

Mr Brad Cam  
General Manager  
Mid-Western Regional Council  
86 Market Street  
MUDGEES NSW 2850

Our ref: PP-2023-90 | IRF23/111

**Attention: Sarah Armstrong, Manager, Strategic Planning**

Dear Mr Cam,

**Planning proposal (PP-2023-90) to amend Mid-Western Regional Local Environmental Plan 2012 (MWRLEP 2012) – Tourist and Visitor Accommodation**

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) to ensure Tourist and Visitor Accommodation is only permitted on lands where a dwelling house is permitted under clause 4.2A.

This planning proposal will introduce lawful dwelling house erection provisions for all uses covered by the parent term *tourist and visitor accommodation*, this includes *farm stay accommodation*. The Gateway determination suggests Council consider including the heads of consideration for farm stay accommodation in clause 5.24 Farm stay accommodation of the standard instrument for all tourist visitor accommodation which may remove the need to include optional clause 5.24 Farm stay accommodation in the Mid-Western Regional Local Environmental Plan 2012.

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.

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 within six (6) months of 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 the 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's Western Region office [westernregion@planning.nsw.gov.au](mailto:westernregion@planning.nsw.gov.au).

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 John Martinez to assist you. Mr Martinez can be contacted on 02 5852 6828.

Yours sincerely

A handwritten signature in black ink, appearing to read 'G. Hopkins', with a stylized, cursive script.

6 April 2023

**Garry Hopkins**  
**Director, Western Region**  
**Local and Regional Planning**

Encl: Gateway determination