

Gateway Determination

Planning proposal (Department Ref: PP-2023-1202): *To confirm the minimum lot size requirement for dwelling houses in zones RU1 Primary Production, R5 Large Lot Residential, C3 Environmental Management and C4 Environmental Living.*

I, the Director, Northern Region at the Department of Planning and Environment, as delegate of the Minister for Planning and Public Spaces, have determined under section 3.34(2) of the *Environmental Planning and Assessment Act 1979* (EP&A Act) that an amendment to the Liverpool Plains Local Environmental Plan 2011 (LEP) to confirm the minimum lot size requirement for dwelling houses in zones RU1 Primary Production, R5 Large Lot Residential, C3 Environmental Management and C4 Environmental Living should proceed subject to the following conditions:

1. Prior to agency and community consultation the planning proposal is to be amended to:
 - (a) amend Part 1, paragraph 2 to read 'Clause 4.2A(3)(b)';
 - (b) explain the proposal applies to all land in zones RU1 Primary Production, R5 Large Lot Residential, C3 Environmental Management and C4 Environmental Living and include commentary and analysis on the relevant minimum lot sizes under the Quirindi LEP 1991, Parry LEP 1987, Murrurundi LEP 1993 and Gunnedah LEP 1998;
 - (c) include a map which identifies the former Shire boundaries;
 - (d) include a map which identifies the zones to which the proposal applies;
 - (e) include a map which identifies the minimum lot sizes applicable to the former Shires;
 - (f) discuss alignment with the Namoi Regional Job Precinct;
 - (g) include an assessment against the section 9.1 Directions relevant to zones RU1 Primary Production, R5 Large Lot Residential, C3 Environmental Management and C4 Environmental Living;
 - (h) update the project timeline to reflect requirements of Gateway determination and timeframes nominated by the *Local Environmental Plan Making Guidelines* (Department of Planning and Environment, 2022); and
 - (i) remove the attachment which includes draft clause wording.
2. Public exhibition is required under section 3.34(2)(c) and clause 4 of Schedule 1 to the Act as follows:
 - (a) the planning proposal is categorised as standard as described in the *Local Environmental Plan Making Guidelines* (Department of Planning and Environment, 2022) and must be made publicly available for a minimum of 20 working days; and
 - (b) the planning proposal authority must comply with the notice requirements for public exhibition of planning proposals and the specifications for material that must be made publicly available along with planning proposals as identified in *Local Environmental Plan Making Guidelines* (Department of Planning and Environment, 2022).
3. Consultation is required with the following public authorities and government agencies under section 3.34(2)(d) of the Act and/or to comply with the requirements of applicable directions of the Minister under section 9 of the EP&A Act:

- NSW Rural Fire Service
- NSW Department of Primary Industries – Agriculture
- Department of Regional NSW – Regional Jobs Precincts

Each public authority is to be provided with a copy of the planning proposal and any relevant supporting material via the NSW Planning Portal and given at least 30 days to comment on the proposal.

4. A public hearing is not required to be held into the matter by any person or body under section 3.34(2)(e) of the EP&A Act. This does not discharge Council from any obligation it may otherwise have to conduct a public hearing (for example, in response to a submission or if reclassifying land).
5. The LEP should be completed within six months from the date of the Gateway determination

Dated 3 day of August 2023.



Jeremy Gray
Director, Northern Region
Local and Regional Planning
Department of Planning and Environment

Delegate of the Minister for Planning and
Public Spaces