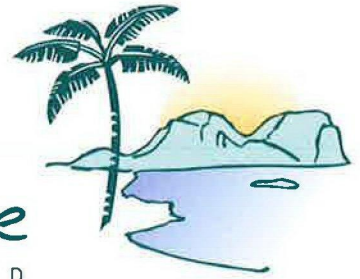




PGF001970



Lord Howe
ISLAND BOARD

Our ref: PL0051

26 September 2013

Mr Steve Murray
Regional Director
NSW Department of Planning and Infrastructure
Locked Bag 9022
GRAFTON NSW 2460

Administrative Office
P.O. Box 5
Lord Howe Island 2898
Phone: 02 6563 2066
Facsimile: 02 6563 2127
Email: lhib@bigpond.com.au



Dear Steve,

**RE: REFERRAL TO THE LEP GATEWAY REVIEW PANEL
PLANNING PROPOSAL RELATING TO PART PORTION 279 AND PART PORTION
30, OFF MIDDLE BEACH ROAD, LORD HOWE ISLAND BOARD PALM NURSERY,
LORD HOWE ISLAND**

I am writing in relation to a Planning Proposal which the Lord Howe Island Board (the Board) has prepared for a rezoning of the Board's Palm Nursery site on Lord Howe Island.

At its August 2013 meeting, the Board considered a Planning Proposal prepared on its behalf by All About Planning Pty Ltd. A copy of the report and the resolution of the Board are attached along with the Planning Proposal it considered.

The attached Planning Proposal has been prepared in accordance with the NSW Department of Planning and Infrastructure's "A Guide to Preparing Local Environmental Plans (October 2012)".

At this meeting the Board resolved:

1. *That the attached Planning Proposal for the above rezoning, subject to clarification in regard to the impacts of threatened species associated with Part Portion 30, be forwarded to the NSW Department of Planning and Infrastructure's LEP Gateway Review Panel.*
2. *That the LHIB request the NSW Department of Planning and Infrastructure's LEP Gateway Review Panel to delegate the plan making functions of this LEP amendment to the Board in view of the minor nature of the proposal and the matter being only of local planning significance.*

In line with the above resolution No. 1, the attached copy of the Planning Proposal now includes a minor amendment to the second paragraph under Section C – Environment, Social and Economic Impact, *Question 8 (Is there any likelihood that critical habitat or threatened species, populations or ecological communities, or their habitats, will be adversely affected as a result of the proposal?)* to include reference to the mapped significant native vegetation on Part Portion 30 as well as Part Portion 279.

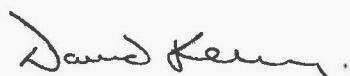
The Board requests that the subject Planning Proposal be referred to the LEP Gateway Review Panel under Section 55 of the Environmental Planning and Assessment Act 1979 to seek a Gateway determination under Section 56(2), EPA Act 1979.

Also in line with the above resolutions, the LHIB formally requests delegation from the Department to make the LEP under Section 59(2) and (3) of the EPA Act 1979 in view of the minor nature of the proposal and the matter being only of local planning significance.



If you have any questions regarding any aspect of this Planning Proposal please do not hesitate to contact the undersigned.

Yours sincerely,

A handwritten signature in black ink that reads "David Kelly". The signature is written in a cursive style with a period at the end.

David Kelly
ACTING CHIEF EXECUTIVE OFFICER

Enc.

- LHIB Business Paper Report, August 2013, Agenda Number 7(v), File Reference: PL0051
- Extract of minutes of August 2013 LHIB meeting, Agenda Number 7(v)
- Planning Proposal – Part Portion 279 & Part Portion 30, Off Middle Beach Road, Lord Howe Island, prepared by All About Planning Pty Ltd, dated September 2013