

**Rezoning for Caravan Park Development, Palmers Island**

Proposal Title : **Rezoning for Caravan Park Development, Palmers Island**

Proposal Summary : **Proposed rezoning of land at 36 River Street, Palmers Island, from 1(a) Rural (Agricultural Protection) to 1(t) Rural (Tourist) and 7(a) Environmental Protection (Ecological Significance) to allow for the development of a caravan park (tourist use only).**

PP Number : **PP\_2011\_CLARE\_007\_00**      Dop File No : **11/17504**

**Planning Team Recommendation**

Preparation of the planning proposal supported at this stage : **Not Recommended**

- S.117 directions :
- 1.2 Rural Zones**
  - 1.5 Rural Lands**
  - 2.1 Environment Protection Zones**
  - 2.2 Coastal Protection**
  - 3.2 Caravan Parks and Manufactured Home Estates**
  - 3.4 Integrating Land Use and Transport**
  - 4.1 Acid Sulfate Soils**
  - 4.2 Mine Subsidence and Unstable Land**
  - 4.3 Flood Prone Land**
  - 5.1 Implementation of Regional Strategies**

- Additional Information :
- It is recommended that:**
- 1. The planning proposal is refused.**
- Should the planning proposal be supported it is recommended that:**
- 1. The planning proposal is exhibited for a period of 28 days;**
  - 2. The planning proposal should be completed within 6 months;**
  - 3. The Director General (or an officer of the Department nominated by the Director General) agree that the inconsistencies with s117 Directions 1.2, 1.5, 4.2 and 5.1 are justified as of minor significance; and**
  - 4. The following studies be required to be undertaken and be considered by the Department under section 57(2) of the Act prior to exhibition:**
    - Flooding (section 117 direction 4.3)**
    - Agricultural land assessment**
    - Site-based flood risk assessment by Council**
    - Aboriginal cultural heritage**

Supporting Reasons : **The planning proposal is inconsistent with several S117 Directions and SEPP 21 Caravan Parks, the North Coast REP and the SEPP (Rural Lands) 2008. The proposal is not supported by a strategic study.**

**Panel Recommendation**

Recommendation Date : **13-Oct-2011**      Gateway Recommendation : **Rejected**

Panel Recommendation : **should not proceed for the following reasons:**

- 1. The planning proposal is inconsistent with S117 Direction 4.3 Flood Prone Land as follows:**
  - the planning proposal does not satisfactorily address the implications of flooding and river bank erosion on the future use of the site;**

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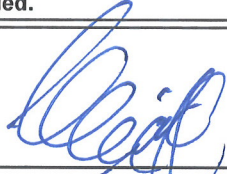
- the planning proposal does not consider the impact of the 1:20 year flood event on the area proposed for rezoning and subsequent use as a caravan park; and
- the Grafton and Lower Clarence Flood Risk Management Plan does not support further development within the Palmers Island locality and recommends that Council undertake a site based risk assessment for each existing and proposed caravan park, which has not been undertaken.

2. The proposed use of the subject land as a caravan park is not supported by any strategic study to justify its inconsistency with a number of Section 117 Directions, SEPP 21 Caravan Parks, the North Coast REP and the SEPP (Rural Lands) 2008. The planning proposal as submitted does not demonstrate that a caravan park is a suitable future use of the site.

3. The planning proposal is inconsistent with the Mid North Coast Regional Strategy, which identifies the land as regionally significant farmland and is situated outside the growth area boundary. The planning proposal does not demonstrate that an adjustment to the boundary is desirable and is consistent with the Regional Strategy.

4. Council has acknowledged the need for Aboriginal cultural heritage items to be investigated. However, in the absence of satisfactory consideration of the flooding and foreshore erosion risks, as well as the absence of strategic justification for the caravan park, a Gateway Determination conditional upon an Aboriginal Cultural Heritage study cannot be issued.

Signature:



Printed Name:

Neil McGaffin

Date:

20.10.11