

Mr. Gerard Jose
General Manager
Greater Taree City Council
PO Box 482
TAREE NSW 2430

10/21199

Dear Mr Jose

I refer to your letter of 11 October 2010, requesting a Gateway Determination under section 56 of the *Environmental Planning and Assessment Act 1979* ('EP&A Act') for the draft Greater Taree Local Environmental Plan 2010 (Brimbin new town). I note that a detailed structure plan for the whole site is currently being prepared and that Council in response to the findings of the structure plan may seek to amend the current planning proposal, prior to the draft LEP being placed on public exhibition.

I am writing to notify you that I have determined, as the delegate of the Director-General, under clause 12(2) of the *Environmental Planning and Assessment Regulation 2000* that the former LEP plan-making provisions will cease to apply to the draft LEP. The current provisions of Part 3 of the EP&A Act now apply.

Further I have, as delegate for the Minister for Planning, determined under clause 122 (2) of Schedule 6 to the EP&A Act to dispense with all the conditions precedent up to section 57(1) of the EP&A Act for the making of this draft LEP which recognises the Director General's previous consideration of the draft LEP. The draft LEP will therefore commence at section 57(1) of the EP&A Act subject to Council addressing all the matters raised in the Director General's previous s54 (4) notification of 10 March 2009.

The size and complexity of this planning proposal and the need to resolve local and State infrastructure contribution plans and conservation agreements upfront is recognised by the Department. Council is therefore encouraged to finalise the LEP within 18 months of the week following the date of this letter. Council's request for the Department 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 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 Mr Brian Murphy of the Regional Office of the Department on 02 4904 2712.

Yours sincerely,



9/11/10

Tom Gellibrand
Deputy Director General
Plan Making & Urban Renewal
(as delegate of the Minister and the Director-General)