

Gateway Determination

Planning proposal (Department Ref: PP-2025-888): *Rezone land and amend development standards for the Eastern Growth Area (Stage 1), 241 Grafton Road, Armidale.*

I, the 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 Armidale Regional Local Environmental Plan 2012 to rezone land and amend development standards for the Eastern Growth Area (Stage 1), 241 Grafton Road, Armidale, should proceed subject to the following:

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 from the Gateway determination date.

Gateway Conditions

1. Prior to community and agency consultation, the planning proposal is to be updated to:
 - (a) remove the draft additional permitted use provision and include a plain English explanation of the intended outcomes;
 - (b) update supporting documents, it is noted that appendices 1, 2 and 7 reference a mixed-use zone that does not form part of the planning proposal;
 - (c) review and update the Flood Risk Assessment to detail whether the site is isolated from Armidale town centre and if so the isolation period and available warning timeframe and review the PMF mapping to ensure it is accurate and consistent throughout the document;
 - (d) ensure that no residential zoned land will be located below the 1% AEP flood level;
 - (e) Include a Stage 2 Detailed Site Contamination Investigation to confirm that the land is suitable for its future intended use; and
 - (f) update proposed Land Zoning Maps to apply a R1 zone to the road reserves that are adjacent to the proposed R1 zone.
2. Public exhibition is required under section 3.34(2)(c) and clause 4 of Schedule 1 to the Act as follows:
 - (g) the planning proposal is categorised as standard 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 20 working days; and
 - (h) 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 (or any other part of the Act) and/or to comply with the requirements of applicable directions of the Minister under section 9 of the Act:
- Department of Climate Change, Energy, the Environment and Water – Flooding.
 - Department of Climate Change, Energy, the Environment and Water – Conservation Programs heritage and Regulation.
 - Department of Climate Change, Energy, the Environment and Water – Heritage.
 - Armidale Local Aboriginal Land Council; and
 - NSW Rural Fire Service.

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 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 3 February 2026



Craig Diss
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