

Gateway Determination

Planning proposal (Department Ref: PP-2022-3733): minimum lot size amendment at Lot 1 & Lot 2 DP 1278320, 7443 Castlereagh Highway, Ilford.

I, the Director at the Department of Planning and Environment, as delegate of the Minister for Planning have determined under section 3.34(2) of the *Environmental Planning and Assessment Act 1979* (the Act) that an amendment to the Mid-Western Regional Local Environmental Plan 2012 to amend the minimum lot size to 40ha at Lot 1 & Lot 2 DP 1278320, 7443 Castlereagh Highway, Ilford should proceed subject to the following conditions:

1. Prior to commencing community consultation, the planning proposal is to be updated to:
 - (a) Amend the Project Timeline to reflect gateway determination of the proposal and subsequent milestones for finalisation in six (6) months; and
 - (b) Include existing and proposed Minimum Lot Size maps for the subject lots.
2. As required under section 3.34(2)(d) of the Act and Direction 4.3(1) of the Section 9.1 Ministerial Directions, consultation with the Commissioner of the NSW Rural Fire Service is required prior to the commencement of community consultation.
3. Public exhibition is required under section 3.34(2)(c) and clause 4 of Schedule 1 to the Act as follows:
 - (a) the planning proposal is categorised as basic as described in the *Local Environmental Plan Making Guideline* (Department of Planning and Environment, 2022) and must be made publicly available for a minimum of 10 working days; and
 - (b) the planning proposal authority must comply with the notice requirements for public exhibition of planning proposals and the specifications for material that must be made publicly available along with planning proposals as identified in *Local Environmental Plan Making Guideline* (Department of Planning and Environment, 2022).
4. A public hearing is not required to be held into the matter by any person or body under section 3.34(2)(e) of the Act. This does not discharge Council from any obligation it may otherwise have to conduct a public hearing (for example, in response to a submission or if reclassifying land).
5. Council as planning proposal authority is authorised to exercise the functions of the local plan-making authority under section 3.36(2) of the Act subject to the following:
 - (a) the planning proposal authority has satisfied all the conditions of the gateway determination;
 - (b) the planning proposal is consistent with applicable directions of the Minister under section 9.1 of the Act or the Secretary has agreed that any inconsistencies are justified; and
 - (c) there are no outstanding written objections from public authorities.

6. The LEP should be completed within six (6) months of the date of the Gateway determination.

Dated 18th day of November 2022.

A handwritten signature in black ink, appearing to read 'G.P. Hopkins', written in a cursive style.

Garry Hopkins
Director, Western Region
Local and Regional Planning
Department of Planning and Environment

Delegate of the Minister for Planning