

Gateway Determination

Planning proposal (Department Ref: PP_2018_CLARE_001_00): to reclassify Council owned properties from community to operational land.

I, the Director Regions, Northern, at the Department of Planning and Environment, as delegate of the Minister for Planning, have determined under section 3.34(2) of the *Environmental Planning and Assessment Act 1979* (the Act) that an amendment to the Clarence Valley Local Environmental Plan (CVLEP) 2011 to reclassify 163 Council owned properties from community to operational under the Local Government Act 1993, amend Part 1 Schedule 4 of the CVLEP 2011 to include the reclassified lands and amend the "Land Reclassification (Part Lots) Map" should proceed subject to the following conditions:

1. The area within Ferry Park to be reclassified as operational is to be limited to that associated with the commercial undertaking of the land, e.g. restaurant, parking, walkways etc. The public amenities, parking and riverbank area located on the land (south of the main building) which are used by the public are to remain identified as community land.
2. Community consultation is required under section 3.34(2)(c) and schedule 1 clause 4 of the Act as follows:
 - (a) the planning proposal must be made publicly available for a minimum of **28 days**;
 - (b) the planning proposal 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); and
 - (c) where community land, the subject of this planning proposal, is leased/rented to an organisation or an individual, Council is to provide notification that the planning proposal is on public exhibition and contain a reference to the land that is under lease/rent.
3. Consultation is required with the following public authorities and / organisations under section 3.34(2)(d) of the Act and/or to comply with the requirements of relevant section 9.1 Directions:
 - NSW Department of Primary Industry (Fisheries)
 - NSW Rural Fire Service
 - NSW Roads and Maritime Services

Each public authority/organisation 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. To facilitate understanding of the planning proposal, Council is to identify which property(ies) the authority/organisation may wish to focus their comments on.

4. A public hearing is to be conducted under s.29 of the Local Government Act 1993 in accordance with the requirement of s. 3.34(2)(e) of the Act.
5. The time frame for completing the LEP is to be **9 months** following the date of the Gateway determination.

Dated 23 day of April 2018.



Jeremy Gray
Director Regions, Northern
Planning Services
Department of Planning and
Environment

Delegate of the Minister for
Planning