

## Gateway Determination

**Planning proposal (Department Ref: PP-2023-1507):** *Housekeeping amendments to Schedule 5 Environmental Heritage of the Armidale Regional LEP 2012 and associated mapping*

I, the Acting Director, Northern Region 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* (EP&A Act) that a housekeeping amendment to Schedule 5 Environmental Heritage of the Armidale Regional LEP 2012 and associated mapping 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 EP&A 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 EP&A 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 within six months from the date of the Gateway determination.

### Gateway Conditions

1. Prior to agency and community consultation, the planning proposal is to be updated to:
  - (a) revise the table in 'Part 2 – Explanation of Provisions' to include the property details, address and description for each item and the following changes:
    - i) update I053 to 'Correct Map labelling to show I053';
    - ii) update I208 to 'Amend Schedule 5 to show Lot 1 DP 1255297';
    - iii) update I237 to 'Amend Schedule 5 to show Lot 2 DP1184364, Lot 11 DP 751436 and Lot 1 DP 1184364';
    - iv) include I274 in the table to update Schedule 5 street address to '118-120 Bradley Street';
    - v) update I275 street address to '118-120 Bradley Street';
    - vi) include separate Schedule 5 change entry for I323 to correct Schedule 5 street address to '34 Robinsons Lane';
    - vii) include separate Schedule 5 change entry for I341 to correct Schedule 5 street address to '1539 Kunderang Road';
    - viii) update I362 to correctly identify Lot 5 Section 3 DP 759044 on the Heritage Map'; and
    - ix) update A066 to remove the map reference and include Schedule 5 under 'Document/map to be corrected'.

- (b) update the project timeline to reflect requirements of Gateway determination and timeframes nominated by the Local Environmental Plan Making Guidelines (Department of Planning and Environment, 2023).
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 basic as described in the *Local Environmental Plan Making Guidelines* (Department of Planning and Environment, 2023) and must be made publicly available for a minimum of 10 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 Guidelines* (Department of Planning and Environment, 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 EP&A Act:
- NSW Rural Fire Service
  - Heritage 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 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 17 day of August 2023.



**Craig Diss**  
**Acting Director, Northern Region**  
**Local and Regional Planning**  
**Department of Planning and Environment**  
  
**Delegate of the Minister for Planning**