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Mr Scott Greensill
General Manager
Clarence Valley Council
Locked Bag 23
GRAFTON NSW 2460

Our ref: PP_2012_CLARE_002_00 (12/08112)
Your ref: Cameron Park PP

Dear Scott Greensill,

Planning proposal to rezone land at Cameron Park, Maclean from SP2 Infrastructure to RE1 Public Recreation and reclassify the land from 'operational' land to 'community' land.

I am writing in response to your Council's letter dated 4 May 2012 requesting a Gateway Determination under section 56 of the Environmental Planning and Assessment Act 1979 ("EP&A Act") in respect of the planning proposal to amend the Clarence Valley Local Environmental Plan 2011 to rezone land at Cameron Park, Maclean from SP2 Infrastructure to RE1 Public Recreation and reclassify the land from 'operational' land to 'community' land.

As delegate of the Minister for Planning and Infrastructure, I have now determined that the planning proposal should proceed subject to the conditions in the attached Gateway Determination.

It is noted that Council by way of resolution has determined to reclassify the subject land from 'operational' land to 'community' land under section 33 of the Local Government Act 1993. Therefore, the reclassification of the land has already taken effect and the requirement to reclassify the land as a component of the planning proposal is not required. Council may consider that the reclassification component remain in the planning proposal for information purposes, but Council is to amend the planning proposal to either remove reference to the reclassification of the land or clearly indicate that the reclassification has already taken effect and that the planning proposal only amends the LEP to the extent of a rezoning. Council is to provide a copy of the revised planning proposal to the Department's Regional Team prior to the commencement of community consultation.

I have also agreed that the planning proposal's inconsistencies with S117 Directions 2.2 Coastal Protection, 3.4 Integrating Land Use and Transport, 4.1 Acid Sulfate Soils, 4.3 Flood Prone Land and 5.1 Implementation of Regional Strategies are of minor significance. No further approval is required in relation to these Directions.

The amending Local Environmental Plan (LEP) is to be finalised within 6 months of the week following the date of the Gateway Determination. Council should aim to commence the exhibition of the Planning Proposal within four (4) weeks from the week following this determination. Council's request for the Department to draft and finalise the LEP should be made six (6) weeks prior to the projected publication date.

The State Government is committed to reducing the time taken to complete LEPs by tailoring the steps in the process to the complexity of the proposal, and by providing clear and publicly available justification for each plan at an early stage. In order to meet these commitments, the Minister may take action under s54(2)(d) of the EP&A Act if the time frames outlined in this determination are not met.

Should you have any queries in regard to this matter, please contact Carlie Boyd of the Regional Office of the Department on 02 6641 6600

Yours sincerely,

Sam Haddad
Sam Haddad
Director-General

25/5/2012.

Gateway Determination

Planning Proposal (Department Ref: PP_2012_CLARE_002_00): to rezone land at Cameron Park, Maclean from SP2 Infrastructure to RE1 Public Recreation and reclassify the land from 'operational' land to 'community' land.

I, the Director General, Department of Planning and Infrastructure as delegate of the Minister for Planning and Infrastructure, have determined under section 56(2) of the EP&A Act that an amendment to the Clarence Valley Local Environmental Plan 2011 to rezone land at Cameron Park, Maclean from SP2 Infrastructure to RE1 Public Recreation and reclassify the land from 'operational' land to 'community' land should proceed subject to the following conditions:

1. Council is to amend the planning proposal to either remove reference to the reclassification of the land or clearly indicate that the reclassification has already taken effect and that the planning proposal only amends the LEP to the extent of a rezoning. Council is to provide a copy of the revised planning proposal to the Department's Regional Team prior to the commencement of community consultation.
2. Community consultation is required under sections 56(2)(c) and 57 of the Environmental Planning and Assessment Act 1979 ("EP&A Act") as follows:
 - (a) the planning proposal is classified as low impact as described in *A Guide to Preparing LEPs (Department of Planning 2009)* and must be made publicly available for **14 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 4.5 of *A Guide to Preparing LEPs (Department of Planning 2009)*.
3. No consultation is required with public authorities under section 56(2)(d) of the EP&A Act.
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 EP&A 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** from the week following the date of the Gateway determination.

Dated

25th day of

May

2012.


Sam Haddad
Director-General
Delegate of the Minister for Planning and
Infrastructure