



Mr Ashley Lindsay
General Manager
Clarence Valley Council
Locked Bag 23
GRAFTON NSW 2460

Dear Mr Lindsay

Planning Proposal PP_2017_CLARE_006_00 to amend Clarence Valley Local Environmental Plan 2011

I am writing in response to Council's request for a Gateway determination under Section 56 of the *Environmental Planning and Assessment Act 1979* (the Act) in respect of the Planning Proposal to rezone Lots 10 and 11 DP 1185535, 5 Bridge Street, Glenreagh, from RU2 Rural Landscape to R2 Low Density Residential and amend other relevant planning controls for the land.

As delegate of the Minister for Planning, I have now determined the planning proposal should proceed subject to the conditions in the attached Gateway determination.

I have also agreed, as delegate of the Secretary, the Planning Proposal's inconsistencies with Section 117 Directions 1.2 Rural Zones, 3.1 Residential Zones and 5.10 Implementation of Regional Plans, are justified in accordance with the terms of the Directions. No further approval is required in relation to these Directions.

Council may still need to obtain the agreement of the Department's Secretary to comply with the requirements of relevant Section 117 Directions 2.1 Environmental Protection Zones, 2.3 Heritage Conservation and 4.4 Planning for Bushfire Protection. Council should ensure this occurs prior to the plan being made.

Plan making powers were delegated to Councils by the Minister in October 2012. It is noted that Council has requested to be issued with delegation for this planning proposal. I have considered the nature of Council's planning proposal and have decided to issue an authorisation for Council to exercise delegation to make this plan.

The amending Local Environmental Plan (LEP) is to be finalised within 9 months of the date of the Gateway determination. Council should aim to commence the exhibition of the planning proposal as soon as possible. Council's request to draft and finalise the

LEP should be made directly to Parliamentary Counsel's Office 6 weeks prior to the projected publication date. A copy of the request should be forwarded to the Department of Planning and Environment.

The State Government is committed to reducing the time taken to complete LEPs by tailoring the steps in the process to the complexity of the proposal, and by providing clear and publicly available justification for each plan at an early stage. In order to meet these commitments, the Minister may take action under Section 54(2)(d) of the Act if the time frames outlined in this determination are not met.

Should you have any further enquiries about this matter, I have arranged for Mr Paul Garnett to assist you. Mr Garnett can be contacted on (02) 6641 6607.

Yours sincerely



15-8-2017

Jeremy Gray
Director Regions, Northern
Planning Services

Encl: Gateway Determination
Written Authorisation to Exercise Delegation
Delegated Plan Making Reporting Template