



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

Our ref: PP_2015_CLARE_002_00 (15/05147)
Your ref: Maclean Supermarket PP

Dear Mr Greensill

Planning proposal to amend Clarence Valley Local Environmental Plan 2011

I am writing in response to your Council's letter dated 17 March 2015 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 zone boundaries and building heights for a supermarket, car park, bowling club and park at Centenary Drive, Maclean and the rezoning of land for a public car park located at Argyle Street, Maclean.

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

I have also agreed, as delegate of the Secretary, the planning proposal's inconsistencies with S117 Directions 1.1 Business and Industrial Zone, 4.1 Acid Sulphate Soils and 4.3 Flood Prone Land are of minor significance. No further approval is required in relation to these Directions. I have further agreed in accordance with Section 117 Direction 6.2 Reserving Land for Public Purposes, to the reconfiguration of the RE2 Private Recreation and adjoining zones at Cameron Park, Maclean, as requested by Council.

The amending Local Environmental Plan (LEP) is to be finalised within 12 months of the week following the date of the Gateway determination. Council should aim to commence the exhibition of the planning proposal as soon as possible. Council's request for the Department of Planning and Environment to draft and finalise the LEP should be made 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 section 54(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, I have arranged Ms Katrina Burbidge of the Department's regional office to assist you. Ms Burbidge can be contacted on (02) 6641 6606.

Yours sincerely

 31 March 2015
Stephen Murray
General Manager, Northern Region
Planning Services

Encl: Gateway Determination

Gateway Determination

Planning proposal (Department Ref: PP_2015_CLARE_002_00) to amend the zone boundaries and building heights for a supermarket, car park, bowling club and park at Centenary Drive, Maclean and the rezoning of land for a public car park located at Argyle Street, Maclean

I, the General Manager, Northern Region at the Department of Planning and Environment as delegate of the Minister for Planning, have determined under section 56(2) of the *Environmental Planning and Assessment Act 1979* (EP&A Act) that an amendment to the Clarence Valley Local Environmental Plan (LEP) (2011) to amend the zone boundaries and building heights for a supermarket, car park, bowling club and park at Centenary Drive, Maclean and the rezoning of land for a public car park located at Argyle Street, Maclean, should proceed subject to the following conditions:

1. Community consultation is required under sections 56(2)(c) and 57 of the *Environmental Planning & Assessment 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 and Infrastructure 2013)*.
2. No consultation is required with public authorities under section 56(2)(d) of the EP&A Act.
3. 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).
4. The timeframe for completing the LEP is to be **12 months** from the week following the date of the Gateway determination.

Dated 31st day of March 2015


Stephen Murray
General Manager, Northern Region
Planning Services
Department of Planning and Environment

Delegate of the Minister for Planning