



Planning & Infrastructure

Office of the Director General

Mr Graeme Faulkner
General Manager
Byron Shire Council
PO Box 219
MULLUMBIMBY NSW 2482

Our ref: 11/21908
Your ref: PLN560065#1087066

Dear Mr Faulkner

Planning Proposal 2011_BYRON_007_00 – Major Events Clause

I refer to your request on 2 December 2011 seeking advice as to whether the amended Planning Proposal can proceed to exhibition or if it needs a further Gateway Determination. I apologise for the delay in responding.

As Council has amended the original Planning Proposal a revised Gateway Determination is required.

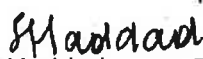
Under delegation from the Minister for Planning and Infrastructure, I have decided under section 56(2) of the Environmental Planning and Assessment Act, 1979, to revise the Gateway Determination with respect to the Planning Proposal for PP_2011_BYRON_07_00. A copy of the revised determination is attached.

Due to level of community interest in the original proposal the revised determination (Conditions: 2, 3 and 4) require Council to consult on and re-exhibit the revised Planning Proposal.

The Planning Proposal is due for completion by 30 June 2012 and should be sent to the Department at least 6 weeks prior to this date. If this completion date can not be achieved please provide a project plan outlining the proposed time frame to complete the matter.

If you have any questions in relation to this matter, please contact Jim Clark, of the Northern Region of the Department of Planning and Infrastructure on 6641 6604.

Yours sincerely


Sam Haddad
Director General

29/2/2012



Revised Gateway Determination

Planning Proposal (Department Ref: PP_2011_BYRON_007_00): to introduce a specific clause in the Byron LEP 1988 to control Major Events in the Shire.

I, the Director General as delegate of the Minister for Planning and Infrastructure, have now revised the determination made 23 June 2011 for Planning Proposal (PP_2011_BYRON_07_00) for an amendment to the Byron Local Environmental Plan 1988 to introduce a specific clause to control Major Events, as follows:

1. The revised Planning Proposal dated 7 December 2011, may proceed.
2. Community consultation is required under sections 56(2)(c) and 57 of the Environmental Planning and Assessment Act 1979 ("EP&A Act") as follows:
 - (a) the revised planning proposal must be made publicly available for **28 days**; and
 - (b) the relevant planning 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 section 4.5 of *A Guide to Preparing LEPs (Department of Planning 2009)*.
3. Consultation is required with the following public authorities under section 56(2)(d) of the EP&A Act:
 - Area Health Services
 - Catchment Management Authority – Northern Rivers
 - Department of Industry & Investment (Agriculture)
 - Department of Primary Industry (Fisheries)
 - Department of Primary Industries (Forestry)
 - NSW Police Service
 - NSW Rural Fire Service
 - Office of Environment and Heritage
 - Roads and Traffic Authority
 - State Emergency Service
 - Department of Tourism Major Events, Hospitality & Racing

Each public authority is to be provided with a copy of the revised planning proposal and any relevant supporting material. Each public authority is to be given at least 21 days to comment on the proposal, or to indicate that they will require additional time to comment on the proposal. Public authorities may request additional information or additional matters to be addressed in the planning proposal.

4. Council is required to consult with Byron United and provide a copy of the revised planning proposal and relevant supporting material to this organisation for its review.



5. A public hearing is not required to be held into the matter by any person or body under section 56(2)(e) of the EP&A Act. This does not discharge Council from any obligation it may otherwise have to conduct a public hearing (for example, in response to a submission or if reclassifying land).
6. The LEP is to be completed by **30 June 2012**.

Dated 29th day of February 2012.

S Haddad

**Sam Haddad
Director General
Delegate of the Minister for Planning &
Infrastructure**