

## Gateway Determination

**Planning proposal (Department Ref: PP-2023-1569):** to rezone the Tuckombil Quarry (Lot 3 DP 1130300, Lot 22 DP 1243105 and Lot 21 DP 1243105), Gap Road, Alstonville, to facilitate the use of the site for high technology, recreational and community purposes.

I, the 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* (the EP&A Act) that an amendment to the Ballina Local Environmental Plan 2012 to rezone the Tuckombil Quarry (Lot 3 DP 1130300, Lot 22 DP 1243105 and Lot 21 DP 1243105), Gap Road, Alstonville to facilitate the use of the site for high technology, recreational and community purposes should proceed subject to the following conditions.

The LEP should be completed six months from the date of Gateway determination.

### Gateway Conditions

1. The planning proposal is to be amended prior to consultation to:
  - (a) update the maps to include a Land Application Map and to display a legend to articulate the controls applied to the land; and
  - (b) update the Preliminary Site Investigation for Contamination Report to address the following matters:
    - include Lot 3 DP 1130300 and provide comment on the suitability of rezoning this site as part of the proposal; and
    - the suitability of the site to accommodate the full range of uses in the zone.
2. Public exhibition is required under section 3.34(2)(c) and clause 4 of Schedule 1 to the EP&A Act as follows:
  - (a) the planning proposal is categorised as complex 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 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 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 EP&A 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

- Transport of NSW
- Biodiversity Conservation Division
- Heritage NSW
- Local Aboriginal Land Council
- DPI – Agriculture
- Natural Resources Access Regulator
- Mining, Exploration and Geoscience
- Environmental Protection 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 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 8 day of August 2023.



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

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