



Contact: Jennifer Vallis  
Phone: (02) 6641 6600  
Fax: (02) 6641 6601  
Email: Jenny.Vallis@planning.nsw.gov.au  
Postal: Locked Bag 9022, Grafton NSW 2460

Our ref: PP\_2013\_LISMO\_003\_00 (13/08763)  
Your ref: EF13/131:ED13/15246

Mr Gary Murphy  
General Manager  
Lismore City Council  
PO Box 23A  
LISMORE NSW 2480

Dear Mr Murphy,

**Planning proposal to amend Lismore Local Environmental Plan 2012**

I am writing in response to your Council's letter dated 16 May 2013 requesting a Gateway determination under section 56 of the Environmental Planning and Assessment Act 1979 ("EP&A Act") in respect of the planning proposal to correct cadastral errors within Lismore Local Environmental Plan (LEP) 2012 and amend the LEP maps to reflect the NSW Land and Property Information updated cadastral information for land at Clunes and East Lismore.

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

The Minister delegated his plan making powers to councils in October 2012. It is noted that Council has asked not to be issued with delegation for the making of this planning proposal. I have considered Council's request and have decided to support Council's position and not issue an authorisation for Council to exercise delegation to make this plan. The department is currently undertaking the necessary mapping component of the proposal, and will be in contact with Council to advise when the planning proposal will be made.

Should you have any queries in regard to this planning proposal, please contact Jennifer Vallis of the regional office of the department on 02 6641 6600.

Yours sincerely,

  
**Neil McGaffin**  
Executive Director  
Rural and Regional Planning

7.6.13

## Gateway Determination

**Planning proposal (Department Ref: PP\_2013\_LISMO\_003\_00):** to correct cadastral errors and update cadastral information within Lismore LEP 2012.

I, the Executive Director, Rural and Regional Planning at the Department of Planning and Infrastructure as delegate of the Minister for Planning and Infrastructure, have determined under section 56(2) of the EP&A Act that an amendment to the Lismore Local Environmental Plan (LEP) 2012 to correct cadastral errors and amend the LEP maps to reflect the NSW Land and Property Information updated cadastral information for land at Clunes and East Lismore should proceed subject to the following conditions:

1. No community consultation is required under sections 56(2)(c) and 57 of the Environmental Planning and Assessment Act 1979 ("EP&A Act").
2. No consultation is required with public authorities under section 56(2)(d) of the EP&A Act.
3. A public hearing is not required to be held into the matter by any person or body under section 56(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).
4. The timeframe for completing the LEP is to be **3 months** from the week following the date of the Gateway determination.

Dated 5<sup>th</sup> day of June 2013.



**Neil McGaffin**  
**Executive Director**  
**Rural and Regional Planning**  
**Department of Planning and Infrastructure**

**Delegate of the Minister for Planning and Infrastructure**