

Mr Brad Cam
General Manager
Mid-Western Regional Council
PO Box 156
MUDGEES NSW 2850

Attention: Sarah Armstrong – Manager, Strategic Planning

Dear Mr Cam

Planning proposal (PP_2019_MIDWR_002_00) to amend Mid-Western Regional Local Environmental Plan 2012 – clause 6.10 Visually sensitive land near Mudgee.

I am writing in response to Council's request for a Gateway determination under section 3.34(1) of the *Environmental Planning and Assessment Act 1979* (the Act) and amended documentation received on 9 May 2019 in respect of the planning proposal to amend clause 6.10 Visually sensitive land near Mudgee and the associated Visually Sensitive Land Maps.

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

It is noted that Council has requested to be authorised as the local plan-making authority. I have considered the nature of Council's planning proposal and have conditioned the Gateway determination for Council to be authorised as the local plan-making authority.

The amending local environmental plan (LEP) is to be finalised within six (6) months of 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 ten (10) weeks prior to the projected publication date. A copy of the request should be forwarded to the Department of Planning and Environment – Western Region office (westernregion@planning.nsw.gov.au).

All related files for the LEP Amendment, including planning proposal documents must be submitted to the Department via the Planning Portal Website at

www.planningportal.nsw.gov.au/planning-tools/on-line-submission-planning-data

To submit the data, Council is required to create an account and log in using these details.

In accordance with "A guide for the preparation of local environmental plans- December 2018" Authorised plan making reporting template is enclosed for Council's information. Table 2 of the attachment is to be completed and included in Council's section 3.36 submission when requesting the planning proposal to be finalised.

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 3.32(2)(d) of the Act if the time frames outlined in this determination are not met.

Should you have any enquiries about this matter, I have arranged for Ms Jessica Holland from the Department of Planning and Environment, Western Region office, to assist you. Ms Holland can be contacted on 5852 6800.

Yours sincerely



23.5.19

Damien Pfeiffer
Director Regions, Western
Planning Services

Encl: Gateway determination
Authorised plan-making reporting template