

## Gateway Determination

**Planning proposal (Department Ref: PP-2024-2158):** Rezone land at 94 Canadian Lead Road, 2787 and 2794 Henry Lawson Drive, Gulgong from RU1 Primary Production to R5 Large Lot Residential and amend the minimum lot size from 100ha to 12ha.

I, the Acting Director Southern, Western and Macarthur Region at the Department of Planning, Housing and Infrastructure, as delegate of the Minister for Planning and Public Spaces, 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 zoning and minimum lot size mapping at 94 Canadian Lead Road, 2787 and 2794 Henry Lawson Drive, Gulgong should proceed subject to the following.

The 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.

The LEP should be completed on or before 20 November 2025.

### Gateway Conditions

1. Prior to exhibition, the planning proposal is to be amended to:
  - Remove references to Lot 264 DP755433.
  - Update all references to the proposed amendment to the lot size map to reflect a change from 100ha to 12ha.
  - Include the findings of a biodiversity assessment report.
2. 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 standard as described in the *Local Environmental Plan Making Guideline* (Department of Planning and Environment, August 2023) and must be made publicly available for a minimum of 20 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, August 2023).

3. Consultation is required with the Department of Climate Change, Energy, the Environment and Water (DCCEEW) under section 3.34(2)(d) of the Act. DCCEEW is to be provided with a copy of the planning proposal and any relevant supporting material and given at least 30 working days to comment on the proposal.
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).

Dated 14 February 2025



**Chantelle Chow**  
**Acting Director, Southern, Western and**  
**Macarthur Region**  
**Local Planning and Council Support**  
**Department of Planning, Housing and**  
**Infrastructure**

**Delegate of the Minister for Planning and**  
**Public Spaces**