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Our ref: PP_2012_UPLAC_001_00 (12/05562-1)
 Your ref: F10/23

Mr John Bell
 General Manager
 Upper Lachlan Shire Council
 PO Box 10
 CROOKWELL NSW 2583

Dear Mr Bell,

Planning proposal to include "dwelling houses" as permissible with consent in the E2 Environmental Conservation zone under the Upper Lachlan Local Environmental Plan 2010

I am writing in response to your Council's letter dated 31 May 2012 requesting a Gateway Determination under section 56 of the Environmental Planning and Assessment Act 1979 ("EP&A Act") in respect of the planning proposal to include "dwelling houses" as permissible with consent in the E2 Environmental Conservation zone under the Upper Lachlan Local Environmental Plan 2010.

As delegate of the Minister for Planning and Infrastructure, I have now determined that the planning proposal should proceed subject to the conditions in the attached Gateway Determination.

Council is to consult with the Commissioner of the NSW Rural Fire Service, as per the requirements of S117 Direction 4.4 Planning for Bushfire Protection. Council is to amend the planning proposal, if necessary, following consultation and forward the planning proposal to the Department for finalisation. It has been determined that this is a minor matter and no further consultation or public exhibition is required.

The amending Local Environmental Plan (LEP) is to be finalised within 3 months of the week following the date of the Gateway Determination. Council is to forward the planning proposal to the Department for finalisation upon completion of consultation with the NSW RFS. The Regional Planning Team will remain your principal contact on this matter and will be able to advise on the progress of the draft LEP.

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 s54(2)(d) of the EP&A Act if the time frames outlined in this determination are not met.

Should you have any queries in regard to this matter, please contact Meredith McIntyre of the Regional Office of the Department on 02 6229 7900.

Yours sincerely,


Sam Haddad
 Director-General

22/6/2012.

Gateway Determination

Planning Proposal (Department Ref: PP_2012_UPLAC_001_00): to include "dwelling houses" as permissible with consent in the E2 Environmental Conservation zone under the Upper Lachlan Local Environmental Plan 2010

I, the Director General, Department of Planning and Infrastructure as delegate of the Minister for Planning and Infrastructure, have determined under section 56(2) of the EP&A Act that an amendment to include "dwelling houses" as permissible with consent in the E2 Environmental Conservation zone under the Upper Lachlan Local Environmental Plan 2010 should proceed subject to the following conditions:

1. No community consultation is required under sections 56(2)(c) and 57 of the Environmental Planning and Assessment Act 1979 ("EP&A Act").
2. Consultation is required with the following public authorities under section 56(2)(d) of the EP&A Act.
 - NSW Rural Fire Service
3. Further to Condition 2 above, Council is to consult with the Commissioner of the NSW Rural Fire Service and take into account any comments made as per the requirements of S117 Direction 4.4 Planning for Bushfire Protection. Council is to amend the planning proposal, if necessary, and forward a copy of the revised planning proposal to the Department for finalisation.
4. A public hearing is not required to be held into the matter by any person or body under section 56(2)(e) of the EP&A 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).
5. The timeframe for completing the LEP is to be **3 months** from the week following the date of the Gateway determination.

Dated

22nd

day of

June

2012.



Sam Haddad
Director-General
Delegate of the Minister for Planning and
Infrastructure