



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-2021-4679] to amend Mid-Western Local Environmental Plan 2012 – Additional Permitted Use – permit a bulk storage and reload facility at 540 Buckaroo Road, Buckaroo.**

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) in respect of the planning proposal to amend Schedule 1 (Additional Permitted Use) of the Mid-Western Local Environmental Plan 2012 to permit a bulk storage and reload facility on Lot 2 DP1227923 at 540 Buckaroo Road, Buckaroo.

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 considered the nature of Council's planning proposal and have conditioned the Gateway for Council to be authorised as the local plan-making authority.

Council is reminded to update the Planning Portal and notify the Western Region Office of the Department of Planning, Industry & Environment when the plan making milestones are achieved.

The amending local environmental plan (LEP) is to be finalised within 9 months of the date of the Gateway determination. Council's request to draft and finalise the LEP should be made directly to Parliamentary Counsel's Office 6 weeks prior to the projected publication date. Council is to request Parliamentary Counsel's Office commence drafting the instrument as soon as practicable. A copy of the request should be forwarded to the Department of Planning, Industry and Environment Western Region Office ([westernregion@planning.nsw.gov.au](mailto:westernregion@planning.nsw.gov.au)) for administrative purposes.

All related files for the LEP amendment must be submitted to the Department via the Planning Portal Website at [www.planningportal.nsw.gov.au/reporting/online-submission-planning-data](http://www.planningportal.nsw.gov.au/reporting/online-submission-planning-data).

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 Mr Tim Collins to assist you. Mr Collins can be contacted on 5852 6806.

Yours sincerely

A handwritten signature in black ink, appearing to read 'G. Hopkins', written in a cursive style.

26 November 2021

**Garry Hopkins**  
**Director, Western Region**  
**Local and Regional Planning**

Encl: Gateway determination