

Alteration of Gateway Determination

Planning proposal (Department Ref: PP-2022-456)

I, Executive Director, Local and Regional Planning at the Department of Planning and Environment, as delegate of the Minister for Planning, have determined under section 3.34(7) of the *Environmental Planning and Assessment Act 1979* to alter the Gateway determination dated 18 March 2022 for the proposed amendment to the Ballina Local Environmental Plan 2012 as follows:

1. Delete condition 2

and replace with a new condition 2:

- “2. 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 complex as described in the *Local Environmental Plan Making Guidelines* (Department of Planning and Environment, 2021) and must be made publicly available for a minimum of 28 days;
- (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, 2021);
- (c) Consistent with the recommendations of the E Zone Review, Council must ensure that any landowner whose land is proposed to have a conservation zone applied, is notified in writing of the planning proposal and consultation arrangements;
- (d) When Council has considered the submissions received during public exhibition and has endorsed the final planning proposal, the landowners whose land will be subject to a conservation zone must be notified in writing of Council’s decision and advised that they have 28 days to notify the Department if they would like the Chief Planner (or equivalent) to review the proposed zoning of their property.

2. Delete condition 6

and replace with new condition 6:

“6. The time frame for completing the LEP is by 4 July 2023.”

Dated

15 December 2022



Malcolm McDonald
Executive Director
Local and Regional Planning
Department of Planning and Environment

Delegate of the Minister for Planning