

Our ref: PP-2025-2557/(IRF26/3885)

Mr David Sherley
General Manager
Bathurst Regional Council
158 Russell Street or PMB 17
BATHURST NSW 2795

Attention: Maree Neary, Senior Strategic Planner

16 April 2026

Subject: (PP-2025-2557) to amend Bathurst Regional Local Environmental Plan 2014

Dear Mr Sherley

I am writing in response to the planning proposal you have forwarded to the Minister under section 3.34(1) of the *Environmental Planning and Assessment Act 1979* (the Act) and additional information received on **6 February 2025** in respect of the planning proposal to rezone the industrial portion of the site to R1 General Residential, remove the existing floor space ratio control, and introduce minimum lot size controls to enable low and medium-density housing, including dual occupancy and multi-dwelling housing at 18 Lambert Street, Bathurst.

As delegate of the Minister for Planning and Public Spaces, I have 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 inconsistency of the planning proposal with applicable directions of the Minister under section 9.1 of the Act Direction 7.1 Employment Zones is justified in accordance with the terms of the Direction. No further approval is required in relation to the Directions.

Considering the nature of the planning proposal I have determined that Council may exercise local plan-making authority functions in relation to the planning proposal.

The proposed local environmental plan (LEP) is to be finalised on or before 13 January 2027. Council should aim to commence the exhibition of the planning proposal as soon as possible. Should Council seek to make a proposed LEP, the request to draft the LEP should be made directly to Parliamentary Counsel's Office well in advance of the date the LEP is projected to be made. A copy of the request should be forwarded to the Department of Planning, Housing and Infrastructure.

The NSW Government has committed to reduce the time taken to complete LEPs. To meet these commitments, the Minister may appoint an alternate planning proposal authority if Council does not meet the timeframes outlined in the gateway determination.

The Department's categorisation of planning proposals in the *Local Environmental Plan Making Guideline* (Department of Planning, Housing and Infrastructure, August 2023) is supported by category specific timeframes for satisfaction of conditions and authority and Government agency referrals, consultation, and responses. Compliance with milestones will be monitored by the Department to ensure planning proposals are progressing as required.

Should you have any enquiries about this matter, I have arranged for Jordan Clarkson to assist you. Ms Clarkson can be contacted on 02 9407 2131.

Yours sincerely



Chantelle Chow
Director, Southern, Western and Macarthur Region
Local Planning and Council Support

Encl: Gateway determination