



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

Our ref: PP_2014_GTARE_002_00 (14/13833)
Your ref: 671/2010/PP

Att: Michael Griffith

Dear Mr Posselt,

Planning Proposal to amend Greater Taree Local Environmental Plan 2010

I write in response to your Council's letter dated 7 August 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 rezone, from RU1 Primary Production and B1 Neighbourhood Centre to R1 General Residential, various lots at Murray Road, Richardson, Mortimer, and Lambert Streets, Wingham

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

I have also agreed the planning proposal's inconsistencies with S117 Directions 1.1 Business and Industrial Zones, 1.2 Rural Zones and 1.5 Rural Lands are of minor significance. No further approval is required in relation to these Directions.

Council may still need to obtain the department's approval to comply with the requirements of relevant S117 Directions. Council should ensure this occurs prior to the plan being made.

The Minister delegated 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 12 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 as soon as possible. A copy of the request should be forwarded to the Department for administrative purposes.

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.

Attached for your assistance is a simplified guide to the plan making process and reporting requirements to ensure that the LEP Tracking System is kept updated.

Should you have any questions regarding 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', with a stylized, flowing script.

18 September 2014

David Rowland

General Manager

Hunter and Central Coast Region

Housing, Growth and Economics

Gateway Determination

Planning Proposal (Department Ref: PP_2014_GTARE_002_00): to rezone, from RU1 Primary Production and B1 Neighbourhood Centre to R1 General Residential, various lots at Murray Road, Richardson, Mortimer, and Lambert Streets, Wingham

I, the General Manager, Hunter and Central Coast Region at the 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 purpose of planning proposal should proceed subject to the following conditions:

1. Council is to update the Planning Proposal, prior to exhibition, to reflect the proposal adopted by Council. As part of this Council should update the environmental assessment to identify how the issues raised will be addressed through the residential zoning.
2. 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 (Planning & Infrastructure 2013)* and must be made publicly available for a minimum of **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 5.5.2 of *A Guide to Preparing LEPs (Planning & Infrastructure 2013)*.
3. Consultation is required with the following public authorities under section 56(2)(d) of the EP&A Act and/or to comply with the requirements of relevant S117 Directions:
 - The Purfleet-Taree Local Aboriginal Land Council
 - Office of Environment and Heritage (National Parks and Wildlife Service)

Each public authority 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. Once the consultation is undertaken with the public authorities, and information is provided, Council is to update its consideration of S117 Directions.
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 **12 months** from the week following the date of the Gateway determination.

Dated 18th day of September 2014.



David Rowland
General Manager
Hunter and Central Coast Region
Housing, Growth and Economics
Department of Planning and Environment
Delegate of the Minister for Planning

WRITTEN AUTHORISATION TO EXERCISE DELEGATION

Greater Taree Council is authorised to exercise the functions of the Minister for Planning 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_2014_GTARE_002_00	Planning proposal to rezone various Lots (7.97ha) from RU1 Primary Production and B1 Neighbourhood Centre to R1 General Residential at Lambert, Richardson and Mortimer Streets and Murray Road, Wingham

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 18 September 2014



David Rowland
General Manager
Hunter and Central Coast Region
Housing, Growth and Economics
Department of Planning and Environment