



Office of the Director General

Ms Lindy Hyam
General Manager
Singleton Council
PO Box 314
SINGLETON NSW 2330

Contact: Amy Blakely
Phone: (02) 4904 2700
Fax: (02) 4904 2701
Email: Amy.Blakely@planning.nsw.gov.au
Postal: PO Box 1226, Newcastle NSW 2300

Our ref: PP_2012_SINGL_004_00 (12/18953)
Your ref: LA11/2012

Dear Ms Hyam,

Planning proposal to amend either the Singleton Local Environmental Plan (LEP) 1996 or draft Singleton LEP 2012

I am writing in response to Council's letter dated 26 November 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 Singleton Local Environmental Plan (LEP) 1996 or draft Singleton LEP 2012 to rezone land at 14 Burbank Crescent, Hunterview for residential and rural purposes and apply minimum lot size provisions to land zoned for rural purposes on the subject site.

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

I have also agreed that the planning proposal's inconsistencies with S117 Directions 1.2 Rural Zones, 1.5 Rural Lands and 3.1 Residential Zones are of minor significance. No further approval is required in relation to these Directions.

Council is 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 18 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 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 Amy Blakely of the regional office of the department on 02 4904 2700.

Yours sincerely,

SHaddad
Sam Haddad
Director General

8/2/2013

Gateway Determination

Planning proposal (Department Ref: PP_2012_SINGL_004_00): to rezone land for residential and rural purposes and apply a minimum lot size for rural zoned land on the subject site.

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 rezone land at 14 Burbank Crescent, Huntview from 1(a) Rural Zone to 2 (Residential Zone) and from 2 (Residential Zone) to 1(a) Rural Zone under Singleton Local Environmental Plan (LEP) 1996 or rezone the land R1 General Residential and RU1 Primary Production under draft Singleton LEP 2012 and apply a 10ha minimum lot size provisions to land zoned for rural purposes on the site should proceed subject to the following conditions:

1. Prior to commencing public exhibition, Council is to amend the planning proposal to include maps at an appropriate scale which clearly identify the zoning and minimum lot size proposed for the subject site under both Singleton LEP 1996 and draft Singleton LEP 2012. The site subject to this planning proposal should be clearly identified on all maps provided. Council should include any other associated material it has to demonstrate how the planning proposal will amend both instruments.
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**; 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).
3. Consultation is required with the following public authorities under section 56(2)(d) of the EP&A Act:
 - NSW Aboriginal Land Council
 - Office of Environment and Heritage
 - Telstra
 - Ausgrid

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. The timeframe for completing the LEP is to be **18 months** from the week following the date of the Gateway determination.

Dated *8th* day of *February* 2012.

SHaddad

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