

Gateway Determination

Planning proposal (Department Ref: PP-2025-2139): to amend the Berrigan Local Environmental Plan 2013 to reclassify two Council-owned land parcels in Tocumwal from 'community' land to 'operational' land.

I, the Director, Southern, Western and Macarthur 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 Berrigan Local Environmental Plan 2013 to reclassify land at Lot 1 DP1307988, Lot 11 DP1047241, Lots 1 & 2 DP511822, Lot 1 DP101725 from 'community' land to 'operational' land should proceed subject to the following:

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.

The LEP should be completed on or before 7 October 2026.

Gateway 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 Guideline* (Department of Planning and Environment, August 2023) and must be made publicly available 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).
2. No consultation is required with public authorities or government agencies under section 3.34(2)(d) of the Act.

3. A public hearing is required to be held in accordance with Section 29 of the Local Government Act 1993.

Dated 28 November 2025



Chantelle Chow
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