

Mr James Roncon
General Manager
Armidale Regional Council
135 Rusden Street
ARMIDALE NSW 2350

Our ref: IRF 23/1865

Via email: mlup@armidale.nsw.gov.au
council@armidale.nsw.gov.au

Dear Mr Roncon

Planning proposal PP-2023-1507 to amend Armidale Regional Local Environmental Plan 2012

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 for housekeeping amendments to Schedule 5 Environmental Heritage of the Armidale Regional LEP 2012 and associated mapping.

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 6.1 Residential Zones and 9.2 Rural Lands are justified in accordance with the terms of the Direction.

Council will 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 EP&A Act 4.3 Planning for Bushfire Protection. Council should ensure this occurs prior to the LEP being made.

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 six months from the date of the Gateway determination. Council should aim to commence the exhibition of the planning proposal as soon as possible. Should Council seek to make a proposed LEP, the request to draft the LEP should be made directly to Parliamentary Counsel's Office well in advance of the date the LEP is projected to be made. 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, 2023) 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



17/8/23

Craig Diss
A/Director, Northern Region
Local and Regional Planning

Encl: Gateway determination