



## Department of Planning, Housing and Infrastructure

Mr Eric Groth  
General Manager  
Gunnedah Shire Council  
PO Box 63  
GUNNEDAH NSW 2380

Our ref: IRF23/3391

Via email: [council@infogunnedah.com.au](mailto:council@infogunnedah.com.au)  
[breannagreen@infogunnedah.com.au](mailto:breannagreen@infogunnedah.com.au)

Dear Mr Groth

### **Planning proposal PP-2023-2258 to amend Gunnedah 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* (the Act) in respect of the planning proposal to amend the minimum lot size on Lot 14 DP 864066, 109-139 Kamilaroi Road, Gunnedah.

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 Act, 3.2 Heritage Conservation is justified in accordance with the terms of the Direction. No further approval is required in relation to the Directions.

I have determined not to authorise Council to be the local plan-making authority to ensure that the planning proposal is consistent with the Gunnedah Local Housing Strategy once it has been finalised and approved by the Planning Secretary.

The proposed local environmental plan (LEP) is to be finalised six months from the date of 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, Housing and Infrastructure.

Parliamentary Counsel's Office is not responsible for the drafting of map-only amendments to LEPs. Requests for legal drafting for map-only amendments must instead be sent to [mapinstrument.drafting@dpie.nsw.gov.au](mailto:mapinstrument.drafting@dpie.nsw.gov.au). The relevant Department of Planning, Housing and Infrastructure team contact should be copied into the request. The request must include the drafting instruction template, planning proposal and gateway determination.

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, August 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 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 and title.

14/2/2024

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

Encl: Gateway determination