

Mr Phil Stone
General Manager
Edward River Council
PO Box 270
Deniliquin NSW 2710

Our ref: PP-2022-3030/ IRF22/3143

Attention: Marie Sutton, Manager Development Services

Dear Mr Stone

Planning proposal (PP-2022-3030) to consolidate the Deniliquin LEP 2013, Conargo LEP 2013 and Deniliquin LEP 1997 into a single LEP for the Edward River Council local government area.

I am writing in response to the planning proposal you have forwarded to the Minister under section 3.34(1) of the *Environmental Planning and Assessment Act 1979* (the Act) received on 8 September 2022 in respect of the planning proposal to create a single LEP for the Edward River Council local government area.

As delegate of the Minister for Planning, I have 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 inconsistency of the planning proposal with applicable Directions of the Minister under section 9.1 of the Act being 9.1 Rural Zones is justified in accordance with the terms of the Direction. No further approval is required in relation to the Directions.

Council may still need to obtain the agreement of the Secretary to comply with the requirements of relevant applicable directions of the Minister under section 9.1 of the Act being 4.3 Planning for Bushfire Protection, 8.1 Mining, Petroleum Production and Extractive Industries and 9.2 Rural Lands. Council should ensure this occurs prior to the LEP being made.

Given the planning proposal is a principal LEP amendment I have determined not to authorise Council to be the local plan-making authority.

The amending local environmental plan (LEP) is to be finalised on or before 12 months following the Gateway determination date. Council should aim to commence the exhibition of the planning proposal as soon as possible. Council's request for the Department of Planning and Environment to draft and finalise the LEP should be made eight (8) weeks in advance of the date the LEP is projected to be made.

The NSW Government has committed to reduce the time taken to complete LEPs. To meet these commitments, the Minister may appoint an alternate planning proposal authority if Council does not meet the timeframes outlined in the gateway determination.

The Department's categorisation of planning proposals in the *Local Environmental Plan Making Guideline* (Department of Planning and Environment, 2022) is supported by category specific timeframes for satisfaction of conditions and authority and Government agency referrals, consultation, and responses. Compliance with milestones will be monitored by the Department to ensure planning proposals are progressing as required.

Should you have any enquiries about this matter, I have arranged for Wayne Garnsey to assist you. Mr Garnsey can be contacted on 58526800.

Yours sincerely

A handwritten signature in black ink, appearing to read 'G P Hopkins', written in a cursive style.

21 October 2022

Garry Hopkins
Director, Western Region
Local and Regional Planning

Encl: Gateway determination