

Rezoning of land at Pineapple Road, Goonellabah

Proposal Title : **Rezoning of land at Pineapple Road, Goonellabah**

Proposal Summary : **To zone part of the land within the Pineapple Road Precinct from RU1 Primary Production to R1 Residential under the provisions of the Lismore LEP 2012. The subject land has an area of 210 hectares of which under half is proposed for urban development, the remainder of the land will retain the natural and agricultural values of the riparian and lower lying areas.**

PP Number : **PP_2013_LISMO_001_00** Dop File No : **13/03831**

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
2.3 Heritage Conservation
3.1 Residential Zones
3.4 Integrating Land Use and Transport
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**

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

- 1) The planning proposal be supported subject to conditions;**
- 2) The planning proposal be exhibited for a period of 28 days;**
- 3) The planning proposal should be completed within 24 months;**
- 4) The Director General (or an officer nominated by the Director General) agree that the inconsistencies with s117 Directions 1.2, 1.5 and 3.1 are justified;**
- 5) The Director General (or an officer nominated by the Director General) agree that the inconsistencies with s117 Directions 3.4, 4.4, 5.1 and 5.3 remain outstanding and will require justification following the completion of the required studies;**
- 6) Delegation is not given to Council for plan making;**
- 7) An up-to-date set of maps showing the proposed amendment to the Lismore LEP 2012 be required to be included with the exhibition material;**
- 8) Consultation with the following agencies and organisations should be required: Essential Energy; Family and Community Services - Housing NSW; Department of Primary Industries (Agriculture); Department of Health and Ageing; NSW Rural Fire Service; Transport for NSW - Roads and Maritime Services; Department of Education and Communities; Rous Water; Environmental Protection Agency and the local Aboriginal community; and**
- 9) The following studies/assessments and plans be required:**
 - Flora and Fauna Assessment**
 - Agricultural Assessment**
 - Land Contamination Assessment**
 - Geotechnical Assessment**
 - European and Aboriginal Heritage Assessment**
 - Social Impact Assessment**
 - Stormwater Assessment and Management Plan**
 - Traffic Impact Assessment**
 - Public Transport Assessment**
 - Land Use Conflict Risk Assessment**
 - Noise Assessment**
 - Bushfire Assessment**
 - Infrastructure Delivery Plan**

Advice on the required scope and content of the above studies/assessments and plans

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Supporting Reasons :	can be obtained from the Northern Region's Grafton office. The land has been identified as having potential for some form of residential use for many years, and is included within Council's agreed Rural Strategy and Council endorsed Urban Strategy. The recommended conditions to the Gateway determination are required to provide adequate protection, where appropriate, for the issues outlined above.
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Panel Recommendation

Recommendation Date : **14-Mar-2013** Gateway Recommendation : **Passed with Conditions**

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

1. Council is to update the land use zoning, minimum lot size and height of building maps to reflect the notified Lismore LEP 2012, before the planning proposal is placed on public exhibition.

2. The below information is to be placed on public exhibition with the planning proposal:

- Flora and fauna assessment
- Geotechnical assessment
- European and Aboriginal heritage assessment
- Social impact assessment
- Stormwater assessment and management plan
- Traffic impact and public transport assessment
- Agricultural and land use conflict risk assessment
- Noise assessment
- Bushfire hazard assessment
- Infrastructure delivery plan

Once this information is provided, consistency with S117 Directions 3.4 Integrating Land Use and Transport, 5.1 Implementation of Regional Strategies and 5.3 Farmland of State and Regional Significance on the NSW Far North Coast and State Environmental Planning Policy (SEPP) Rural Lands 2008 can be determined.

3. Council is to demonstrate that the planning proposal satisfies the requirements of SEPP 55 – Remediation of Land. Council is to prepare an initial site contamination investigation report to demonstrate that the site is suitable for rezoning to the proposed zone. This report is to be included as part of the public exhibition material.

4. 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 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 & Infrastructure 2012).

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

- NSW Rural Fire Service (S117 Direction 4.4 Planning for Bushfire Protection)
- Transport for NSW – Roads and Maritime Services
- Office of Environment and Heritage
- Essential Energy
- Housing for NSW – Family and Community Services
- Department of Primary Industries – Agriculture
- Department of Health and Ageing
- Department of Education and Communities
- Environmental Protection Authority

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- Rous Water
- local Aboriginal community

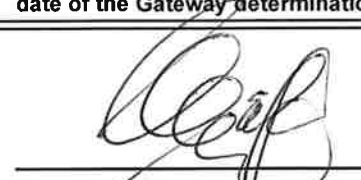
Each public authority is to be provided with a copy of the planning proposal and any relevant supporting material, and given at least 21 days to comment on the proposal.

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 24 months from the week following the date of the Gateway determination.

Signature:

Printed Name:


Neil McCaffin

Date:

19.3.13.