



12 September 2019

Reference: 2390885
Contact person: Terry Dwyer

Director Regions, Northern Region
Planning Services
Department of Planning & Environment
Locked Bag 9022
GRAFTON NSW 2460

Dear Sir,

Planning Proposal - Part of Lot 102 DP1221192, Summerland Way, Koolkhan (REZ2019/0003)

Council has supported a planning proposal over part of Lot 102 DP1221192 Summerland Way, Koolkhan (the land).

Council on 27 August 2019, as the Planning Proposal Authority, resolved to "*endorse the planning proposal and seek a Gateway Determination to amend the Clarence Valley Local Environmental Plan 2011 over part Lot 102 DP1221192, Summerland Way, Koolkhan, to rezone the land from E2 Environmental Conservation to E3 Environmental Management and otherwise give effect to achieving the objectives and intended outcomes of the planning proposal*".

Council also resolved to:

1. *Accept inconsistencies with Section 9.1 Directions 2.1 Environment Protection Zones and 4.1 Acid Sulfate Soils due to the inconsistencies being of a minor nature and advise the Department of Planning, Industry and Environment (the Department) accordingly.*
2. *Forward the planning proposal to the Department requesting a "Gateway" Determination, pursuant to Section 3.34 (1) of the Environmental Planning and Assessment Act.*
3. *Advise the Department that should the Gateway Determination allow the planning proposal to proceed, that it will accept any plan making delegations offered under Section 3.36 of the Environmental Planning and Assessment Act, 1979.*
4. *Require the proponent, prior to exhibition of the planning proposal, to undertake and provide a Stage 1 Preliminary Investigation to form part of the publicly exhibited planning proposal. In order to comply with the relevant provisions of State Environmental Planning Policy No. 55 - Remediation of Land, the Stage 1 Preliminary Investigation should be prepared in accordance with Managing Land Contamination: Planning Guidelines - SEPP 55 - Remediation of Land (Department of Urban Affairs and Planning and NSW EPA 1998).*

The planning proposal document supported by Council is enclosed and outlines the proposal in greater detail. Should the Gateway Determination allow the planning proposal to proceed, Council will accept any plan making delegations offered under Section 3.36 of the Environmental Planning and Assessment Act, 1979.

Please also find enclosed a copy of:

- minuted officer report considered by Council at its 27 August 2019 Ordinary Council meeting & Attachment;
- Completed Attachment 4 - Evaluation criteria for authorising Council to be the local plan-making authority;
- Completed Attachment 1 - Information Checklist; and

Council now requests that the Department give consideration to the issue of a Gateway determination to the enclosed Planning Proposal at its earliest opportunity.

If you require further information please contact me on 66430243.

Yours faithfully



Terry Dwyer
Strategic Planning Coordinator