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Mr Steven Pinnuck
General Manager
Greater Hume Shire Council
PO Box 99
Holbrook NSW 2644

Our ref: PP_2016_GHUME_001_00 (16/11748)
Your ref: CK:SG

Dear Mr Pinnuck

Planning proposal to amend Greater Hume Local Environmental Plan 2012

I am writing in response to Council's letter dated 29 July 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 rezone 161-185 Pioneer Drive, Jindera from R5 Large Lot Residential to R2 Low Density Residential with a minimum lot size change from 2ha to 2,000m².

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

I have also agreed, as delegate of the Secretary, that the planning proposal's inconsistencies with S117 Directions 3.4 Integrating Land Use and Transport and 4.3 Flood Prone Land are of minor significance.

Plan making powers were delegated to councils by the Minister in October 2012. It is noted that Council has requested to be issued with delegation for this planning proposal. I have considered the nature of Council's planning proposal and have decided to issue an authorisation for Council to exercise delegation to make this plan.

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 six weeks prior to the projected publication date. A copy of the request should be forwarded to the Department of Planning and Environment for administrative purposes.

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 questions in regard to this matter, I have arranged for Mr Mark Parker of the Department's regional office to assist you. Mr Parker can be contacted on (02) 4224 9472.

Yours sincerely

A handwritten signature in cursive script, followed by the date '9/2/16' written in a similar style.

Linda Davis
Acting Director Regions, Southern
Planning Services
Department of Planning and Environment

Encl:
Gateway Determination
Written Authorisation to Exercise Delegation
Attachment 5 – Delegated Plan Making Reporting Template

Gateway Determination

Planning proposal (Department Ref: PP_2016_GHUME_001_00): to rezone 161-185 Pioneer Drive, Jindera from R5 Large Lot Residential to R2 Low Density Residential with a minimum lot size change from 2ha to 2,000m².

I, the Acting Director Regions, Southern 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 Greater Hume Local Environmental Plan (LEP) 2012 to rezone 161-185 Pioneer Drive, Jindera, from R5 Large Lot Residential to R2 Low Density Residential with a minimum lot size change from 2ha to 2,000m², 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* 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 2013).
2. Consultation is required with the Office of Environment and Heritage under section 56(2)(d) of the Act in relation to flooding. The Office of Environment and Heritage 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.
3. A public hearing is not required to be held into the matter by any person or body under section 56(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).
4. The LEP maps shall be prepared in accordance with the *Standard Technical Requirements for Spatial Datasets and Maps* (Department of Planning and Environment, 2015) when the plan is submitted for finalisation.



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

Dated *9th* day of *September* 2016

**Linda Davis
Acting Director Regions, Southern
Planning Services
Department of Planning and
Environment**

Delegate of the Minister for Planning



WRITTEN AUTHORISATION TO EXERCISE DELEGATION

Greater Hume Shire Council is authorised to exercise the functions of the Minister for Planning under section 59 of the *Environmental Planning and Assessment Act 1979* that are delegated to it by instrument of delegation dated 14 October 2012, in relation to the following planning proposal:

Number	Name
PP_2016_GHUME_001_00	Planning proposal to rezone 161-185 Pioneer Drive, Jindera from R5 Large Lot Residential to R2 Low Density Residential with a minimum lot size change from 2ha to 2,000m ² .

In exercising the Minister's functions under section 59, the Council must comply with the Department of Planning and Environment's "A guide to preparing local environmental plans" and "A guide to preparing planning proposals".

Dated 9 | 9 | 2016

Linda Davis
Acting Director Regions, Southern
Planning Services
Department of Planning and Environment