

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

Our ref: PP-2023-876 (IRF23/1081)

Via email: council@ballina.nsw.gov.au

Dear Mr Hickey

Planning proposal PP-2023-876 to amend Ballina Local Environmental Plan 2012

I am writing in response to the planning proposal you have forwarded to the Minister under section 3.34(1) of the *Environmental Planning and Assessment Act 1979* (the Act) in respect of the planning proposal to permit dual occupancies (attached) with consent on certain land at Wollongbar.

As delegate of the Minister for Planning and Public Spaces, I have determined that the planning proposal should proceed subject to the conditions in the enclosed gateway determination.

I have also agreed, as delegate of the Secretary, the inconsistency of the planning proposal with applicable directions of the Minister under section 9.1 of the EP&A Act 1.4 Site Specific Provisions and 3.2 Heritage Conservation is justified in accordance with the terms of the Direction. No further approval is required in relation to the Directions.

Council will still need to obtain the agreement of the Secretary to comply with the requirements of relevant applicable directions of the Minister under section 9.1 of the EP&A Act 4.3 Planning for Bushfire Protection. Council should ensure this occurs prior to the LEP being made.

Considering the nature of the planning proposal I have determined that Council may exercise local plan-making authority functions in relation to the planning proposal.

The proposed local environmental plan (LEP) is to be finalised six months from the date of Gateway determination. As this is a minor amendment, Council is to request Parliamentary Counsel's Office commence drafting as soon as practicable. A copy of the request should be forwarded to the Department of Planning and Environment.

Should you have any enquiries about this matter, I have arranged for Ms Ella Wilkinson to assist you. Ms Wilkinson can be contacted on 9995 5665.

Yours sincerely



19/5/2023

Jeremy Gray
Director, Northern Region
Local and Regional Planning

Encl: Gateway determination