



Planning

Office of the Director-General

Mr Phil Pinyon
General Manager
Blue Mountains City Council
Locked Bag 5
KATOOMBA NSW 2780

Attention: Paul Cashell

Dear Mr Pinyon,

Re: Planning Proposal for reclassification of Part No. 5 New Street, Lawson (Lot 2 DP 560105) and 1A Honour Avenue, Lawson (Lot 9 DP 263794) from Community to Operational

I refer to the letter sent to Council on 6 October 2009 advising Council of the Gateway Determination of the planning proposal to amend Blue Mountains Local Environmental Plan 2005 through the reclassification of Part No. 5 New Street, Lawson and 1A Honour Avenue, Lawson from Community to Operational.

In the letter, Council was advised that the amending LEP is to be finalised within 3 months of the week following the date of the Gateway Determination. I understand this 3 month timeframe is not practical for Council to finalise the draft LEP process as it involves a public hearing to be carried out under the Local Government Act for reclassification of public lands from Community to Operational.

In the circumstances, the timeframe previously advised by the Gateway letter for the amending LEP is extended for a further 3 months. Council is now advised that the amending LEP is to be finalised within 6 months of the week following the date of the Gateway Determination. This extension in time should allow Council to arrange a public hearing as required under the Local Government Act. A revised Gateway Determination is attached accordingly.

Should you have any queries in regard to this matter, please contact Cho Cho Myint of the Regional Office of the Department.

Yours sincerely,


Sam Haddad
Director-General

2/11/2009

Contact: Cho Cho Myint
Phone: 02 9873 8583
Fax: 02 9873 8599
Email: chocho.myint@planning.nsw.gov.au
Postal: Locked Bag 5020, Parramatta NSW 2124

Our ref: P09/00252
Your ref: F05589:09/143256

Gateway Determination

Planning Proposal (Department Ref: P09/00252): *Reclassification of Part No. 5 New Street, Lawson (Lot 2 DP 560105) and 1A Honour Avenue, Lawson (Lot 9 DP 263794) from Community to Operational.*

I, the Director General as delegate of the Minister for Planning, have determined under section 56(2) of the EP&A Act that an amendment of the Blue Mountains Local Environmental Plan 2005 to reclassify Part No. 5 New Street, Lawson (Lot 2 DP 560105) and 1A Honour Avenue, Lawson (Lot 9 DP 263794) from Community to Operational 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 not classified as low impact as described in *A Guide to Preparing LEPs* (Department of Planning 2009) and therefore must be made publicly available for **28 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. The Planning Proposal being amended so that the Objective includes a reference to the Lawson Town Centre Redevelopment Project and the Masterplan.
3. The Planning Proposal being amended in its Explanation of Provisions to state that Schedule 9 of Blue Mountains LEP 2005 is being amended by the insertion of a new Table.
4. No consultation is required with State or Commonwealth public authorities under section 56(2)(d) of the EP&A Act.
5. No public hearing is to be held into the matter under section 56(2)(e) of the EP&A Act.
6. The timeframe for completing the LEP is to be **6 months** from the week following the date of the Gateway determination.

Dated 2nd day of November 2009.



Sam Haddad
Delegate for the Minister for Planning