



Department of Planning, Housing and Infrastructure

Brad Cam
General Manager
Mid-Western Regional Council
PO Box 156
Mudgee NSW 2850

Our ref: IRF24/2079

Dear Mr Cam

Planning proposal (PP-2023-2573) to amend Mid-Western 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* (the Act) and additional information received on 19/8/2024 in respect of the planning proposal to increase the height of buildings at 36-42 Short Street, Mudgee.

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, there are no inconsistencies with the planning proposal in relation to the directions of the Minister under section 9.1 of the Act.

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 on or before 30 June 2025. 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. The Southern, Western and Macarthur team contact should be copied into the request at westernregion@planning.nsw.gov.au. 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, Housing and Infrastructure, 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 Meredith McIntyre to assist you. Meredith can be contacted on 6229 7912.

Yours sincerely

A handwritten signature in purple ink, appearing to read 'llhe' followed by a long horizontal stroke.

2/10/2024

Chantelle Chow
Acting Director Southern, Western and Macarthur Region
Local Planning and Council Support

Encl: Gateway determination