



clarence
VALLEY COUNCIL

29 July 2015

Reference: DWS#1533393
Contact: Terry Dwyer

General Manager, Northern Region
Department of Planning & Environment
Locked Bag 9022
GRAFTON NSW 2460

Received
31 JUL 2015
15/11820
Northern Region

Dear Steve

Planning Proposal – Cambridge Street, South Grafton (REZ2014/0003)

Council, at its Meeting held on 21 July 2015, resolved to support a planning proposal in relation to the above and to refer it to the Planning Gateway.

The planning proposal supports a case to rezone land Cambridge Street, South Grafton (legally described below) from B1 Neighbourhood Business (B1) to R1 General Residential (R1) to permit the residential development of the land.

The full Council resolution in respect of this matter is:

That Council:

1. *As the relevant planning authority, initiate the Local Environmental Plan "Gateway" process pursuant to Section 55 of the Environmental Planning and Assessment Act 1979 by endorsing the attached Planning Proposal over Lots 2981, 2982 and 2983 DP733046, 165 -169 Cambridge Street, South Grafton to amend Clarence Valley Local Environmental Plan 2011 to rezone the land from B1 Neighbourhood Centre to R1 General Residential.*
2. *Forward the Planning Proposal to the Department of Planning and Environment (the Department) requesting a "Gateway" Determination, pursuant to Section 56 (1) of the Environmental Planning and Assessment Act.*
3. *Advise the Department that it will accept any plan making delegations that may be offered to Council and request a 12 month period to complete the rezoning in view of the need to rehabilitate and validate site contamination before rezoning is completed.*
4. *Advise the Department that inconsistencies with Section 117 Directions 1.1 and 4.1 are considered to be minor and warranted in the circumstances.*
5. *Advise the proponent that:*
 - (a) *prior to Council finalising the LEP amendment under section 59(1) of the Act, Council will require the actions recommended by section 10.2 of the report entitled "Report for Chellev Property Investment Trust - Phase 1*

Contamination Assessment with Targeted Sampling" (GHD, May 2015) be implemented and validated; and

(b) clause 7.1 Acid sulfate soils of Clarence Valley Local Environmental Plan 2011 will be required to be addressed as part of any future development application.

You will note that Councils delegate is prepared to accept any delegation that may be specified and issued by the Gateway determination and Written Authorisation to Exercise Delegation. Attachment 4 - Evaluation criteria for the delegation of plan making functions has been completed to the best of Councils ability and is enclosed.

Council has requested a 12 month period to complete the rezoning to enable the rehabilitation of and site contamination (and validation of such) to be completed prior to the finalisation of the rezoning.

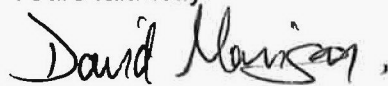
Enclosed with this letter is a:

- (i) Hard copy of the planning proposal document entitled "*Planning Proposal, 165 - 169 Cambridge Street, South Grafton*" (April 2015) incorporating "*Report for Cheliew Property Investment Trust - Phase 1 Contamination Assessment with Targeted Sampling*" (GHD, May 2015);
- (ii) Hard copy of the minuted officer report considered by Council at its 21 July 2015 Ordinary Council meeting and its Attachment;
- (iii) Completed Attachment 4 - Evaluation criteria for the delegation of plan making function;
- (iv) Completed Attachment 1 – Information Checklist; and
- (v) Completed project timeline.

Council now forwards the matter to the Department under section 56 (1) of the Act and requests that the Department give consideration to the issue of a Gateway determination at its earliest opportunity.

If you require further information please contact me on telephone 66 430204 or Terry Dwyer, Senior Strategic Planner (Policy) on telephone 66 430243.

Yours faithfully



David Morrison
Manager Strategic & Economic Planning