



Planning

COPY

Contact: Ben Holmes
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Mr Michael Whittaker
General Manager
Wyong Shire Council
PO Box 20
WYONG NSW 2259

Our ref: 10/06952
Your ref: F2007/00274

Dear Mr Whittaker

Pending LEP – draft Wyong LEP 1991 (Amendment Precinct 7A)

I refer to Council's letter of 22 September 2010, requesting a Gateway Determination under section 56 of the *Environmental Planning and Assessment Act 1979* ("EP&A Act") for the draft Wyong Local Environmental Plan 1991 (Amendment Precinct 7A).

I am writing to notify you that I have determined, as the delegate of the Director General, under clause 12(2) of the *Environmental Planning and Assessment Regulation 2000* that the former LEP plan-making provisions cease to apply to the draft LEP. The current provisions of Part 3 of the EP&A Act now apply.

Further, I have as the delegate for the Minister for Planning, determined under clause 122(2) of Schedule 6 to the EP&A Act to dispense with all the conditions precedent up to section 56(6) of the EP&A Act for the making of this draft LEP. As Council will need to vary the proposal to include draft zones and development standards at a later point, the proposal will need to be resubmitted to the Gateway for a revised Gateway Determination. Consequently, I am unable to agree to the form of the planning proposal for the purposes of community consultation under section 57(2) of the EP&A Act at this time. The need for further focused consultation with key agencies will also be considered at that time.

Once the further Gateway determination is provided, the planning proposal is to be made publicly available for a period of 28 days. Council is encouraged to finalise the LEP within 12 months of the week following the date of this letter. Council's request for the Department 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, please contact Ben Holmes of the Department's Hunter & Central Coast Regional Team on 02 4348 5003.

Yours sincerely

Tom Gellibrand
Deputy Director General
Plan Making & Urban Renewal
(as delegate of the Minister and the Director General)

4/11/10