



Rob Stokes
Minister for Planning

Ms Penny Holloway
Chief Executive Officer
Lord Howe Island Board
PO Box 5
Lord Howe Island NSW 2898

15/06672

Dear Ms Holloway *Penny,*

Planning Proposal to amend *Lord Howe Island Local Environmental Plan 2010*

I am writing in response to your planning proposal received on 20 April 2015 requesting a Gateway determination under section 56 of the *Environmental Planning and Assessment Act 1979* (the Act) in respect of the planning proposal to amend provisions of the *Lord Howe Island Local Environmental Plan 2010* relating to significant native vegetation on Lord Howe Island.

I have determined that the planning proposal should proceed subject to the conditions set out in the attached Gateway determination.

In accordance with section 54(2)(e) of the Act, I have also determined to appoint the Secretary of the Department of Planning and Environment as the relevant planning authority to finalise the matter.

The Northern Region office of the Department will manage the requirements of the Gateway and work collaboratively with the Board. Officers of the Department will be in contact with you to discuss how the Board can be of assistance to finalise the proposed instrument.

The amending local environmental plan is to be finalised within **9 months** of the week following the date of the Gateway determination.

Should you have any queries in regard to this matter, please contact Mr Paul Garnett of the Department's Northern Region on (02) 6641 6607.

Yours sincerely

Rob Stokes
Minister for Planning

Encl:
Gateway Determination

- 5 JUN 2015



Gateway Determination

Planning proposal (Department Ref: PP_2015_LHOWE_001_00): to amend the provisions under Lord Howe Island Local Environmental Plan 2010 relating to significant native vegetation on Lord Howe Island.

I, the Minister for Planning, have determined under section 56(2) of the *Environmental Planning and Assessment Act 1979* (the Act) that an amendment to the *Lord Howe Island Local Environmental Plan 2010*, to update the significant native vegetation map and amend the definition of significant native vegetation to only apply to vegetation native to Lord Howe Island, should proceed subject to the following conditions:

1. Community consultation is required under sections 56(2)(c) and 57 of the Act as follows:
 - (a) the planning proposal is to be made publicly available for a minimum of **28 days**; and
 - (b) the relevant planning 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 5.5.2 of *A Guide to Preparing LEPs* (Department of Planning and Environment 2013).
2. Consultation is required with the following public authorities under section 56(2)(d) of the Act and/or to comply with the requirements of relevant S117 Directions:
 - Commonwealth Department of the Environment; and
 - NSW Office of Environment and Heritage.Each public authority 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.
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 Act. This does not discharge the relevant planning authority from any obligation it may otherwise have to conduct a public hearing (for example, in response to a submission).
4. The timeframe for completing the LEP is to be **9 months** from the week following the date of the Gateway determination.

Dated 4th day of June 2015


Rob Stokes MP
Minister for Planning