

Mr John Gibbons
General Manager
Lismore City Council
PO Box 23A
LISMORE NSW 2480

Our ref: IRF23/968

Via email: council@lismore.nsw.gov.au
cameron.jewell@lismore.nsw.gov.au

Dear Mr Gibbons

Planning proposal (PP-2023-783) to amend Lismore Local Environmental Plan 2012

I am writing in response to the planning proposal you have forwarded to the Minister under section 3.34(1) of the *Environmental Planning and Assessment Act 1979* (the Act) in respect of the planning proposal to amend Lismore LEP 2012 to insert the Standard Instrument LEP optional clause 5.22 Special Flood Considerations.

As delegate of the Minister for Planning, I have determined that the planning proposal should proceed subject to the conditions in the enclosed gateway determination.

Council may still need to obtain the agreement of the Secretary to comply with the requirements of relevant applicable directions of the Minister under section 9.1 of the EP&A Act Direction 4.3 Planning for Bushfire Protection. Council should ensure this occurs prior to the LEP being made.

I have determined not to authorise Council to be the local plan-making authority for the proposal in this instance to ensure consistency with any outcomes from Department's current clause 5.22 Special Flood Considerations Explanation of Intended Effect (EIE) process.

The amending local environmental plan (LEP) is to be finalised on or before six months of the Gateway determination date. Council should aim to commence the exhibition of the planning proposal as soon as possible. Council's request for the Department of Planning and Environment to draft and finalise the LEP should be made eight weeks in advance of the date the LEP is projected to be made.

The NSW Government has committed to reduce the time taken to complete LEPs. To meet these commitments, the Minister may appoint an alternate planning proposal authority if Council does not meet the timeframes outlined in the gateway determination.

The Department's categorisation of planning proposals in the Local Environmental Plan Making Guideline (Department of Planning and Environment, 2022) is supported by category specific timeframes for satisfaction of conditions and authority and Government agency referrals, consultation, and responses. Compliance with milestones will be monitored by the Department to ensure planning proposals are progressing as required.

Should you have any enquiries about this matter, I have arranged for Mr Sam Tarrant to assist you. Mr Tarrant can be contacted on 6643 6410 or sam.tarrant@planning.nsw.gov.au

Yours sincerely

A handwritten signature in black ink, appearing to read 'J. Gray', is positioned above the printed name and title.

15/5/2023

Jeremy Gray
Director, Northern Region
Local and Regional Planning

Encl: Gateway determination