

Gateway Determination

Planning Proposal (Department Ref: PP_2017_BALLI_009_00): to make housekeeping amendments to the Ballina Local Environmental Plan 2012 maps.

I, the Director Regions, Northern at the Department of Planning and Environment as delegate of the Minister for Planning, have determined under section 56(2) of the *Environmental Planning and Assessment Act, 1979* (the Act) that an amendment to the Ballina Local Environmental Plan (LEP) 2012 to make housekeeping amendments to the Ballina LEP 2012 maps should proceed subject to the following conditions:

1. The planning proposal is to be amended prior to community consultation to include;
 - a locality map indicating the general location of each amendment. Mapping is to indicate street names and highlight the mapping change so that it can be easily identified by the community;
 - text to explain the mapping change in terms of what mapped control is being reduced and what mapped control is being increased;
 - an explanation as to why the change at Blue Seas Parade (Item 6) is required, indicating the buffer distance was originally wrongly mapped;
 - identification of which land is bushfire prone; within the Coastal zone, and within the vicinity of a licensed aerodrome;
 - an assessment against SEPP 71 or any SEPP which might replace SEPP 71.
2. Community consultation is required under sections 56(2)(c) and 57 of the Act as follows:
 - (a) the planning proposal is classified as low impact as described in *A guide to preparing local environmental plans* (Department of Planning and Environment 2016) 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 local environmental plans* (Department of Planning and Environment 2016).
3. Consultation is required with the NSW Rural Fire Service under section 56(2)(d) of the Act. The NSW Rural Fire Service 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.

4. A public hearing is not required to be held into the matter by any person or body under section 56(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 timeframe for completing the LEP is to be **6 months** following the date of the Gateway determination.

Dated 2 day of February 2018.



Jeremy Gray
Director Regions, Northern
Planning Services
Department of Planning and
Environment

Delegate of the Minister for Planning