



## Department of Planning, Housing and Infrastructure

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

Our ref: IRF24/2908

Via email: [peter.whittaker@lismore.nsw.gov.au](mailto:peter.whittaker@lismore.nsw.gov.au)  
[council@lismore.nsw.gov.au](mailto:council@lismore.nsw.gov.au)

Dear Mr Gibbons

### **Planning proposal PP-2024-2297 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 facilitate a two-lot subdivision as an additional permitted use on Lot 11 DP 1096690, 92 Dunoon Road, North Lismore.

As delegate of the Minister for Planning and Public Spaces, I have 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 inconsistency of the planning proposal with applicable directions of the Minister under section 9.1 of the Act 4.2 Coastal Management and 9.2 Rural Lands is justified in accordance with the terms of the Direction. No further approval is required in regard to these directions.

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 Act 4.1 Flooding and 4.3 Planning for Bushfire Protection. Council should ensure this occurs prior to the LEP being made.

Considering the nature of the planning proposal I have determined that Council may exercise local plan-making authority functions in relation to the planning proposal.

The proposed local environmental plan (LEP) is to be finalised within 9 months of the date of the Gateway determination. Council should aim to commence the exhibition of the planning proposal as soon as possible. Should Council seek to make a proposed LEP, the request to draft the LEP should be made directly to Parliamentary Counsel's Office well in advance of the date the LEP is projected to be made. A copy of the request should be forwarded to the Department of Planning, Housing and Infrastructure.

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, Housing and Infrastructure, August 2023) 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 Georgia Weallans, Planning Officer to assist you. Ms Weallans can be contacted on 5778 1413.

Yours sincerely

 17/1/25

**Craig Diss**  
**Director, Hunter and Northern Region**  
**Local Planning and Council Support**

Encl: Gateway determination