

Rezoning of Land at Reardons Lane, Swan Bay

Proposal Title : **Rezoning of Land at Reardons Lane, Swan Bay**

Proposal Summary : **The proposal is to rezone a 20 ha parcel of land at Reardons Lane, Swan Bay, from RU1 Primary Production to R5 Large Lot Residential under Richmond Valley LEP 2012.**

PP Number : **PP_2013_RICHM_002_00** Dop File No : **13/03964**

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
3.1 Residential Zones
3.4 Integrating Land Use and Transport
4.1 Acid Sulfate Soils
4.3 Flood Prone Land
4.4 Planning for Bushfire Protection
5.1 Implementation of Regional Strategies**

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

- 1. The planning proposal should proceed as a 'routine' planning proposal.**
- 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 subject site.**
- 3. The planning proposal is to be completed within 12 months.**
- 4. A community consultation period of 14 days is necessary.**
- 5. Council is to consult with the NSW Rural Fire Service 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.**
- 6. Council is to review the previous cultural heritage investigations for the land and consult with the relevant Local Aboriginal Land Councils and the NSW Office of Environment and Heritage in relation to the potential Aboriginal cultural heritage on the site.**
- 7. The delegate of the Director General agree that the inconsistency of the proposal with S117 Directions 1.2, 4.1 and 4.3 are justified in accordance with the provisions of the direction.**
- 8. An Authorisation to exercise delegation to make the plan be issued to the RPA for this planning proposal.**

Supporting Reasons : **The reasons for the recommendation are as follows;**

- 1. The land has been identified for rural residential purposes for 13 years in the Richmond River Rural Residential Development Strategy 1999 and its rezoning will contribute to meeting the housing targets in the Far North Coast Regional Strategy.**
- 2. The site is located between two existing areas of rural residentially zoned land and is relatively unconstrained and suitable for rural residential purposes.**

Panel Recommendation

Recommendation Date : **07-Mar-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**

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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 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 is classified as low impact as described in A Guide to Preparing LEPs (Department of Planning & Infrastructure 2012) and must be made publicly available for 14 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
- Office of Environmental Heritage
- Relevant Aboriginal Land Councils

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:

STEPHEN MURRAY

Date:

7 March 2013