

Gateway Determination

Planning proposal (Department Ref: PP-2021-4925): to amend the minimum lot size of Lot 1 DP 832781, 1443 Bangalow Road, Clunes.

I, the Director, Northern Region 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 Lismore Local Environmental Plan 2012 to amend the minimum lot size of Lot 1 DP 832781, 1443 Bangalow Road, Clunes should proceed subject to the following conditions:

The Council as planning proposal authority is authorised to exercise the functions of the local plan-making authority 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 applicable directions of the Minister under section 9.1 of the Act or the Secretary has agreed that any inconsistencies are justified; and
- (c) there are no outstanding written objections from public authorities.

The LEP should be completed on or before 9 months after the date of the Gateway determination.

Gateway Conditions

1. Prior to undertaking Government agency and community consultation, the planning proposal is to be updated to:
 - (a) provide a discussion of the proposal's consistency with the Inspire Lismore 2040 Local Strategic Planning Statement (LSPS) and the draft North Coast Regional Plan 2041; and
 - (b) include the revised LUCRA site plan (dated 25-10-21) in Part 3 Section C.
2. Public exhibition is required under section 3.34(2)(c) and clause 4 of Schedule 1 to the Act as follows:
 - (a) the planning proposal is categorised as standard as described in the *Local Environmental Plan Making Guidelines* (Department of Planning and Environment, 2022) and must be made publicly available for a minimum of 20 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 *Local Environmental Plan Making Guidelines* (Department of Planning and Environment, 2022).

3. Consultation is required with the following public authorities and government agencies under section 3.34(2)(d) of the Act and/or to comply with the requirements of applicable directions of the Minister under section 9 of the EP&A Act:

- NSW Rural Fire Service
- NSW Department of Planning and Environment – Biodiversity and Conservation Division
- NSW Department of Primary Industries – Agriculture

Each public authority is to be provided with a copy of the planning proposal and any relevant supporting material via the NSW Planning Portal and given at least 30 working days to comment on the proposal.

4. 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 EP&A 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).

Dated 4 day of November 2022.



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

Delegate of the Minister for Planning