



Department of Planning, Housing and Infrastructure

Mr Jon Gibbons
General Manager
Lismore City Council
43 Oliver Avenue
GOONELLABAH NSW 2480

Our ref: IRF24/644

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

Dear Mr Gibbons

Planning proposal PP-2024-533 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 introduce an affordable housing contribution clause into the Lismore Local Environmental Plan 2012.

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 section 9.1 Ministerial Direction 9.2 Rural Lands is justified in accordance with the terms of the Direction. No further approval is required in relation to this Direction.

Council may still need to obtain the agreement of the Secretary to comply with the requirements of section 9.1 Ministerial 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 to ensure the associated affordable housing contribution scheme is consistent with the Department's guidelines when the LEP is made. Council must ensure the affordable housing contribution scheme is finalised and adopted before a request to make the plan can be made.

The amending local environmental plan (LEP) is to be finalised on or before nine months from 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, Housing and Infrastructure 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, 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 Sam Tarrant to assist you. Mr Tarrant can be contacted on 6643 6410.

Yours sincerely

A handwritten signature in black ink, appearing to read 'J. Gray', is positioned above the date.

19/04/2024

Jeremy Gray
Director
Northern Region

Encl: Gateway determination