



Mr John Rayner
Interim General Manager
Edward River Council
PO Box 270
DENILIKUIN NSW 2710

Attention: Julie Rogers, Manager Environmental Services

Dear Mr Rayner

Planning proposal [PP_2020_ERIVE_001_00] to amend Deniliquin Local Environmental Plan 2013 – Lot 2 DP 1220715, Harfleur Street, Deniliquin.

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 rezone Lot 2 DP 1220715, Harfleur Street Deniliquin from zone SP2 Infrastructure to zone B2 Local Centre.

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.

I have also agreed, as delegate of the Secretary, the planning proposal's consistency with the relevant section 9.1 Directions. No further approval is required in relation to these Directions.

I have considered Council's request to be the local plan-making authority and have determined not to condition the Gateway for Council to be the local plan-making authority for the following reason that Council is the landowner.

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 for the Department of Planning, Industry and Environment to draft and finalise the LEP should be made ten (10) weeks prior to the projected publication date. A copy of the request should be forwarded to the Department of Planning, Industry and Environment, Western Region office (westernregion@planning.nsw.gov.au) requesting that the amending plan be made and finalised.

All related files for LEP Amendment, including PDF Maps, Map Cover Sheet, planning proposal document and GIS Data, if available, must be submitted to the Department via the Planning Portal website at www.planningportal.nsw.gov.au. 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 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 Mr Haydon Murdoch from the Department of Planning, Industry and Environment, Western Region office, to assist you. Mr Murdoch can be contacted on 62297914.

Yours sincerely



18.5.20

Damien Pfeiffer
Director, Western Region
Local and Regional Planning

Encl: Gateway determination

Gateway Determination

Planning proposal (Department Ref: PP_2020_ERIVE_001_00): to rezone Lot 2 DP 1220715, Harfleur Street, Deniliquin from zone SP2 Infrastructure to B2 Local Centre.

I, the Director, Western Region at the Department of Planning, Industry and Environment, as delegate of the Minister for Planning and Public Spaces, have determined under section 3.34(2) of the *Environmental Planning and Assessment Act 1979* (the Act) that an amendment to the Deniliquin Local Environmental Plan (LEP) 2013 to rezone Lot 2 DP 1220715, Harfleur Street, Deniliquin from zone SP2 Infrastructure to B2 Local Centre should proceed subject to the following conditions:

1. Public exhibition is required under section 3.34(2)(c) and schedule 1 clause 4 of the Act as follows:
 - (a) the planning proposal must be made publicly available for a minimum of **28 days**; and
 - (b) the planning proposal 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 6.5.2 of *A guide to preparing local environmental plans* (Department of Planning and Environment, 2018).
2. Consultation is required with the Environment Protection Authority under section 3.34(2)(d) of the Act. The Environment Protection Authority 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 3.34(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. Prior to submission of the planning proposal under section 3.36 of the *Environmental Planning and Assessment Act, 1979*, the final LEP maps must be prepared and be compliant with the Department's 'Standard Technical Requirements for Spatial Datasets and Maps' 2017.

5. The time frame for completing the LEP is to be **12 months** following the date of the Gateway determination.

Dated 18th day of May 2020.



Damien Pfeiffer
Director, Western Region
Local and Regional Planning
Department of Planning, Industry and
Environment

Delegate of the Minister for Planning
and Public Spaces