



Planning



qB140061
10/05726

Department Generated Correspondence (Y)

Contact: Dylan Meade
Phone: (02) 4904 2700
Fax: (02) 4904 2701
Email: dylan.meade@planning.nsw.gov.au
Postal: Newcastle, PO Box 1226, NSW 2300

Our ref: PP_2010_GLAKE_009_00 (10/23363)
Your ref: DI-SD-FKEYS-REVTMENT

Mr Glenn Handford
General Manager
Great Lakes Council
PO Box 450
FORSTER NSW 2428

Dear Mr Handford,

Re: Planning Proposal to reclassify drainage reserves within the Forster Keys area

I am writing in response to your Council's letter dated 15 November 2010 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 amend the Great Lakes Local Environmental Plan 1996 to reclassify drainage reserves within the Forster Keys area from community land to operational land.

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.

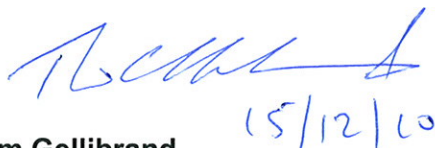
It is recommended that Council prepare and exhibit clear and easy to interpret maps to ensure that the community is able to understand the intent and purpose of the plan.

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 within four (4) weeks from the week following this determination. Council's request for the Department to draft and finalise the LEP should be made six (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 s54(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,



15/12/10

Tom Gellibrand
Deputy Director General
Plan Making & Urban Renewal

Gateway Determination

Planning Proposal (Department Ref: PP_2010_GLAKE_009_00): to reclassify drainage reserves within the Forster Keys area from "community" land to "operational" land.

I, the Deputy Director General, Plan Making & Urban Renewal as delegate of the Minister for Planning, have determined under section 56(2) of the EP&A Act that an amendment to the Great Lakes Local Environmental Plan 1996 to reclassify drainage reserves within the Forster Keys area from "community" land to "operational" land 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 ("EP&A Act") as follows:
 - (a) the planning proposal must be made publicly available for **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 4.5 of *A Guide to Preparing LEPs (Department of Planning 2009)*.
2. Consultation is required with the following public authorities under section 56(2)(d) of the EP&A Act:
 - Department of Environment, Climate Change and Water
 - Department of Industry and Investment
 - Maritime NSW

Each public authority is to be provided with a copy of the planning proposal and any relevant supporting material. Each public authority is to be given at least 21 days to comment on the proposal, or to indicate that they will require additional time to comment on the proposal. Public authorities may request additional information or additional matters to be addressed in the planning 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 15th day of December 2010.



Tom Gellibrand
Deputy Director General
Plan Making & Urban Renewal
Delegate of the Minister for Planning