

enquiries refer

**Klaus Kerzinger**

in reply please quote

**SEPP Review (18/359)**



2 January 2018

Director, Planning Frameworks  
Department of Planning and Environment  
GPO Box 39  
Sydney NSW 2001

Attention: Tim Archer

Dear Sir

**Re: Submission to repeal of two operational SEPPs – SEPP 1 and Miscellaneous Consent Provisions SEPP**

I refer to the Department's exhibition of the Explanation of Intended Effects relating to the above SEPP amendments and your letter dated 24 November 2017 related to this matter.

It is noted that Council has previously made a submission relating to the review of SEPP No. 1 on 9 May 2017. The following comments are provided to assist the Department in the further consideration and finalisation of the proposed consequential amendments to Ballina LEP 1987:

- i. Ballina LEP 1987 zones to be referenced in Standard Instrument clause 4.6(6) once inserted in Ballina LEP 1987 should be those zones currently referenced in clause 11 of the LEP (Zone No's 1 (a1), 1 (a2), 1 (d), 1 (b), 1 (e), 7 (a), 7 (c), 7 (d), 7 (d1), 7 (f), 7 (i) and 7 (l)).
- ii. Council has previously requested that clauses equivalent to clauses 4.2, 4.2B, and 4.2C of Ballina LEP 2012 be inserted in Ballina LEP 1987. This was requested so as to facilitate certain subdivision outcomes not considered to be otherwise permitted by the provisions of Ballina LEP 1987 and in the absence of SEPP 1. It is requested that the Department give further consideration to this issue prior to finalising the proposed amendments to Ballina LEP 1987.

If you have any enquiries in regard to this matter please contact me on telephone 6686 1201 or email [klaus.kerzinger@ballina.nsw.gov.au](mailto:klaus.kerzinger@ballina.nsw.gov.au).

Yours faithfully

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**Strategic Planner**  
**Strategic & Community Facilities Group**