

Mr Peter Dennis  
Chief Executive Officer  
Armidale Regional Council  
PO Box 75A  
ARMIDALE NSW 2350

Dear Mr Dennis,

**Planning Proposal PP\_2018\_AREGI\_001\_00 to amend Armidale Dumaresq  
Local Environmental Plan 2012**

I am writing in response to Council's request for a Gateway determination under Section 56 of the *Environmental Planning and Assessment Act 1979* (the Act) and additional information received on 15 January 2018 in respect of the Planning Proposal to rezone land, alter lot size standards and schedule additional permitted uses under Armidale Dumaresq Local Environmental Plan 2012 at part of 10541 New England Highway and 33 – 125 Saumarez Road, Armidale.

As delegate of the Minister for Planning, I have now determined the Planning Proposal should proceed subject to the conditions in the attached Gateway determination.

I have also agreed, as delegate of the Secretary, the Planning Proposal's inconsistency with section 117 Directions 1.1 Business and Industrial Zones; 3.4 Integrating Land Use and Transport; 5.10 Implementation of Regional Plans is justified in accordance with the terms of the Directions. No further approval is required in relation to these Directions.

Council may still need to obtain the agreement of the Department's Secretary to comply with the requirements of relevant Section 117 Directions 2.1 Environment Protection Zones; 2.3 Heritage Conservation and 3.5 Development Near Licensed Aerodromes. Council should ensure this occurs prior to the plan being made.

Plan making powers were delegated to Councils by the Minister in October 2012. It is noted that Council has not requested to be issued with delegation for this planning proposal.

The amending Local Environmental Plan (LEP) is to be finalised within 9 months of the date of the Gateway determination. Council should aim to commence the exhibition of the planning proposal as soon as possible. Council's request for the Department of Planning and Environment to draft and finalise the LEP should be made 8 weeks prior to the projected publication date.

The State Government is committed to reducing the time taken to complete LEPs by tailoring the steps in the process to the complexity of the proposal, and by providing clear and publicly available justification for each plan at an early stage. In order to meet these commitments, the Minister may take action under Section 54(2)(d) of the Act if the time frames outlined in this determination are not met.

Should you have any further enquiries about this matter, I have arranged for Ms Heidi Naylor to assist you. Ms Naylor can be contacted on (02) 6641 6604.

Yours sincerely

A handwritten signature in black ink, appearing to read 'J Gray', is positioned above the date.

8-2-2018

**Jeremy Gray**  
**Director, Regions Northern**  
**Planning Services**

Encl: Gateway Determination