

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

Dear Mr Lindsay

Planning proposal PP_2019_CLARE_002_00 to amend Clarence Valley Local Environmental Plan 2011

I am writing in response to Council's request for a Gateway determination under section 3.34(1) of the *Environmental Planning and Assessment Act 1979* (the Act) to rezone Lots 721 and 722 DP 1148111, River Street, Maclean from IN4 Working Waterfront to B2 Local Centre and apply a 9-metre maximum building height.

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

I have also agreed, as delegate of the Secretary, the planning proposal's inconsistencies with section 9.1 Directions 1.1 Business and Industrial Zone and 4.1 Acid Sulfate Soils are justified in accordance with the terms of the Direction. No further approval is required in relation to these Directions.

Council may still need to obtain the agreement of the Secretary to comply with the requirements of section 9.1 Direction 2.3 Heritage Conservation. Council should ensure this occurs prior to the plan being made.

I have considered the nature of the proposal and have determined not to condition the Gateway for Council to be the local plan-making authority for the making of this LEP for the reason that the proposal relates to Council owned land.

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 for the Department of Planning and Environment to draft and finalise the LEP should be made 8 weeks prior to the projected publication date.

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 3.32(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 Ms Katrina Burbidge to assist you. Ms Burbidge can be contacted on 6643 6406.

Yours sincerely

A handwritten signature in black ink, appearing to read 'J. Gray', is positioned to the left of the date.

4-3-2019

Jeremy Gray
Director Regions, Northern
Planning Services

Encl: Gateway determination