

Gateway Determination

Planning proposal (Department Ref: PP_2018_AREGI_002_00): the purpose of the planning proposal is to rezone Lots 1, 2 and part of Lot 3 DP 1196907, 16–22 Madgwick Drive, Armidale, to R1 General Residential and amend the minimum lot size.

I, the Director Regions, Northern, at the Department of Planning and Environment, as delegate of the Minister for Planning, have determined under section 3.34(2) of the *Environmental Planning and Assessment Act 1979* (the Act) that an amendment to the Armidale Dumaresq Local Environmental Plan 2012 to rezone Lots 1, 2 and part of Lot 3 DP 1196907, 16-22 Madgwick Drive, Armidale, to R1 General Residential and amend the minimum lot size should proceed subject to the following conditions:

1. Public exhibition is required under section 3.34(2)(c) and schedule 1 clause 4 of the Act as follows:
 - (a) the planning proposal is classified as low impact as described in *A guide to preparing local environmental plans* (Department of Planning and Environment 2016) and must be made publicly available for a minimum of **14 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 section 5.5.2 of *A guide to preparing local environmental plans* (Department of Planning and Environment 2016).
2. Consultation is required with the following public authorities and / organisations under section 3.34(2)(d) of the Act and/or to comply with the requirements of relevant section 9.1 Directions:
 - Office of Environment and Heritage
 - Roads and Maritime Services

Each public authority/organisation is to be provided with a copy of the Planning Proposal and any relevant supporting material, 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 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 planning proposal authority is authorised as the local plan-making authority to exercise the functions 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 section 9.1 Directions or the Secretary has agreed that any inconsistencies are justified; and
 - c. there are no outstanding written objections from public authorities.

5. The time frame for completing the LEP is to be **9 months** following the date of the Gateway determination.

Dated 27 day of June 2018.

Jeremy Gray
Director Regions, Northern
Planning Services
Department of Planning and
Environment

Delegate of the Minister for Planning

Attachment 5 – Authorised plan-making reporting template

Reporting template for authorised LEP amendments

Notes:

- The planning proposal number will be provided by the Department of Planning and Environment following receipt of the planning proposal.
- The Department will fill in the details of Tables 1 and 3.
- The local plan-making authority is to fill in the details of Table 2.
- If the planning proposal is exhibited more than once, the local plan-making authority should add rows to **Table 2** to include this information.
- The local plan-making authority must notify the relevant contact officer in the regional office in writing of the dates as they occur to ensure the publicly accessible LEP Tracking System is kept up to date.
- The plan should be signed using the following format:
 [Name]
 [Title]
 [Council name]
 Delegate of [Council name], the local plan-making authority [date]
- A copy of this completed report must be provided to the Department with the local plan-making authority's request to have the LEP notified.

Table 1: To be completed by the Department of Planning and Environment

Stage	Date/Details
Planning proposal number	PP_2018_AREGI_002_00
Date sent to DPE under section 3.34(1)	4 June 2018
Gateway determination date	

Table 2: To be completed by the local plan-making authority

Stage	Date/Details	Notified regional office
Dates draft LEP exhibited		
Date of public hearing (if held)		
Date draft LEP requested from PCO		
Date draft LEP received from PCO		
Date PCO Opinion requested		
Date PCO Opinion received		
Date GIS data or maps provided/requested		
Date ePlanning confirmed mapping is suitable and sent to PCO		



Planning & Environment

Date LEP finalised		
Date sent to DPE requesting notification		

Table 3: To be completed by the Department of Planning and Environment

Stage	Date/Details
Notification date and details	

Additional relevant information: