

IRF24/1994

Ms Rosemary Dillon  
General Manager  
Blue Mountains City Council  
2-6 Civic Place  
KATOOMBA NSW 2780

Dear Ms Dillon

**Planning proposal PP-2024-1700 to amend Blue Mountains Local Environmental Plan 2015**

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 31 July 2024 in respect of the planning proposal to reclassify Council-owned land.

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 determined not to authorise Council to be the local plan-making authority given the proposal involves Council-owned land.

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, Direction 5.2 Reserving Land for Public Purposes is justified in accordance with the terms of the Direction. Direction 4.3 Planning for Bushfire Protection is not yet justified pending referral to Rural Fire Service of NSW.

In relation to Direction 5.2 Reserving Land for Public Purposes, I have agreed to the reduction of land for public purposes on the basis of the local and site-specific reasons given for the relevant proposal.

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, namely Direction 4.3 Planning for Bushfire Protection. Council should ensure this occurs prior to the LEP being made.

The amending local environmental plan (LEP) is to be finalised on or before 26 May 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, 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 Mr Ian Bignell to assist you. Mr Bignell can be contacted on 02-9860 1510.

Yours sincerely

A handwritten signature in black ink, appearing to be 'Rukshan de Silva', with a stylized, cursive script.

**Rukshan de Silva**  
**Director Local Planning (Central, West and South)**  
**Planning Land Use Strategy, Housing and Infrastructure**

Encl: Gateway determination