

Alteration of Gateway Determination

Planning proposal (Department Ref: PP-2024-1754): to introduce a heritage conservation area and include additional local heritage items at Federal.

I, the Director, Hunter and Northern Region at the Department of Planning, Housing and Infrastructure, 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) to alter the Gateway determination dated 1 October 2024 to amend the Byron Local Environmental Plan 2014 to introduce a heritage conservation area and include additional local heritage items at Federal as follows:

1. Delete paragraphs 2 - 3:

“I, the Acting Director, Hunter and Northern Region at the Department of Planning, Housing and Infrastructure, 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 Byron Local Environmental Plan 2014 to introduce a heritage conservation area and include additional local heritage items at Federal should proceed subject to the following conditions.

The Council as planning proposal authority is authorised to exercise the functions of the local plan-making authority 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 applicable directions of the Minister under section 9.1 of the Act or the Secretary has agreed that any inconsistencies are justified; and
- (c) there are no outstanding written objections from public authorities.

The LEP should be completed within 6 months of the date of the Gateway determination.”

and replace with

“I, the Director, Hunter and Northern Region, at the Department of Planning, Housing and Infrastructure, 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 Byron Local Environmental Plan 2014 to introduce a heritage conservation area and include additional local heritage items at Federal should not proceed.”

2. Delete conditions 1 – 5.

Dated 14 day of April 2025



Craig Diss
Director, Hunter and Northern Region
Local Planning and Council Support
Department of Planning, Housing and
Infrastructure

Delegate of the Minister for Planning and
Public Spaces