

Gateway Determination

Planning Proposal (Department Ref: PP_2017_BYRON_001_00): to amend the Temporary Uses provision and Additional Permitted Uses schedule within the Byron Local Environmental Plan 2014.

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 Byron Local Environmental Plan (LEP) (2014) to amend the Temporary Uses and Additional Permitted Uses provisions should proceed subject to the following conditions:

1. The planning proposal is to be updated prior to community consultation to:
 - a) Replace Figure 1 - Subject land map, with a more detailed higher resolution map;
 - b) Include a copy of the finalised Infrastructure Licence from Transport for NSW for the use of the land in the rail corridor; and
 - c) Provide a Plain English Explanation of Provisions and include the proposed clauses as an appendix to the planning proposal.
2. Community consultation is required under sections 56(2)(c) and 57 of the Act as follows:
 - (a) the planning proposal must be made publicly available for a minimum of **28 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 following public authorities/organisations under section 56(2)(d) of the Act and/or to comply with the requirements of relevant Section 117 Directions:
 - NSW Rural Fire Service;
 - Office of Environment and Heritage;
 - Transport for NSW;
 - Appropriate Local Aboriginal Land Councils.

Each public authority/organisation 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 25 day of January 2018.



25/01/2018

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

Delegate of the Minister for Planning