

Gateway Determination

Planning proposal (Department Ref: PP-2024-1212): *Permit a highway service centre as an additional permitted use with consent on part of Lot 1 DP 841781, 127-141 Lochrey Road, Gunnedah.*

I, the Acting Director, Hunter and Northern Region at the Department of Planning, Housing and Infrastructure 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 Gunnedah Local Environmental Plan 2012 to permit a highway service centre as an additional permitted use with consent on part of Lot 1 DP 841781, 127-141 Lochrey Road, Gunnedah should proceed subject to the following Gateway 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 within 6 months of the Gateway determination date.

Gateway Conditions

1. Prior to consultation, the planning proposal is to be updated to include a project timeline.
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, 2021) and must be made publicly available for a minimum of 30 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, 2021).

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:

- Department of Climate Change, Energy, the Environment and Water - Biodiversity Conservation Services
- Transport for NSW
- Department of Primary Industries - Agriculture
- Red Chief Local Aboriginal Land Council

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 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 2024.



Craig Diss
Acting Director, Hunter and Northern
Region
Local Planning and Council Support
Department of Planning, Housing and
Infrastructure

Delegate of the Minister for Planning
and Public Spaces