



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

Our ref: 15/14522

Attention: Ryan Jameson

Dear Mr Greensill

Planning Proposal PP_2015_CLARE_008_00 – Alteration of Gateway Determination

I refer to your correspondence of 4 October 2016 in relation to revisions to Planning Proposal PP_2015_CLARE_008_00 for rezoning land for large lot residential and environmental purposes at Hampton Road, Waterview Heights.

I have determined as the delegate of the Minister, in accordance with section 56(7) of the *Environmental Planning and Assessment Act 1979* to alter the Gateway determination dated 23 October 2015 for PP_2015_CLARE_008_00 (as altered). The Alteration of the Gateway Determination and amended Written Authorisation to Exercise Delegation are enclosed.

If you have any questions in relation to this matter, I have arranged for Mr Paul Garnett to assist you. Mr Garnett can be contacted on (02) 6641 6607.

Yours sincerely

7 October 2016

Craig Diss
Acting Director Regions, Northern
Planning Services

Encl:
Alteration to Gateway Determination
Written Authorisation to Exercise Delegation

Alteration of Gateway Determination

Planning Proposal (Department Ref: PP_2015_CLARE_008_00)

I, the Acting Director Regions, Northern at the Department of Planning and Environment as delegate of the Minister for Planning, have determined under section 56(7) of the *Environmental Planning and Assessment Act 1979* (the Act) to alter the Gateway determination dated 23 October 2015 (as since altered) for the proposed amendment to the Clarence Valley Local Environmental Plan 2011 as follows:

1. Change the name and description of the Planning Proposal

from "...to rezone part of Lot 5 DP 1179232 in Waterview Heights from RU2 Rural Landscape to R5 Large Lot Residential and to alter the minimum lot size controls for the subject land..."

to "...to rezone Lot 5 DP 1179232 in Waterview Heights from RU2 Rural Landscape to part R5 Large Lot Residential and part E2 Environmental Conservation and alter the minimum lot size controls for the subject land..."

2. Delete condition 5:

5. The LEP is to be completed by 30 January 2017.

and replace with a new condition 5:

5. The LEP is to be completed by 30 April 2017.

3. Insert new condition 6:

6. Further Community consultation is required under sections 56(2)(c) and 57 of the Act as follows:

- (a) the Planning Proposal must be made publicly available for a further **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 local environmental plans (Department of Planning and Environment 2016)*.

4. Insert new condition 7:

7. Further consultation is required with the NSW Office of Environment and Heritage under section 56(2)(d) of the Act. The NSW Office of Environment and Heritage is to be provided with a copy of the revised Planning Proposal and any relevant supporting material, and given at least 21 days to comment on the revised proposal.

Dated 7 day of October 2016



Craig Diss
Acting Director Regions, Northern
Planning Services
Department of Planning and Environment

Delegate of the Minister for Planning

WRITTEN AUTHORISATION TO EXERCISE DELEGATION

Clarence Valley Council is authorised to exercise the functions of the Minister for Planning 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_2015_CLARE_008_00	Planning Proposal to rezone Lot 5 DP 1179232 in Waterview Heights from RU2 Rural Landscape to part R5 Large Lot Residential and part E2 Environmental Conservation and alter the minimum lot size controls for the subject land.

In exercising the Minister's functions under section 59, the Council must comply with the Department of Planning and Environment's "*A guide to preparing local environmental plans*" and "*A guide to preparing Planning Proposals*".

Dated 7 October 2016



Craig Diss
Acting Director Regions, Northern
Planning Services
Department of Planning and Environment

Delegate of the Minister for Planning