



Mr Ron Posselt
Acting General Manager
Greater Taree City Council
PO Box 482
TAREE NSW 2430

Our ref: PP_2014_GTARE_003_00 (13/15150)
Your ref: S671/02

Attention: Lisa Proctor

Dear Mr Posselt,

Planning proposal: Greater Taree Local Environmental Plan 2010, Amendment 9

I refer to Council's email of 23 September requesting 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 minor inconsistencies in heritage listings, amend anomalous zonings and to facilitate remediation of acid sulphate contaminated land.

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 accepted the planning proposal's inconsistency with State Environmental Planning Policy (Rural Lands) 2008 as justifiable in the circumstances of this proposal and with Section 117 Direction 1.2 Rural Zones, Direction 1.5 Rural Lands, 5.1 Implementation of Regional Strategies and Direction 6.3 Site Specific Provisions (in relation to the Big Swamp private land dedication incentive scheme) as being of minor significance.

Council may still need to obtain the agreement of the Secretary to comply with the requirements of relevant S117 Directions. Council should ensure this occurs prior to the plan being made.

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 EP&A 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 Ken Phelan from the Hunter office to assist you. Mr Phelan can be contacted on (02) 4904 2705.

Yours sincerely,

A handwritten signature in black ink, appearing to read 'D Rowland', written in a cursive style.

17 October 2014
David Rowland
General Manager
Hunter and Central Coast Region
Planning Services

Gateway Determination

Planning proposal (Department Ref: PP_2014_GTARE_003_00) to amend Greater Taree Local Environmental Plan 2010 in respect of minor inconsistencies in heritage listings, anomalous zonings and provide dedication incentives for owners of conservable Big Swamp land.

I, the General Manager, Hunter and Central Coast Region at Department of Planning and Environment as delegate of the Minister for Planning, have determined under section 56(2) of the EP&A Act that an amendment to the Greater Taree Local Environmental Plan (LEP) 2010 to correct minor inconsistencies in heritage listings, amend zones for consistency with current or surrounding land uses and provide incentives for owners of conservable land to achieve positive environmental and economic outcomes, 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 ("EP&A 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 & Environment 2013)*,
 - (c) Council co-exhibit The Big Swamp Feasibility Study,
 - (d) Council consult the local historical/ heritage society regarding the reclassification of the Literary Institute from 'built heritage' item to 'archaeological site'.
2. Consultation is required under section 56(2)(d) of the EP&A Act with the NSW Rural Fire Service which 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. Council should also obtain the written approval of the Minister for Roads to the removal of all the obsolete land acquisition notations from the zoning maps in the proposal and if approved remove notations from the zone maps.
4. 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).
5. The timeframe for completing the LEP is to be **9 months** from the week following the date of the Gateway determination.

Dated 17th day of October 2014.



David Rowland
General Manager
Hunter and Central Coast Region
Planning Services
Department of Planning and Environment

Delegate of the Minister for Planning