



Mr Paul Hickey
General Manager
Ballina Shire Council
PO Box 450
Ballina NSW 2478

Our ref: 14/18384
Your ref: BSCPP14/009

Dear Mr Hickey

Planning Proposal PP_2014_BALLI_008_00 – Alteration of Gateway Determination

I refer to your correspondence of 28 July 2015 in relation to revisions to Planning Proposal PP_2014_BALLI_008_00 for amendments to Ballina LEP 2012 for Ballina Heights Estate.

I note that the planning proposal has been varied by including provisions to change the Land Application Map to correct a mapping error resulting from Ballina LEP 2012 Amendment No. 10.

I have determined as the delegate of the Minister, in accordance with section 56(7) of the *Environmental Planning and Assessment Act 1979*, to alter the Gateway determination dated 17 November 2014 for PP_2014_BALLI_008_00. The Alteration of the Gateway Determination and amended written authorisation to Exercise Delegation are enclosed. I have also determined that further community consultation is not required.

As delegate of the Secretary, I have agreed that the planning proposal's inconsistency with S117 Direction 4.4 Planning for Bushfire Protection is justified in accordance with the terms of the Direction.

Council may now continue to finalise the amendment to Ballina LEP 2012, and request notification in accordance with the written authorisation to exercise delegation.

If you have any questions in relation to this matter, I have arranged for Mr Paul Garnett of the Department's Northern Region Office to assist you. Mr Garnett can be contacted on 6641 6607.

Yours sincerely

 30 July 2015
Stephen Murray
General Manager, Northern Region
Planning Services

Encl:
Alteration to Gateway Determination
Written Authorisation to Exercise Delegation



Alteration of Gateway Determination

Planning proposal (Department Ref: PP_2014_BALLI_008_00)

I, the General Manager, Northern Region at the Department of Planning and Environment as delegate of the Minister for Planning, have determined under section 56(7) of the *Environmental Planning and Assessment Act 1979* ("the Act") to alter the Gateway determination dated 17 November 2014 for the proposed amendment to the Ballina Local Environmental Plan 2012 as follows:

1. Change the description of the Planning Proposal

from "...to rezone land at Ballina Heights Estate from B2 Local Centre and R3 Medium Density Residential to R2 Low Density Residential and RE1 Public Recreation, amend relevant planning controls and maps accordingly,....."

to "...to rezone land at Ballina Heights Estate from B2 Local Centre and R3 Medium Density Residential to R2 Low Density Residential and RE1 Public Recreation, amend relevant planning controls and maps accordingly, and amend the Land Application Map to correct minor errors from a previous amendment to Ballina LEP 2012...."

Dated

30th

day of

July

2015

**Stephen Murray
General Manager, Northern Region
Planning Services
Department of Planning and Environment**

Delegate of the Minister for Planning



WRITTEN AUTHORISATION TO EXERCISE DELEGATION

Ballina Shire Council is authorised to exercise the functions of the Minister for Planning under section 59 of the *Environmental Planning and Assessment Act 1979* that are delegated to it by instrument of delegation dated 14 October 2012, in relation to the following planning proposal:

Number	Name
PP_2014_BALLI_008_00	Planning proposal to rezone land at Ballina Heights Estate from B2 Local Centre and R3 Medium Density Residential to R2 Low Density Residential and RE1 Public Recreation, amend relevant planning controls and maps accordingly, and amend the Land Application Map to correct minor errors from a previous amendment to Ballina LEP 2012.

In exercising the Minister's functions under section 59, the Council must comply with the Department of Planning and Environment's "*A guide to preparing local environmental plans*" and "*A guide to preparing planning proposals*".

Dated 30 July 2015


Stephen Murray
General Manager, Northern Region
Planning Services
Department of Planning and Environment