

## Gateway Determination

***Planning proposal (Department Ref: PP\_2020\_LISMO\_006\_00): to facilitate a service station as an additional permitted use on part of Lot 42 DP868366, 1055 Bruxner Highway, Goonellabah, and amend the associated minimum lot size development standard.***

I, the Director at the Department of Planning, Industry and Environment, 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 Lismore Local Environmental Plan (LEP) 2012 to facilitate a service station as an additional permitted use on part of Lot 42 DP868366, 1055 Bruxner Highway, Goonellabah, and amend the associated minimum lot size development standard should proceed subject to the following conditions:

1. Prior to agency or community consultation, the proposal is to be amended to:
  - (a) include in Part 4 Mapping reference to amending the minimum lot size of the remaining portion of Lot 42 DP868366 from 40ha to 27ha;
  - (b) amend the lot size map to ensure all labelling is correctly referencing the relevant lot size;
2. Prior to agency or community consultation the following new and / or amended site-specific studies are to be prepared to support the proposal:
  - (a) bushfire hazard assessment;
  - (b) land use conflict risk assessment;
  - (c) traffic generation and management report;
  - (d) on-site wastewater management report;
  - (e) ecological assessment report; .
  - (f) slope analysis study; and
  - (g) European and Aboriginal heritage assessment.
3. Public exhibition is required under section 3.34(2)(c) and schedule 1 clause 4 of the Act as follows:
  - (a) the planning proposal 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 section 6.5.2 of *A guide to preparing local environmental plans* (Department of Planning and Environment, 2018).

4. Consultation is required with the following public authorities/organisations under section 3.34(2)(d) of the Act and/or to comply with the requirements of relevant section 9.1 Directions:

- NSW Rural Fire Service
- Transport for NSW (Roads and Maritime Services)
- NSW Biodiversity & Conservation Division
- Rous County Council

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.

5. 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).
6. 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:
- (h) the planning proposal authority has satisfied all the conditions of the Gateway determination;
  - (i) the planning proposal is consistent with section 9.1 Directions or the Secretary has agreed that any inconsistencies are justified; and
  - (j) there are no outstanding written objections from public authorities.
7. The time frame for completing the LEP is to be **12 months** following the date of the Gateway determination.

Dated 29 day of June 2020.



**Jeremy Gray**  
**Director, Northern Region**  
**Planning and Assessment**  
**Department of Planning, Industry and**  
**Environment**

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