



Mr David Sherley
General Manager
Bathurst Regional Council
PMB 17
BATHURST NSW 2795

Attention: Nicholas Murphy, Senior Strategic Planner

Dear Mr Sherley,

Planning proposal [PP-2021-5200] to amend Bathurst Regional Local Environmental Plan 2014- Laffing Waters Urban release area.

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 various development standards and relevant mapping for Laffing Waters Urban Release Area to reconfigure the neighbourhood in accordance with the Laffing Waters Masterplan.

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 inconsistency with section 9.1 Directions 1.3 Mining, Petroleum Production and Extractive Industries is of minor significance and no further work is required.

In relation to section 9.1 Direction 6.2 Reserving Land for Public Purposes, I have agreed to the creation of land for public purposes on the basis that the proposed public land is supported by Council's strategic planning work. No further approval is required in relation to this Direction.

I have considered the nature of the planning proposal, and as Council owns land within the area of the subject of the proposal, I have on this occasion not supported Council being the local plan-making authority.

The amending local environmental plan (LEP) is to be finalised within nine (9) months of the date of the Gateway determination. Council should aim to commence the exhibition of the planning proposal within three (3) months of the date of the Gateway determination. Council's request to draft and finalise the LEP amendment should be made via the Planning Portal six (6) weeks prior to the projected publication date. A copy of the request should be forwarded to the Western Region office of Department of Planning, Industry and Environment.

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.

The Department will commence the relevant agency consultation to seek satisfactory arrangement certification for designated State infrastructure as required under clause 6.1 of the Bathurst LEP 2014 for the change to the Urban Release Area.

Should you have any enquiries about this matter, I have arranged for Ms Oyshee Iqbal to assist you. Ms Iqbal can be contacted on 5852 6824.

Yours sincerely



17 September 2021

Wayne Garnsey
Acting Director, Western Region
Local and Regional Planning
Department of Planning, Industry and Environment

Encl: Gateway determination