

North Creek Foreshore Coastal Protection Works PP

Proposal Title : **North Creek Foreshore Coastal Protection Works PP**

Proposal Summary : **The Council proposes to include 'Coastal Protection Works' as an additional permitted use in Schedule 1 of Ballina LEP 2012 to enable the consideration of applications adjacent to four lots adjoining North Creek, Ballina.**

PP Number : **PP_2014_BALLI_006_00** Dop File No : **14/11781**

Planning Team Recommendation

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

- S.117 directions:
- 1.4 Oyster Aquaculture**
 - 2.1 Environment Protection Zones**
 - 2.2 Coastal Protection**
 - 2.3 Heritage Conservation**
 - 2.4 Recreation Vehicle Areas**
 - 3.2 Caravan Parks and Manufactured Home Estates**
 - 3.3 Home Occupations**
 - 3.4 Integrating Land Use and Transport**
 - 4.1 Acid Sulfate Soils**
 - 4.3 Flood Prone Land**
 - 5.1 Implementation of Regional Strategies**
 - 6.1 Approval and Referral Requirements**
 - 6.2 Reserving Land for Public Purposes**

Additional Information : **It is recommended that the planning proposal PP_2014_BALLI_006, to include coastal protection works as permissible with consent on Lot 10 DP 1126929, Lot 1 DP 1119099, Lot 3 DP 1079380 and Lot 33 DP 872966, in Schedule 1 Additional Permitted Uses of Ballina LEP 2012, 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. Consultation is required with the Office of Environment and Heritage under section 56(2)(d) of the EP&A Act. The Office of Environment and Heritage is to be provided with a copy of the planning proposal and any relevant supporting material, and given at least 21 days to comment on the proposal.**
- 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.**
- 5. That the Director General (or his Delegate) agree that the inconsistencies with section 117 Directions 2.2 Coastal Protection, 4.1 Acid Sulphate Soils and 4.3 Flood Prone Land are of minor significance.**
- 6. That an authorisation to exercise delegation be issued to Council.**

Supporting Reasons : **The proposal to permit coastal protection works on these allotments is essential to ensure the ongoing safety of residents and the protection of their dwellings**

Panel Recommendation

Recommendation Date : 24-Jul-2014

Gateway Recommendation : Passed with Conditions

Panel Recommendation : This planning proposal is considered of local significance and the Gateway Determination is to be issued under delegation by the General Manager, Northern Region. Therefore the planning proposal will not be considered by the panel.

Gateway Determination

Decision Date : 24-Jul-2014

Gateway Determination : Passed with Conditions

Decision made by : General Manager, Northern Region

Exhibition period : 14 Days

LEP Timeframe : 6 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 (Planning & Infrastructure 2013) and must be made publicly available for a minimum of 14 days; and

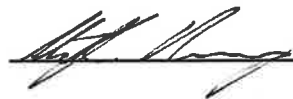
(b) the relevant planning authority must comply with the notice requirements for public exhibition of planning proposals and the specifications for material that must be made publicly available along with planning proposals as identified in section 5.5.2 of A Guide to Preparing LEPs (Planning & Infrastructure 2013).

2. Consultation is required with the Office of Environment and Heritage under section 56(2)(d) of the EP&A Act. The Office of Environment and Heritage is to be provided with a copy of the planning proposal and any relevant supporting material, and given at least 21 days to comment on the proposal.

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.

Signature:



Printed Name:

STEPHEN MURRAY

Date:

24 JULY 2014