

enquiries refer

**Leah Toole**

in reply please quote

**BSCPP 21/004 – DM Integration (CM 2388)**



9 February 2022

Mr Jeremy Gray  
Director Regions, Northern Planning Services  
Department of Planning, Industry & Environment  
Locked Bag 9022  
GRAFTON NSW 2460

Dear Mr Gray

**Re: Planning Proposal BSCPP 21/004 – Integration of Certain Deferred Matters**

At its Ordinary meeting held on 28 October 2021, Ballina Shire Council considered a report relating to an LEP amendment to integrate certain deferred matters into the Ballina Local Environmental Plan 2012 and to amend Clause 41 of the Ballina Local Environmental Plan 1987 to limit the temporary use of land to a maximum of 14 days per annum.

In respect to this matter the Council resolved as follows:

1. *That Council endorses, for Gateway determination, the integration of certain land identified as deferred matters in Ballina Local Environmental Plan (BLEP) 1987 into the Ballina Local Environmental Plan 2012, including the introduction of land use tables for the E2 Environmental Conservation and E3 Environmental Management into BLEP 2012 and various other consequential amendments, in accordance with the planning proposal (BSCPP 21/004) contained in Attachment 1.*
2. *That Council endorses for Gateway determination, amendment to Clause 41 of the Ballina Local Environmental Plan 1987 to limit the temporary use of land to a maximum of 14 days per annum.*
3. *That Council submits the planning proposal contained in Attachment 1 to the NSW Department of Planning, Industry and Environment for review and Gateway determination.*
4. *That upon an affirmative Gateway determination being received from the Department of Planning, Industry and Environment the procedural steps associated with progression of the planning proposal, including public exhibition, be undertaken.*
5. *That the Department of Planning, Industry and Environment be advised that Council does not seek to exercise its delegated plan making functions for this LEP amendment.*
6. *That Council receive a further report on the deferred matter integration program following the completion of the public exhibition of the planning proposal.*

In accordance with the above resolution, please find enclosed the abovementioned planning proposal for Gateway determination in accordance with section 3.34 of the *Environmental Planning & Assessment Act 1979*.

Council is not seeking to exercise the functions of the local plan-making authority under section 3.36(2) of the *Environmental Planning and Assessment Act 1979* for this LEP amendment.

If you have any enquiries in regard to this matter please contact me on 6686 1454 or by email [leah.toole@ballina.nsw.gov.au](mailto:leah.toole@ballina.nsw.gov.au) .

Yours faithfully



Leah Toole  
**Strategic Planner**  
**Planning and Environmental Health Division**

Enc. Planning Proposal BSCPP 21/004 – Integration of Certain Deferred Matters  
Methodology Report (February 2022)  
Mapping