

Gateway Determination (revised)

Planning proposal (Department Ref: PP_2013_RICHM_004_00): to make various housekeeping amendments.

I, the Executive Director, Rural and Regional Planning at the 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 Richmond Valley Local Environmental Plan (LEP) 2012 to extend the land application area, amend clauses 4.1 Minimum subdivision lot size and 4.1C Exceptions to minimum lot size for dual occupancies, amend the standards applicable for garages and signage under the exempt development schedule, rezone Casino Drill Hall defence site for residential purposes, amend the lot size for land at Sextonville Road, Casino, rezone land in Busbys Flat for rural purposes, amend the Lot Size Map for Lot 94 DP 43839 Busbys Flat and amend Dwelling Opportunity Map for certain land should proceed subject to the following conditions:

1. Prior to undertaking public exhibition, Council is to update the planning proposal to include additional information on heritage, which recommends an appropriate curtilage around the Drill Hall. This additional information will demonstrate the proposal's consistency or justify any inconsistency with S117 Direction 2.3 Heritage Conservation.
2. Council is to ensure that the planning proposal satisfies the requirements of State Environmental Planning Policy (SEPP) 55 – Remediation of Land. Council is to place on public exhibition the Land Assessment and Management Plan in relation to the contamination of land at Lennox Street, Casino.
3. 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 must be made publicly available for a minimum of **28 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 5.5.2 of *A Guide to Preparing LEPs (Department of Planning & Infrastructure 2012)*.
4. Consultation is required with the following public authorities under section 56(2)(d) of the EP&A Act and/or to comply with the requirements of relevant S117 Directions:
 - NSW Rural Fire Service (S117 Direction 4.4 Planning for Bushfire Protection)
 - Office of Environmental Heritage (regarding biodiversity and flooding)
 - Environmental Protection Authority
 - Local Aboriginal Land Council
 - Clarence Valley Council to confirm that land comprising of and adjacent to the Bundjalung National Park, which is proposed to be included in the Richmond Valley LEP 2012 is not currently zoned under Clarence Valley LEP 2011.

Each public authority is to be provided with a copy of the planning proposal and any relevant supporting material, and given at least 21 days to comment on the proposal.



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5. 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).
6. The timeframe for completing the LEP is 3 January 2014.

7.8.13

Neil McGaffin
Executive Director
Rural and Regional Planning
Department of Planning and Infrastructure

Delegate of the Minister for Planning and
Infrastructure



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WRITTEN AUTHORISATION TO EXERCISE DELEGATION (revised)

Richmond Valley Council is authorised to exercise the functions of the Minister for Planning and Infrastructure under section 59 of the *Environmental Planning and Assessment Act 1979* that are delegated to it by instrument of delegation dated 14 October 2012, in relation to the following planning proposal:

Number	Name
PP_2013_RICHM_004_00	Planning proposal to extend the land application area, amend clauses 4.1 Minimum subdivision lot size and 4.1C Exceptions to minimum lot size for dual occupancies, amend the standards applicable for garages and signage under the exempt development schedule, rezone Casino Drill Hall defence site for residential purposes, amend the lot size for land at Sextonville Road, Casino, rezone land in Busbys Flat for rural purposes, amend the Lot Size Map for Lot 94 DP 43839, Busbys Flat and amend the Dwelling Opportunity Map for certain land.

In exercising the Minister's functions under section 59, the Council must comply with the Department's "A guideline for the preparation of local environmental plans" and "A guide to preparing planning proposals".

Dated

7 May 2013

Neil McGaffin
Executive Director
Rural and Regional Planning
Department of Planning and Infrastructure



Planning & Infrastructure

Mr John Walker
General Manager
Richmond Valley Council
Locked Bag 10
CASINO NSW 2470

Our ref: 13/04699
Your ref: PP_2013/02

Dear Mr Walker

Planning Proposal PP_2013_RICHM_004_00 – Gateway Determination alteration for Richmond Valley LEP 2012 - Housekeeping Amendments

I refer to your request on 22 April 2013 seeking an alteration to the Planning Proposal PP_2013_RICHM_004_00 for an amendment to the Lot Size Map to apply a 100ha Minimum Lot Size to Lot 94 DP 43839, Busbys Flat to the Gateway Determination dated 27 March 2013.

I have determined as the delegate of the Minister, in accordance with section 56(7) of the Environmental Planning and Assessment Act, 1979, to amend the Gateway Determination dated 27 March 2013 for PP_2013_RICHM_004_00.

The Gateway Determination is amended to apply the Lot Size Map for Lot 94 DP 43839, Busbys Flat - Planning Proposal PP_2013_RICHM_004_00. A revised Gateway Determination and written authorisation to exercise delegation is attached.

If you have any questions in relation to this matter, please contact Jennifer Vallis, of the Department of Planning and Infrastructure's Grafton office on (02) 6641 6606.

Yours sincerely



Neil McGaffin 7.4.13
Executive Director
Rural & Regional Planning