

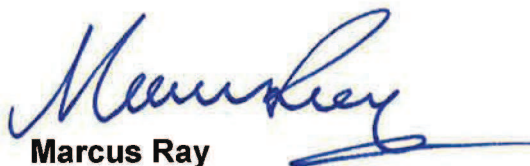
Gateway Determination

Planning proposal (Department Ref: PP_2014_CLARE_004_00): to rezone Lot 2 DP 598769, School Road, Palmers Island, to enable the land to be developed as a marine based industry precinct.

I, Acting Deputy Secretary, Planning Services at the Department of Planning and Environment, as delegate of the Minister for Planning, have determined under section 56(2) of the *Environmental Planning and Assessment Act 1979* that an amendment to the Clarence Valley Local Environmental Plan 2011 to rezone Lot 2 DP 598769, School Road, Palmers Island, to enable the land to be developed as a marine based industry precinct should not proceed for the following reasons:

1. The planning proposal, as submitted, does not sufficiently demonstrate that potential acoustic and land use conflicts created by the proposed development to nearby residential dwellings can be adequately alleviated by removing all land within 100m of an existing dwelling not located on the site from the proposed IN4 Working Waterfront Zone.

Dated 18 day of November 2014



Marcus Ray
Acting Deputy Secretary
Planning Services
Department of Planning and Environment

Delegate of the Minister for Planning



Planning & Environment

Mr S Greensill
General Manager
Clarence Valley Council
Locked Bag 23
GRAFTON NSW 2460

Our ref:
PP_2014_CLARE_004_00
(14/12169)
Your Ref: DWS#1318506

Dear Mr Greensill

Planning proposal to amend Clarence Valley Local Environmental Plan 2011

I am writing in response to your Council's letter dated 18 July 2014 requesting a Gateway determination under section 56 of the *Environmental Planning and Assessment Act 1979* (the Act) in respect of the planning proposal to rezone Lot 2 DP 598769, School Road, Palmers Island, to enable the land to be developed as a marine based industry precinct.

As delegate of the Minister for Planning, I have now determined that the planning proposal should not proceed.

While acknowledging that the proposal has some merit, it is not supported at this time. This is due to insufficient justification that Council's proposal for a 100m setback from the existing dwellings will adequately address the potential acoustic and land use conflict impacts on those properties. There is also insufficient information on the suitability and viability of the proposed mitigation measures.

Should Council wish to pursue the rezoning of the land, a thorough investigation of the potential acoustic and land use conflict impacts of the proposed development on nearby residential properties will be required. This will ensure that any future planning proposal on this site adequately manages the impact on nearby dwellings.

Should you have any queries in regard to this matter, please contact Mr Jon Stone, of the Department's regional office, on (02) 6701 9688.

Yours sincerely

Marcus Ray
Acting Deputy Secretary, Planning Services

18/11/14
Encl: Gateway Determination