



Planning & Environment

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

Our ref: PP_2014_BALLI_005_00 (14/10988)
Your ref: LEP Amendment Request – Rifle Range Rd
and Plateau Dve, Wollongbar (313-03)

Dear Mr Hickey

Planning proposal to amend Ballina Local Environmental Plan 2012

I am writing in response to your Council's letter dated 2 July 2014 requesting a Gateway determination under section 56 of the Environmental Planning and Assessment Act 1979 ("EP&A Act") in respect of the planning proposal to reconfigure the RE1 and R3 Zone boundaries, amend the Minimum Lot Size map, and rezone land designated for road widening from RE1 to R2 at Lots 5 and 6, DP 1161720, Rifle Range Rd and Plateau Drive, Wollongbar.

As delegate of the Minister for Planning, I have now determined the planning proposal should proceed subject to the conditions in the attached Gateway determination.

I have also agreed the planning proposal's inconsistency with s117 Direction 6.2 Reserving Land for Public Purposes is of minor significance. In relation to S117 Direction 6.2 Reserving Land for Public Purposes, I have agreed to the reduction of land for public purposes on the basis of Council's acquisition and development of the Wollongbar Sports Field site. No further approval is required in relation to this Direction.

The amending Local Environmental Plan (LEP) is to be finalised within 6 months of the week following the date of the Gateway determination. Council should aim to commence the exhibition of the planning proposal as soon as possible. Council's request for the Department of Planning and Environment to draft and finalise the LEP should be made 6 weeks prior to the projected publication date.

The State Government is committed to reducing the time taken to complete LEPs by tailoring the steps in the process to the complexity of the proposal, and by providing clear and publicly available justification for each plan at an early stage. In order to meet these commitments, the Minister may take action under section 54(2)(d) of the EP&A Act if the time frames outlined in this determination are not met.

Should you have any queries in regard to this matter, I have arranged for Ms Claire Purvis of the Department's regional office to assist you. Ms Purvis can be contacted on (02) 6641 6611.

Yours sincerely



9 July 2014

Craig Diss
Acting General Manager, Northern Region
Growth Planning

Encl: Gateway Determination



Gateway Determination

Planning proposal (Department Ref: PP_2014_BALLI_005_00): to reconfigure the RE1 and R3 Zone boundaries, amend the Minimum Lot Size map, and rezone land designated for road widening from RE1 to R2 at Lots 5 and 6, DP 1161720, Rifle Range Rd and Plateau Drive, Wollongbar.

I, the Acting General Manager, Northern Region, at the Department of Planning and Environment as delegate of the Minister for Planning, have determined under section 56(2) of the EP&A Act that an amendment to the Ballina Local Environmental Plan (LEP) 2012 to reconfigure the RE1 and R3 Zone boundaries, amend the Minimum Lot Size map, and rezone land designated for road widening from RE1 to R2 at Lots 5 and 6, DP 1161720, Rifle Range Rd and Plateau Drive, Wollongbar, 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 and Environment 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 and Environment 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 6 months from the week following the date of the Gateway determination.

Dated

9

day of

July

2014.

Craig Diss
Acting General Manager, Northern Region
Growth Planning
Department of Planning and Environment

Delegate of the Minister for Planning