

## Gateway Determination

**Planning proposal (Department Ref: PP-2024-121):** to rezone land and amend the lot size at Lot 4 DP 1198749, 18 Boureong Drive, Gunning from RU4 Primary Production Small lots to RU5 Village and reduce the minimum lot size from 10 hectares to 1,000 m<sup>2</sup>.

I, Daniel Thompson the Director, Southern 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 Upper Lachlan Local Environmental Plan 2010 as described above should proceed subject to the following conditions:

1. 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 Guidelines* (Department of Planning and Environment, 2021) and must be made publicly available for a minimum of 28 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 Guidelines* (Department of Planning and Environment, 2021).
2. 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 EP&A Act:
  - Department of Climate Change, Energy, the Environment and Water
  - Transport for NSW
  - State Emergency Services

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 21 days to comment on the proposal.

3. 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 EP&A 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).
4. 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 EP&A 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 EP&A Act, or the Secretary has agreed that any inconsistencies are justified; and
  - (c) there are no outstanding written objections from public authorities.
5. The LEP should be completed on or before 28 February 2025.

Dated 28<sup>th</sup> day of March 2024.



**Daniel Thompson**  
**Director Southern Region**  
**Local and Regional Planning**

**Department of Planning, Housing and**  
**Infrastructure**

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