



Mr Scott Greensill
General Manager
Clarence Valley Council
Locked Bag 23
Grafton NSW 2460

Our ref: 16/06145
Your ref: DWS: 1738231

Attention: Terry Dwyer

Dear Mr Greensill

Planning Proposal PP_2016_CLARE_001_00 – Workforce Accommodation

I refer to your letter of 27 July 2016 in relation to revisions to Planning Proposal PP_2016_CLARE_001_00 for an amendment to the Clarence Valley LEP 2011 to permit workforce accommodation in certain residential zones.

I have noted the alterations to the definition of 'workforce accommodation' in the Planning Proposal for which a Gateway determination was issued on 5 May 2016. The minor drafting issue with the workforce accommodation definition was brought to Council's attention prior to the issue of the Gateway determination, and condition 1 of the Gateway determination was included to permit Council to make any necessary corrections.

It is Council's responsibility to ensure that material placed on public exhibition is correct and complies with the conditions of the Gateway determination and it is expected that this may require minor changes or corrections to the planning proposal from time to time. Where a condition of a Gateway determination requires changes to a planning proposal it is only necessary to provide a copy of that revised planning proposal to the Department.

Since the change to the planning proposal does not alter the description of the proposal, nor the intended outcomes, nor the explanation of provisions, I have decided, as delegate of the Minister, that in accordance with s56(7) of the *Environmental Planning and Assessment Act 1979*, an alteration of the Gateway determination dated 5 May 2016 is not necessary in this instance. Further guidance on what constitutes a variation to a planning proposal and when a varied proposal must be sent to the Minister is outlined the Department's *A Guide to Preparing Local Environmental Plans*.

The change to the definition of workforce accommodation is of such a minor nature that further community consultation will not be required in this instance. Council should however ensure that it complies with the conditions of the Gateway determination for future planning proposals to potentially avoid having to undertake additional community consultation.

I also refer to your request for the Secretary's agreement that inconsistency of the planning proposal with section 117 Direction 4.4 Planning for Bushfire Protection. I have considered this matter, and as a delegate of the Secretary, I have agreed that the inconsistency is justified in accordance with the terms of the Direction.

Council can now proceed with its assessment of the proposal.

If you have any questions in relation to this matter, I have arranged for Mr Paul Garnett to assist you. Mr Garnett can be contacted on (02) 6641 6607.

Yours sincerely



5 August 2016

Craig Diss
Acting Director Regions, Northern
Planning Services