



Mr Peter Adams  
Chief Executive Officer  
Lord Howe Island Board  
PO Box 5  
LORD HOWE ISLAND NSW 2898

Dear Mr Adams

**Planning proposal PP\_2019\_LHOWE\_001\_00 to amend Lord Howe Island Local Environmental Plan 2010**

I am writing in response to the Lord Howe Island Board's request for a Gateway determination under section 3.34(1) of the *Environmental Planning and Assessment Act 1979* in respect of the planning proposal to make various housekeeping amendments to the Lord Howe Island Local Environmental Plan 2010.

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, the planning proposal's inconsistencies with section 9.1 Directions 1.5 Rural Lands, 3.1 Residential Zones and 6.3 Site Specific Provisions are justified in accordance with the terms of the Directions. 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 relevant section 9.1 Directions 2.1 Environment Protection Zones, 3.5 Development Near Regulated Airports and Defence Airfields and 6.2 Reserving Land for Public Purposes. Council should ensure this occurs prior to finalising the plan.

I have considered the nature of Council's planning proposal and have 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 12 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 of Planning, Industry and Environment to draft and finalise the LEP should be made eight weeks prior to the projected publication date.

Should you have any queries in regard to this matter, I have arranged for Ms Rebecca Carpenter of the Department's Northern Region office to assist you. Ms Carpenter can be contacted on 6643 6421.

Yours sincerely

A handwritten signature in cursive script, appearing to read "Monica Gibson".

15/4/2020

**Monica Gibson**  
**Executive Director**  
**Local and Regional Planning**

Encl: Gateway determination