



## Department of Planning, Housing and Infrastructure

Ms Karina Ewer  
Chief Executive Officer  
Berrigan Shire Council  
56 Chanter Street  
BERRIGAN NSW 2712

Our ref: IRF24/771

Dear Ms Ewan

### **Planning proposal (PP-2023-2603) to amend Berrigan Local Environmental Plan 2013**

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 rezone land to E4 General Industrial and increase the minimum lot size to 10 hectares at Lot 2 DP1222893, Strathvale Road, Berrigan.

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 (6.1 Residential Zones and 7.1 Employment Zones) is justified in accordance with the terms of the Direction.

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 amending local environmental plan (LEP) is to be finalised on or before 13 March 2025. Council should aim to commence the exhibition of the planning proposal as soon as possible. Council's request for the Department of Planning, Housing and Infrastructure 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, 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 Jenna McNabb to assist you. Ms McNabb can be contacted on 02 5852 6811.

Yours sincerely



16/5/24

**Graham Towers**  
**Acting Director, Southern, Western and Macarthur Region**  
**Local Planning and Council Support**

Encl: Gateway determination