



Mr Craig Deasey
General Manager
Dungog Shire Council
PO Box 95
DUNGOG NSW 2420

Our ref: PP_2015_DUNGO_001_00 (15/16020)

Att: Jacqui Tupper

Dear Mr Deasey,

Planning Proposal to amend Dungog Local Environmental Plan 2014

I am writing in response to your Council's letter dated 27 October 2015 requesting a Gateway determination under section 56 of the *Environmental Planning and Assessment Act 1979* ("the Act") in respect of the planning proposal to amend Schedule 5 Environmental Heritage and the associated Heritage map.

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.

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 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 Paul Maher from the Hunter office to assist you. Mr Maher can be contacted on (02) 4904 2719.

Yours sincerely,

10 November 2015

David Rowland
General Manager, Hunter and Central Coast Region
Planning Services

Gateway Determination

Planning proposal (Department Ref: PP_2015_DUNGO_001_00): to update and make corrections to Schedule 5 Environmental Heritage including property title descriptions, address changes, subdivisions or mapping errors and associated maps.

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 Dungog Local Environmental Plan (LEP) 2014 to amend Schedule 5 Environmental Heritage and the associated Heritage map 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 ("the Act") as follows:
 - (a) the planning proposal 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 (Department of Planning & Environment 2013)*.
2. Consultation is required with the Heritage Division of the Office of Environment and Heritage under section 56(2)(d) of the Act. The Heritage Division of the Office of Environment and Heritage 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. 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).
4. The timeframe for completing the LEP is to be **9 months** from the week following the date of the Gateway determination.

Dated 10 day of November 2015.



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

Delegate of the Minister for Planning