

Enquiries to: Sue Calvin
File Ref: 13/2005R

10 November 2010

Brian Murphy
NSW Department of Planning
PO Box 1226
NEWCASTLE NSW 2300



Administration Centre 2 Pulteney Street
PO Box 482, Taree NSW 2430

Dear Brian

Re: Planning Proposal at 310 Diamond Beach Rd, Diamond Beach (13/2005R)

I refer to your letter dated 12 October 2010 regarding the above application. This rezoning application was presented to Council on 20 October 2010 where it was resolved:

- (i) that Council forward the Planning Proposal for 310-314 Diamond Beach Rd, Diamond Beach to the Minister for Planning for Gateway determination (sect 56 of the *Environmental Planning and Assessment Act 1979*).
- (ii) that Council resolve to undertake community consultation (formerly public exhibition) for the Planning Proposal for 310-314 Diamond Beach Road, Diamond Beach in accordance with the requirements of the Gateway determination.

In order to progress this application as a Planning Proposal under the new Part 3 Gateway process I have enclosed for your consideration:

- the minute of Council meeting on 20 October 2010 relating to the above site
- the relevant existing LEP 2010 maps
- the proposed amendments to the LEP 2010 maps
- the Planning Proposal and associated attachments.

As discussed with you previously, the applicant has undertaken extensive work to progress this application. The two key issues of need for the proposed rezoning and the environmental constraints have been addressed and are outlined in the attached Council minutes. Please note that this week we were advised by Estelle Blair from the Department of Environment, Climate Change and Water that the Minister has approved the transfer of land into the National Parks Reserve. The subject land is near Darawank and is proposed as a biodiversity offset for the removal of vegetation on 310 Diamond Beach Road.

It is envisaged that the Department will give due consideration to the extent of work undertaken by the applicant, when undertaking the Gateway determination.

Please note that the proposed amendment will be **Greater Taree Local Environmental Plan 2010 Amendment Number 4**.

If you require any additional information please contact Sue Calvin on 6592 5384.

Yours sincerely,


Richard Pamplin
Senior Leader, Strategic Planning

