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13/06585

Department Generated Correspondence (Y)

DEPARTMENT OF PLANNING AND INFRASTRUCTURE

Planning Operations & Regional Delivery

PLANNING PROPOSAL – HANLEYS CREEK ROAD, DUNGOG GATEWAY DETERMINATION EXTENSION

PURPOSE

- To recommend that the Minister's delegate alter the Gateway Determination for PP_2011_DUNGO_001_00.

RECOMMENDATION

It is RECOMMENDED that the Executive Director, as the Minister's delegate:

- agree** pursuant to s56(7) of the Environmental Planning and Assessment Act, 1979, to amend the Gateway Determination to extend the time to complete the Planning Proposal; and
- sign** the letter to Council (**Tag Council**).

CURRENT POSITION

- Council has prepared a Planning Proposal (**Tag A**) to rezone land to permit the development of a rural residential subdivision consisting of approximately 115 allotments.
- The rezoning is consistent with Council's Land Use Strategy. The Land Use Strategy considered a number of potential sites to accommodate future growth around Dungog and involved extensive community consultation.
- A Gateway Determination was issued on 18 April 2011 that the proposal should proceed subject to conditions (**Tag B**). Council was initially given 12 months (until 26 April 2012) to complete the Planning Proposal and this was extended by an additional 12 months (until 26 April 2013) due to delays with the proponent submitting the required studies.
- At the time it was considered likely that the proposal would amend the new comprehensive LEP. However due to delays the proposal is more likely to amend the existing Dungog LEP 2006.
- Council received the required studies on 2 October 2012 and commenced consultation with the Department of Primary Industries as required by the Gateway Determination to ensure the proposal provides for the proper management, development and protection of rural lands. Council was required to undertake this consultation before commencing public exhibition.
- Council has requested (**Tag C**) that the period to complete the proposal be extended by an additional 9 months, because of delays in reviewing the planning studies and consulting the Department of Primary Industries
- Council intends to exhibit the Planning Proposal as an amendment to the Dungog Local Environmental Plan (LEP) 2006 as well as the draft standard instrument LEP. Council advises it will commence public exhibition for a minimum of 28 days on Wednesday 1 May 2013.

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18/4/13
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22.4.13
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Executive Director
Rural and Regional Planning



13/06585

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

Dear Mr Deasey

Planning Proposal PP_2011_DUNGO_001_00 - Gateway Determination extension

I refer to Council's request received on 10 April 2013 seeking an extension of time to complete the Planning Proposal PP_2011_DUNGO_001_00, known as Hanley's Creek Road.

I have determined as the delegate of the Minister, in accordance with section 56(7) of the Environmental Planning and Assessment Act, 1979, to amend the Gateway Determination dated 18 April 2011 for PP_2011_DUNGO_001_00.

The Gateway Determination is amended by extending the time for the completion of the Planning Proposal by an additional 9 months. The Planning Proposal is now due for completion by 26 January 2014. The Gateway Determination is also amended to allow it to proceed as an amendment to the Dungog Local Environmental Plan (LEP) 2006, to zone the land Rural Lifestyle 1(1) zone, or the draft Standard Instrument LEP. The Planning Proposal will inevitably amend the LEP in force at the time the amendment is published on the NSW legislation website.

If you have any questions in relation to this matter please contact Mr Trent Wink of the Department's Newcastle Office on 02 4904 2716.

Yours sincerely

Neil McGaffin
Executive Director
Rural & Regional Planning

22-4-13