

Gateway Determination

Planning proposal (Department Ref: PP_2020_NARRB_001_00): rezone land at Yarrie Lake Road and Culgoora Road, Narrabri, from RU1 Primary Production to part SP1 Special Activities, part SP2 Infrastructure and part E3 Environmental Management and amend the minimum lot size.

I, the Director, Northern Region 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 Narrabri Local Environmental Plan (LEP) 2012 to rezone land at Yarrie Lake Road and Culgoora Road, Narrabri, from RU1 Primary Production to part SP1 Special Activities, part SP2 Infrastructure and part E3 Environmental Management and amend the minimum lot size should proceed subject to the following conditions:

1. Prior to community consultation, the planning proposal is to be amended to:
 - (a) correct the existing and proposed zoning and minimum lot size maps on pages 56 and 57 to show the correct property details for Lot 2 DP1264066 and Lot 158 DP 711841 and include a legend to indicate zoning and minimum lot size;
 - (b) update references to SEPP 44 Koala Habitat Protection and SEPP 55 Remediation of Land to address SEPP (Koala Habitat Protection) 2019 and Section 9.1 Direction Remediation of Contaminated Land; and
 - (c) include a contamination report for the subject land confirming the suitability of the land.
2. 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).
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. 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 Biodiversity and Conservation Division
- Department of Planning, Industry and Environment – Division of Resources and Geoscience
- Department of Planning, Industry and Environment – Water
- Department of Primary Industries – Agriculture
- Heritage NSW
- Roads and Maritime Services;
- Natural Resources Access Regulator
- Australian Rail Track Corporation
- Essential Energy
- Narrabri Local Aboriginal Land 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. 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.
6. The time frame for completing the LEP is to be **6 months** following the date of the Gateway determination.

Dated 27 day of October 2020.



Jeremy Gray
Director, Northern Region
Local and Regional Planning
Department of Planning, Industry and
Environment

Delegate of the Minister for Planning
and Public Spaces

