

Gateway Determination

Planning proposal (Department Ref: PP_2019_BALLI_002_00): to amend Schedule 1 – Additional Permitted Uses of Ballina LEP 2012 to facilitate with consent a service station and one retail premises at Lot 2 DP 527953, 246-250 Lismore Road, Wollongbar.

I, the Director, Northern Region at the Department of Planning, Industry and Environment, as delegate of the Minister for Planning and Public Spaces, have determined under section 3.34(2) of the *Environmental Planning and Assessment Act 1979* (the Act) that an amendment to the Ballina Local Environmental Plan (LEP) 2012 to amend Schedule 1 – Additional Permitted Uses to facilitate with consent a service station and one retail premises at Lot 2 DP 527953, 246-250 Lismore Road, Wollongbar should proceed subject to the following conditions:

1. The planning proposal is to be amended prior to community consultation to:
 - (a) include the proposed Additional Permitted Uses Map; and
 - (b) update the project timeline.
2. Public exhibition is required under section 3.34(2)(c) and schedule 1 clause 4 of the Act as follows:
 - (a) the planning proposal must be made publicly available for a minimum of **28 days**; and
 - (b) the planning proposal 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 6.5.2 of *A guide to preparing local environmental plans* (Department of Planning, Industry and Environment 2016).
3. No consultation is required with public authorities/organisation under section 3.34(2)(d) of the Act.
4. A public hearing is not required to be held into the matter by any person or body under section 3.34(2)(e) of the 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).
5. The planning proposal authority is authorised as the local plan-making authority to exercise the functions under section 3.36(2) of the Act subject to the following:
 - (a) the planning proposal authority has satisfied all the conditions of the Gateway determination;
 - (b) the planning proposal is consistent with section 9.1 Directions or the Secretary has agreed that any inconsistencies are justified; and
 - (c) there are no outstanding written objections from public authorities.

6. The time frame for completing the LEP is to be **nine months** following the date of the Gateway determination.

Dated 2 day of October 2019.

A handwritten signature in black ink, appearing to read 'J Gray', is positioned above the printed name and title.

Jeremy Gray
Director, Northern Region
Planning and Assessment
Department of Planning, Industry and
Environment

Delegate of the Minister for Planning
and Public Spaces