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12/07684

Department Generated Correspondence (Y)

DEPARTMENT OF PLANNING AND INFRASTRUCTURE

Northern Region

REQUEST TO NOT TO PROCEED WITH THE PLANNING PROPOSAL PP 2011 GUNNE 003 00 TO ALTER THE DEFINITION OF FLOOD PRONE LAND UNDER GUNNEDAH LEP 1998

PURPOSE

- To recommend the Minister's delegate alter the Gateway Determination in accordance with the s56(7) of the Environmental Planning & Assessment Act, 1979, to enable the Planning Proposal to not proceed.

RECOMMENDATION

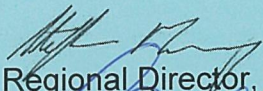
It is RECOMMENDED that the Minister's delegate:

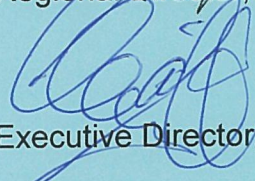
- **alter** the original Gateway Determination under s56(7) of the Act to enable the Planning Proposal to not proceed.
- **signs** the letter to the Council (**Tag A**).

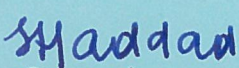
CURRENT POSITION

- Gunnedah Shire Council has written to the Department of Planning and Infrastructure advising that it does not intend to proceed with the Planning Proposal (**Tag B**).
- The Planning Proposal involved the amendment of the definition of flood prone land under Gunnedah LEP 1998 to include a 500mm freeboard to ensure consistency with the provisions of the NSW Floodplain Development Manual 2005.
- Council's letter does not provide any reasons for discontinuing the Planning Proposal. Discussions with Council staff have confirmed that the Planning Proposal is no longer needed as the need to include the definition will now be resolved under the Gunnedah draft comprehensive LEP 2012. This LEP has now been submitted to the Department to be made.
- On 30 September 2011, the Deputy Director General issued the Gateway Determination for this Planning Proposal (**Tag C**).
- The Region supports the request to not proceed with the Planning Proposal for the reasons provided by Council.

Contact Officer: Craig Diss
Tamworth Planning Team
Phone: (02) 6701 9685

 30 April 2012
Regional Director, Northern Region

 1.5.12
Executive Director, Planning Operations


Director General

3/5/2012



Office of the Director General

Mr Robert Campbell
General Manager
Gunnedah Shire Council
PO Box 63
Gunnedah NSW 2380

Our ref: 12/07684

Dear Mr Campbell

Request to Not Proceed with PP_GUNNE_003_00 - Alteration of the definition of flood prone land in Gunnedah LEP 1988

I am writing in response to your letter dated 23 April 2012 requesting that the Planning Proposal for PP_2011_GUNNE_003_00 not proceed. Under delegation from the Minister for Planning and Infrastructure, I have decided under s56(7) of the Environmental Planning and Assessment Act, 1979, to alter the Gateway Determination with respect to the Planning Proposal for PP_2011_GUNNE_003_00.

I have now determined that this Planning Proposal should not proceed in accordance with the original Gateway Determination. In making this decision, I have considered Council's request and justification.

If you have any questions in relation to this matter please contact Mr Jon Stone at the Department of Planning and Infrastructure's Tamworth Office on 6701 9688.

Yours sincerely


Sam Haddad
Director General

3/5/2012