



## Department of Planning, Housing and Infrastructure

Our ref: PP-2024-2331  
IRF24/2696

Mr John Scarce  
General Manager  
Murrumbidgee Shire Council  
PO Box 5  
Darlington Point NSW 2706

Dear Mr Scarce

### **Planning proposal (PP-2024-2331) to amend Murrumbidgee 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 11 November 2025 in respect of the planning proposal to rezone from RU1 Primary Production Zone to E4 General Industrial Zone and remove the lot size on Lot 149 DP750908, Darlington Point.

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 the applicable direction of the Minister under Section 9.1 of the Act 4.1 Flooding and 9.1 Rural Zones are justified in accordance with the terms of the Directions. No further approval is required in relation to the Directions.

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 1 October 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](mailto:mapinstrument.drafting@dpie.nsw.gov.au). The Department should be copied into the request at [westernregion@planning.nsw.gov.au](mailto: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 Ann Martin to assist you. Ms Martin can be contacted on 42471826.

Yours sincerely



16/1/2025

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

Encl: Gateway determination