

Mr Bradley Byrnes
General Manager
Cabonne Shire Council
PO Box 17
MOLONG NSW 2866

Our ref: IRF22/2842 – PP-2022-1494

Attention: Heather Nicholls, Deputy General Manager

Dear Mr Byrnes

Planning proposal (PP-2022-1494) to amend Cabonne Local Environmental Plan 2012 – 51 Winter Lane, Summer Hill Creek

I am writing in response to the planning proposal you have forwarded to the Minister under section 3.34(1) of the *Environmental Planning and Assessment Act 1979* (the Act) in respect of the planning proposal to rezone part of the land from RU1 Primary Production to R5 Large Lot Residential and change to minimum lot size at part Lot 6 DP 703806, 51 Winter Lane, Summer Hill Creek.

As delegate of the Minister for Planning, I have determined that the planning proposal should proceed subject to the conditions in the enclosed gateway determination.

In relation to Section 9.1 Direction 4.4 Remediation of Contaminated Land, consistency remains unresolved at this time and will be informed by the updates required under Gateway condition 1.

Considering the nature of the planning proposal I have determined that Council may exercise local plan-making authority functions in relation to the planning proposal.

The proposed 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 as soon as possible.

This will be a map only amendment. Parliamentary Counsel's Office is not responsible for the drafting of map-only amendments to LEPs. Requests for legal drafting for map-only amendments must instead be sent to mapinstrument.drafting@dpie.nsw.gov.au. The Department of Planning and Environment Western Region team contact should be copied into the request westernregion@planning.nsw.gov.au. The request must include the drafting instruction template, planning proposal and gateway determination. Council's request to draft and finalise the LEP should be made eight weeks in advance of the date the LEP is projected to be made.

The NSW Government has committed to reduce the time taken to complete LEPs. To meet these commitments, the Minister may appoint an alternate planning proposal authority if Council does not meet the timeframes outlined in the gateway determination.

The Department's categorisation of planning proposals in the *Local Environmental Plan Making Guideline* (Department of Planning and Environment, 2021) is supported by category specific timeframes for satisfaction of conditions and authority and Government agency referrals, consultation, and responses. Compliance with milestones will be monitored by the Department to ensure planning proposals are progressing as required.

Should you have any enquiries about this matter, I have arranged for Oyshee Iqbal to assist you. Ms Iqbal can be contacted on 5852 6800.

Yours sincerely

A handwritten signature in black ink, appearing to read 'G. Hopkins', with a stylized, flowing script.

6 September 2022

Garry Hopkins
Director, Western Region
Local and Regional Planning

Encl: Gateway determination