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Our ref: PP_2010_BALLI_001_00 (10/18259)
Your ref: David Kitson

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

Dear Mr Hickey,

Re: Planning Proposal in relation to Exempt & Complying Development

I am writing in response to your Council's letter dated 2 September 2010 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 amend the Ballina Local Environmental Plan 1987 to amend the date of adoption of the Exempt and Complying Development DCP.

Although it is not considered that the matter is one which falls within the provisions of S73A of the Act, as delegate of the Minister for Planning, I have determined that the planning proposal should proceed subject to the conditions in the attached Gateway Determination.

The Department, in consultation with Council and the Parliamentary Counsel, will now make the necessary arrangements to finalise the LEP. 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 this should be completed within three (3) months.

Should you have any queries in regard to this matter, please contact Jenny Vallis of the Regional Office of the Department on 02 6641 6600.

Yours sincerely,



12/10/10

Tom Gellibrand
Deputy Director General
Plan Making & Urban Renewal

Gateway Determination

Planning Proposal (Department Ref: PP_2010_BALLI_001_00): to amend the date of adoption of the Exempt and Complying Development DCP.

I, the Deputy Director General, Plan Making & Urban Renewal 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 1987 to amend the date of adoption of the Exempt and Complying Development DCP should proceed subject to the following conditions:

1. No community consultation is required under sections 56(2)(c) and 57 of the Environmental Planning and Assessment Act 1979 ("EP&A Act").
2. No consultation is required with public authorities under section 56(2)(d) of the EP&A Act.
3. No public hearing is required to be held into the matter under section 56(2)(e) of the EP&A Act. This does not have any bearing on the need to conduct a public hearing under the provisions of any other legislation.
4. The timeframe for completing the LEP is to be **3 months** from the week following the date of the Gateway determination.

Dated 12th day of October 2010.



Tom Gellibrand
Deputy Director General
Plan Making & Urban Renewal
Delegate of the Minister for Planning