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Our ref: PP_2013_HUNTE_001_00 (09/04016)

Mr Barry Smith
General Manager
The Council of the Municipality of Hunters Hill
PO Box 21
HUNTERS HILL NSW 2110

Dear Mr Smith,

Planning proposal to amend Hunters Hill Local Environmental Plan 2012

I am writing in response to Council's request for 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 commencement date of the Local Environmental Plan (LEP) from 12 April 2013 to 12 August 2013 and amend Schedule 5 Environmental Heritage to correct minor drafting errors.

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

The Minister delegated his plan making powers to councils 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 3 months of the week following the date of the Gateway determination. As it has been determined this is a minor amendment, Council is to request Parliamentary Counsel's Office commence drafting the instrument immediately. A copy of the request should be forwarded to the department for administrative purposes.

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 time frames outlined in this determination are not met.

Should you have any queries in regard to this matter, please contact Nigel Riley of the regional office of the department on 02 9228 6439.

Yours sincerely,


Neil McGaffin
Executive Director
Rural and Regional Planning

14.3.13

Gateway Determination

Planning proposal (Department Ref: PP_2013_HUNTE_001_00): to amend the commencement date of the Hunters Hill LEP 2012 and correct errors in the heritage schedule.

I, the Executive Director, Rural and Regional Planning at the 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 Hunters Hill Local Environmental Plan (LEP) 2012 to amend the commencement date of the LEP from 12 April 2013 to 12 August 2013 and amend Schedule 5 Environmental Heritage to correct minor drafting errors should proceed subject to the following conditions:

1. No community consultation is required under sections 56(2)(c) and 57 of the Environmental Planning and Assessment Act 1979.
2. No consultation is required with any public authorities under section 56(2)(d) of the EP&A Act.
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 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)
4. The timeframe for completing the LEP is to be **3 months** from the week following the date of the Gateway determination.

Dated 14th day of March 2013.



Neil McGaffin
Executive Director
Rural and Regional Planning
Department of Planning & Infrastructure

Delegate of the Minister for Planning
and Infrastructure



WRITTEN AUTHORISATION TO EXERCISE DELEGATION

Hunters Hill Council is authorised to exercise the functions of the Minister for Planning and Infrastructure 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_2013_HUNTE_001_00	Planning proposal to amend the commencement date of the Hunters Hill Local Environmental Plan (LEP) from 12 April 2013 to 12 August 2013 and amend Schedule 5 Environmental Heritage to correct minor drafting errors.

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

Dated 14 March 2013

Neil McGaffin
Executive Director
Rural and Regional Planning
Department of Planning and Infrastructure

Attachment 5 – Delegated plan making reporting template

Reporting template for delegated LEP amendments

Notes:

- Planning proposal number will be provided by the department following receipt of the planning proposal
- The department will fill in the details of Tables 1 and 3
- RPA is to fill in details for Table 2
- If the planning proposal is exhibited more than once, the RPA should add additional rows to **Table 2** to include this information
- The RPA must notify the relevant contact officer in the regional office in writing of the dates as they occur to ensure the department's publicly accessible LEP Tracking System is kept up to date
- A copy of this completed report must be provided to the department with the RPA's request to have the LEP notified

Table 1 – To be completed by the department

Stage	Date/Details
Planning Proposal Number	PP_2013_HUNTE_001_00
Date Sent to Department under s56	February 2013
Date considered at LEP Review Panel	07/03/2013
Gateway determination date	14/03/2013

Table 2 – To be completed by the RPA

Stage	Date/Details	Notified Reg Off
Dates draft LEP exhibited		
Date of public hearing (if held)		
Date sent to PCO seeking Opinion		
Date Opinion received		
Date Council Resolved to Adopt LEP		
Date LEP made by GM (or other) under delegation		
Date sent to DP&I requesting notification		

Table 3 – To be completed by the department

Stage	Date/Details
Notification Date and details	

Additional relevant information: