



Rezone Lot 12 DP 581159 and part of Lot 21 DP 1007134, Greenwood Place, Lennox Head to allow for residential development

Proposal Title :	Rezone Lot 12 DP 581159 and part of Lot 21 DP 1007134, Greenwood Place, Lennox Head to allow for residential development		
Proposal Summary :	The Planning Proposal aims to: * Rezone Lot 12 DP 581159 and part of Lot 21 DP 1007134, Greenwood Place, Lennox Head from RU2 Rural Landscape to R2 Low Density Residential under Ballina LEP 2012; * Rezone part of Lot 21 DP 1007134 Greenwood Place, Lennox Head from 1(d) Rural (Urban Investigation) under Ballina LEP 1987 to R2 Low Density Residential under Ballina LEP 2012; * Apply a minimum lot size of not less than 800m2 for both of the subject lots (subject to further investigation); and * Amend the Strategic Urban Growth Area Map to reflect the areas made redundant as a result of this rezoning.		
PP Number :	PP_2015_BALLI_004_00	Dop File No :	15/05827

Planning Team Recommendation

Preparation of the planning proposal supported at this stage : **Recommended with Conditions**

- S.117 directions:
- 1.2 Rural Zones
 - 1.5 Rural Lands
 - 2.1 Environment Protection Zones
 - 2.2 Coastal Protection
 - 2.3 Heritage Conservation
 - 2.4 Recreation Vehicle Areas
 - 3.1 Residential Zones
 - 3.2 Caravan Parks and Manufactured Home Estates
 - 3.3 Home Occupations
 - 3.4 Integrating Land Use and Transport
 - 4.2 Mine Subsidence and Unstable Land
 - 4.4 Planning for Bushfire Protection
 - 5.1 Implementation of Regional Strategies
 - 5.3 Farmland of State and Regional Significance on the NSW Far North Coast
 - 6.1 Approval and Referral Requirements
 - 6.2 Reserving Land for Public Purposes

- Additional Information :
- It is recommended that:
- 1) The planning proposal be supported;
 - 2) That the planning proposal be exhibited for a period of 28 days;
 - 3) The planning proposal be completed in 12 months;
 - 4) The Secretary (or her delegate) agree that the inconsistencies with s117 Directions 1.2 Rural Zones, 1.5 Rural Lands and 5.3 Farmland of State & Regional Significance on the NSW Far North Coast are justified in accordance with the Far North Coast Regional Strategy;
 - 5) The Secretary (or her delegate) note the outstanding inconsistency with Direction 4.2 Mine Subsidence and Unstable Land and that this matter will need to be resolved prior to the plan being made;
 - 6) Consultation should be undertaken with Department of Primary Industries and the Office of Environment and Heritage;
 - 7) Prior to undertaking public exhibition, Council is to complete a:
 - Coastal zone impacts and visual amenity impacts assessment;
 - Contaminated land assessment;
 - Due diligence Aboriginal heritage assessment;
 - Flora and fauna assessment;
 - Geotechnical assessment (landslip);
 - Land use conflict risk assessment;
 - Mosquito management assessment;

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- Road noise assessment; and
 - services and stormwater management assessment
- to support the planning proposal. This material should be placed on public exhibition with the planning proposal;
- 8) Once the necessary studies have been completed Council will determine a suitable minimum lot size and place an appropriate map on exhibition prepared in accordance with the Standard Technical Requirements for LEP Maps. Council is to provide the Department with a copy of the material for community consultation for approval, as required by section 57(2) of the EP&A Act;
- 9) Prior to public exhibition an amended draft Land Application Map and Height of Buildings Map Incorporating the land proposed to be rezoned from 1(d) Rural (Urban Investigation) is to be included in the proposal; and
- 10) That an authorisation to exercise plan making delegations be issued to Council.

Supporting Reasons : The planning proposal to rezone the land for residential development is considered appropriate and is in accordance with the strategic planning framework for the site.

Panel Recommendation

Recommendation Date :

Gateway Recommendation :

Panel Recommendation :

Gateway Determination

Decision Date : 14-Apr-2015

Gateway Determination : Passed with Conditions

Decision made by : General Manager, Northern Region

Exhibition period : 28 Days

LEP Timeframe : 12 months

Gateway Determination : 1. Prior to undertaking public exhibition the following studies need to be completed:

- Coastal Zone Impacts and Visual Amenity Impacts assessment;
- Contaminated Land Assessment;
- Due Diligence Aboriginal Heritage assessment;
- Flora and Fauna assessment;
- Geotechnical Assessment (Landslip);
- Mosquito Management Assessment;
- Road Noise Assessment;
- Services and Stormwater Management Assessment; and
- Land Use Conflict Risk Assessment.

2. Following the preparation of the studies in condition (1) Council should determine an appropriate minimum lot size and prepare a map for public exhibition in accordance with the Standard Technical Requirements for LEP Maps. Council is to provide the Department with a copy of the material for community consultation for approval, as required by section 57(2) of the EP&A Act.

3. Prior to undertaking public exhibition the proposal is to be amended to include a draft Land Application Map and Height of Building Map incorporating the land to be rezoned from 1(d) Rural (Urban Investigation). These maps are to be prepared in accordance with the Standard Technical Requirements for LEP Maps.

4. Consultation is required with the following public authorities and agencies prior to public exhibition under section 56(2)(d) of the EP&A Act and/or to comply with the requirements of relevant S117 Directions:

- NSW Primary Industries
- Office of Environment and Heritage

Each public authority and agency is to be provided with a copy of the planning proposal

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and any relevant supporting material, and given at least 21 days to comment on the proposal.

5. Community consultation is required under sections 56(2)(c) and 57 of the EP&A Act as follows:

- (a) the planning proposal must be made publicly available for a minimum of 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 LEPs (Department of Planning and Infrastructure 2013).

6. A public hearing is not required to be held into the matter by any person or body under section 56(2)(e) of the EP&A Act. This does not discharge Council from any obligation it may otherwise have to conduct a public hearing (for example, in response to a submission or if reclassifying land).

7. The timeframe for completing the LEP is to be 12 months from the week following the date of the Gateway determination.

Signature:



Printed Name:

STEPHEN MURRAY

Date:

14 APRIL 2015