



Planning & Environment

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

Our ref: PP_2015_BALLI_001_00 (15/01168)

Dear Mr Hickey

Planning proposal to amend Ballina Local Environmental Plan 1987

I am writing in response to Council's letter, dated 6 January 2015, requesting a Gateway determination under section 56 of the *Environmental Planning and Assessment Act 1979* for a planning proposal to amend the *Ballina Local Environmental Plan 1987* to require development consent for private native forestry in certain zones and introduce provisions to require the consideration of specific matters when considering a development application for private native forestry.

As delegate of the Minister for Planning, I have determined that the planning proposal should not proceed.

While I note the outcomes that Council is seeking to achieve, the proposal is not supported at this time as the introduction of new consent requirements and dual consent for private native forestry should not pre-empt the final outcomes of the Northern Councils review of environmental zones and the Government's review of biodiversity legislation.

Should you have any queries on this matter, please contact Mr Jim Clark of the Department's regional office, on (02) 6641 6604.

Yours sincerely

Marcus Ray
Deputy Secretary, Planning Services

15/04/2015

Encl: Gateway Determination

Gateway Determination

Planning proposal (Department Ref: PP_2015_BALLI_001_00): to amend the *Ballina Local Environmental Plan 1987* to require development consent for private native forestry in certain zones and introduce provisions to require the consideration of specific matters when considering a development application for private native forestry.

I, Deputy Secretary of Planning Services at the Department of Planning and Environment as delegate of the Minister for Planning, have determined that under section 56(2) of the *Environmental Planning and Assessment Act 1979* the amendment to the *Ballina Local Environmental Plan 1987* to require development consent for private native forestry in certain zones and introduce provisions to require the consideration of specific matters when considering a development application for private native forestry, should not proceed for the following reason:

1. The introduction of new consent requirements and dual consent for private native forestry should not pre-empt the final outcomes of the Northern Councils review of environmental zones and the Government's review of biodiversity legislation.

Dated

15th

day of

April

2015



Marcus Ray
Deputy Secretary
Department of Planning and
Environment

Delegate of the Minister for Planning