

Ballina LEP 2012 – Rezoning of Stage 7a of Ballina Heights Estate.

Proposal Title : **Ballina LEP 2012 – Rezoning of Stage 7a of Ballina Heights Estate.**

Proposal Summary : **The planning proposal seeks to amend Ballina LEP 2012 by rezoning 28 lots in stage 7a of Ballina Heights Estate from R3 Medium Density Residential and B2 Local Centre to R2 Low Density Residential.**

PP Number : **PP_2013_BALLI_011_00** Dop File No : **13/20027**

Planning Team Recommendation

Preparation of the planning proposal supported at this stage : **Recommended with Conditions**

S.117 directions: **1.1 Business and Industrial Zones
3.1 Residential Zones
5.1 Implementation of Regional Strategies
6.1 Approval and Referral Requirements**

Additional Information : **It is recommended that;**

- 1. The planning proposal should proceed as a 'routine' planning proposal.**
- 2. A community consultation period of 14 days is necessary.**
- 3. The planning proposal is to be completed within 9 months.**
- 4. A written authorisation to exercise delegation is issued to Ballina Shire Council.**
- 5. A delegate of the Director General agree that the inconsistency of the proposal with S117 Directions 1.1 and 3.1, are justified in accordance with the terms of the direction.**

Supporting Reasons : **The reasons for the recommendation are as follows;**

- 1. The proposal to rezone 28 lots of the subject land from part B2 Local Centre and part R3 Medium Density Residential is not inconsistent with the Far North Coast Regional Strategy, and the inconsistencies with the S117 directions are of minor significance.**
- 2. The proposal will ensure the zoning of the land is consistent with the low density residential subdivision which has been approved and constructed over the site.**

Panel Recommendation

Recommendation Date : Gateway Recommendation :

Panel Recommendation : **This planning proposal is considered of local significance and the Gateway Determination is to be issued under delegation by the Regional Director. Therefore the planning proposal will not be considered by the panel.**

Gateway Determination

Decision Date : **12-Dec-2013** Gateway Determination : **Passed with Conditions**

Decision made by : **Regional Director, Northern Region**

Exhibition period : **14 Days** LEP Timeframe : **9 months**

Gateway Determination : **The Planning Proposal should proceed subject to the following conditions;**

1. 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 planning proposal is classified as low impact as described in A Guide to Preparing LEPs (Department of Planning & Infrastructure 2013) and must be made publicly available for a minimum of 14 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 5.5.2 of A Guide to Preparing LEPs (Department of Planning & Infrastructure 2013).

2. No consultation is required with public authorities under section 56(2)(d) of the EP&A Act.

3. 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).

4. The timeframe for completing the LEP is to be 9 months from the week following the date of the Gateway determination.

Signature:



Printed Name:

STEPHEN MURRAY

Date:

12 DECEMBER 2013