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Ms Lindy Hyam
General Manager
Singleton Council
PO Box 314
SINGLETON NSW 2330

Our ref: PP_2013_SINGL_001_00 (13/08652)
Your ref: LA16/2012

Dear Ms Hyam,

Planning proposal to amend Singleton Local Environmental Plan (LEP) 1996 or draft Singleton Local Environmental Plan 2013

I am writing in response to your Council's letter dated 14 May 2013 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 rural land at 349 Bridgman Road, Obanvale and part of a Crown Road reserve for residential and open space purposes and amend the minimum lot size controls applicable to the land.

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

I have also agreed the planning proposal's inconsistency with S117 Direction 1.2 Rural Zones is justified by an endorsed local strategy. No further approval is required in relation to this Direction. The proposal is considered to be consistent with all other relevant S117 Directions as identified under Part 3 'Justification' of the planning proposal, other than Directions listed in the Gateway determination as requiring consultation with public authorities.

The amending Local Environmental Plan (LEP) is to be finalised within 24 months of the week following the date of the Gateway determination. 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 Dylan Meade of the regional office of the department on 02 4904 2700.

Yours sincerely,

Neil McGaffin 11.6.13
Executive Director
Rural and Regional Planning
Planning Operations and Regional Delivery

Gateway Determination

Planning proposal (Department Ref: PP_2013_SINGL_001_00): to rezone and amend the minimum lot size for land at Obanvale.

I, the Executive Director, Rural and Regional Planning 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 Singleton Local Environmental Plan (LEP) 1996 or draft Singleton LEP 2013 to rezone rural land at 349 Bridgman Road, Obanvale and part of a Crown Road reserve for residential and open space purposes and amend the minimum lot size controls applicable to the land should proceed subject to the following conditions:

1. Prior to undertaking public exhibition, Council is to update the planning proposal to:
 - (a) advise how infrastructure will be provided to the site and detail how the infrastructure is to be funded,
 - (b) identify the subject site as an Urban Release Area and advise that the department's model clauses 6.1 Arrangements for designated State public infrastructure, 6.2 Public utility infrastructure, 6.3 Development control plan and 6.4 Relationship between part and remainder of plan will apply if the proposal amends draft Singleton LEP 2013 or if the proposal amends Singleton LEP 1996 identify the subject site as an Urban Release Area and advise that clause 14G Development in certain other release areas will be amended, and
 - (c) identify the proposed residential, open space and (if applicable) environmental zones and minimum lot sizes which will apply to the subject site. The planning proposal is to include existing and proposed land zoning and minimum lot size maps, which are at an appropriate scale and clearly identify the subject site.
2. Council is to demonstrate that the planning proposal satisfies the requirements of State Environmental Planning Policy (SEPP) 55 - Remediation of Land. If required, Council is to prepare an initial site contamination investigation report to demonstrate that the site is suitable for rezoning to the proposed zone. This report is to be included as part of the public exhibition material.
3. Additional information regarding the below matters is to be placed on public exhibition with the planning proposal:
 - drainage and hydrology
 - soil and erosions hazards
 - archaeological/heritage
 - flora and fauna (to determine consistency with SEPP 44 - Koala Habitat Protection)
 - demonstrate consistency with SEPP 44 - Koala Habitat Protection
4. 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**; 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)*.

5. 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:

- Office of Environment and Heritage
- NSW Aboriginal Land Council
- Department of Primary Industries – Agriculture
- NSW Rural Fire Services (S117 Direction 4.4 Planning for Bushfire Protection)
- NSW Trade and Investment - Minerals and Petroleum (S117 Direction 1.3 Mining, Petroleum Production and Extractive Industries)

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.

6. 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).
7. The timeframe for completing the LEP is to be **24 months** from the week following the date of the Gateway determination.

Dated

11th

day of

June

2013.



Neil McGaffin
Executive Director
Rural and Regional Planning
Planning Operations and Regional Delivery
Department of Planning and Infrastructure

Delegate of the Minister for Planning and Infrastructure