



Mr Andrew Hopkins  
General Manager  
Uralla Shire Council  
PO Box 106  
URALLA NSW 2358

Attention: Matt Clarkson

Dear Mr Hopkins

**Planning Proposal PP\_2018\_URALL\_002\_00 to amend Uralla Local  
Environmental Plan 2012**

I am writing in response to Council's request for a Gateway determination under section 3.34(1) of the *Environmental Planning and Assessment Act 1979* (the Act) in respect of the planning proposal to reclassify Lot 30 DP 793510, Queen Street, Uralla and Lot 14 DP 787477, Rowan Avenue, Uralla from Community to Operational land.

As delegate of the Minister for Planning, I have now determined the Planning Proposal should proceed subject to the conditions in the attached Gateway determination.

Council may still need to obtain the agreement of the Department's Secretary to comply with the requirements of relevant section 9.1 Direction 4.4 Planning for Bushfire Protection. Council should ensure this occurs prior to community consultation / the plan being made.

I have considered the nature of Council's planning proposal and have conditioned the Gateway for Council to be authorised as the local plan-making authority.

The amending Local Environmental Plan (LEP) is to be finalised within 9 months of the date of the Gateway determination. Council should aim to commence the exhibition of the planning proposal as soon as possible. Council's request to draft and finalise the LEP should be made directly to Parliamentary Counsel's Office 6 weeks prior to the projected publication date. A copy of the request should be forwarded to the Department of Planning and Environment.

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 3.32(2)(d) of the Act if the time frames outlined in this determination are not met.

Should you have any further enquiries about this matter, I have arranged for Ms Gina Davis to assist you. Ms Davis can be contacted on 6701 9687.

Yours sincerely

A handwritten signature in black ink, appearing to read 'J. Gray', written in a cursive style.

8/6/2018

**Jeremy Gray**  
**Director Regions, Northern**  
**Planning Services**

Encl: Gateway Determination  
Delegated Plan Making Reporting Template

## Gateway Determination

**Planning proposal (Department Ref: PP\_2018\_URALL\_002\_00):** to reclassify Lot 30 DP 793510, Queen Street, Uralla and Lot 14 DP 787477, Rowan Avenue, Uralla from Community to Operational land.

I, the Director Regions, Northern 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 an amendment to the Uralla Local Environmental Plan (LEP) 2012 to reclassify Lot 30 DP 793510, Queen Street, Uralla and Lot 14 DP 787477, Rowan Avenue, Uralla from Community to Operational land should proceed subject to the following conditions:

1. Prior to exhibition the planning proposal timeline is to be amended to reflect Council's role as the local plan-making authority.
2. Public exhibition is required under section 3.34(2)(c) and schedule 1 clause 4 of the Act as follows:
  - (a) the planning proposal must be made publicly available for a minimum of **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 5.5.2 of *A guide to preparing local environmental plans* (Department of Planning and Environment 2016).
3. Consultation is required with the NSW Rural Fire Service under section 3.34(2)(d) of the Act. The NSW Rural Fire Service is to be provided with a copy of the planning proposal and any relevant supporting material, and given at least 21 days to comment on the proposal.
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).



## Planning & Environment

5. The planning proposal authority is authorised as the local plan-making authority to exercise the functions under section 3.36(2) of the Act subject to the following:
  - a. the planning proposal authority has satisfied all the conditions of the Gateway determination;
  - b. the planning proposal is consistent with section 9.1 Directions or the Secretary has agreed that any inconsistencies are justified; and
  - c. there are no outstanding written objections from public authorities.
6. The time frame for completing the LEP is to be **9 months** following the date of the Gateway determination.

Dated 8 day of June 2018.

8-6-2018

**Jeremy Gray**  
**Director Regions, Northern**  
**Planning Services**  
**Department of Planning and**  
**Environment**

**Delegate of the Minister for Planning**