



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 (Department Ref: PP-2021-4862): Amendment to Lithgow Local Environmental Plan 2014 – Additional permitted use for a dwelling house on Lot 1 DP 914028, 32 Ian Holt Drive, Lidsdale.**

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) in respect of the planning proposal to amend the Lithgow LEP 2014 to permit an additional permitted use for a dwelling house on Lot 1 DP 914028, 32 Ian Holt Drive, Lidsdale.

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.

It is recommended that Council consider reviewing the strategic direction for land use at Lidsdale having regard to the changing nature of the area. The Department would be happy to discuss this further with Council.

I have also agreed, as delegate of the Secretary, the planning proposal's inconsistency with section 9.1 Direction 1.1 Business and Industrial Zones is justified in accordance with the terms of the Direction. No further approval is required in relation to these Direction.

The planning proposal is inconsistent with section 9.1 Directions 2.6 Remediation of Contaminated Land, 4.4 Planning for Bushfire Protection and 5.2 Sydney Drinking Water Catchments at this time. Council is to undertake a preliminary contamination assessment and consult with NSW Rural Fire Service and Water NSW to resolve these inconsistencies.

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.

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 within three (3) month of the date of the Gateway determination. 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's Western Region Office ([westernregion@planning.nsw.gov.au](mailto:westernregion@planning.nsw.gov.au)) for administrative purposes.

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 [www.planningportal.nsw.gov.au/planning-tools/online-submission-planning-data](http://www.planningportal.nsw.gov.au/planning-tools/online-submission-planning-data) . To submit the data, Council is required to create an account and log in using these details.

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 Oyshee Iqbal, Planning Officer, from the Department of Planning, Industry and Environment, Western Region office, to assist you. Ms Iqbal can be contacted on 5852 6824.

Yours sincerely



9 September 2021

**Garry Hopkins**  
**Director, Western Region**  
**Local and Regional Planning**

Encl: Gateway determination