



Department of Planning, Housing and Infrastructure

Mr David Neeves
General Manager
Gilgandra Shire Council
15 Warren Road (PO Box 23)
Gilgandra NSW 2827

Our ref: IRF24/1234

Dear Mr Neeves,

Planning proposal PP-2024-1044 to amend Gilgandra Local Environmental Plan 2011

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 rezone land in 361 Oxley Highway from RU1 Primary Production to E4 General Industrial.

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 Directions 9.1 Rural Zones and 9.2 Rural Lands are justified in accordance with the terms of the Direction.

No further approval is required in relation to the Directions.

Council may 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 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.

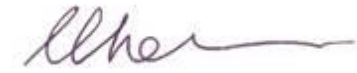
The proposed local environmental plan (LEP) is to be finalised on or before 24 April 2025. Council should aim to commence the exhibition of the planning proposal as soon as possible. Parliamentary Counsel's Office is not responsible for the drafting of map-only amendments to LEPs. Requests for legal drafting for map-only amendments must instead be sent to mapinstrument.drafting@dpie.nsw.gov.au. The 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, 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 Ms Shili Wang to assist you. Ms Wang can be contacted on 02 5852 6809 or by email to shili.wang@planning.nsw.gov.au.

Yours sincerely



05/07/2024

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

Encl: Gateway determination