



Mr Des Bilske
Interim General Manager
Edward River Council
PO BOX 270
DENILQUIN NSW 2710

Attention: Julie Rogers, Manager Environmental Services

Dear Mr Bilske,

Planning Proposal (PP_2016_ERIVE_001_00) to amend Schedule 5 of *Denilquin Local Environmental Plan 2013* to identify a 75mm Field Gun as a moveable heritage item

I am writing in response to Council's request for Gateway determination in respect of the planning proposal to amend Schedule 5 of *Denilquin Local Environmental Plan 2013* to identify a 75mm Field Gun as a local (moveable) heritage item.

As delegate for the Minister for Planning, I have now determined the planning proposal should proceed subject to the conditions in the attached Gateway determination (**Attachment 1**).

As the planning proposal is consistent with section 117 Direction 2.3 Heritage Conservation, no further work or approval is required.

The Minister has delegated plan-making powers to Councils on October 2012. It is noted that Council has requested to be issued with delegation for this planning proposal. I have considered the nature of the planning proposal and have decided to issue an authorisation for Council to exercise delegation to make this plan (**Attachment 2**).

The amending Local Environmental Plan (LEP) is to be finalised within 9 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. The request to draft and finalise the LEP should be made directly to Parliamentary Counsel's Office (parliamentary.counsel@pco.nsw.gov.au) 10 weeks prior to the projected publication date.

A copy of the request should be forwarded to the Department of Planning and Environment (westernregion@planning.nsw.gov.au) for administrative purposes.

In accordance with 'A guide for the preparation of local environmental plans' attachment 5 – Delegated plan making reporting template (**Attachment 3**) is enclosed for Council's information. Table 2 of the attachment is to be completed and included in Council's section 59 submission and forwarded to the westernregion@planning.nsw.gov.au when requesting the planning proposal be finalised.

All related files for the LEP Amendment, including Maps, Map Cover Sheet, Planning Proposal document, section 59 Reporting and GIS data, if available, must be submitted to the Department via the Planning Portal Website at <https://www.planningportal.nsw.gov.au/planning-tools/online-submission-planning-data>. To submit the data, Council is required to create an account and log in using these details.

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 *Environmental Planning and Assessment Act, 1979* if the timeframes outlined in this determination are not met.

Should you have any queries in regard to this matter, I have arranged for Megan Jones of the Department's Western Region office to assist you. Ms Jones can be contacted on (02) 6841 2180

Yours sincerely

 5/10/2016
Wayne Garnsey
Acting Director Regions, Western
Planning Services

Attachment 1 – Gateway Determination

Attachment 2 – Written Authorisation to Exercise Delegation

Attachment 3 – Delegated Plan Making Reporting Template



Planning & Environment

Gateway Determination

Planning proposal (Department Ref: PP_2016_ERIVE_001_00): to identify 75mm field gun currently located at the entrance to Deniliquin RSL Club as an item of moveable heritage under Schedule 5 Environmental Heritage.

I, the Acting Director Regions, Western 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 that an amendment to the *Deniliquin Local Environmental Plan 2013* (LEP) to identify 75mm field gun currently located at the entrance to Deniliquin RSL Club as an item of moveable heritage under Schedule 5 Environmental Heritage 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 as follows:
 - (a) the planning proposal 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 & Infrastructure 2013)*.

No consultation with agencies is required.

2. A public hearing is not required to be held into the matter by any person or body under section 56(2)(e) of the Environmental Planning and Assessment Act, 1979. 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).
3. The timeframe for completing the LEP is to be **9 months** from the week following the date of the Gateway determination.

Dated 5th day of October 2016.

Wayne Garnsey
Acting Director Regions, Western
Planning Services
Department of Planning and Environment

Delegate of the Minister for Planning