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Mr Tony Donoghue
General Manager
Coolamon Shire Council
PO Box 101
Coolamon NSW 2701

Our ref: PP_2016_COOLA_001_00 (16/11308)
Your ref: NS:MHP:RT1001717

Dear Mr Donoghue

Planning proposal to amend Coolamon Local Environmental Plan 2011

I am writing in response to Council's letter dated 3 August 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 rezone and amend the minimum lot size for Lot 252 DP750846 Wallace Street North, Coolamon.

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.

I have also agreed, as delegate of the Secretary, the planning proposal's inconsistency with S117 Direction 1.2 Rural Zones is of minor significance. No further approval is required in relation to this Direction while the planning proposal remains in its current form.

Plan making powers were delegated to councils by the Minister in October 2012. It is noted that Council has now accepted this delegation. 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 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 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 Mr Mark Parker of the Department's Southern regional office to assist you. Mr Parker can be contacted on (02) 4224 9472.

Yours sincerely

 26/8/16

Linda Davis
Acting Director Regions, Southern
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_COOLA_001_00): to rezone Lot 252 DP750846 Wallace Street North, Coolamon to RU5 Village with a minimum lot size of 800m².

I, the Acting Director Regions, Southern 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 Coolamon Local Environmental Plan (LEP) 2011 to rezone Lot 252 DP750846 Wallace Street North, Coolamon to RU5 Village with a minimum lot size of 800m² should proceed subject to the following conditions:

1. Community consultation is required under sections 56(2)(c) and 57 of the *Environmental Planning and Assessment Act 1979* (the Act) as follows:
 - (a) the planning proposal must be made publicly available for a minimum of **28 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 local environmental plans* (Department of Planning and Environment 2013).
2. Consultation is required with the Environment Protection Authority (EPA) under section 56(2)(d) of the Act. The EPA is to be provided with a copy of the planning proposal and any relevant supporting material, and given at least 21 days to comment on the proposal.
3. 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).
4. The LEP maps shall be prepared in accordance with the *Standard Technical Requirements for Spatial Datasets and Maps* (Department of Planning and Environment, 2015) when the local environmental plan is submitted for finalisation.
5. Coolamon Council is authorised to use the Minister's plan making functions under sections 59(2), (3) and (4) of the Act.



Planning & Environment

6. The timeframe for completing the LEP is to be **6 months** from the date of the Gateway determination.

Dated 26th day of August 2016

Linda Davis
Acting Director Regions, Southern
Planning Services
Department of Planning and
Environment

Delegate of the Minister for Planning

WRITTEN AUTHORISATION TO EXERCISE DELEGATION

Coolamon 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_COOLA_001_00	Planning proposal to rezone Lot 252 DP750846 Wallace Street North, Coolamon to RU5 Village with a minimum lot size of 800m ² .

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 26 / 8 / 2016



Linda Davis
Acting Director Regions, Southern
Planning Services
Department of Planning and Environment