

Ms Shelley Oldham  
General Manager  
Council  
PO Box 23A  
LISMORE NSW 2480

Dear Ms Oldham

**Planning proposal PP\_2018\_LISMO\_006\_00 to amend Lismore Local Environmental Plan 2012**

I am writing in response to Council's request for a Gateway determination under section 3.34(1) of the *Environmental Planning and Assessment Act 1979* (the Act) in respect of the planning proposal to amend Schedule 1 of the Lismore LEP 2012 to allow additional permitted uses on part of the land at 34 and 36 Union Street, South Lismore (Part Lots 1 & 2 DP 608006).

As delegate of the Minister for Planning, I have now determined that the planning proposal should proceed subject to the conditions in the enclosed Gateway determination.

The inconsistency of the proposal with Direction 2.3 Heritage Conservation is unresolved and will require justification once consultation with the Office of Environment and Heritage has been completed.

The inconsistency of the proposal with Direction 4.3 Flood Prone Land is unresolved and will require justification once consultation with the Office of Environment and Heritage and NSW State Emergency Services has been completed.

I have considered the nature of Council's planning proposal and have conditioned the Gateway for Council to be authorised as the local plan-making authority.

The amending local environmental plan (LEP) is to be finalised within nine months of the date of the Gateway determination. Council should aim to commence the exhibition of the planning proposal as soon as possible. Council's request to draft and finalise the LEP should be made directly to Parliamentary Counsel's Office six weeks prior to the projected publication date. A copy of the request should be forwarded to the Department of Planning and Environment.

The state government is committed to reducing the time taken to complete LEPs by tailoring the steps in the process to the complexity of the proposal, and by providing clear and publicly available justification for each plan at an early stage. In order to meet these commitments, the Minister may take action under section 3.32(2)(d) of the Act if the time frames outlined in this determination are not met.

Should you have any further enquiries about this matter, I have arranged for Ms Alison Parr to assist you. Ms Parr can be contacted on 6641 6612.

Yours sincerely

A handwritten signature in black ink, appearing to read 'J. Gray', is positioned above the date.

12-12-2018

**Jeremy Gray**  
**Director Regions, Northern**  
**Planning Services**

Encl: Gateway determination  
Authorised plan-making reporting template