

Mr Gary Murphy
General Manager
Liverpool Plains Shire Council
PO Box 152
QUIRINDI NSW 2343

Our ref: IRF23/1528

via email: david.kitson@liverpoolplains.nsw.gov.au
council@liverpoolplains.nsw.gov.au

Dear Mr Murphy

Planning proposal PP-2023-1202 to amend Liverpool Plains Local Environmental Plan 2011

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* (EP&A Act) in respect of the planning proposal to amend the Liverpool Plains LEP 2011 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.

As delegate of the Minister for Planning and Public Spaces, I have 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 inconsistency of the planning proposal with applicable directions of the Minister under section 9.1 of the EP&A Act 3.1 Conservation Zones, 3.2 Heritage Conservation, 4.1 Flooding and 9.2 Rural Lands is justified in accordance with the terms of the Direction.

Council may still need to obtain the agreement of the Secretary to comply with the requirements of relevant applicable direction of the Minister under section 9.1 of the EP&A Act 4.3 Planning for Bushfire Protection. Council should ensure this occurs prior to the LEP being made.

I have determined not to authorise Council to be the local plan-making authority.

The amending local environmental plan (LEP) is to be finalised six months from the date of the Gateway determination. Council should aim to commence the exhibition of the planning proposal as soon as possible. Council's request for the Department of Planning and Environment 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, 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 Georgia Weallans, Planning Officer to assist you. Ms Weallans can be contacted on 5778 1413.

Yours sincerely

A handwritten signature in black ink, appearing to read 'J. Gray', is positioned above the printed name.

3/8/2023

Jeremy Gray

**Director, Northern Region
Local and Regional Planning**

Encl: Gateway determination