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Our ref: PP\_2011\_SINGL\_004\_00 (11/12319)  
Your ref: LA1/2011

Mr Scott Greensill  
General Manager  
Singleton Council  
PO Box 314  
SINGLETON NSW 2330

**COPY**

Dear Mr Greensill,

**Re: Planning Proposal to amend an enabling clause at Schedule 4 Additional land uses of Singleton LEP 1996 and to rezone land from 2 Residential to 3 Business at Maitland Road and Howe Street, Singleton**

I refer to planning proposal PP\_2011\_SINGL\_004\_00 (the "Planning Proposal") submitted on 21 June 2011.

On 1 August 2011 I determined, as the Minister's delegate, that the planning proposal to "amend the enabling clause for land at 2-16 Maitland Road 1 Howe Street and 2 Kennedy Street, Singleton to extend the area of land to which the clause applies, update the property descriptions, and only permit 'refreshment rooms' as an additional land use; and rezone land at Howe Street from 2 Residential to 3 Business".

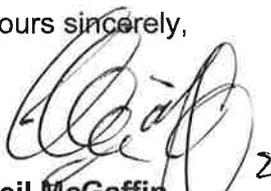
As delegate of the Minister for Planning and Infrastructure, I have altered my determination under section 56(7) of the Environmental Planning and Assessment Act 1979 (the "EP&A Act") by including 4 additional conditions to clarify the intent of the attached Gateway Determination.

The amending Local Environmental Plan (LEP) is to be finalised within 6 months of the week following the date of the Gateway Determination. Council should aim to commence the exhibition of the Planning Proposal within four (4) weeks from the week following this determination. Council's request for the Department to draft and finalise the LEP should be made six (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 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 Amy Blakely of the Regional Office of the Department on 02 4904 2700.

Yours sincerely,

  
Neil McGaffin  
A/Deputy Director General  
Plan Making & Urban Renewal  
28.9.11

## Gateway Determination

**Planning Proposal (Department Ref: PP\_2011\_SINGL\_004\_00):** to amend an enabling clause at Schedule 4 Additional land uses of Singleton LEP 1996 and to rezone land from 2 Residential to 3 Business at Maitland Road and Howe Street, Singleton

I, the Deputy Director General, Plan Making & Urban Renewal 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 Singleton Local Environmental Plan 1996 to:

- amend the enabling clause for land at 2-16 Maitland Road, 1 Howe Street and 2 Kennedy Street, Singleton to extend the area of land to which the clause applies, update the property descriptions, and only permit 'refreshment rooms' as an additional land use; and
- rezone land at Howe Street from 2 Residential to 3 Business

should proceed subject to the following conditions:

1. An amendment to Schedule 4 Additional land uses of Singleton LEP 1996 to extend the area of land to which the clause applies and only permit 'refreshment rooms' as an additional land use is not supported in this instance.
2. Council is to proceed with the planning proposal by rezoning the subject land as identified at Attachment 5 of the planning proposal, to an appropriate Business zone under the provisions of Singleton LEP 1996.
3. Council is to remove the subject land from Schedule 4 Additional land uses of Singleton LEP 1996.
4. Council is to revise the planning proposal as required by conditions 2 and 3 above, and undertake an assessment of the revised proposal against all relevant s117 Directions and SEPPs and provide justification for any inconsistencies with the revised planning proposal.
5. Community consultation is required under sections 56(2)(c) and 57 of the Environmental Planning and Assessment Act 1979 ("EP&A Act") as follows:
  - (a) the planning proposal is classified as low impact as described in *A Guide to Preparing LEPs (Department of Planning 2009)* and must be made publicly available for **14 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 4.5 of *A Guide to Preparing LEPs (Department of Planning 2009)*.
6. Consultation is required with the following public authorities under section 56(2)(d) of the EP&A Act:
  - Essential Energy

Each public authority is to be provided with a copy of the planning proposal and any relevant supporting material. Each public authority is to be given at least 21 days to comment on the proposal, or to indicate that they will require additional time to comment



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on the proposal. Public authorities may request additional information or additional matters to be addressed in the planning proposal.

7. 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).
8. The timeframe for completing the LEP is to be **6 months** from the week following the date of the Gateway determination.

Dated *28th* day of *September* 2011.

**Neil McGaffin**  
**A/Deputy Director General**  
**Plan Making & Urban Renewal**  
**Delegate of the Minister for Planning and**  
**Infrastructure**