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Our ref: PP_2010_SINGL_011_00 (09/04150)
Your ref: LA65/2008

Mr Scott Greensill
General Manager
Singleton Council
PO Box 314
SINGLETON NSW 2330

Dear Mr Greensill,

Re: Planning Proposal to rezone land at Standen Drive, Lower Belford

I am writing in response to your Council's letter dated 18 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 Singleton Local Environmental Plan 1996 to rezone approximately 130ha of land described as Lot 11 DP 844443; part of Lot 12 DP 1100005; part of Lot 13 DP 1100005; Part of Lot 6 DP 237936; Lot 91 DP 1138554; and Lot 92 DP 1138554 located at Standen Drive, Lower Belford from 1(a) Rural to Environmental Living.

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

The Director General's delegate has also agreed that the planning proposal's inconsistencies with S117 Direction 1.2 Rural Zones are of minor significance. No further approval is required in relation to this Direction.

Council is to finalise the final boundary for the proposal and determine the minimum lot size for the development in consultation with DECCW and the CMA prior to finalising and exhibiting the draft LEP. All supporting information and studies prepared in relation to the site should also be made available to agencies and the community during the exhibition of the draft LEP.

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 within four (4) weeks from the week following this determination. Council's request for the Department to finalise the LEP should be made six (6) weeks prior to the projected publication date.

Should you have any queries in regard to this matter, please contact Amy Blakely of the Regional Office of the Department on (02) 4904 2700.

Yours sincerely,

17.12.10

Tom **Tom Gellibrand**
Deputy Director General
Plan Making & Urban Renewal

Gateway Determination

Planning Proposal (Department Ref: PP_2010_SINGL_011_00): to rezone approximately 130ha of land described as Lot 11 DP 844443; part of Lot 12 DP 1100005; part of Lot 13 DP 1100005; Part of Lot 6 DP 237936; Lot 91 DP 1138554; and Lot 92 DP 1138554 located at Standen Drive, Lower Belford from 1(a) Rural to Environmental Living.

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 Singleton Local Environmental Plan 1996 to rezone approximately 130ha of land described as Lot 11 DP 844443; part of Lot 12 DP 1100005; part of Lot 13 DP 1100005; Part of Lot 6 DP 237936; Lot 91 DP 1138554; and Lot 92 DP 1138554 located at Standen Drive, Lower Belford from 1(a) Rural to Environmental Living should proceed subject to the following conditions:

1. The RPA is to consult with DECCW and the CMA to identify and agree the final boundary for the planning proposal and the minimum lot size applicable for the proposal prior to proceeding to exhibition.
2. 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**;
 - b. all supporting material and background studies prepared in relation to the site must be made available for the community and agencies to review during the exhibition period with the planning proposal;
 - c. 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)*.
3. Consultation is required with the following public authorities under section 56(2)(d) of the EP&A Act:
 - NSW Department of Environment, Climate Change and Water (DECCW)
 - Aboriginal Land Council
 - Catchment Management Authority (CMA) – Hunter/Central Rivers
 - Department of Industry and Investment (Agriculture)
 - Roads and Traffic Authority (RTA)

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.

4. 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).

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 **12 months** from the week following the date of the Gateway determination.

Dated 17th day of December 2010.



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