

Ms Laura Black
General Manager
Clarence Valley Council
Locked Bag 23
GRAFTON NSW 2460

Our ref: IRF23/2987

Via email: council@clarence.nsw.gov.au
jasmine.oakes@clarence.nsw.gov.au

Dear Ms Black

Planning proposal PP-2023-2315 to amend Clarence Valley Local Environmental Plan 2011

I am writing in response to the planning proposal you have forwarded to the Minister under section 3.34(1) of the *Environmental Planning and Assessment Act 1979* (the Act) in respect of the planning proposal to reclassify Lots 1 and 2 DP 1270948, 300 Powell Street, Grafton from Community to Operational land.

As delegate of the Minister for Planning and Public Spaces, I have 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 inconsistency of the planning proposal with applicable directions of the Minister under section 9.1 of the *Environmental Planning and Assessment Act 1979*, Directions 4.1 Flooding, 4.5 Acid Sulfate Soils and 5.2 Reserving Land for Public Purposes is justified in accordance with the terms of the Directions.

No further approval is required in relation to the Directions.

Considering the nature of the planning proposal I have determined that Council may exercise local plan-making authority functions in relation to the planning proposal.

The proposed local environmental plan (LEP) is to be finalised six months from the date of Gateway determination. Council should aim to commence the exhibition of the planning proposal as soon as possible. Should Council seek to make a proposed LEP, the request to draft the LEP should be made directly to Parliamentary Counsel's Office well in advance of the date the LEP is projected to be made. A copy of the request should be forwarded to the Department of Planning and Environment.

The NSW Government has committed to reduce the time taken to complete LEPs. To meet these commitments, the Minister may appoint an alternate planning proposal authority if Council does not meet the timeframes outlined in the gateway determination.

The Department's categorisation of planning proposals in the *Local Environmental Plan Making Guideline* (Department of Planning and Environment, August 2023) is supported by category specific timeframes for satisfaction of conditions and authority and Government agency referrals, consultation, and responses. Compliance with milestones will be monitored by the Department to ensure planning proposals are progressing as required.

Should you have any enquiries about this matter, I have arranged for Ms Georgia Weallans to assist you. Ms Weallans can be contacted on 5778 1413.

Yours sincerely

A handwritten signature in black ink, appearing to read 'Renee Trezise', is displayed within a light gray rectangular box.

4/12/2023

Renee Trezise
A/Director, Northern Region
Local and Regional Planning

Encl: Gateway determination