



Mr Craig Butler
General Manager
Lithgow City Council
PO Box 19
LITHGOW NSW 2790

Attention: Sherilyn Hanrahan, Strategic Land Use Planner

Dear Mr Butler

Planning Proposal (PP_2020_LITHG_001_00) to amend Lithgow Local Environmental Plan 2014 - Main Street, Wallerawang.

I am writing in response to Council's request for a Gateway determination under section 3.34(1) of the *Environmental Planning and Assessment Act 1979* (the Act) and additional information received from Water NSW on 4 November 2020. The planning proposal is to rezone land at 121-123 Main St Wallerawang from part RU1 Primary Production and part SP2 Infrastructure (Electricity Generating Works) to zone IN2 Light Industrial, and insert an additional permitted use to allow the ongoing permissibility of the Black Gold Motel at Lot 20 DP 1207089 and Lot 1 DP 213770, Main Street, Wallerawang.

As delegate of the Minister for Planning and Public Spaces, I have now 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 planning proposal's inconsistencies with section 9.1 Directions 1.2 Rural Zone and 1.5 Rural Land are justified in accordance with the terms of the Direction. No further approval is required in relation to these Directions.

It is noted that Council has requested to be authorised as the local plan-making authority. I have considered the nature of Council's planning proposal and have conditioned the Gateway for Council to be authorised as the local plan-making authority subject to conditions.

The amending local environmental plan (LEP) is to be finalised within nine (9) months of the date of the Gateway determination. Council should aim to commence the exhibition of the planning proposal as soon as possible. Council's request to draft and finalise the LEP should be made directly to Parliamentary Counsel's Office six (6) weeks prior to the projected publication date. A copy of the request should be

forwarded to the Department of Planning, Industry and Environment's Western Region office at westernregion@planning.nsw.gov.au.

Council is to notify the Western Region contact officer and send to westernregion@planning.nsw.gov.au the key milestone dates, such as when the planning proposal is exhibited, as identified on the attached authorised plan-making reporting template as they occur throughout the LEP amendment process. This will allow the publicly accessible LEP Tracking System to be kept up to date.

All related files for LEP Amendment, including PDF maps, Map Cover Sheet, planning proposal document and GIS data, if available, must be submitted to the Department via the Planning Portal website at www.planningportal.nsw.gov.au. To submit the data, Council is requested to create an account and log in.

The state government is committed to reducing the time taken to complete LEPs by tailoring the steps in the process to the complexity of the proposal, and by providing clear and publicly available justification for each plan at an early stage. In order to meet these commitments, the Minister may take action under section 3.32(2)(d) of the Act if the time frames outlined in this determination are not met.

Should you have any enquiries about this matter, I have arranged for Ms Jenna McNabb to assist you. Ms McNabb can be contacted on 5852 6811.

Yours sincerely



19.11.20

Garry Hopkins
Director, Western Region
Local and Regional Planning

Encl: Gateway determination
Authorised plan-making reporting template