

enquiries refer  
**Klaus Kerzinger**  
in reply please quote  
**23/59204**



17 August 2023

Mr Jeremy Gray  
Director – Northern Region  
NSW Department of Planning and Environment

(Via Portal)

Attention: Ms Jon Stone

Dear Mr Stone

**Re: Request for Gateway Alteration PP- 2022- 134 – Ballina Heights Commercial Centre  
(Council ref: BSCPP 21/002)**

Reference is made to the above planning proposal and the Gateway Determination dated 17 March 2023.

The Gateway Determination specifies that the LEP should be completed on or before 8 September 2023. It is advised that council is unable to meet this time frame having regard to the following factors:

- The drafting of the LEP amendment has been more difficult than envisaged due to the draft amendments proposed by the PCO to Ballina LEP 1987. The first draft of the LEP issued by the PCO on 17 July 2023 is still under consideration by council staff.
- The VPA has not yet been registered on the title of the existing commercial site, now known as Part Lot 686 DP1291797. The subdivision creating this lot was registered on 3 August 2023. A requisition has been issued by NSW Land Registry Services requiring the VPA, lot and DP reference for the existing commercial site, to be updated. Council authorised hand amendments to be made to the VPA on 17 August 2023 as requested by the proponent's solicitor. You may recall that the Council previously resolved to delegate to the General Manager authority to finalise the planning proposal once the planning agreement has been registered on title.

Having regard to the above council seeks a 1-month extension to complete the LEP with a completion date by 8 October 2023 being requested.

The project timeline below represents council's best estimate of the likely completion time of the planning proposal.

Plan Making Step	Estimated Completion (Before)
Gateway Determination	January 2023
Government Agency Consultation	February 2023
Public Exhibition Period	April - May 2023
Public Hearing	N/A
Submissions Assessment	June 2023
PPA Assessment of Planning Proposal and Exhibition Outcomes	22 June 2023
LPMA Decision to Make the LEP Amendment	22 June 2023
Forwarding of LEP Amendment to DPE for Notification	September / October 2023

If you have any enquiries in regard to this matter please contact Klaus Kerzinger on 02 6681 0541 or via email [Klaus.kerzinger@ballina.nsw.gov.au](mailto:Klaus.kerzinger@ballina.nsw.gov.au).

Yours faithfully



Klaus Kerzinger  
**Strategic Planner**  
**Planning and Environmental Health Division**