



## **Gateway Determination**

**Planning Proposal (Department Ref:PP\_2014\_MIDWR\_003\_00):** to amend the Mid-Western Regional LEP 2012 – Spring Flat Road, Adams Lead Road, Market Street and Split Zoning.

I, the General Manager, Western Region at the Department of Planning and Environment as delegate of the Minister for Planning, have determined under section 56(2) of the EP&A Act that an amendment to the Mid-Western Regional Local Environmental Plan 2012 (LEP) to:

- a) amend the minimum lot size on land at Lot 52 DP 633029 Spring Flat Road, Spring Flat from 100 hectares to 20 hectares;
- b) amend the land use zone at Lot 76 DP 755434 Adams Lead Road, Gulgong from Zone RU1 Primary Production to Zone R2 Low Density Residential and amend the minimum lot size from 100 hectares to 2 hectares,
- c) amend the land use zone at part Lot 41 DP 703056 and part Lot 1 DP 564729 Market Street, Mudgee from Zone E3 Environmental Management to Zone R1 General Residential and Zone RE2 Private Recreation and amend the minimum lot size from 400 hectares to 600 square metres, and
- d) insert a provision regarding minimum lot sizes for split zoned lots to provide for subdivision of lots that are within more than one zone,

should proceed subject to the following variations and conditions:

1. Prior to undertaking public exhibition, Council is to amend the Planning Proposal:
  - a) to address State Environmental Planning Policy (SEPP) 55 Remediation of Land and State Environmental Planning Policy (Rural Lands) 2008,
  - b) to outline the zones which are to be affected by the minimum lot size for split zones provision,
  - c) to zone land at Lot 76 DP 755434 Adams Lead Road, Gulgong Zone R5 Large Lot Residential,
  - d) to clearly indicate the intent to amend the minimum lot size on part Lot 41 DP 703056 and part Lot 1 DP 564729 Market Street, Mudgee to 600 square metres, and
  - e) to zone land that forms part Lot 42 DP 703056 within Zone E3 Environmental Management, Zone R1 General Residential and amend the minimum lot size to 600 square metres.

The Planning Proposal is not to be placed on public exhibition until the Department is satisfied that the above amendments have been adequately addressed.

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 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 and Infrastructure 2013).
3. Consultation is required with the following public authority under section 56(2)(d) of the EP&A Act and/or comply with the requirements of relevant S117 Directions:

- Office of Environment and Heritage



## Planning & Environment

- NSW Rural Fire Service

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. Prior to submission of the Planning Proposal under section 59 of the EP&A Act the relevant Land Zoning Maps and Lot Size Maps that apply to the subject land are to be prepared compliant with the Department's 'Standard technical requirements for LEP maps'.
6. The timeframe for completing the LEP is to be 9 months from the week following the date of the Gateway Determination.

Dated *9th* day of *December* 2014.

*a.w. all*  
**Ashley Albury**  
General Manager, Western Region  
Planning Services

**Delegate of the Minister for Planning**