



**Planning &
Environment**

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

Our ref: 14/08799
Your ref: DWS#1287865

Dear Mr Greensill

Planning Proposal PP_2013_CLARE_002_00 – Alteration of Gateway Determination

I refer to your request seeking approval to the variation of Planning Proposal PP_2013_CLARE_002_00, for the Harwood Marine Industry Precinct.

I have determined as the delegate of the Minister, in accordance with section 56(7) of the Environmental Planning and Assessment Act, 1979, to alter the Gateway determination dated 27 February 2013, as since altered, for PP_2013_CLARE_002_00. The Alteration of Gateway Determination is enclosed.

If you have any questions in relation to this matter, please contact, Paul Garnett of the Department of Planning and Environment's Northern Region Office on 6641 6607.

Yours sincerely


Richard Pearson
Deputy Secretary
Housing, Growth and Economics

26/8/14

Encl:
Alteration of Gateway Determination



Alteration of Gateway Determination

Planning proposal (Department Ref: PP_2013_CLARE_002_00)

I, the Deputy Secretary, Housing, Growth and Economics at the Department of Planning and Environment as delegate of the Minister for Planning, have determined under section 56(7) of the *Environmental Planning and Assessment Act 1979* ("the Act") to alter the Gateway determination dated 27 February 2013 (as since altered) for the proposed amendment to the Clarence Valley Local Environmental Plan 2011 as follows:

1. Change the description of the proposal on the Gateway determination

from "...to rezone Lots 1-4 DP 1155528 at Careys Lane, Harwood to IN4 Working Waterfront and W3 Working Waterways to facilitate the development of a marine industry precinct...."

to "...to rezone part of Lots 1-4 DP 1155528 at Careys Lane, Harwood to E2 Environmental Conservation, IN4 Working Waterfront and W3 Working Waterways to facilitate the development of a marine industry precinct, and rezone adjoining accreted land from W2 Recreational Waterways to RU1 Primary Production,"

2. Delete Condition 5 and replace with new condition 5:

5. The Local Environmental Plan is to be completed by 6 June 2015.

3. Insert new condition 6:

6. Further community consultation is required under sections 56(2)(c) and 57 of the Act as follows:

- (a) the planning proposal must be made publicly available for a further **28 days**; and
- (b) the relevant planning authority must comply with the notice requirements for public exhibition of planning proposals and the specifications for material that must be made publicly available along with planning proposals as identified in section 5.5.2 of *A Guide to Preparing Local Environmental Plans* (Department of Planning and Environment 2013).

4. Insert new condition 7:

7. Prior to undertaking further community consultation, the planning proposal is to be amended to include additional detail regarding the application of the proposed IN4 zone over the land between the proposed E2 Environmental Conservation zones on Lot 1 DP 1155528. This detail shall include:

- (a) the need to zone this part of the land IN4 zone;
- (b) the suitability of this land for an IN4 zone; and
- (c) the potential impact of industrial activities on the adjoining proposed E2 Environmental Conservation zoned areas.

5. Insert new condition 8:

8. Further consultation is required with the NSW Office of Environment and Heritage under section 56(2)(d) of the Act. The Office of Environment and Heritage is to be provided with a copy of the altered planning proposal, and supporting material that addresses its concerns relating to further flora and fauna assessment, and is to be given at least 21 days to comment on the altered proposal.

Dated

26

day of

August

2014.



Richard Pearson
Deputy Secretary
Housing, Growth and Economics
Department of Planning and Environment

Delegate of the Minister for Planning