

Mr Adam McSwain
General Manager
Edward River Council
PO Box 270
Deniliquin NSW 2710

Attention: Julie Rogers, Manager Environmental Services

Dear Mr McSwain

Planning proposal PP_2018_ERIVE_002_00 to amend Deniliquin Local Environmental Plan 2013 - additional permitted use – 227 Augustus Street, Deniliquin.

I am writing in response to Council's request for a Gateway determination under section 3.34 of the *Environmental Planning and Assessment Act 1979* (the Act) in respect of the planning proposal to insert in Schedule 1 of Deniliquin LEP 2013 the land use term 'general industry' as an additional permitted use for Lot 114 DP756310, 227 Augustus Street, Deniliquin.

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 (**Attachment 1**).

I have also agreed, as delegate of the Secretary, the planning proposal's inconsistencies with section 9.1 Directions 1.5 Rural Lands, 5.10 Implementation of Regional Plans and 6.3 Site Specific Provisions are justified as being of minor significance in accordance with the terms of the Directions. No further approval is required in relation to these Directions.

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

The amending Local Environmental Plan (LEP) is to be finalised within 12 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. Council's 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.

All related files for the LEP Amendment, including PDF Maps, Map Cover Sheet, planning proposal documentation 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.

In accordance with "A guide for the preparation of local environmental plans" Authorised 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 3.36 submission when requesting the planning proposal be finalised.

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 further enquiries about this matter, I have arranged for Mr Haydon Murdoch to assist you. Mr Murdoch can be contacted on (02) 6229 7914.

Yours sincerely



29.5.18

Damien Pfeiffer
Director Regions, Western
Planning Services

Encl: Attachment 1 - Gateway determination
Attachment 2 - Written Authorisation to Exercise Delegation
Attachment 3 - Authorised Plan Making Reporting Template