

Mr Derek Finnigan
General Manager
Muswellbrook Shire Council
PO Box 122
MUSWELLBROOK NSW 2333

Our ref: PP- 2022- 4312 / IRF23/1223

Dear Mr Finnigan

Planning proposal PP-2022-4312 to amend the *Muswellbrook Local Environmental Plan 2009*

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) and additional information received on 17 April 2023 in respect of the planning proposal to remove item I112 from Schedule 5 and amend the Heritage Map.

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

Council may still need to obtain the agreement of the Secretary to comply with the requirements of relevant applicable directions of the Minister under section 9.1 of the Act 3.2 Heritage Conservation. Council should ensure this occurs prior to public exhibition.

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

The proposed local environmental plan (LEP) is to be finalised on or before nine months from the Gateway determination. As this is a minor amendment, Council is to request Parliamentary Counsel's Office commence drafting as soon as practicable. A copy of the request should be forwarded to the Department of Planning and Environment.

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, 2022) 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 Rachel Murray, Planning Officer, Central Coast and Hunter to assist you. Miss Murray can be contacted on 4927 3191.

Yours sincerely

A handwritten signature in dark ink, appearing to read 'Dan Simpkins', with a long horizontal stroke extending to the right.

8/6/2023

Dan Simpkins
Director, Central Coast and Hunter
Planning and Land Use Strategy

Encl: Gateway determination