



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

Dear Ms Oldham

Planning proposal PP_2019_LISMO_001_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 rezone deferred matter land in urban areas under the Lismore Local Environmental Plan (LEP) 2012.

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

I have also agreed, as delegate of the Secretary, that the planning proposal's inconsistencies with section 9.1 Directions 1.2 Rural Zones, 1.5 Rural Lands, 2.1 Environment Protection Zones, 2.3 Heritage Conservation, 3.1 Residential Zones and 5.10 Implementation of Regional Plans are justified in accordance with the terms of the Directions.

In relation to section 9.1 Direction 6.2 Reserving Land for Public Purposes, I have agreed to the reduction of land for public purposes on the basis that the rezonings are consistent with the attributes and likely future use of the land and no significant loss of public open space will occur.

No further approval is required in relation to these Directions.

Council may still need to obtain the agreement of the Secretary to comply with the requirements of section 9.1 Directions 2.5 Application of E2 and E3 Zones and Environmental Overlays in Far North Coast LEPs, 3.5 Development Near Regulated Airports and Defence Airfields and 4.4 Planning for Bushfire Protection. Council should ensure this occurs prior to the plan being made.

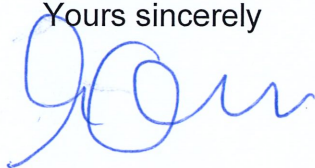
Consistent with the Secretary's undertaking of 1 March 2016, the role of finalising the proposal will remain with the Department of Planning, Industry and Environment. This is to ensure consistency of zoning decisions with the E zones final recommendations report. I have therefore determined not to condition the Gateway for Council to be authorised as the local plan-making authority.

The amending local environmental plan (LEP) is to be finalised within 18 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 for the Department to draft and finalise the LEP should be made eight weeks prior to the projected publication date.

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 enquiries about this matter, I have arranged for Mr Craig Diss to assist you. Mr Diss can be contacted on 5778 1485.

Yours sincerely



Monica Gibson 15.8.2019
**Acting Executive Director, Local and Regional Planning
Planning and Assessment**

Encl: Gateway determination