

Alteration of Gateway Determination

Planning proposal (Department Ref: PP_2016_LISMO_001_00)

I, the Deputy Secretary, Planning Services at the Department of Planning and Environment as delegate of the Minister for Planning, have determined under section 56(7) of the *Environmental Planning and Assessment Act 1979* (the Act) to alter the Gateway determination dated 24 March 2016 (as altered) for the proposed amendment to the Lismore Local Environmental Plan 2012 as follows:

1. Insert new condition:
 5. The Planning Proposal is to be amended to include the Potential Rural Landsharing Community Development Mapping as exhibited in the proposal between 23 June 2016 and 25 July 2016 (subject to the removal of the Bazzanas Quarry and associated buffer area).

Dated 30th day of March 2017



Marcus Ray
Deputy Secretary
Planning Services
Department of Planning and Environment

Delegate of the Minister for Planning



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

Our ref: 17/02892

Dear Mr Murphy

Planning Proposal PP_2016_LISMO_001_00 – Alteration of Gateway Determination

I refer to Council's correspondence in relation to the revision of Planning Proposal PP_2016_LISMO_001_00 for amendments to the Rural Land Sharing Community provisions under Lismore Local Environmental Plan 2012.

I have determined as the delegate of the Minister, in accordance with section 56(7) of the *Environmental Planning and Assessment Act 1979* to alter the Gateway determination dated 24 March 2016 for PP_2016_LISMO_001_00 (as since altered). The altered Gateway requires the Planning Proposal be amended to include the updated Potential Rural Land Sharing Community Development maps consistent with the exhibited proposal.

Not including the updated mapping would permit the subdivision of Rural Landsharing Community Development on land constrained by natural hazards, land that is isolated from urban and social infrastructure and on State and regionally significant farmland. This approach is contrary to Council's own Lismore Growth Management Strategy 2015-2035 and the rural planning and subdivision principles listed in State Environmental Planning Policy (Rural Lands) 2008. I note such an approach would also be contrary to the advice provided by the Department of Primary Industries in response to the exhibited proposal.

I have decided to revoke the Written Authorisation to Exercise Delegation issued on 24 March 2016 for this proposal given the current proposal is now inconsistent with local and state policy and public agency advice. The Department of Planning and Environment in this regard will finalise the LEP. Council's request for the Department to draft and finalise the LEP should be made 6 weeks prior to the projected publication date.

If you have any questions in relation to this matter, I have arranged for Mr Craig Diss of the Department's regional office to assist. Mr Diss can be contacted on (02) 6641 6600.

Yours sincerely

Marcus Ray
Deputy Secretary
Planning Services

Encl: Alteration to Gateway Determination

30/03/2017