

Brad Cam
General Manager
Mid-Western Regional Council
86 Market Street
MUDGEES NSW 2850

Our ref: PP-2022-157/IRF22/1902

Attention: Sarah Armstrong, Manager, Strategic Planning

Dear Mr Brad Cam,

Planning proposal (PP-2022-157) to amend Mid-Western Regional Local Environmental Plan 2012 to facilitate further development of Glen Willow Regional Sports Complex at Lot 31 DP 158548, 53 Pitts Lane, Putta Bucca, Mudgee

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 land from RU4 Primary Production to RE1 Public Recreation and to remove the minimum lot size at Lot 31 DP158548, 53 Pitts Lane, Putta Bucca, Mudgee

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.

As delegate of the Secretary, it is noted that the planning proposal is to be updated to address potential inconsistencies with the section 9.1 Directions as follows:

- Direction 3.2 Heritage Conservation – prepare an Aboriginal Cultural Heritage Assessment in consultation with Heritage NSW.
- Direction 4.4 Remediation of Contaminated Land – prepare a Preliminary Site Investigation to determine the risk of potential contamination and remediation.

I have also agreed as delegate of the Secretary, the inconsistency of the planning proposal with applicable directions of the Minister under section 9.1 of the Act being Direction 9.2 – Rural Lands is justified in accordance with the terms of the Direction and no further work is required.

I have determined not to authorise Council to be the local plan-making authority as Council, being the land owner, has an interest in the land and proposed development.

Council should aim to commence the exhibition of the planning proposal as soon as possible, subject to the conditions listed within the Gateway determination report. Council's request for the Department of Planning and Environment to draft and finalise the LEP should be made eight (8) 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 Tim Collins to assist you. Mr Collins can be contacted on (02) 5852 6800.

Yours sincerely



8 July 2022

Garry Hopkins
Director, Western Region
Local and Regional Planning

Encl: Gateway determination