

Gateway Determination

Planning proposal (PP_2019_LISMO_006_00): to undertake various minor housekeeping changes to Lismore LEP 2012.

I, the Director at the Department of Planning, Industry 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 (LEP) 2012 to undertake various minor housekeeping changes should proceed subject to the following conditions:

1. Prior to agency consultation and public exhibition, the planning proposal is to be amended as follows:
 - (a) include an additional objective for the R2 Low Density Residential zone to ensure that the future tourist and visitor accommodation is of a scale and intensity that is appropriate and compatible with the character of the area;
 - (b) appendix 1 of the planning proposal report is to be amended to include the proposed lot size map for Item H;
 - (c) reference in Item E to lots 'created' under clause 4.2B(3) is to be altered to 'complies' with clause 4.2B(3); and
 - (d) references to Item N are to be updated to clarify that the proposal also seeks to rezone the adjoining road reserve from RE1 Public Recreation to B3 Commercial Core.
2. Public exhibition is required under section 3.34(2)(c) and schedule 1 clause 4 of the Act as follows:
 - (a) the planning proposal must be made publicly available for a minimum of **28 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 section 6.5.2 of *A guide to preparing local environmental plans* (Department of Planning and Environment, 2018)

3. Consultation is required with the following public authorities/organisations under section 3.34(2)(d) of the Act and/or to comply with the requirements of relevant section 9.1 Directions:
- NSW Rural Fire Service
 - Department of Planning Industry and Environment
 - Department of Primary Industry
 - Environment, Energy and Science
 - Transport for NSW (Roads and Maritime Services)
 - Ballina Shire Council
 - the Local Aboriginal Land Council

Each public authority/organisation is to be provided with a copy of the planning proposal and any relevant supporting material and given at least 21 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).
5. The time frame for completing the LEP is to be **12 months** following the date of the Gateway determination.

Dated 12 day of November 2019.



Jeremy Gray
Director, Northern Region
Planning and Assessment
Department of Planning, Industry and
Environment

Delegate of the Minister for Planning
and Public Spaces