

Mr Gerard Jose
General Manager
Greater Taree City Council
PO Box 482
TAREE NSW 2430

Our ref: 14/02539
PP_2014_GTARE_001_00
Your ref: S917 (Sue Calvin)

Dear Mr Jose

Planning Proposal: PP_2014_GTARE_001_00: Greater Taree LEP 2010, Amendment No. 8

I refer to your request of 3 February for a Gateway determination of the above PP.

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

Council is advised to exhibit the written agreement to the removal of the road corridor acquisition (Pacific Highway, Possum Brush) signed by the Minister for roads.

The inconsistency of the proposal with Section 117 Direction 1.1 - Business and Industrial Zones is agreed by the Delegate of the Minister as being of a minor nature.

The Minister for Planning delegated his plan making powers to councils in October 2012. It is noted that Council has requested delegation for this planning proposal. Having considered the nature of Council's planning proposal, I issue an authorisation for Council to exercise delegation to make this plan. Council's cooperation in completing and returning the attached reporting template to assist the Department in tracking progress of the proposal would be appreciated.

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 to draft and finalise the LEP should be made directly to Parliamentary Counsel's Office at least 6 weeks prior to the projected publication date. 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.

If you have any questions in relation to this matter, please contact Ken Phelan of the Newcastle Office on 4904 2705.

Yours sincerely



David Rowland

**General Manager
Hunter & Central Coast Region**

Hunter & Central Coast Region - Hunter Office – 2/26 Honeysuckle Drive (PO Box 1226) Newcastle NSW 2300
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Gateway Determination

Planning Proposal PP_2014_GTARE_001_00: to address various housekeeping matters.

I, the General Manager of the Hunter & Central Coast Region at the Department of Planning and Infrastructure, 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 Greater Taree Local Environmental Plan (LEP) 2010 to address various housekeeping matters subject to the following conditions:

1. Community consultation is required under sections 56(2c) 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 & 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* (Department of Planning & Infrastructure 2013).

2. The inconsistency with Section 117 Direction 1.1- Business and Industrial Zones is agreed by the Director General's Delegate as being of a minor nature.

3. In respect of heritage items proposed for listing or status-change, Council is advised to consult with NSW Office of Environment and Heritage (Heritage Branch) as custodian of the State Heritage Register, and with NSW Department of Trade and Investment (Crown Land) as a landowner. 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.

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 21st day of February 2014.



David Rowland
General Manager
Hunter & Central Coast Region

Delegate of the Minister for Planning and Infrastructure

WRITTEN AUTHORISATION TO EXERCISE DELEGATION

Greater Taree City Council is authorised to exercise the functions of the Minister for Planning and Infrastructure 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_001_00	Planning Proposal to address various house-keeping matters: Greater Taree LEP, 2010

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 21 February 2014



David Rowland
General Manager
Hunter & Central Coast Region