

Ms Susan Law
Chief Executive Officer
Armidale Regional Council
PO Box 75A
ARMIDALE NSW 2340

Dear Ms Law

**Planning proposal PP_2019_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 3.34(1) of the *Environmental Planning and Assessment Act 1979* (the Act) in respect of the planning proposal to reclassify Lot 101 DP 1237922, 86 Dangar Street, Armidale from 'Community' land to 'Operational' land under the Local Government Act 1993 and discharge any potential public reserve status.

As delegate of the Minister for Planning and Public Spaces, I have now 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 planning proposal's inconsistency with section 9.1 Direction 4.3 Flood Prone Land is justified in accordance with the terms of the Direction. In relation to section 9.1 Direction 6.2 Reserving Land for Public Purposes, I have agreed to the reduction of land for public purposes as the site is not considered to be public open space having been used as a car park for the Armidale Ex-Services Memorial Club since at least 1972. In addition, the site is only presumed to have public reserve status by Council due to the changes in land title not clearly continuing links to the original resumption of the land in 1953. No further approval is required in relation to these Directions.

The amending local environmental plan (LEP) is to be finalised within nine 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, Industry and Environment to draft and finalise the LEP should be made eight 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 3.32(2)(d) of the Act if the time frames outlined in this determination are not met.

Should you have any enquiries about this matter, I have arranged for Mr Jon Stone to assist you. Mr Stone can be contacted on 5778 1488.

Yours sincerely

A handwritten signature in black ink, appearing to read 'J Gray', with a stylized, cursive script.

8-8-2019

Jeremy Gray
Director Regions, Northern
Planning Services

Encl: Gateway determination