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Mr Warwick Bennett  
General Manager  
Mid-Western Regional Council  
PO BOX 156  
MUDGEES NSW 2850

Our ref: PP\_2013\_MIDWR\_004\_00 (13/14790)  
Your ref: ML:OUT/A0420109

Dear Mr Bennett

**Planning proposal to amend Mid-Western Regional Local Environmental Plan 2012**

I am writing in response to your Council's letter received on 30 August 2013 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 rezone Lots 16 and 17 DP 756897, Hill End Road, Mudgee from RU1 – Primary Production to IN1 – General Industrial under the Mid Western Regional Local Environmental Plan 2012.

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.

The Minister delegated his plan making powers to Councils in October 2012. It is noted that Council has now accepted this delegation. I have considered the nature of Council's planning proposal and have decided to issue an authorisation for Council to exercise delegation to make this plan.

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 to draft and finalise the LEP should be made directly to Parliamentary Counsel's Office ([parliamentary.counsel@pco.nsw.gov.au](mailto:parliamentary.counsel@pco.nsw.gov.au)) 6 weeks prior to the projected publication date. A copy of the request should be forwarded to the department for administrative purposes at [planmaking.monitoring@planning.nsw.gov.au](mailto:planmaking.monitoring@planning.nsw.gov.au).

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.

"A Guide for the preparation of local environmental plans" attachment 5 – Delegated plan making reporting template (**Attachment A**) has been enclosed for Council's information. Table 2 of the attachment is to be completed and included in Council's s59 submission to the Department.

Should you have any queries in regard to this matter, please contact Jenna McNabb of the Western Region office of the Department on 02 6841 2180.

Yours sincerely,

*A. W. Albury* 9-09/2013

**Ashley Albury**  
**Regional Director**  
**Western Region**

[Enc: **Attachment A** – Delegated plan making reporting template

# Attachment 5 – Delegated plan making reporting template

## Reporting template for delegated LEP amendments

### Notes:

- Planning proposal number will be provided by the department following receipt of the planning proposal
- The department will fill in the details of Tables 1 and 3
- RPA is to fill in details for Table 2
- If the planning proposal is exhibited more than once, the RPA should add additional rows to **Table 2** to include this information
- The RPA must notify the relevant contact officer in the regional office in writing of the dates as they occur to ensure the department's publicly accessible LEP Tracking System is kept up to date
- A copy of this completed report must be provided to the department with the RPA's request to have the LEP notified

**Table 1 – To be completed by the department**

Stage	Date/Details
Planning Proposal Number	PP_2013_MIDWR_004_00
Date Sent to Department under s56	30 August 2013
Date considered at LEP Review Panel	Considered by the DG's Delegate 09/09/2013
Gateway determination date	09/09/2013

**Table 2 – To be completed by the RPA**

Stage	Date/Details	Notified Reg Off
Dates draft LEP exhibited		
Date of public hearing (if held)		
Date sent to PCO seeking Opinion		
Date Opinion received		
Date Council Resolved to Adopt LEP		
Date LEP made by GM (or other) under delegation		
Date sent to DP&I requesting notification		

**Table 3 – To be completed by the department**

Stage	Date/Details
Notification Date and details	

### Additional relevant information: