

Rezone land at Reardon's Lane, Swan Bay for rural residential purposes

Proposal Title : **Rezone land at Reardon's Lane, Swan Bay for rural residential purposes**

Proposal Summary : **The planning proposal seeks to rezone the following land in the Swan Bay area from RU1 - Primary Production to R5 - Large Lot Residential for rural residential purposes under the Richmond Valley LEP 2012:**

**Part Lot 13 DP 1128557;
Lot 1 DP 1107254;
Lot 3 DP 1081829;
Lot 91 DP 755603; and
Lot 92 DP 755603.**

PP Number : **PP_2013_RICHM_001_00** Dop File No : **12/20390**

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
4.4 Planning for Bushfire Protection**

Additional Information : **It is recommended that:**

- 1. The planning proposal be supported;**
- 2. The planning proposal is to be exhibited for a period of 28 days;**
- 3. The planning proposal should be completed within 12 months;**
- 4. The Director General (or an officer of the Department nominated by the Director General) agree that the inconsistencies with s117 Directions 1.2 Rural Zones and 1.5 Rural Land are justified and accept that 4.4 will be resolved through consultation with the NSW Rural Fire Service before or during exhibition;**
- 5. Council is to upgrade mapping to include existing and proposed zoning maps (in accordance with the Standard Technical Requirements for LEP maps) and the proposed changes to the Lot Size map;**
- 6. The Council be advised the Director General in accordance with s57(2) will review the mapping required for exhibition. The Director General is to be satisfied that the maps (material to be exhibited) provides sufficient detail for community consultation.**
- 7. Subject to recommendation 6 the request to delegate the plan making function to Richmond Valley Council be approved.**

Supporting Reasons : **The rezoning of land on Reardon's Lane, Swan Bay for rural residential purposes is a strategically planned release area which will contribute to Council's housing targets as set by the Far North Coast Regional Strategy.**

Panel Recommendation

Recommendation Date : **31-Jan-2013** Gateway Recommendation : **Passed with Conditions**

Panel Recommendation : **The Planning Proposal should proceed subject to the following conditions:**

- 1. Council is to consult with the NSW Rural Fire Services as per the requirements of S117 Direction 4.4 Planning for Bushfire Protection and amend the planning proposal, if necessary, to take into consideration any comments made prior to undertaking public exhibition.**
- 2. Prior to undertaking public exhibition, Council is to provide existing and proposed land use zoning and minimum lot size maps, at an appropriate scale, which clearly identify the**

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subject site.

3. Community consultation is required under sections 56(2)(c) and 57 of the Environmental Planning and Assessment Act 1979 ("EP&A Act") as follows:

- (a) the planning proposal must be made publicly available for 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 & Infrastructure 2012).

4. Consultation is required with the following public authorities under section 56(2)(d) of the EP&A Act:

- NSW Rural Fire Service

Each public authority is to be provided with a copy of the planning proposal and any relevant supporting material. Each public authority is to be given at least 21 days to comment on the proposal, or to indicate that they will require additional time to comment on the proposal. Public authorities may request additional information or additional matters to be addressed in the planning proposal.

5. 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).

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

Signature:



Printed Name:

Neil McGiffin

Date:

21.2.13