

Mr Eric Groth
General Manager
Gunnedah Shire Council
PO Box 63
Gunnedah NSW 2380

Our ref: PP_2015_GUNNE_001_00 (16/07580)
Your ref: Bw:Vg

Dear Mr Groth

Planning proposal to amend Gunnedah Local Environmental Plan 2012

I am writing in response to your Council's letter dated 6 May 2016 requesting a Gateway determination under section 56 of the Environmental Planning and Assessment Act 1979 (the Act) in respect of the planning proposal to reclassify part of Lot 23 DP1140182 from Community Land to Operational Land and to rezone that land from RE1 Public Recreation to R3 Medium Density Residential and apply a minimum lot size of 450m² to that part of the lot.

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.

I have also agreed, as delegate of the Secretary, the planning proposal's inconsistencies with S117 Directions 2.1 Environment Protection Zones, 2.3 Heritage Conservation, 3.1 Residential Zones, 3.2 Caravan Parks and Manufactured Home Estates, 3.3 Home Occupations, 3.4 Integrating Land Use and Transport, 4.3 Flood Prone Land and 6.2 Reserving Land for Public Purposes are of minor significance. In relation to S117 Direction 6.2 Reserving Land for Public Purposes, I have agreed to the reduction of land for public purposes on the basis that the land is not used for public recreation and it will not affect the amount of useable open space within Gunnedah. No further approval is required in relation to these Directions.

The amending Local Environmental Plan (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 as soon as possible. Council's request for the Department of Planning and Environment 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 Act if the time frames outlined in this determination are not met.

Should you have any queries in regard to this matter, I have arranged for Mr Jon Stone of the Department's regional office to assist you. Mr Stone can be contacted on (02) 6701 9688.

Yours sincerely



27 May 2016

Craig Diss
Acting Director Regions, Northern
Planning Services

Encl:
Gateway Determination

Gateway Determination

Planning proposal (Department Ref: PP_2016_GUNNE_001_00): to reclassify part of Lot 23 DP1140182 from Community Land to Operational Land and rezone that land from RE1 Public Recreation to R3 Medium Density Residential and apply a minimum lot size of 450m² to that part of the lot.

I, the Director Regions, Northern at the Department of Planning and Environment as delegate of the Minister for Planning, have determined under section 56(2) of the *Environmental Planning and Assessment Act 1979* (the Act) that an amendment to the Gunnedah Local Environmental Plan (LEP) 2012 to reclassify part of Lot 23 DP1140182 from Community Land to Operational Land and rezone that land from RE1 Public Recreation to R3 Medium Density Residential and apply a minimum lot size of 450m² to that part of the lot should proceed subject to the following conditions:

1. Community consultation is required under sections 56(2)(c) and 57 of the Act as follows:
 - (a) the planning proposal must be made publicly available for a minimum of **28 days**;
 - (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 LEPs* (Department of Planning and Infrastructure 2013); and
 - (c) Any mapping material must meet the specifications in the current *Standard Technical Requirements for Spatial Datasets and Maps* (Department of Planning and Environment 2015).
2. Prior to exhibition the explanation of provisions shall be amended to clarify that a part reclassification map will be included in the LEP to facilitate the proposal.
3. No consultation is required with public authorities under section 56(2)(d) of the Act.
4. A public hearing on the proposed reclassification is to be held in accordance with Section 57 of the Act after completion of the public exhibition period.
5. The timeframe for completing the LEP is to be **9 months** from the week following the date of the Gateway determination.

Dated 27 day of May 2016


Craig Diss
Acting Director Regions, Northern
Planning Services
Department of Planning and Environment
Delegate of the Minister for Planning