



Department of Planning, Housing and Infrastructure

Max Eastcott
General Manager
Gwydir Shire Council
Locked Bag 5
BINGARA NSW 2404

Our ref: IRF24/952

Via email: saul.standerwick@gwydir.nsw.gov.au
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Dear Mr Eastcott

Planning proposal PP-2023-881 to amend Gwydir 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) in respect of the planning proposal to introduce exempt development provisions to Schedule 2 of the Gwydir LEP 2013.

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 1.1 Implementation of Regional Plans, 3.1 Conservation Zones, 3.2 Heritage Conservation, 4.1 Flooding, 4.4 Remediation of Contaminated Land, 5.1 Integrating Land Use and Transport, 6.1 Residential Zones and 9.2 Rural Lands is justified in accordance with the terms of the Directions.

Council will 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.

I have determined not to authorise Council to be the local plan-making authority because the planning proposal involves the amendment of a State Environmental Planning Policy.

The amending local environmental plan (LEP) is to be finalised six months from the date of the Gateway determination. 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 Georgia Weallans to assist you. Ms Weallans can be contacted on 5778 1413.

Yours sincerely

A handwritten signature in black ink, appearing to read 'J. Gray', is positioned above the date.

05/06/2024

Jeremy Gray
Director Hunter and Northern Region
Local and Regional Planning

Encl: Gateway determination