



Office of the Director General

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Our ref: PP_2012_GLOUC_001_00 (11/19117)
Your ref: 2012 PP

Dear Mr Young,

Planning proposal to amend Gloucester Local Environmental Plan 2010

I am writing in response to Council's letter dated 4 December 2012 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 Gloucester Local Environmental Plan (LEP) 2010 to facilitate various housekeeping amendments including a rezoning of land at Clement Street, Gloucester from public recreation to residential and amending the floor space ratio for this land, amending permissible land uses in various zones and correcting a mapping error.

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 1.1 Business and Industrial Zones is of minor significance. In relation to S117 Direction 6.2 Reserving Land for Public Purposes, I have agreed to the reduction of land for public purposes. No further approval is required in relation to these Directions.

Council is also advised that the *Guide to Preparing Planning Proposals* was recently updated and it now requires a project timeline to be included within the planning proposal. A timeline provides a mechanism to monitor the progress of the plan and minimise delays in the plan making process. Council should include a project timeline within any future planning proposal, when it requests a Gateway determination.

The amending 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. 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 NSW 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 Paul Maher of the regional office of the department on 02 4904 2700.

Yours sincerely,



Sam Haddad
Director General

21/12/2012.

Gateway Determination

Planning proposal (Department Ref: PP_2012_GLOUC_001_00): to amend Gloucester Local Environmental Plan (LEP) 2010 to facilitate various housekeeping amendments.

I, the Director General, 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 Gloucester Local Environmental Plan (LEP) 2010 to rezone Lot 4, DP 582158 and Lot 106, DP 861914, Clement Street, Gloucester from RE1 Public Recreation to R2 Low Density Residential and introduce a floor space ratio of 0.5:1 on the subject land, amend permissible uses in zones IN1 General Industrial, RU1 Primary Production, B2 Local Centre and E3 Environmental Management and correct a boundary mapping error should proceed subject to the following conditions:

1. Prior to commencing public exhibition, Council is to amend the planning proposal to identify the ownership of land in Item 1, being Lot 4, DP 582158 and Lot 106, DP 861914, Clement Street, Gloucester. Council is to advise of the intended future use of this land.
2. Council is to consult with the Office of Environment and Heritage to demonstrate consistency with S117 Direction 2.1 Environmental Protection Zones and amend the planning proposal, if necessary, to take into consideration any comments made prior to undertaking public exhibition.
3. 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 is classified as low impact as described in *A Guide to Preparing LEPs* (Department of Planning and Infrastructure 2012) and must be made publicly available for **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 and Infrastructure 2012).
4. Consultation is required with the following public authorities under section 56(2)(d) of the EP&A Act:

- Office of Environment and Heritage

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.

5. 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).



6. 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 December 2012.

Sam Haddad
Director General
Delegate of the Minister for Planning and
Infrastructure