

## Gateway Determination

**Planning proposal (Department Ref: PP-2023-783):** to amend Lismore LEP 2012 to insert the Standard Instrument LEP optional clause 5.22 Special Flood Considerations.

I, the Director, Northern Region at the Department of Planning 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) to amend Lismore LEP 2012 to insert the Standard Instrument LEP optional clause 5.22 Special Flood Considerations should proceed subject to the following conditions.

The LEP should be completed on or before six months of the date of this Gateway determination.

### Gateway Conditions

1. Public exhibition is required under section 3.34(2)(c) and clause 4 of Schedule 1 to the Act as follows:
  - (a) the planning proposal is categorised as basic as described in the *Local Environmental Plan Making Guidelines* (Department of Planning and Environment, 2022) and must be made publicly available for a minimum of 10 working 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 *Local Environmental Plan Making Guidelines* (Department of Planning and Environment, 2022).
2. Consultation is required with the following public authorities and government agencies under section 3.34(2)(d) of the Act and/or to comply with the requirements of applicable directions of the Minister under section 9 of the EP&A Act:
  - NSW Biodiversity and Conservation Division
  - NSW Rural Fire Service

Each public authority is to be provided with a copy of the planning proposal and any relevant supporting material via the NSW Planning Portal and given at least 30 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 3.34(2)(e) of the EP&A 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).

Dated 16 day of May 2023.

A handwritten signature in black ink, appearing to read 'J. Gray', is centered on a light gray rectangular background.

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

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