



Mr Vaughan Macdonald  
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Via email: [council@richmondvalley.nsw.gov.au](mailto:council@richmondvalley.nsw.gov.au)  
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Dear Mr MacDonald

**Planning proposal PP-2021-2085 to amend Richmond Valley Local Environmental Plan 2012**

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) in respect of the planning proposal to rezone Lots 1 to 12 and 14 to 20 Section 6 DP 976660, and Lot 1 DP783330, and a section of unformed crown road from RU1 Primary Production to IN1 General Industrial and apply a 750m<sup>2</sup> minimum lot size under the Richmond Valley LEP 2012.

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 1.2 Rural Zones, 1.5 Rural Lands, 2.3 Heritage Conservation and 5.3 Farmland of State and Regional Significance on the NSW Far North Coast 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 4.3 Flood Prone Land. Council should ensure this occurs prior to public exhibition.

It is noted that Council has requested to be authorised as the local plan-making authority. I have considered the nature of Council's planning proposal and have conditioned the Gateway for Council to be authorised as the local plan-making authority.

The amending local environmental plan (LEP) is to be finalised by 31 December 2021. 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 six 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 3.32(2)(d) of the Act if the time frames outlined in this determination are not met.

I have also determined as the delegate of the Minister, in accordance with section 3.34(7) of the *Environmental Planning and Assessment Act 1979*, to alter the Gateway determination dated 21 June 2019 (since altered) for PP\_2019\_RICHM\_003\_00 in accordance with Council's decision not to proceed with the proposal. The Alteration of Gateway determination is enclosed.

Should you have any enquiries about this matter, I have arranged for Mr Jon Stone to assist you. Mr Stone can be contacted on 5778 1485.

Yours sincerely



19/4/2021

**Jeremy Gray**  
**Director, Northern Region**  
**Local and Regional Planning**

Encl: Gateway determination  
Alteration to Gateway determination  
Authorised plan-making reporting template