

## Gateway Determination

**Planning proposal (Department Ref: PP-2022-3907):** *Rezone and amend associated development standards at Lot 42 DP 868366 and Lot 1 DP 95767, 1055 and 1055A Bruxner Highway, Goonellabah*

I, the Executive Director, Local and Regional Planning at the Department of Planning 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 2012 to rezone and amend associated development standards at Lot 42 DP 868366 and Lot 1 DP 95767, 1055 and 1055A Bruxner Highway, Goonellabah should proceed subject to the following conditions.

The LEP should be completed on or before 12 months of the Gateway determination date.

### Gateway Conditions

1. The planning proposal must be updated prior to consultation to:
  - (a) include a new Part 7 Urban release areas into the Lismore LEP 2012 and identify the land as an urban release area on the urban release area map that will be subject to an assessment of State infrastructure, development control plan and public infrastructure requirements;
  - (b) remove references to North Coast Regional Plan 2036 and refer to the North Coast Regional Plan 2041;
  - (c) amend the Economic Benefits Assessment to address the requirements of Objective 11 Support cities and centres and coordinate the supply of well-located employment land of the North Coast Regional Plan 2041; and
  - (d) amend the Ecological Assessment to address any potential impacts to Hairy Joint Grass.
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 complex as described in the *Local Environmental Plan Making Guideline* (Department of Planning and Environment, August 2023) and must be made publicly available for a minimum of 30 working 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 Guideline* (Department of Planning and Environment, August 2023).
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 Act:

- Department of Primary Industries Agriculture
- Heritage NSW
- NSW Biodiversity and Conservation Division
- NSW Rural Fire Service
- Ngulingah Local Aboriginal Land Council
- Transport for NSW
- NSW Mining, Exploration and Geoscience
- Essential Energy
- Transgrid
- Rous County Council
- Crown Lands
- NSW Reconstruction Authority

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 40 working days to comment on the proposal.

4. Separate and specifically targeted consultation is required with the following public authorities to determine any potential designated State Infrastructure provision requirements:

- NSW Biodiversity and Conservation Division
- NSW Rural Fire Service
- NSW Police Force
- Fire and Rescue NSW
- NSW Ambulance
- Northern NSW Local Health District
- Department of Education
- Transport for NSW

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 40 working 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).

Dated 13 December 2023



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

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

