



**Planning &
Infrastructure**

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Mr Tom O'Connor
General Manager
Uralla Shire Council
PO Box 106
URALLA NSW 2358

Our ref: PP_2012_URALL_001_00 (12/15045)
Your ref:

Dear Mr O'Connor,

Planning proposal to amend Uralla Local Environmental Plan 2012

I am writing in response to your Council's letter dated 11 September 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 amend the Uralla Local Environmental Plan (LEP) 2012 to rezone land at Devoncourt Road, Uralla from R5 Large Lot Residential to E3 Environmental Management, amend the lot size map and correct a drafting error to clause 4.2A Erection of dwelling houses on land in certain rural and environmental protection zones.

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.

I have also agreed that the planning proposal's inconsistency with S117 Direction 3.1 Residential Zones is of minor significance. No further approval is required in relation to this Direction.

The amended LEP is to be finalised within 9 months of the week following the date of the Gateway Determination. Council should aim to commence the exhibition of the planning proposal within four (4) weeks from the week following this determination. Council's request for the Department to draft and finalise the LEP should be made six (6) weeks prior to the projected publication date.

The NSW 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 timeframes outlined in this determination are not met.

Should you have any queries in regard to this matter, please contact Mr Craig Diss of the Department's Northern Regional Office on 02 6701 9689.

Yours sincerely,

**Richard Pearson
A/Director-General**

Gateway Determination

Planning proposal (Department Ref: PP_2012_URALL_001_00): to amend Uralla Local Environmental Plan 2012 to rezone land for conservation purposes and correct a drafting error to Clause 4.2A.

I, the Acting 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 the Uralla Local Environmental Plan (LEP) 2012 to:

- (a) rezone Lot 1 DP1168505 Devoncourt Road, Uralla and Lot 2-7 DP1168505 Panhandle Road, Uralla from R5 Large Lot Residential to E3 Environmental Management,
- (b) vary the minimum lot size of Lot 7 DP1168505 from 2ha to 5ha, and
- (c) correct a drafting error by removing E2 Environmental Conservation zones as being applicable from Clause 4.2A Erection of dwelling houses on land in certain rural and environmental protection zones.

should proceed subject to the following conditions:

1. Community consultation is required under sections 56(2)(c) and 57 of the Environmental Planning and Assessment Act 1979 ("EP&A Act") as follows:
 - (a) the planning proposal is classified as low impact as described in *A Guide to Preparing LEPs (Department of Planning 2009)* and must be made publicly available for **14 days**; and
 - (b) the relevant planning 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 section 4.5 of *A Guide to Preparing LEPs (Department of Planning 2009)*.
2. Consultation is required with the following public authorities under section 56(2)(d) of the EP&A Act:
 - NSW Rural Fire Service
 - Office of Environment and Heritage

Each public authority is to be provided with a copy of the planning proposal and any relevant supporting material. Each public authority is to be given at least 21 days to comment on the proposal, or to indicate that they will require additional time to comment on the proposal. Public authorities may request additional information or additional matters to be addressed in the planning proposal.
3. Further to Condition 2 above, 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, to take into consideration any comments prior to the commencement of public exhibition.
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).



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5. The timeframe for completing the LEP is to be **9 months** from the week following the date of the Gateway Determination.

Dated

5

day of

October

2012.

A handwritten signature in blue ink, appearing to read "R Pearson".

Richard Pearson
A/Director-General
Delegate of the Minister for Planning and
Infrastructure