



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

Our ref: PP_2016_DUNGO_002 (16/13702)
Your ref: EF14/73 - kmc

Att: Kristy Cousins

Dear Mr Deasey,

Planning proposal to amend Dungog Local Environmental Plan 2014

I am writing in response to Council's letter dated 18 October 2016 requesting a Gateway determination under section 56 of the *Environmental Planning and Assessment Act 1979* (the Act) in respect of the planning proposal to reclassify the Clarence Town Court House Museum from community to operational land.

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

Council is reminded of its obligations for undertaking a public hearing in relation to the proposed reclassification of land in accordance with the department's practice note *PN16-001 Classification and reclassification of public land through a local environmental plan*.

It is noted that the planning proposal states that no reservations are to be extinguished. Prior to exhibition, please confirm that the planning proposal will not discharge the land from any trusts, estates, interests, dedications, conditions, restrictions, licences leases and covenants affecting the land or any part of the land.

The amending Local Environmental Plan (LEP) is to be finalised within 12 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 for the Department of Planning and Environment 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 Act if the time frames outlined in this determination are not met.

Should you have any queries in regard to this matter, I have arranged for Dylan Meade from the Hunter office to assist you. Mr Meade can be contacted on (02) 4904 2718.

Yours sincerely,

A handwritten signature in black ink, appearing to read 'Monica Gibson', written in a cursive style.

4/11/2016

Monica Gibson
Director Regions, Hunter and Central Coast
Planning Services



Gateway Determination

Planning proposal (Department Ref: PP_2016_DUNGOG_002): to reclassify the Clarence Town Court House Museum from community to operational land.

I, the Director Regions, Hunter and Central Coast at Department of Planning and Environment as delegate of the Minister for Planning, have determined under section 56(2) of the Act that an amendment to the Dungog Local Environmental Plan (LEP) 2014 to reclassify the Clarence Town Court House Museum from community 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* (the 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 & Environment 2013)*.
2. No consultation is required with public authorities under section 56(2)(d) of the Act.
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 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 **12 months** from the week following the date of the Gateway determination.

Dated 4th day of November 2016.

Monica Gibson
Director Regions, Hunter and Central Coast
Planning Services
Department of Planning and Environment

Delegate of the Minister for Planning