

Mr Brad Cam
General Manager
Mid-Western Regional Council
PO Box 156
Mudgee NSW 22850

Attention: Elizabeth Densley, Manager Strategic Planning

Dear Mr Cam

Planning Proposal (PP_2015_MIDWR_003_00) to amend Mid-Western Regional LEP 2012 – part Lot 4 DP 1206488 Broadhead Road, Mudgee.

I am writing in response to Council's request for a Gateway determination under section 56(1) of the *Environmental Planning and Assessment Act* 1979 with respect to the planning proposal to reduce the minimum lot size from 12 hectares to 2 hectares on land at part Lot 4 DP 1206488 Broadhead Road, Mudgee.

As a delegate of the Minister for Planning, I have determined the planning proposal should proceed subject to the conditions in the attached Gateway determination (Attachment 1).

The Minister delegated his plan making powers to councils in October 2012. It is noted that Council has accepted this delegation. I have considered the nature of Council's planning proposal and have decided to issue authorisation for Council to exercise delegation to make this plan (Attachment 2).

The planning proposal has been considered and it is determined that there is merit in the proposal however consultation is required with the NSW Office of Water to determine an appropriate minimum lot size for the land having regard to water supply and impacts on groundwater. The result of this consultation may require the planning proposal to be amended. Accordingly consultation shall be carried out prior to exhibition of the planning proposal.

The amended Local Environmental Plan is to be finalised within 12 months of the week following the date of the Gateway determination. Council should also 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) 10 weeks prior to the projected publication date.

A copy of the request should be forwarded to the Department of Planning and Environment (westernregion@planning.nsw.gov.au) for administrative purposes.



The amended LEP map and GIS data is to be uploaded to the Departments FTP site at ftp://lepup:up_upload@203.3.194.247/ and the map information emailed to pocgis@planning.nsw.gov.au and a copy to westernregion@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 publically 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 outlines in this determination are not met.

In accordance with "A guide for the preparation of local environmental plans", Attachment 5 – Delegated plan making reporting template (Attachment 3) is enclosed for Council's information. Table 2 of the attachment is to be completed and forward to westernregion@planning.nsw.gov.au when requesting the planning proposal to be notified.

Should you have any queries in regard to this matter, I have arranged for Jessica Holland, Planning Officer to assist you. Ms Holland can be contacted on (02) 6841 2180.

Yours sincerely

 26-6-2015
Ashley Albury
General Manager, Western Region
Planning Services