



Planning

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Mr Peter Brooks
General Manager
Griffith City Council
PO Box 485
GRIFFITH NSW 2680

Our ref: Q08/00014-1
Your ref: Griffith Amendment No 5

Dear Mr Brooks

Re: Griffith Local Environmental Plan 2002 Amendment No. 5

I refer to the letter from the Griffith City Council ("the Council") to the Department, dated 26 October 2010, requesting a Gateway Determination under section 56 of the *Environmental Planning and Assessment Act 1979* ("EP&A Act") for the draft Griffith Local Environmental Plan 2002 Amendment No. 5 ("draft LEP") that had previously been exhibited by Council.

I am writing to notify you that I have determined, as the delegate of the Director-General, under clause 12(2) of the *Environmental Planning and Assessment Regulation 2000* that the former LEP plan making provisions cease to apply to the draft LEP. The current provisions of Part 3 of the EP&A Act now apply.

Furthermore, I have, as the delegate for the Minister for Planning, determined under clause 122 (2) of Schedule 6 to the EP&A Act to dispense with all the conditions precedent up to section 59(1) of the EP&A Act for the making of this draft LEP. The draft LEP may be submitted to the Minister subject to the Council satisfying the following requirements:

- The draft LEP complying with relevant Ministerial Directions issued pursuant to section 117 of the EP&A Act in particular 117 Direction 4.3 –Flood Prone Land.
- The current traffic plan for the draft LEP being generally supported by the Roads and Traffic Authority.
- Council to ensure the proposed rezoning of land complies with SEPP 55 – Remediation of Land and guidance provided in the document "Managing Land Contamination-Planning Guidelines and SEPP 55- Remediation of Land."

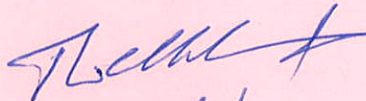
Council is encouraged to finalise the LEP within 3 months of the week following the date of this letter. Council's request for the Department to draft and finalise the LEP should be made 6 weeks prior to the projected publication date.

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 54(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 Simon Duffy of the Regional Office of the Department on 02 68412180.

Yours sincerely,


26/10/10

Tom Gellibrand
Deputy Director General
Plan Making & Urban Renewal