

Gateway Determination

Planning proposal (Department Ref: PP-2022-3030): Proposed Edward River Consolidated LEP.

I, the Director, Western Region at the Department of Planning and Environment, as delegate of the Minister for Planning, have determined under section 3.34(2) of the *Environmental Planning and Assessment Act 1979* (the Act) that the planning proposal to consolidate the Deniliquin Local Environmental Plan 2013, Deniliquin Local Environmental Plan 1997 and the Conargo Local Environmental Plan 2013 into the Edward River Local Environmental Plan should proceed subject to the following conditions:

1. Prior to community consultation the planning proposal is to be amended to include the following:
 - (a) identify where land is affected by proposed land use permissibility change, all landowners are to be notified and advised of the effect of the proposed change.
 - (b) an amended timetable which shows updated dates for key milestones and an expected end-to-end timeframe of 12 months.
 - (c) include the Department's Employment Zones reform – land use tables.
 - (d) identify matters from Deniliquin LEP 1997 that relate to the 'Deferred Matter' area that are to be transferred to the new Edward River LEP.
 - (e) clarify the proposed permissibility for zone RU1 Primary Production in relation to light industries, high technology industries and vehicle body repair workshops.
2. Public exhibition is required under section 3.34(2)(c) and clause 4 of Schedule 1 to the Act as follows:
 - (a) the planning proposal is categorised as principal as described in the Local Environmental Plan Making Guidelines (Department of Planning and Environment, 2022) and 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 Local Environmental Plan Making Guidelines (Department of Planning and Environment, 2022).
3. Consultation is required with the following government agencies under section 3.34(2)(d) of the Act and/or to comply with the requirements of applicable directions of the Minister under section 9 of the Act:
 - Regional NSW - Mining, Exploration and Geoscience to meet the requirements of section 9.1 Direction 8.1 Mining, Petroleum Production and Extractive Industries.
 - NSW Rural Fire Service for Direction 4.3 Planning for Bushfire Protection

- Department of Planning and Environment Biodiversity, Conservation and Science Directorate in relation to flooding.
4. 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).
 5. The LEP should be completed on or before 12 months after the Gateway determination date.

Dated

21st day of October

2022.

A handwritten signature in black ink, appearing to read 'G P Hopkins', with a stylized, cursive script.

Garry Hopkins
Director, Western Region
Local and Regional Planning
Department of Planning and Environment

Delegate of the Minister for Planning