

## Gateway Determination

***Planning proposal (Department Ref: PP-2021-6338): to undertake the sixth round of housekeeping amendments to Lismore LEP 2012***

I, the Director, Northern 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 undertake the sixth round of housekeeping amendments should proceed subject to the following conditions:

1. The planning proposal shall be updated prior to community consultation as follows:
  - (a) Update the objectives of the planning proposal to reference the proposed change to clause 4.2B;
  - (b) Identify in Table 1 all map amendments subject of this planning proposal, including associated height of building, heritage and lot size maps to reflect the proposed mapping changes in the planning proposal, as identified in the mapping attachment supporting the proposal;
  - (c) Include a statement acknowledging that final drafting for all clauses will be subject to legal opinion and recognise that the clauses as proposed may not be reflected within the final LEP; and
  - (d) Update the property description for Item 9 throughout the proposal from Lot 4 DP 1269893 to Lot 42 DP 1278476.
2. 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 and Environment, 2018).
3. 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:
  - Department of Premier and Cabinet – Heritage NSW

- NSW Rural Fire Service
- Environment Energy and Science Group – Biodiversity Conservation Division
- Ngulingah Local Aboriginal Land Council
- Department of Primary Industries – Fisheries
- Natural Resources Access Regulator
- Lismore Regional Airport Operator

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.

4. 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).
5. The time frame for completing the LEP is to be **6 months** following the date of the Gateway determination.

Dated 15 day of November 2021.



**Jeremy Gray**  
**Director, Northern Region**  
**Local and Regional Planning**  
**Department of Planning, Industry and**  
**Environment**

**Delegate of the Minister for Planning**  
**and Public Spaces**