

Ms Gayleen Burley  
General Manager  
Yass Valley Council  
PO Box 6  
YASS NSW 2582

Our ref: IRF25/1293

Dear Ms Burley

**Planning proposal PP-2024-1167 to amend Yass Valley 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) and additional information received on 27 May 2025 in respect of the planning proposal to amend the minimum lot size at 3047 and 3071 Barton Highway, Murrumbateman.

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 noted, as delegate of the Secretary, the inconsistency of the planning proposal with applicable directions of the Minister under section 9.1 of the Act 4.1 Flooding and 4.3 Planning for Bushfire Protection is unresolved in accordance with the terms of the Directions.

To resolve inconsistency with Direction 4.1 Flooding, a Flood Impact Risk Assessment is required prior to community and agency consultation.

To resolve inconsistency with Direction 4.3 Planning for Bushfire Protection, consultation is required with the NSW Rural Fire Service prior to community consultation.

No further approval is required in relation to the other Directions, and I have formed the view that the proposal is justifiably inconsistent with Direction 3.1 Conservation zones.

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 26 June 2026. Council should aim to commence the exhibition of the planning proposal as soon as possible.

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 Ewan Reid to assist you. Mr Reid can be contacted on 02 8217 2095.

Yours sincerely



30/6/2025

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

Encl: Gateway determination