



IRF23/2770

Gateway determination report – PP-2023-1754

Housekeeping amendments 2023

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Acknowledgment of Country

The Department of Planning and Environment acknowledges the Traditional Owners and Custodians of the land on which we live and work and pays respect to Elders past, present and future.

Contents

1	Planning proposal.....	1
1.1	Overview.....	1
1.2	Objectives of planning proposal	1
1.3	Explanation of provisions	2
1.4	Site description and surrounding area.....	3
1.5	Mapping.....	3
2	Need for the planning proposal	3
3	Strategic assessment	15
3.1	Regional Plan	15
3.2	Local.....	15
3.3	Section 9.1 Ministerial Directions	15
3.4	State environmental planning policies (SEPPs)	17
4	Site-specific assessment	17
4.1	Environmental.....	17
4.2	Social and economic.....	17
4.3	Infrastructure	17
5	Consultation.....	17
5.1	Community	17
5.2	Agencies.....	17
6	Timeframe	18
7	Local plan-making authority	18
8	Assessment summary	18
9	Recommendation.....	19

Table 1 Reports and plans supporting the proposal

Relevant reports and plans
Planning Proposal Housekeeping REZ2023.0001 V1.1 September 2023 V3
Report of Ordinary Council Meeting Tuesday 26 September 2023
Heritage Item Report Stone Kerb and Gutter Maclean

Heritage Item Report Sandstone Culvert Chambigne

Heritage Item Report 90 Victoria Street

Heritage Item Report Street Trees Grafton

Heritage Item Report Street Trees South Grafton

Heritage Item Report Obelisk Iluka

1 Planning proposal

1.1 Overview

Table 2 Planning proposal details

LGA	Clarence Valley Council
PPA	Clarence Valley Council
NAME	Housekeeping amendments 2023
NUMBER	PP-2023-1754
LEP TO BE AMENDED	Clarence Valley Local Environmental Plan 2011
ADDRESS	Multiple addresses
DESCRIPTION	Clarence Valley Local Government Area
RECEIVED	11/10/2023
FILE NO.	IRF23/2770
POLITICAL DONATIONS	There are no donations or gifts to disclose and a political donation disclosure is not required
LOBBYIST CODE OF CONDUCT	There have been no meetings or communications with registered lobbyists with respect to this proposal

1.2 Objectives of planning proposal

The planning proposal contains objectives and intended outcomes that adequately explain the intent of the proposal.

The objectives of the planning proposal are to make several housekeeping amendments to Clarence Valley LEP 2011 including:

- Introducing and amending heritage items within Schedule 5 and the associated heritage map;
- Rezone publicly owned land (Council, Crown Land and National Park) to better reflect their current function;
- Minor amendments to zoning boundaries to correct anomalies and ensure the zoning is consistent with the cadastre lot boundaries;
- Remove the maximum 100m separation requirement for secondary dwellings and dual occupancies from the principle dwelling on rural zoned properties by deleting subclause 4.2D(2c) and 5.5(b); and
- Permitting 'crematoria' with development consent in the E4 General Industrial.

The objectives of this planning proposal are clear and adequate.

1.3 Explanation of provisions

The planning proposal includes 15 items and seeks to amend the Clarence Valley LEP 2011 per the changes below:

Table 3 Proposed amendments

Item number	Proposed amendment
1	Everlasting Swamp National Park Rezone land recently gazetted to Everlasting Swamp National Park from RU2 Rural Landscape and C2 Environmental Conservation to C1 Nature Reserves.
2	Balun Bindarray Bridge (New Grafton Bridge) and roads Rezone the new Grafton bridge from W2 Recreational Waterways to SP2 Infrastructure.
3	Heritage Street Trees Introduce mapping for the existing heritage items I135 and I943 being street trees (Brachychiton, Ficus or Jacaranda trees over 3 metres in height) in all road reserves throughout Grafton and South Grafton.
4	Minnie Water Community Hall Update the property description of heritage item I1029 to Lot 7307 DP 1153056 and amend the associated map as the hall has been relocated.
5	Iluka Obelisk Introduce a new heritage item (I1091) into Schedule 5 and the associated map. A heritage inventory sheet for this item accompanies this planning proposal.
6	Sandstone Culverts and Timber Deck, Old Glen Innes Road Introduce a new heritage item (I1092) into Schedule 5 and the associated map. A heritage inventory sheet for this item accompanies this planning proposal.
7	Stone Kerb and guttering, McIntyres Lane Maclean Introduce a new heritage item (I1093) into Schedule 5 and the associated map. A heritage inventory sheet for this item accompanies this planning proposal.
8	90 Victoria Street, Grafton Introduce a new heritage item (I1095) into Schedule 5 and the associated map. A heritage inventory sheet for this item accompanies this planning proposal.
9	Gibraltar Crescent Junction Hill - Koolkhan Zone boundary alteration to correct an anomaly and align the residential zone with the cadastre boundary. This will result in amendment to the zoning map.
10	Cameron Close Zone boundary alteration to correct an anomaly and align the residential zone with the cadastre boundary. This will result in amendment to the zoning map.

Item number	Proposed amendment
11	Hampton Road, Waterview Heights Zone boundary alteration to correct an anomaly and align the residential zone with the cadastre boundary. This will result in amendment to the zoning map.
12	Glenreagh Water Pump Station Rezoning a council owned site containing water infrastructure from RE1 Public Recreation to SP2 Infrastructure. This will result in amendment to the zoning map.
13	425 Bent Street South Grafton Rezone land within the golf course and from R5 Large Lot Residential to RE2 Private Recreation. This will result in amendment to the zoning and lot size map.
14	Amending the 100m separation distance requirement for secondary dwelling and dual occupancies in rural zones Deletion of clause 4.2D(2c) for dual occupancies (detached) and clause 5.5(b) for secondary dwellings. This will remove the requirement for dual occupancies and secondary dwellings to be within 100m of the principle dwelling in the rural zones.
15	Crematoria in the E4 General Industrial zone Delete 'crematoria' as prohibited development in the E4 General Industrial Land Use Table and enable crematoria to be permitted with consent.

The planning proposal contains an explanation of provisions that adequately explains how the objectives of the proposal will be achieved.

1.4 Site description and surrounding area

The planning proposal has been prepared to rectify a number of anomalies and minor issues in Clarence Valley LEP 2011. Items 1 to 13 apply to specific sites. Items 14 and 15 are not site specific.

1.5 Mapping

The planning proposal includes mapping showing the proposed changes to the relevant maps. The mapping for Item 13 (Grafton Golf Course) needs to be updated prior to exhibition to have the rezoning only apply to the area affected by the 4000m² minimum lot size. Consequential mapping to the Height of Buildings Map for Items 9 and 10 will be required as well as the Lot Size Map for Item 10 and Item 13.

2 Need for the planning proposal

The planning proposal is not due to a strategic study or report but rather a periodic review of Clarence Valley LEP 2011 that identified a number of minor issues, additions and required updates to provisions and maps. The justification for each proposed change is identified in the table below and are considered to have merit and are supported subject to recommended changes identified below. These changes have been discussed with Council and no objection has been raised.

After submission of the planning proposal, council has requested to include an additional heritage amendment to list Cunglebung Homestead Complex in Schedule 5 of the LEP. This item is located

in the Nymboida National Park and is owned by National Parks and Wildlife Service (NPWS) and is identified on the Historic Heritage Information Management System under section 170 of the NSW Heritage Act 1977. NPWS have agreed to its inclusion in Clarence Valley LEP 2011. A condition of the Gateway is recommended to update the planning proposal to include the Cunglebung Homestead Complex prior to public exhibition.

The planning proposal is the best and only means of achieving the intended outcomes.

Table 4 Justification for Proposed amendments

Amendment	Justification
1 – Rezoning Everlasting Swamp National Park	<p>The sites are now gazetted under the National Parks and Wildlife Act 1974 as part of Everlasting Swamp National Park and should be zoned as C1 National Parks and Nature Reserves. A copy of the Government gazette notice published 17 December 2021 is contained within the planning proposal.</p> <p>This amendment is considered to have merit. Consultation with NPWS is recommended as the proposal states NPWS have requested this land be zoned C1.</p>

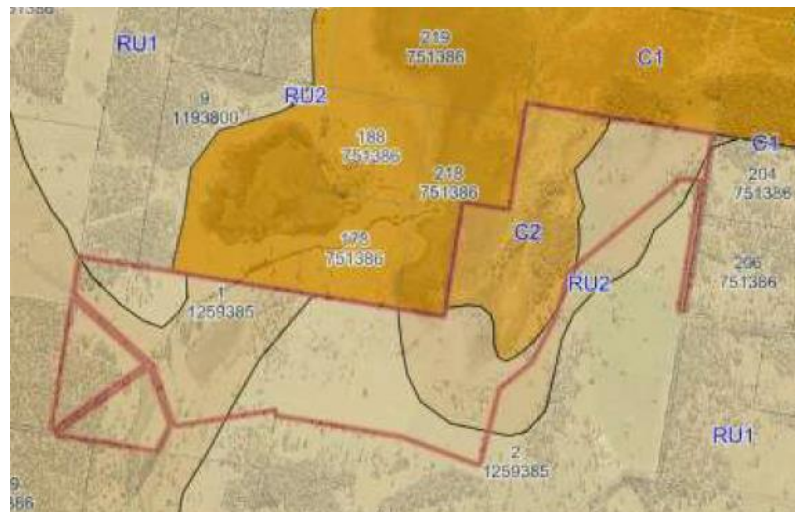


Figure 1: Current Zoning Map (Planning proposal)

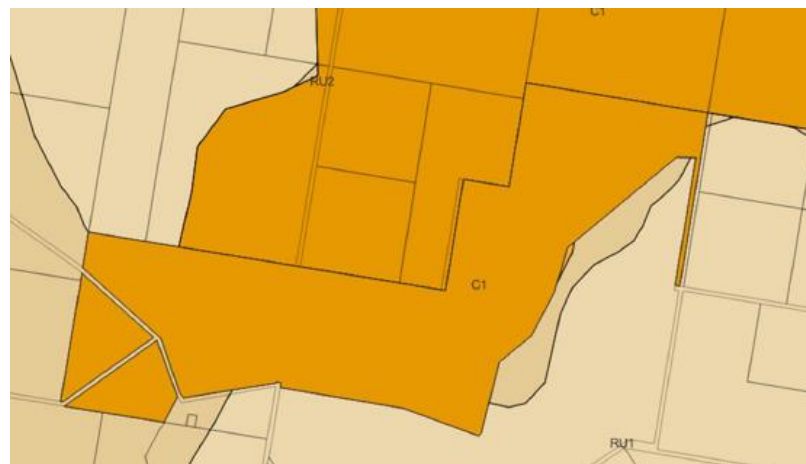


Figure 2: Proposed Zoning Map (Planning proposal)

2 – Rezoning Balun Bindarray Bridge (New Grafton bridge) and approach roads

The new second Grafton bridge named Balun Bindarray Bridge is currently zoned W2 Recreational Waterways and the approach roads are within the surrounding urban zones. A SP2 Infrastructure zoning is more appropriate and consistent with the adjacent bridge.

The bridge is a state-controlled road and consultation with TfNSW is therefore recommended. A condition is also recommended to extend the SP2 zone to the R1 General Residential zone and to include the appropriate SP2 annotation being classified road.



Figure 3: Current Zoning Map (Planning proposal)



Figure 4: Proposed Zoning Map (Planning proposal)

3 – Heritage Mapping of Existing Heritage Listed Trees in all road reserves in Grafton (item I135) and South Grafton (item I943)

Heritage items I135 and I943 in Clarence Valley LEP 2011 relate to street trees (Brachychiton, Ficus or Jacaranda) over 3 metres in height in all road reserves throughout Grafton and South Grafton. These items are however not currently mapped in the LEP.

Council has recently undertaken an inventory of these street trees and seeks to include them within the LEP Heritage Map. Council considers this will allow for easier identification and protection of these significant street trees.

The street trees to be mapped cover many of the road reserves in Grafton and South Grafton. It is noted that it is uncommon to have numerous mapped polygons attributed to a single heritage item on the LEP Heritage Map. The DPE GIS team has however confirmed that it possible and practical to include this item on the mapping.



Figure 5: Proposed Heritage Map Grafton (Planning proposal)



Figure 6: Proposed Heritage Map South Grafton (Planning proposal)

Amendment	Justification
4 – Heritage Minnie Water Community Hall	Minnie Water Community Hall heritage item I1029 was originally located on lot 7308 DP 1153056 and has been relocated to lot 7307 DP 1153056. Correction of the property description of the heritage item in Schedule 5 and amendment to the LEP Heritage Map is required. The site is owned by Crown Land. Consultation with Crown Land is recommended.





Figure 7: Current Heritage Map (Planning proposal)



Figure 8: Proposed Heritage Map (Planning proposal)

Amendment	Justification
<p>5 – Heritage Iluka Obelisk, Ken Leeson Oval</p>	<p>The Iluka Historical Society has requested that the Iluka Obelisk (which marks the edge and the creation of the Iluka Nature Reserve for koala protection) be listed as a heritage item.</p> <p>A heritage inventory sheet (I1091) has been created and accompanies this proposal to introduce this heritage item into Schedule 5 of the LEP and be included on the Heritage Map.</p>  <p>Figure 9: Proposed Heritage Map (Planning proposal)</p>
<p>6 – Heritage Sandstone Culver and Timber Deck – Road Reserve, Old Glen Innes Road, Chambigne</p>	<p>A historic sandstone box culvert was uncovered by council when undertaking repairs on Old Glen Innes Road at Chambigne. The sandstone culvert is estimated to have been constructed between 1870-90 during the gold rush.</p> <p>A heritage inventory sheet (I1092) has been created and accompanies this proposal to introduce this heritage item into Schedule 5 of the LEP and be included on the Heritage Map.</p>  <p>Figure 10: Proposed Heritage Map (Planning proposal)</p>

Amendment	Justification
<p>7 – Heritage Stone Kerb and Gutter, McIntyres Lane, Maclean</p>	<p>A historic kerb and gutter is located along McIntyres Lane in Maclean and is an early civil work of historical and aesthetic significance.</p> <p>A heritage inventory sheet (I1093) has been created and accompanies this proposal to introduce this heritage item into Schedule 5 of the LEP and be included on the Heritage Map.</p>  <p>Figure 11: Proposed Heritage Map (Planning proposal)</p>
<p>8 – Heritage Dwelling 90 Victoria Street, Grafton</p>	<p>The landowner has requested that Council list the historic federation style residence as a heritage item.</p> <p>The dwelling is in good condition contributes to streetscape of Victoria Street and a heritage inventory sheet (I1095) has been created and accompanies this proposal.</p> <p>The planning proposal when discussing this amendment identifies it as both amendment 8 and amendment 7 on page 39. A condition is recommended to have this corrected prior to exhibition.</p>  <p>Figure 12: Proposed Heritage Map (Planning proposal)</p>

9 – Zoning amendments
for lot boundaries
Gibraltar Crescent,
Junction Hill-Koolkhan

The proposal identifies that several residential lots in this locality have a split C2 Environmental Conservation zone and R1 General Residential zone.

Reviewing the current LEP zoning maps shows that there is no C2 zoning spilling into the residential lots (see figure 12). This is likely to have been corrected as part of the recent transition to digital Land Zoning Maps for Clarence Valley LEP 2011. Council have agreed to have this removed from the planning proposal. It is therefore recommended that this part of the amendment is removed prior to exhibition (p.42).

The R1 General Residential zone also needs to be extended over the lots located at the north and eastern boundary of the subdivision to align with the existing residential subdivision. This will realign the RU1 Primary Production and R1 General Residential zone with the cadastre.

The lots are not subject to the Lot Size or Floor Space Ratio Map. It is however recommended the Height of Buildings Map also be amended to accurately reflect the new lot and proposed zone boundaries.

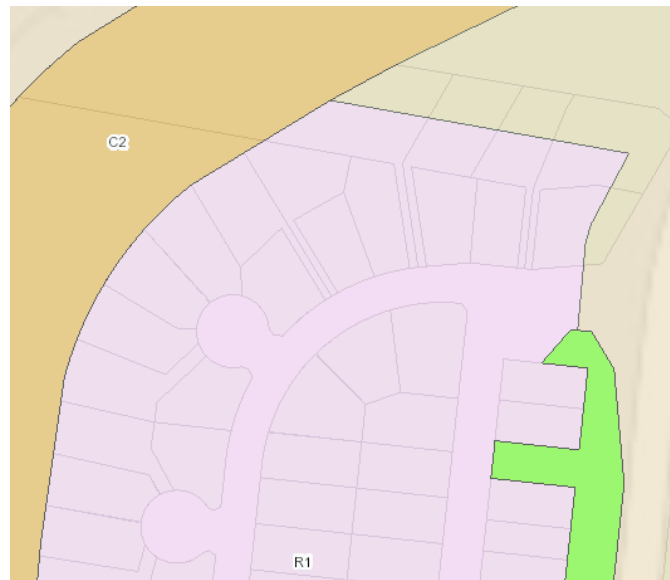


Figure 13: Current zoning (NSW Digital EPI Viewer 30/10/2023)



Figure 14: Proposed Zoning Map (Planning proposal)

10 – Zoning amendment
Cameron Close,
Glenreagh

The western boundary on residential properties (Lots 1,7,8,9 & 10 DP 1275889) have a small intrusion of the neighbouring RU2 Rural Landscape Zone. It is proposed to have the R2 Low Density Residential Zone apply to the entirety of these residential parcels.

The lots are not subject to the Lot Size or Floor Space Ratio Map. Only changes to the zoning map are proposed. The 40ha Lot Size map from the RU2 zone however intrudes into the residential lots and the Height of Buildings Map does not go all the way to the property boundary. It is recommended the Height of Buildings Map and Lot Size Map is also amended to accurately reflect the lot boundaries.

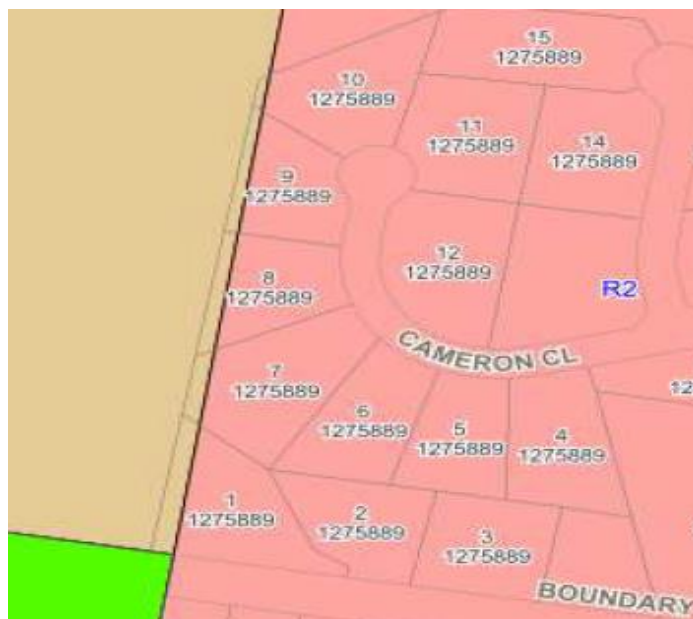
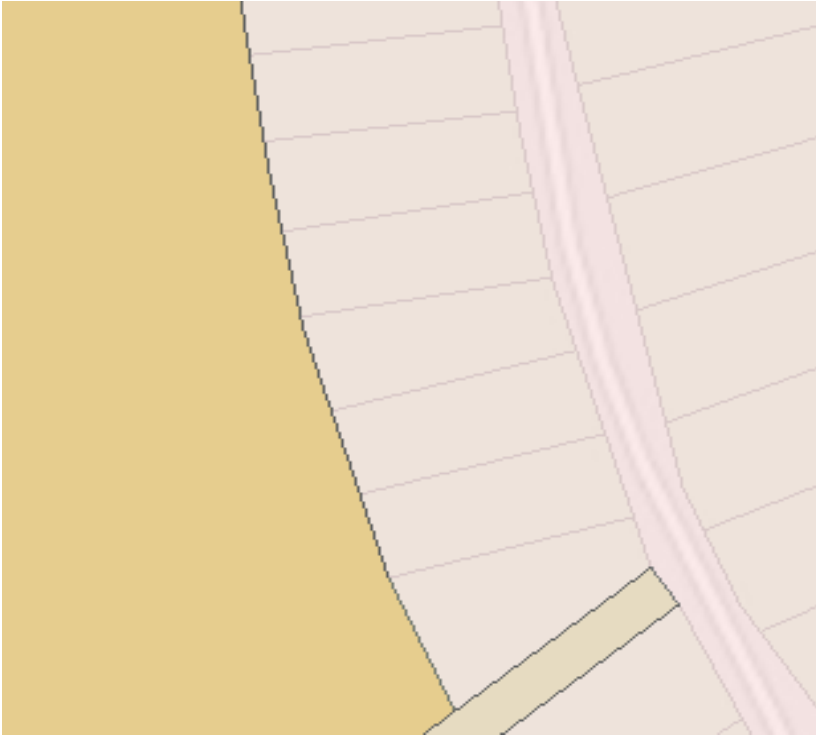


Figure 15: Current Zoning Map (Planning proposal)



Figure 16: Proposed Zoning Map (Planning proposal)

Amendment	Justification
11 – Zoning Hampton Road, Waterview Heights	<p data-bbox="497 275 1442 409">The proposal states that Lots 21-31 DP 1276427 located on Hampton Road, Waterview Heights have a small portion of C2 Environmental Conservation Zone spilling from the adjacent property. The proposal seeks to have the entirety of the residential lots zoned R5 Large Lot Residential.</p> <p data-bbox="497 432 1442 633">Reviewing the adopted zoning maps in the LEP shows that there is no C2 zoning spilling into the residential lots (see figure 15). This is likely to have been corrected as part of the recent transition to digital Land Zoning Maps for Clarence Valley LEP 2011. Council have agreed that this amendment is no longer required. A condition has been recommended to remove item 11 from the planning proposal.</p>  <p data-bbox="497 1406 1442 1440">Figure 17: Current zoning (NSW Digital EPI Viewer 30/10/2023)</p>

Amendment	Justification
12 – Zoning Glenreagh Water Pump Station, Sherwood Creek Road, Glenreagh.	<p>Lot 2/Sec 2/DP 758452 is a small council owned parcel that is used for council water supply infrastructure and is classified as operational. It is proposed to rezone the site from RE1 Public Recreation to SP2 Infrastructure. This will enable the SEPP (Transport and Infrastructure) 2021 to be utilised allowing development for the purpose of water treatment facilities to be carried out by or on behalf of a public authority without consent. A condition of the Gateway is recommended to have the proposal updated to note the appropriate SP2 annotation being water supply system.</p>

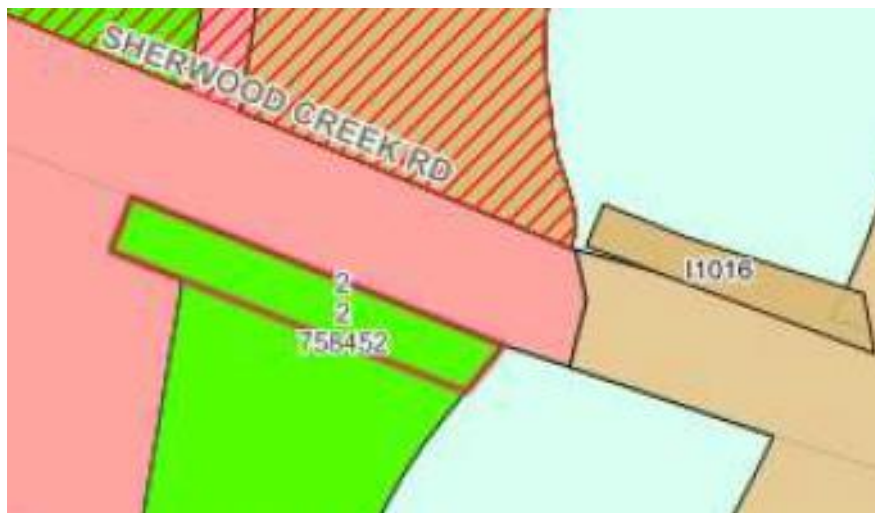


Figure 18: Current Zoning Map (Planning proposal)



Figure 19: Proposed Zoning Map (Planning proposal)

13 – Zoning 425 Bent Street, South Grafton

The proposal seeks to rezone land within the Grafton Golf Course that is zoned R5 Large Lot Residential and has a 4000m² minimum lot size to RE2 Private Recreation consistent with the remainder of the course.

The R5 area to be removed is approximately 2600m² and less than the minimum lot size. Rezoning this section to RE2 Private Recreation is considered appropriate and will not have an adverse impact on housing availability within South Grafton.

It is noted that the proposed zone mapping incorrectly includes land outside the area having a 4000m² minimum lot size. It is recommended that this is amended prior to consultation, along with the minimum lot size map to apply no lot size to the same area consistent with the remainder of the gold course.

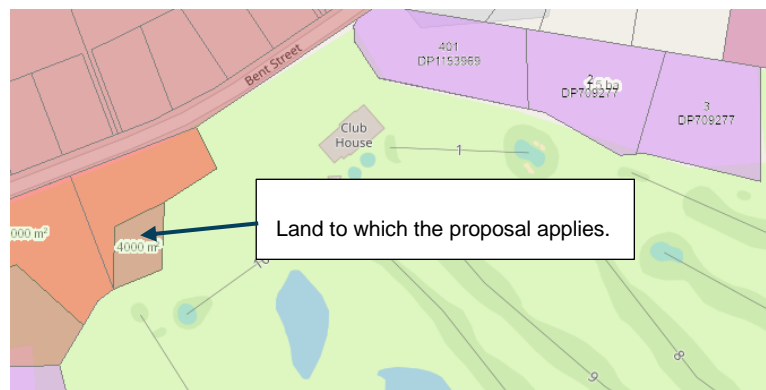


Figure 20. Current lot size (NSW Spatial Viewer 30/10/2023)



Figure 21: Current Zoning Map (Planning proposal)



Figure 22: Proposed Zoning Map (Planning proposal)

Amendment	Justification
14 – Secondary dwelling and dual occupancies in rural zones.	<p>The proposal seeks to delete subclause 4.2D(2)(c) and 5.5(b) from the LEP.</p> <p>Clause 4.2D applies to dual occupancies and secondary dwellings in the RU1, RU2 and R5 zone. Subclause 2(c) states that consent must not be granted for dual occupancies (detached) unless dwellings will be situated within 100 metres of each other.</p> <p>Clause 5.5 applies to secondary dwellings in rural zones. Subclause (b) states the distance between the secondary dwelling and the principal dwelling must not exceed 100 metres.</p> <p>Both clauses are optional and can be varied according with the Standard Instrument Template.</p> <p>Removing these parts will allow more flexibility in locating additional dwellings on rural land. Clause 4.2D still contains considerations for rural land use conflicts, vehicle access and site suitability.</p> <p>The planning proposal only references clause 4.2D(c). For clarity purposes, a condition of the Gateway is recommended to change this to 4.2D(2)(c).</p>
15 – Crematoria in E4 General Industrial Zone.	<p>Crematoria are currently listed as a prohibited within the E4 General Industrial zone. It is proposed to change this to be permitted with consent by amending the E4 General Industrial Land Use Table.</p> <p>Crematoria are likely to be compatible with other land uses in this zone and this change would be consistent with nearby LGAs including Coffs Harbour, Richmond Valley and Byron Shire. It is stated that further controls will be added to Council's DCP in due course.</p>

3 Strategic assessment

3.1 Regional Plan

The planning proposal is not inconsistent with the North Coast Regional Plan 2041 (NCRP).

The proposal facilitates minor amendments to the land use table, mapping and controls associated with Clarence Valley LEP 2011. The proposed amendments do not materially change the intention or context of the LEP or its strategic direction as established by the NCRP.

3.2 Local

The proposal states that it is consistent with the Clarence 2032, Clarence Valley LSPS, Clarence Valley Rural Lands Strategy and Clarence Valley Biodiversity Strategy.

3.3 Section 9.1 Ministerial Directions

The planning proposal's is considered consistent with all applicable relevant section 9.1 Directions except those discussed below:

Table 5 9.1 Ministerial Direction assessment

Directions	Consistent	Reasons for Consistency or Inconsistency
4.3 Planning for Bushfire Protection	Unresolved	<p>The planning proposal applies to land mapped as bushfire prone land. Until consultation with the RFS is undertaken, the potential inconsistency of this proposal with the Direction remains unresolved.</p> <p>A condition of the gateway to consult with NSW RFS is recommended.</p>
5.2 Reserving Land for Public Purposes	Justifiably inconsistent	<p>The proposal is inconsistent with this direction as it alters and reduces existing zoning of land for public purposes (Item 2 – Rezone new Grafton Bridge to SP2 and Item 12 – Rezone Glenreagh Water Pump Station from RE1 to SP2) without the approval of the relevant public authority and the Planning Secretary.</p> <p>The inconsistency of the proposal with this direction is considered to be of minor significance as the zone changes reflect the current and future nature of the sites and there will be no loss of existing or future public open space.</p>
6.1 Residential Zones	Justifiably inconsistent	<p>The proposal is inconsistent with the direction as Item 13 seeks to rezone land at the Grafton Golf Course from R5 Large Lot Residential to RE2 Private Recreation consistent with the rest of the golf course.</p> <p>This inconsistency is considered to be minor significance as there are significant existing areas of undeveloped R5 and R1 zoned housing land in the locality that can cater for forecast demand as identified under the draft Clarence Valley Local Housing Strategy 2023.</p>
8.1 Mining, Petroleum Production and Extractive Industries	Justifiably inconsistent	<p>The proposal is inconsistent with this direction as it will prohibit extractive industries by rezoning rural land to either C1 National Parks and Nature Reserves or R1 General Residential (Items 1 – Everlasting Swamp NP, 9 - Koolkhan and 10- Glenreagh).</p> <p>The inconsistency is considered to be of minor significance as the sites (existing National Park and residential subdivisions) are inappropriate for extractive industries. In accordance with the direction consultation will still however be required with NSW Mining, Exploration and Geoscience.</p>
9.1 Rural Zones	Justifiably inconsistent	<p>The proposal is inconsistent with this direction as it rezones land from rural to residential (Items 9 - Koolkhan and 10- Glenreagh).</p> <p>The inconsistency is considered to be minor significance as the zonings are only making minor corrections to align the rural and residential zone boundaries with the existing cadastre and residential developments.</p>

9.2 Rural Lands	Justifiably inconsistent	<p>The proposal is inconsistent with this direction as it rezones land from rural to residential (Items 9 - Koolkhan and 10- Glenreagh) and does not comply with all the direction requirements such as supporting farmers in exercising their right to farm.</p> <p>The inconsistency is considered to be minor significance as the zonings are only making minor corrections to align the rural and residential zone boundaries with the existing cadastre and residential developments.</p>
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3.4 State environmental planning policies (SEPPs)

The planning proposal is considered consistent with all relevant SEPPs.

4 Site-specific assessment

4.1 Environmental

(Items 9 - Koolkhan and 10- Glenreagh) propose to amend the zoning of several residential parcels to align the zone and cadastre boundaries. While no land contamination information is provided within the planning proposal, the rezonings are small scale and apply to existing residential subdivisions and are therefore considered to be satisfactory in regard to this issue.

No amendments presented within the planning proposal are considered likely to result in any adverse environmental impacts.

4.2 Social and economic

The proposal is not likely to create any adverse social or economic impacts.

4.3 Infrastructure

The proposal does not facilitate any new development or place any additional demand on public infrastructure.

5 Consultation

5.1 Community

Council proposes a community consultation period of 28 days.

The planning proposal is categorised as a basic under the LEP Making Guidelines (August 2023). Accordingly, a minimum community consultation period of 10 working days is recommended and this forms part of the conditions to the Gateway determination.

5.2 Agencies

Council has nominated Heritage NSW, Crown Lands NSW and NSW Rural Fire Service to be consulted about the planning proposal.

It is recommended the following agencies be consulted on the planning proposal and given 30 working days to comment:

- Heritage NSW
- Crown Lands NSW
- NSW Rural Fire Service
- NSW Mining, Exploration and Geoscience
- Transport for NSW
- NSW National Parks and Wildlife Services

6 Timeframe

Council proposes a 7 month time frame to complete the LEP.

The LEP Plan Making Guidelines (August 2023) establishes maximum benchmark timeframes for planning proposal by category. This planning proposal is categorised as a basic

An LEP completion date of 6 months is recommended accordingly. A condition to the above effect is recommended in the Gateway determination.

It is recommended that if the Gateway is supported it is accompanied by guidance for Council in relation to meeting key milestone dates to ensure the LEP is completed within the benchmark timeframes.

7 Local plan-making authority

Council has advised that it would like to exercise its functions as a Local Plan-Making Authority.

As the planning proposal is basic in nature and not inconsistent with the North Coast Regional Plan 2041, it is recommended that Council be authorised to be the local plan-making authority for this proposal.

8 Assessment summary

The planning proposal is supported to proceed with conditions for the following reasons:

- The amendments are minor in nature and will serve to regularise existing arrangements on identified sites;
- The planning proposal will list items of historical significance in Schedule 5 of Clarence Local Environmental Plan 2011; and
- The proposed amendments are not likely to result in any adverse environmental or social impacts

As discussed in section 2, the proposal should be updated to:

- Remove Item 11 being a rezoning at Hampton Road, Waterview Heights of C2 Environment Conservation land as this amendment is no longer required;
- Have a consistent amendment number when referencing 90 Victoria Street, Grafton on page 39;
- Remove reference to amending the C2 Environmental Conservation zone for item 9;
- Include current and proposed Height of Buildings maps for items 9 and 10 and a current and proposed Lot Size Map for item 10 to align with the amended zoning;
- Include the appropriate SP2 zoning annotations for Item 2 (classified road) and Item 12 (water supply system);
- Extend the SP2 Infrastructure zoning to the boundary of the R1 General Residential zone in Item 2;

- Clarify Item 14 seeks to amend clause 4.2D(2)(c);
- The proposed land zoning map for Item 13 is updated to only apply to the area to which the 4000m² lot size applies and to include a minimum lot size map that removes the existing lot size for the subject area; and
- Include an additional item to list Cunglebung Homestead Complex in the Nymboida National Park within Part 1 Heritage Items of Schedule 5 of the LEP.

9 Recommendation

It is recommended the delegate of the Secretary:

- Agree that any inconsistencies with section 9.1 Directions 5.2 Reserving Land for Public Purposes, 6.1 Residential Zones, 8.1 Mining, Petroleum Production and Extractive Industries, 9.1 Rural Zones and 9.2 Rural Lands are minor or justified; and
- Note that the consistency with section 9.1 Directions 4.3 Planning for Bushfire Protection is unresolved and will require justification.

It is recommended the delegate of the Minister determine that the planning proposal should proceed subject to conditions.

The following conditions are recommended to be included on the Gateway determination:

1. The planning proposal is to be updated prior to agency and community consultation to:
 - Remove Item 11 being a rezoning at Hampton Road, Waterview Heights of C2 Environmental Conservation land as this amendment is no longer required;
 - Have a consistent amendment number when referencing 90 Victoria Street, Grafton;
 - Remove reference to amending the C2 Environmental Conservation zone for item 9;
 - Include current and proposed Height of Buildings maps for items 9 and 10 and a current and proposed Lot Size Map for item 10 to align with the amended zoning;
 - Include the appropriate SP2 zoning annotations for Item 2 (classified road) and Item 12 (water supply system);
 - Extend the SP2 Infrastructure zoning to the boundary of the R1 General Residential zone in Item 2;
 - Clarify Item 14 seeks to amend clause 4.2D(2)(c);
 - The proposed land zoning map for Item 13 is updated to only apply to the area to which the 4000m² lot size applies and include a proposed minimum lot size map that removes the existing lot size for the subject area; and
 - Include an additional item to list Cunglebung Homestead Complex in the Nymboida National Park within Part 1 Heritage Items of Schedule 5 of the LEP.
2. Consultation is required with the following public authorities:
 - NSW Rural Fire Service
 - Transport for NSW
 - NSW Mining, Exploration and Geoscience
 - Heritage NSW
 - Crown Lands
 - NSW National Parks and Wildlife Services
3. The planning proposal should be made available for community consultation for a minimum of 10 working days.

4. Given the nature of the planning proposal, it is recommended that the Gateway authorise council to be the local plan-making authority and that an LEP completion date of 6 months be included on the Gateway.



6/11/23

(Signature)

(Date)

Craig Diss
Manager, Northern Region
Local and Regional Planning



13/11/2023

(Signature)

(Date)

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