

Gateway Determination

Planning proposal (Department Ref: PP-2023-1044): Rezone site at 361 Oxley Highway, Gilgandra from RU1 Primary Production to E4 General Industrial

I, the Acting Director, Southern, Western and Macarthur 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 Gilgandra Local Environmental Plan 2011 to amend mapping at 361 Oxley Highway, Gilgandra (Lot 1 DP 1070081 and part Lot 2 DP 1070081) should proceed subject to the following conditions:

1. Prior to public exhibition, and after agency consultation, the planning proposal is to be updated to:
 - (a) include accurate mapping including labels on the land zoning and lot size map to identify the existing and proposed development standards.
 - (b) reflect the intent to introduce a buffer between the proposed industrial land and the existing residential land along the eastern boundary in consistent with the recommendation of the Land Use Conflict Risk Assessment.
2. Prior to exhibition, the Rural Fire Services is to be consulted in accordance with section 9.1 Direction 4.3 Planning for Bushfire Protection.
3. Public exhibition is required under section 3.34(2)(c) and clause 4 of Schedule 1 to the Act as follows:
 - (c) 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
 - (d) 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).
4. 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:
 - Department of Primary Industries
 - Department of Climate Change, Energy, the Environment and Water
 - Transport for NSW
 - Transgird

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.

5. 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.
6. The LEP should be completed on or before 24 April 2025.

Dated 5 April 2024



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