



Department of Planning, Housing and Infrastructure

Mr Brad Cam
General Manager
Mid-Western Regional Council
PO Box 156
Mudgee NSW 2850

Our ref: PP-2024-1850 IRF24/2182

Dear Mr Cam

Planning proposal (PP-2024-1850) to amend Mid-Western Regional Local Environmental Plan 2012

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) received on 3 September 2024 in respect of the planning proposal to amend clause 4.1AA by inserting the requirement for minimum subdivision lot size for strata plan schemes and community title schemes.

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 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 proposed local environmental plan (LEP) is to be finalised on or before 30 June 2025. Council should aim to commence the exhibition of the planning proposal as soon as possible. Should Council seek to make a 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. The Southern, Western and Macarthur team contact should be copied into the request at westernregion@planning.nsw.gov.au. 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 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 5852 6811.

Yours sincerely



2/10/2024

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

Encl: Gateway determination