

Clarence Valley LEP 2011 – Amendment of zone boundaries and building heights for a supermarket, car park, bowling club and park and the rezoning of land for a public car park located at Maclean

Proposal Title :	Clarence Valley LEP 2011 – Amendment of zone boundaries and building heights for a supermarket, car park, bowling club and park and the rezoning of land for a public car park located at Maclean
Proposal Summary :	The proposal includes the amendment of zone boundaries to facilitate changes to a proposed supermarket and car park including the realignment of the bowling club and Cameron Park at Centenary Drive, Maclean as well as rezoning of land for a public car park at Argyle Street, Maclean. The proposal includes seven amendments which include the following. • Realign the B2 Local Centre Business zone to allow a proposed supermarket building envelope to relocate slightly north. • Rezone car parking associated with the supermarket from SP2 Infrastructure zone to B2 Local Centre Business zone. • Rezone public car parking area from B2 Local Centre Business zone to SP2 Infrastructure zone on land located at Centenary Drive, Maclean as well as land located north of Argyle Street, Maclean. • Rectify a zoning anomaly to realign the RE2 Private Recreation zone to address the bowling club property boundary. • Realign RE1 Public Recreation zone to provide an additional 432.3 square metres to Cameron Park. • Rectify a zoning anomaly to rezone 19 square metres from RE1 Public Recreation zone to SP2 Infrastructure zone to facilitate vehicular access. • Amend the Height of Buildings map to include the relocated supermarket with a 9 metre height limit and delete the height limit from the new car parking areas.
PP Number :	PP_2015_CLARE_002_00
Dop File No :	15/05147

Planning Team Recommendation

Preparation of the planning proposal supported at this stage : **Recommended with Conditions**

S.117 directions:

- 1.1 Business and Industrial Zones
- 2.2 Coastal Protection
- 3.4 Integrating Land Use and Transport
- 4.1 Acid Sulfate Soils
- 4.3 Flood Prone Land
- 5.1 Implementation of Regional Strategies
- 6.1 Approval and Referral Requirements
- 6.2 Reserving Land for Public Purposes

Additional Information :

- It is recommended that;
1. The planning proposal should proceed as a minor planning proposal.
 2. The planning proposal is to be completed within twelve(12) months.
 3. That a community consultation period of 28 days is necessary.
 4. It is recommended that a delegate of the Secretary agree that the inconsistencies of the proposal with S117 Directions 1.1 Business and Industrial Zone, 4.1 Acid Sulfate Soils and 4.3 Flood Prone Land are justified in accordance with the provisions of the directions.
 5. It is recommended that a delegate of the Secretary in accordance with section 117 direction 6.2 Reserving Land for Public Purposes, agree to the configuration of the RE2 Private Recreation Zone and adjoining zones at Cameron Park, Maclean, as requested by the Council.
 6. Delegation to finalise the planning proposal NOT be issued to the Council.

Supporting Reasons :

The reasons for the recommendation are as follows;

1. The planning proposal is consistent with Council's strategic framework and the Mid North Coast Regional Strategy.

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2. The planning proposal will enable the development of employment generating land uses that will contribute to the economic growth of the region.
3. The planning proposal supports additional car parking above that necessary to support the proposed supermarket.
4. The planning proposal supports a redesign of the site which includes additional area to Cameron Park, increased parking provision and improved visual separation from the existing heritage buildings.
5. The inconsistencies of the proposal with the S117 Directions are of minor significance.
6. The proposal is otherwise consistent with all relevant local and regional planning strategies, section 117 Directions and SEPPs.
7. Clarence Valley Council has not accepted the delegation of plan making functions as a proportion of the subject site is Council owned land and history of potential community concerns surrounding the development.

Panel Recommendation

Recommendation Date :

Gateway Recommendation :

Panel Recommendation :

Gateway Determination

Decision Date : 31-Mar-2015

Gateway Determination : Passed with Conditions

Decision made by : General Manager, Northern Region

Exhibition period : 28 Days

LEP Timeframe : 12 months

Gateway Determination : The Planning Proposal 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:

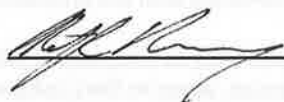
(a) the planning proposal must be made publicly available for a minimum of 28 days; and
(b) the relevant planning authority must comply with the notice requirements for public exhibition of planning proposals and the specifications for material that must be made publicly available along with planning 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.

Signature:



Printed Name:

STEPHEN MURRAY

Date:

31 MARCH 2015