



26 June 2015



PGF002517

Reference: REZ2014/0002
Contact: Pat Ridgway

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

Received
30 JUN 2015
15/10296
Northern Region

Dear Steve,

Planning Proposal - Rezoning Lot 8 & 9 DP 810388 & Lot 10 DP 1136092, 119 Jubilee Street TOWNSEND NSW 2463

Council at its meeting of 19 May 2015, resolved to support a Planning Proposal in relation to rezoning the abovementioned lots and refer it to the Planning Gateway.

The purpose of the planning proposal is to rezone land from RU2 – Rural Landscape to IN1 – General Industrial. The land is predominantly within the Townsend Growth Area as included in the Mid North Coast Regional Strategy (MNCRS).

While the land is identified as being within the area identified as 'Proposed Employment Land' under the MNCRS only part of lot 10 DP1136092 is identified as potentially available area under the LGMS; this proposal seeks to include the whole of Lot 10 for rezoning to IN1 – General Industrial.

The full Council resolution in respect of this matter is:

That Council:

1. *Endorse the attached amended Planning Proposal to facilitate the development of employment lands by:*
 - a. *Rezoning Lots 8 & 9 DP810388 from RU2 - Rural Landscape IN1 – General Industrial.*
 - b. *Rezoning Lot 10 DP1136092 from RU2 - Rural Landscape IN1 – General Industrial.*
2. *Refer the amended Planning Proposal to the Minister seeking the Minister's approval of the amended Planning Proposal, accepting inconsistencies with the Maclean Urban Catchment Local Growth Management Strategy as being justified in this circumstance given the other strategic policy framework which supports the development of industry in this location.*
3. *Accept any plan making delegations that may be offered by the Minister's delegate in relation to this Planning Proposal.*
4. *Upon rezoning of the land, proceed to prepare a DCP amendment (Industrial Zones DCP) to Part M – Controls for Jubilee Street, Townsend as key considerations for any future development applications.*

Council's 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 Council's ability and is enclosed.

However you should note that Council's resolution differs to the Officer Recommendation made to Council's Environment, Planning & Community Committee. The Officer Recommendation No. 1 was to support a slightly reduced quantum of land to be rezoned and the Officer Recommendation No. 3 to accept plan making delegation was predicated upon that recommendation. This makes the supported planning proposal technically inconsistent with local strategy, the Maclean Urban Catchment Local Growth Management Strategy and therefore arguably inconsistent with Ministers Section 117(2) Directions 1.1 Business and Industrial Zones and 1.2 Rural Zones. Such inconsistencies are considered by Council to be justifiable on the basis that they are of minor significance in each case.

Council estimates that a time frame of 6 months will be required for this project, on the assumption that there are to be no further technical studies specified as part of the Gateway Determination.

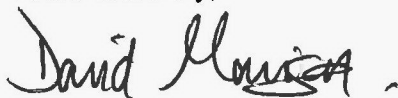
Enclosed with this letter is a:

- (i) Hard copy of the planning proposal document
- (ii) Hard copy of the minuted officer report considered by Council at its ordinary meeting of 19 May 2015
- (iii) Completed Attachment 4 - Evaluation criteria for the delegation of plan making functions.
- (iv) Completed Attachment 1 – Information checklist, and
- (v) Completed project timeline.

Council now requests that the Department give consideration to the issues of a Gateway Determination at its earliest opportunity.

If you require further information please contact Pat Ridgway of Council's Environment, Development and Regulated Services on 66430200 or myself on 6643 0204.

Yours sincerely,



David Morrison
Manager Strategic & Economic Planning