

Gateway Determination

Planning proposal (Department Ref: PP-2025-566): To make policy and housekeeping amendments to Lithgow Local Environmental Plan 2014.

I, the Acting Director 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 Lithgow Local Environmental Plan 2014 to implement multiple policy and housekeeping amendments across the Lithgow LGA should proceed subject to the following:

The Council as planning proposal authority is not authorised to exercise the functions of the local plan-making authority.

The LEP should be completed on or before 1 June 2026.

Gateway Conditions

1. Prior to exhibition, the planning proposal is to be amended with the following changes:
 - (a) Clarify whether a change or extinguishment of any interests is sought, including the removal of any public reserve status, for all public land proposed to be reclassified from community land to operational land.
 - (b) Refer to all land added to the National Park estate consistent with the schedule listing in the NSW Government Gazette, including full legal description and provide corresponding mapping with figure references.
 - (c) Propose a more appropriate zone for the Lithgow City Council Works Depot at Wallerawang, being Zone E4 General Industrial or SP2 Infrastructure.
 - (d) Ensure all zones are correctly referenced, in particular, the renaming of E Zones to C Zones.
 - (e) Remove all references to proposed Amendment No. 10 'Rezoning of Crown and Bathurst Aboriginal Land Council land in Portland' and any associated mapping.
 - (f) Ensure all mapping includes labels, map title references and figure numbers.
2. The amended planning proposal shall be submitted to the Minister for review and approval, prior to the commencement of agency and/or community consultation.
3. Prior to public exhibition, consultation is required with the following public authority:
 - NSW Rural Fire Service (regarding satisfaction of Direction 4.3 Planning for Bushfire Protection).
4. 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 principal and must be made publicly available for community consultation 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).

5. Consultation is required with the following public authorities and government agencies under section 3.34(2)(d) of the Act and/or to comply with the requirements of applicable directions of the Minister under section 9 of the Act:
 - Water NSW (regarding the proposed inclusion of 'recreation facilities (outdoor)' in Zone C3 Environmental Management).
 - National Parks and Wildlife Service Division of the NSW Department of Climate Change, Energy, the Environment and Water (regarding the proposed rezoning of land that has been notified in the NSW Government Gazette for reservation as a national park or nature reserve).
 - Heritage NSW (regarding the proposed amendments to the heritage schedule and mapping).

Each public authority is to be provided with a copy of the planning proposal and any relevant supporting material via the NSW Planning Portal and given at least 30 working days to comment on the proposal.

6. Council must arrange a public hearing in respect of the planning proposal to reclassify community land as operational land in accordance with the requirements of section 29 of the *Local Government Act 1993*.
7. Council must ensure that all relevant obligations in relation to the reclassification of public land through a local environmental plan are undertaken in accordance with the *Local Environmental Plan Making Guidelines* (Department of Planning and Environment, 2023) and Practice Note PN16-001 Classification and reclassification of public land through a local environmental plan.

Dated 25 July 2025



Chantelle Chow
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Local Planning and Council Support
Department of Planning, Housing and
Infrastructure

Delegate of the Minister for Planning and
Public Spaces