



Mr Ray Smith  
General Manager  
Bland Shire Council  
PO Box 21  
WEST WYALONG NSW 2671

Attention: Will Marsh, Director Technical Services

Dear Mr Smith

**Planning proposal [PP\_2020\_BLAND\_001\_00] to amend Bland Local Environmental Plan 2011 – rezoning and reduction of minimum lot size at Lot 2 DP 62598650, 50 Mid-Western Highway, West Wyalong**

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 additional information received on 16 and 23 July 2020 in respect of the planning proposal to rezone from RU1 Primary Production to R5 Large Lot Residential and reduce the minimum lot size from 200ha to 2ha at Lot 2 DP 625986, 50 Mid Western Highway, West Wyalong.

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.

I have also agreed, as delegate of the Secretary, the planning proposal's inconsistencies with section 9.1 Directions (1.2 Rural Zones and 1.5 Rural Lands) are justified in accordance with the terms of the Direction. No further approval is required in relation to these Directions.

Council may still need to obtain the agreement of the Secretary to comply with the requirements of relevant section 9.1 Directions [1.3 Mining, Petroleum Production and Extractive Industries and 2.6 Remediation of Contaminated Land]. Council should ensure this occurs prior to public exhibition / the plan being made.

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 for Council to be authorised as the local plan-making authority.

The amending local environmental plan (LEP) is to be finalised within nine 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 ([parliamentary.counsel@pco.nsw.gov.au](mailto: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, Industry and Environment, Western Region ([westernregion@planning.nsw.gov.au](mailto:westernregion@planning.nsw.gov.au)) for administrative purposes.

All related files for LEP Amendment, including PDF maps, Map Cover Sheet, planning proposal document and GIS data, if available, must be submitted to the Department via the Planning Portal website at [www.planningportal.nsw.gov.au](http://www.planningportal.nsw.gov.au). To submit the data, Council is requested to create an account and log in using these details.

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.

If you have any more questions, please contact Ms Nikki Pridgeon, Planning Officer, from the Department of Planning, Industry and Environment, Western Region office, on 5852 6807.

Yours sincerely



30.7.20

**Damien Pfeiffer**  
**Director, Western Region**  
**Local and Regional Planning**

Encl: Gateway determination  
Authorised plan-making reporting template