

Gateway Determination

Planning proposal (Department Ref: PP_2019_LISMO_001_00): to rezone deferred matter land in urban areas under the Lismore Local Environmental Plan 2012

I, the Acting Executive Director, Local and Regional Planning at the Department of Planning, Industry and Environment, as delegate of the Minister for Planning and Public Spaces, have determined under section 3.34(2) of the *Environmental Planning and Assessment Act 1979* (the Act) that an amendment to the Lismore Local Environmental Plan (LEP) 2012 to rezone deferred matter land in urban areas should proceed subject to the following conditions:

1. Prior to agency and community consultation, the planning proposal is to be amended to:
 - (a) include minimum lot size, drinking water catchment, flood planning, height of building, potential rural land sharing community development and land application maps for the subject lands; and
 - (b) include a preliminary contaminated land assessment for Site 11 (Southern Cross University).
2. Prior to community consultation, Council is to ensure that any landowner whose land is proposed to have an E zone applied to it is notified in writing of the planning proposal and the consultation arrangements.
3. Public exhibition is required under section 3.34(2)(c) and schedule 1 clause 4 of the Act as follows:
 - (a) the planning proposal must be made publicly available for a minimum of **28 days**; and
 - (b) the planning proposal 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 6.5.2 of *A guide to preparing local environmental plans* (Department of Planning, Industry and Environment, 2018).
4. Consultation is required with the following public authorities/organisations under section 3.34(2)(d) of the Act and/or to comply with the requirements of relevant section 9.1 Directions:
 - NSW Rural Fire Service;
 - Department of Planning, Industry and Environment (Environment, Energy and Science);
 - Department of Planning, Industry and Environment (Crown Lands);

- Rous County Council;
- Lismore Airport lessee/operator;
- Ngulingah Local Aboriginal Land Council;
- Jali Local Aboriginal Land Council; and
- Bunjum Aboriginal Co-Operative Ltd.

Each public authority/organisation 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.

5. A public hearing is not required to be held into the matter by any person or body under section 3.34(2)(e) of the 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).
6. When Council has considered the submissions received during public exhibition and has endorsed the final planning proposal, landowners whose land will be subject to an E zone are to be notified in writing of Council's decision and advised that they have 28 days to notify the Department if they would like the Chief Planner to review the proposed zoning of their property.
7. The time frame for completing the LEP is to be **18 months** following the date of the Gateway determination.

Dated 15th day of August 2019.



Monica Gibson
Acting Executive Director, Local and
Regional Planning
Planning and Assessment
Department of Planning, Industry and
Environment

Delegate of the Minister for Planning
and Public Spaces