsistency with section 9.1 Direction 4.3 Flood Prone Land on the basis that the inconsistency is of minor significance.

Council appears to have satisfied the conditions of the Gateway determination, including the requirements for community consultation and consultation with relevant state agencies, and can now proceed to finalise the plan as the local plan making authority.

If you have any more questions, please contact Mr Graham Judge, Senior Planner, Southern Region on 6229 7906.

Yours sincerely

13 January 2020

Sarah Lees
Director, Southern Region
Local and Regional Planning