



## Gateway Determination

**Planning proposal (Department Ref: PP\_2020\_BALLI\_003\_00):** to apply a 450m<sup>2</sup> minimum lot size to part of Lot 1 DP 1070446, 78 Hutley Drive, Lennox Head

I, the Director, Region Northern at the Department of Planning, Industry and Environment, as delegate of the Minister for Planning and Public Spaces, have determined under section 3.34(2) of the *Environmental Planning and Assessment Act 1979* (the Act) that an amendment to the Ballina Local Environmental Plan (LEP) 2012 to apply a 450m<sup>2</sup> minimum lot size to part of Lot 1 DP 1070446, 78 Hutley Drive, Lennox Head, should proceed subject to the following conditions:

1. Public exhibition is required under section 3.34(2)(c) and schedule 1 clause 4 of the Act as follows:
  - (a) the planning proposal is classified as low impact as described in *A guide to preparing local environmental plans* (Department of Planning and Environment, 2018) and must be made publicly available for a minimum of **14 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 section 6.5.2 of *A guide to preparing local environmental plans* (Department of Planning and Environment, 2018).
2. No consultation is required with public authorities/organisation under section 3.34(2)(d) of the Act
3. A public hearing is not required to be held into the matter by any person or body under section 3.34(2)(e) of the 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 time frame for completing the LEP is to be **6 months** following the date of the Gateway determination.

Dated 19 day of November 2020.

**Jeremy Gray**  
Director, Northern Regions  
Local and Regional Planning  
Department of Planning, Industry and  
Environment  
Delegate of the Minister for Planning  
and Public Spaces

