

Alteration of Gateway Determination

Planning proposal (Department Ref:PP-2021-7395)

I, Craig Diss, Acting Director, Northern Region at the Department of Planning and Environment, as delegate of the Minister for Planning and Homes, have determined under section 3.34(7) of the *Environmental Planning and Assessment Act 1979* to alter the Gateway determination dated 18 February 2022 for the proposed amendment to the Byron Local Environmental Plan 2014 as follows:

1. Delete 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, Industry and Environment, 2021) and must be made publicly available for a minimum of 30 working days; and
- (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, Industry and Environment, 2021).

Exhibition must commence within one month following the date of the Gateway determination.

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, Industry and Environment, 2021) and must be made publicly available for a minimum of 30 working days; and
- (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, Industry and Environment, 2021).

Exhibition must commence within three months following the date of the Gateway determination.

2. Delete Condition 5:

"5. The planning proposal must be reported to council for a final recommendation no later than four months from the date of the Gateway determination.

and replace with a new Condition 5:

"5. The planning proposal must be reported to council for a final recommendation no later than six months from the date of the Gateway determination.

3. Delete Condition 6:

"6. The timeframe for completing the LEP is to be six months from the date of the Gateway determination.

and replace with a new Condition 6:

"6. The timeframe for completing the LEP is to be eight months from the date of the Gateway determination.

Dated 15 day of March 2022



Craig Diss
Acting Director, Northern Region
Local and Regional Planning
Department of Planning and Environment

Delegate of the Minister for Planning and Homes