



Lismore
2A Carrington Street
Lismore NSW 2480
PO Box 1134
Lismore NSW 2480
T : 61 2 6627 5600
F : 61 2 6621 7664

Our Ref: LM090014

7th July 2010

The General Manager
Lismore City Council
PO Box 23A
LISMORE NSW 2480

ATTENTION: Mr. R.M. O'Brien

Dear Robert,

Re: Planning Proposal – Lot 22 DP861639, Dunromin Drive Modanville

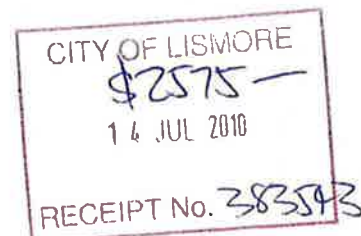
Please find enclosed three (3) copies of a Planning Proposal in relation to Lot 22 DP861639, Dunromin Drive Modanville, to be assessed via the Gateway Process under Section 55 of the EP&A Act.

Also enclosed is a cheque for \$2575 as requested in Council's letter dated March 22nd, 2010.

Please contact me on 0402 118 618 or kim.barrett@landpartners.com.au, with any questions.

Yours Sincerely

Kim Barrett
Town Planner
LandPartners Limited





LANDPARTNERS
built environment consultants

LandPartners Limited
2A Carrington Street
Lismore NSW 2480
PO Box 1134 Lismore NSW 2480
T: 02 6627 5600 F: 02 6621 7664
E: Lismore@landpartners.com.au

PLANNING PROPOSAL

Lot 22 DP861639
Dunromin Drive, Modanville
on behalf of Ms. Kerrie Moss

6th July 2010

Kim Barrett
Town Planner, LandPartners

Ref No LM090014.000





DISCLAIMER

This report has been prepared for the use of the stated client and for the specific purpose described in the Introduction and is not to be used for any other purpose or by any other person or corporation. LandPartners Limited accepts no responsibility for any loss or damage suffered howsoever arising to any person or corporation who may use or rely on this report in contravention of the terms of this disclaimer.

Due consideration has been given to site conditions and to appropriate legislation and documentation available at the time of preparation of the report. As these elements are liable to change over time, the report should be considered current at the time of preparation only.

Conclusions to the report are professional opinions and LandPartners cannot guarantee acceptance or consent of the relevant determining/consent authorities.

TABLE OF CONTENTS

EXECUTIVE SUMMARY	1
INTRODUCTION	2
PART 1 PROPOSAL OBJECTIVE.....	4
PART 2 EXPLANATION OF PROVISIONS.....	4
PART 3 JUSTIFICATION.....	8
SECTION A – NEED FOR PLANNING PROPOSAL.....	8
1. <i>Is the planning proposal a result of any strategic study or report?</i>	8
The planning proposal implements the <i>Lismore Rural Housing Strategy 2002</i>	8
2. <i>Is the planning proposal the best means of achieving the objectives or intended outcomes, or is there a better way?</i>	8
3. <i>Is there a community benefit?</i>	9
SECTION B – RELATIONSHIP TO STRATEGIC PLANNING FRAMEWORK.....	9
1. <i>Is the planning proposal consistent with the objectives and actions contained within the applicable regional or sub-regional strategy?</i>	9
2. <i>Is the planning proposal consistent with the local council's Community Strategic Plan, or other local plan?</i>	10
3. <i>Is the planning proposal consistent with applicable state environmental planning policies?</i>	10
4. <i>Is this planning proposal consistent with applicable Ministerial Directions (s.117 directions)?</i>	12
SECTION C – ENVIRONMENTAL, SOCIAL AND ECONOMIC IMPACT.....	15
1. <i>Is there any likelihood that critical habitat or threatened species, populations or ecological communities, or their habitats, will be adversely affected as a result of the proposal?</i>	15
2. <i>Are there any other likely environmental effects as a result of the planning proposal and how are they proposed to be managed?</i>	15
3. <i>How has the planning proposal adequately addressed any social and economic effects?</i>	17
SECTION D – STATE AND COMMONWEALTH INTERESTS.....	19
1. <i>Is there adequate public infrastructure for the planning proposal?</i>	19
2. <i>What are the views of State and Commonwealth Public Authorities consulted in accordance with the gateway determination?</i>	19
PART 4 COMMUNITY CONSULTATION	19
CONCLUSION AND RECOMMENDATIONS.....	20
REFERENCES.....	21
APPENDICES.....	22

EXECUTIVE SUMMARY

SITE DETAILS

Site address:	Dunromin Drive, Modanville
Real property description:	Lot 22 DP861639
Total area of property:	26.69 hectares
Local Government Area:	Lismore
Current Zone/s:	1(a) General Rural 1(c) Rural Residential
Proposed Zone/s (under the Draft Lismore LEP)	RU1 – Primary Production RU2 – Rural Landscape

PROPOSAL STATUS

Author:	Kim Barrett
Reviewed By:	Steven Smith and Adrian Zakaras
Report Date:	6 th July 2010

FIGURES

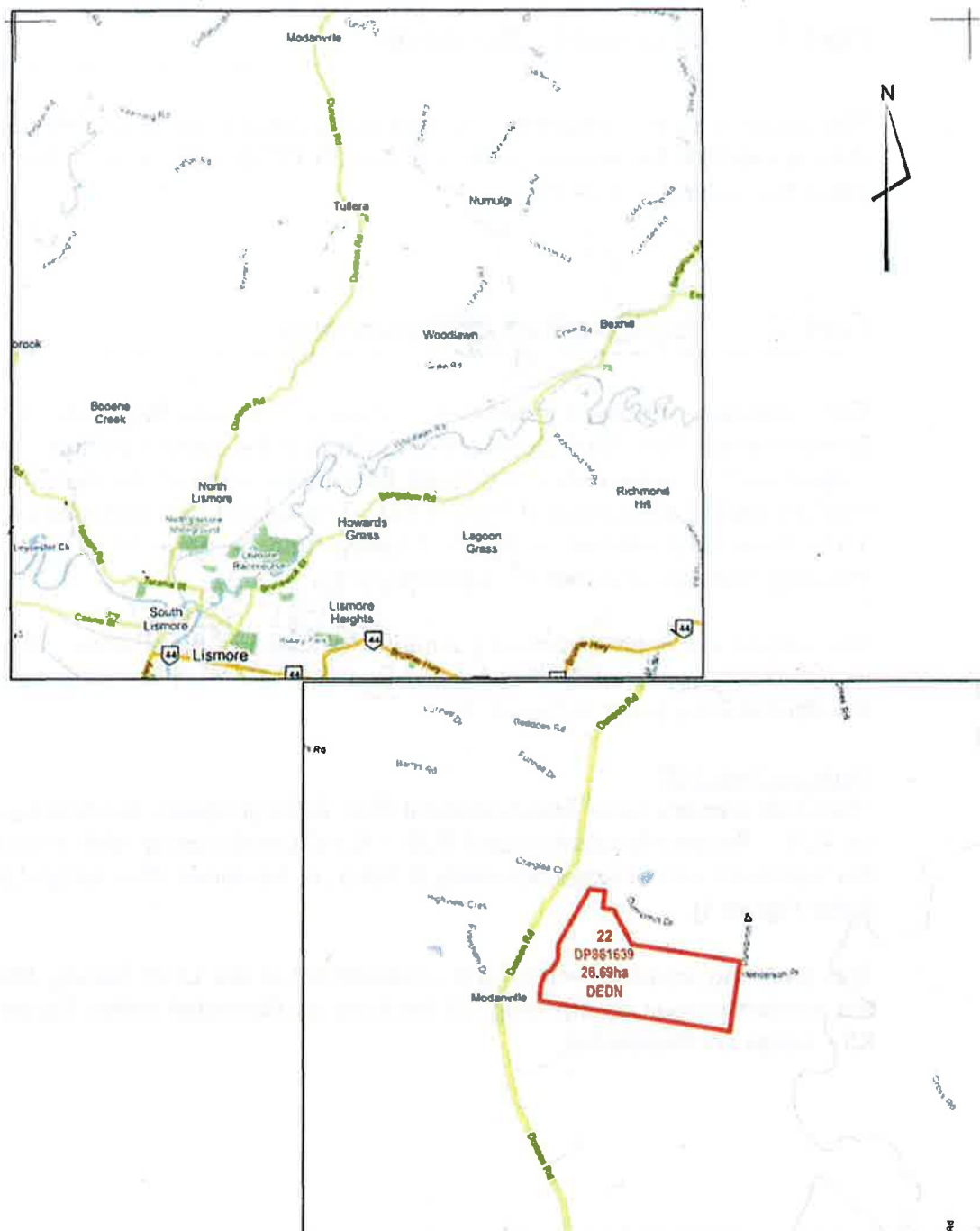
- Figure 1 – Locality Plan
- Figure 2 – Site Plan with Aerial Photograph
- Figure 3 – Current LEP Zoning Plan
- Figure 4 – Draft LEP Zoning Plan
- Figure 5 – Slope Data
- Figure 6 – Extract from Lismore City Council Bushfire Prone Land Mapping

Introduction

This planning proposal has been prepared in relation to the eastern portion of Lot 22 DP861639 ('the subject site') located at Dunromin Drive, Modanville. The property is approximately 9km north of the city of Lismore on the Far North Coast of NSW (refer to Figure 1).

The site has been identified within the *Lismore Rural Housing Strategy* and the *Lismore Village Development Strategy 1997 (re-edited 2002)* as potential land for future rural residential development.

Discussions were held with Council planning staff regarding the rezoning of the subject site as part of Lismore City Council's Shire-wide Local Environmental Plan. Advice from Lismore City Council suggested that a planning proposal by way of a separate Gateway process would be more efficient, to avoid further delays associated with the likely longer timeframe for gazettal of the Shire-wide LEP. The draft LEP is being publicly exhibited at the time of writing this proposal.



LandPartners Limited
 2a Carrington Street
 Lismore, NSW, 2480
 Phone: (07) 9827 5800

LOCALITY PLAN
Lot 22 DP861639, Dunromin Drive, Modanville
CLIENT: Kerrie Moss

SCALE:	NTS
LGA:	Lismore
LOCALITY:	Modanville
SURVEYED:	
DRAWN:	GC
APPROVED:	KB
DATE:	29.06.10
COGO:	NA
Dwg. No.	LM090014-PL1A

Figure 1 – The site and locality

Part 1 Proposal Objective

The objective of this proposal is to rezone the subject site to enable rural residential development of the eastern portion of Lot 22 DP861639; east of the existing 66kV powerline (refer to Figure 2).

Part 2 Explanation of Provisions

The planning proposal seeks to amend the Lismore City Council Local Environmental Plan 2000 Zoning Map such that the eastern portion of the site ('the subject site') is to be zoned 1(c) Rural Residential Zone under the provisions of the Lismore Local Environmental Plan 2000. The subject site comprises approximately 15 hectares as illustrated in Figure 3 below (and on page 25 of the Lismore Rural Housing Strategy, attached at Appendix A)

The subject site is predominantly zoned 1(a) General Rural Zone. A small area in the northeast corner of the site (approximately 0.49ha) is currently zoned 1(c) Rural Residential Zone (refer to Figure 3).

Note re Draft LEP:

The Draft Lismore Local Environmental Plan 2010 proposes to zone the subject land as RU1 – Primary Production and RU2 – Rural Landscaping, with a small portion in the northwest corner (approximately 0.50ha) to be zoned R5 – Large Lot Residential (refer Figure 4).

This planning proposal will inform amendment of the Draft Zoning Map, such that the eastern portion, comprising 15 hectares as illustrated within Figure 2, is zoned R5 – Large Lot Residential.



SCALE 1:5000 AT A4

DISCLAIMER:

The areas and features shown hereon are subject to final survey and also to the requirements of council and any other authority which may have requirements under any relevant legislation. In particular, no reliance should be placed on the information on this plan for any financial dealings involving the land. This note is an integral part of this plan.

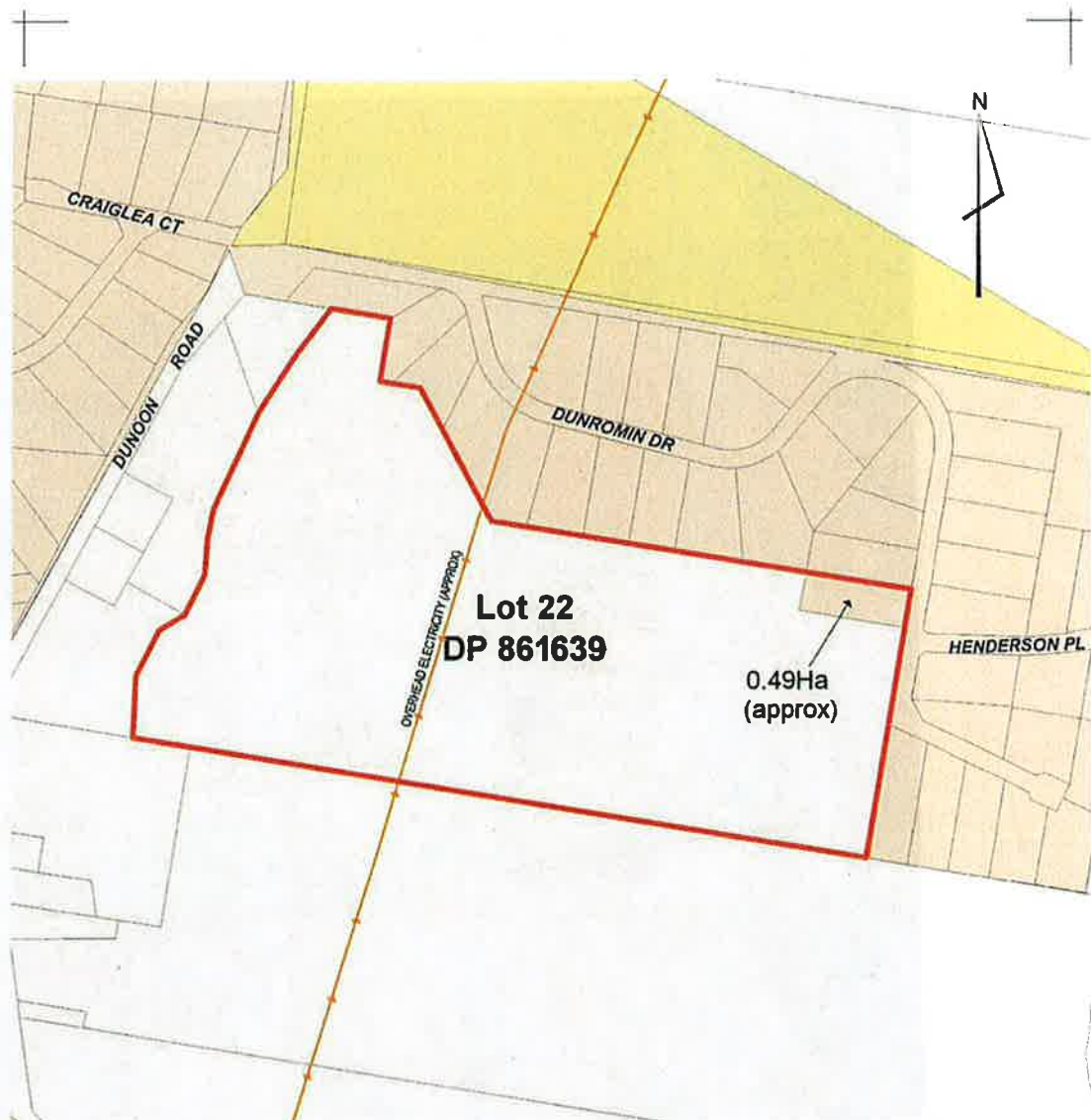


LandPartners Limited
2a Carrington Street
Lismore NSW 2480
Phone: (02) 9827 5600

SITE PLAN
Lot 22 DP861639, Dunromin Drive, Modanville
CLIENT: Kerrie Moss

SCALE:	1 : 5000 at A4
LGA:	Lismore
LOCALITY:	Modanville
SURVEYED:	-
DRAWN:	GC
APPROVED:	KB
DATE:	29.06.10
COGO:	NA
Dwg. No.	LM090014-PL2A

Figure 2 – Site Plan



DISCLAIMER:

The areas and features shown hereon are subject to final survey and also to the requirements of council and any other authority which may have requirements under any relevant legislation. In particular, no reliance should be placed on the information on this plan for any financial dealings involving the land. This note is an integral part of this plan.

LEP Zones

- 1(a) General Rural Zone
- 1(b) Agricultural Zone
- 1(c) Rural Residential Zone

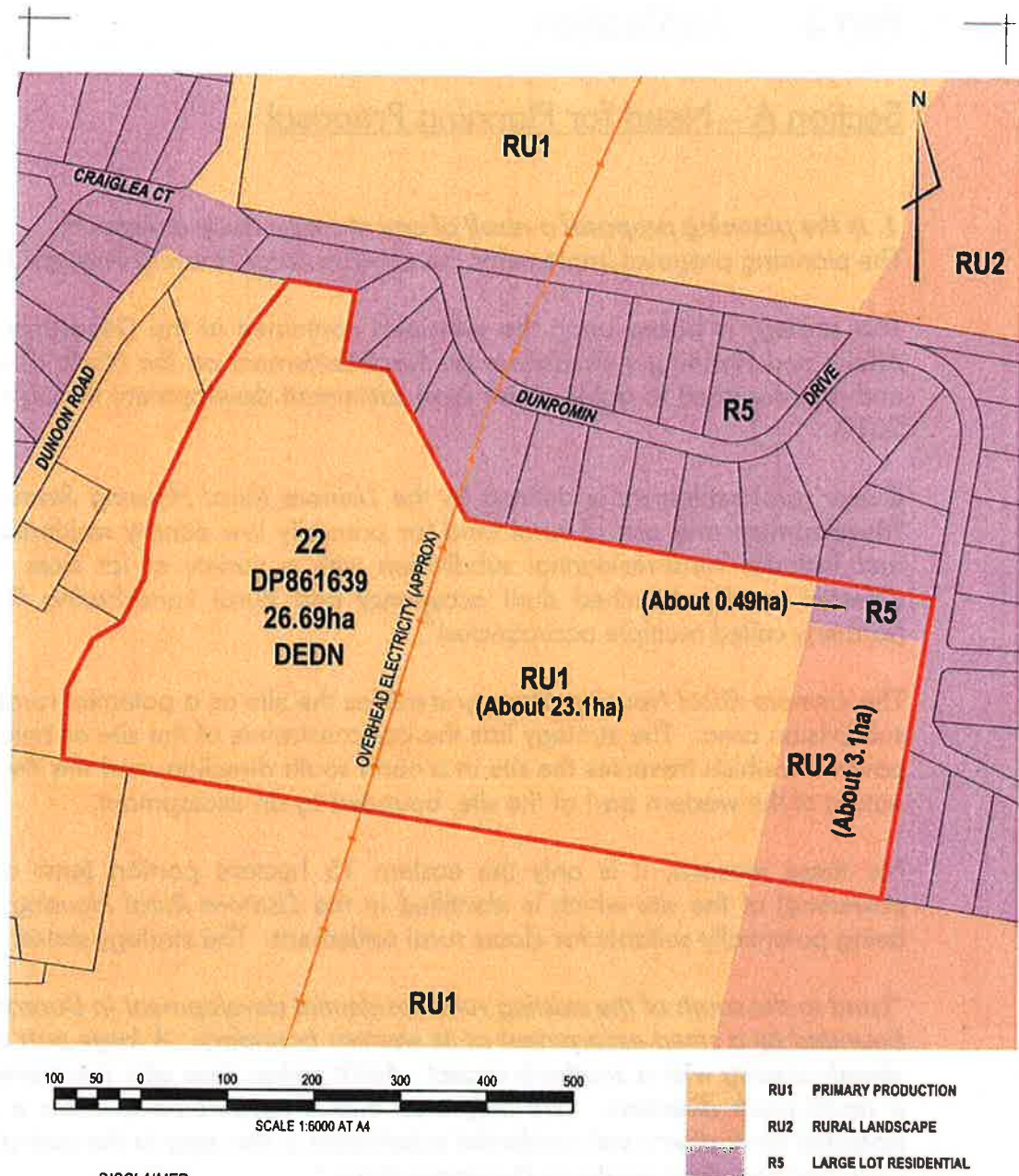


LandPartners Limited
2a Carrington Street
Lismore, NSW, 2480
Phone: (02) 6627 5600

CURRENT LEP ZONING PLAN
Lot 22 DP861639, Dunromin Drive, Modanville
CLIENT: Kerrie Moss

SCALE: 1 : 6000 at A4
LGA: Lismore
LOCALITY: Modanville
SURVEYED: GC
DRAWN: KB
APPROVED: 29.06.10
DATE: NA
COGO: NA
Dwg. No. LM090014-PL3A

Figure 3 – Current LEP Zoning



DISCLAIMER:

The areas and features shown hereon are subject to final survey and also to the requirements of council and any other authority which may have requirements under any relevant legislation. In particular, no reliance should be placed on the information on this plan for any financial dealings involving the land. This note is an integral part of this plan.



LandPartners Limited
2a Carrington Street
Lismore, NSW, 2480
Phone: (02) 6627 5600

DRAFT LEP ZONING PLAN
Lot 22 DP861639, Dunromin Drive, Modanville
CLIENT: Kerrie Moss

SCALE: 1 : 6000 at A4
LGA: Lismore
LOCALITY: Modanville
SURVEYED:
DRAWN: GC
APPROVED: KB
DATE: 29.08.10
COGO: NA
Dwg. No. LM090014-PL4A

Figure 4 – Draft LEP Zoning

Part 3 Justification

Section A – Need for Planning Proposal

1. Is the planning proposal a result of any strategic study or report?

The planning proposal implements the *Lismore Rural Housing Strategy 2002*.

This strategy is based upon the principles contained in the Department of Urban Affairs and Planning's *Guidelines on Rural Settlement on the North Coast of NSW*, and was designed to guide closer rural settlement development through to the year 2010.

Closer rural settlement is defined by the *Lismore Rural Housing Strategy 2002* as "development and use of rural land for primarily low density residential purposes and includes rural-residential subdivision with a variety of lot sizes to cater for different needs, detached dual occupancy and Rural Landsharing Communities (formerly called multiple occupancies)".

The *Lismore Rural Housing Strategy* identifies the site as a potential rural residential subdivision area. The strategy lists the key constraints of the site as being the 66kV powerline which traverses the site in a north south direction, and the steeply sloping nature of the western part of the site, bounded by an escarpment.

For these reasons, it is only the eastern 15 hectare portion (east of the 66kV powerline) of the site which is identified in the *Lismore Rural Housing Strategy* as being potentially suitable for closer rural settlement. The strategy states:

"Land to the south of the existing rural residential development in Dunromin Drive is bounded by a steep escarpment at its western boundary. A large part of the site is steeply sloping with a southerly aspect. 66KV power lines also transverse the site in a north-south direction. The only area that is considered to have a reasonable potential for further rural residential subdivision is the area to the east of the power lines that has direct access to Dunromin Drive."

The subject site is also included in the *Lismore Village Development Strategy 1997 (re-edited 2002)* as potential additional rural residential land, as illustrated on Map 1 of that strategy (attached at Appendix B).

2. Is the planning proposal the best means of achieving the objectives or intended outcomes, or is there a better way?

Amending the Lismore City Council Local Environmental Plan 2000 Zoning Map such that the eastern portion of the site is zoned 1(c) Rural Residential Zone (R5-

Large Lot Residential on the Draft Lismore LEP Land Zoning Map) is the best means of efficiently utilising the site for rural residential purposes.

The *Lismore Rural Housing Strategy* recognises the constraints associated with the western part of the site, but identifies the appropriateness of the eastern 15 hectares for closer rural settlement. The site is also identified as suitable for rural residential development in the *Lismore Village Development Strategy 1997 (re-edited 2002)*.

3. Is there a community benefit?

There is community benefit in the rezoning as it will provide additional rural residential housing options within the Modanville community and within close proximity to Dunoon. The village of Dunoon is listed as a 'Potential Future Urban Release Area' in the Far North Coast Regional Strategy.

The site adjoins a rural residential subdivision to the north. The rezoning of the site would therefore allow for the extension of this settlement pattern and the efficient use of existing roads and infrastructure, including Dunromin Drive to which the subject site has frontage of approximately 150 metres.

Section B – Relationship to Strategic Planning Framework

1. Is the planning proposal consistent with the objectives and actions contained within the applicable regional or sub-regional strategy?

The applicable regional strategy is the Far North Coast Regional Strategy (FNCRS). The FNCRS consolidates and builds on previous planning work, including the *Northern Rivers Regional Strategy* and local council settlement strategies.

While the FNCRS does not include the site as a 'Proposed Future Urban Release Area', the subject land is located immediately south of the village of Dunoon, which is identified as a Future Urban Release Area.

The locality of Modanville, within which the site is located, is identified in a number of Lismore Council's strategies (as discussed below) as a viable extension for rural residential housing.

As stated within the FNCRS, the dwelling target for the Lismore Local Government Area is 8,000 new dwellings by 2031. The subject site is surrounded by rural residential subdivision and the rezoning of this site would allow for appropriate development and the provision of additional rural housing, thereby aiding the achievement of this housing target. Rezoning of the subject site is therefore consistent with the Far North Coast Regional Strategy.

2. Is the planning proposal consistent with the local council's Community Strategic Plan, or other local plan?

The proposal is consistent with the *Lismore Rural Housing Strategy 2002* and the *Lismore Village Development Strategy 1997 (re-edited 2002)*. The subject site is identified in both strategies as being appropriate for future rural residential development.

3. Is the planning proposal consistent with applicable state environmental planning policies?

The SEPPs which apply to the site have been identified and discussed below.

SEPP 44 – Koala Habitat

A preliminary site inspection was undertaken by a qualified ecologist on 11th June 2010. The results of this inspection concluded that the site does not contain any koala food trees, and would therefore not be considered potential or core koala habitat under this SEPP. The predominant vegetation across the site is camphor laurel regrowth with occasional Brushbox (*Lophostemon confertus*) and minor landscape plantings.

A Flora and Fauna Assessment will be completed at the Development Application (subdivision) stage.

SEPP 55 – Remediation of Land

No inventory of chemical contaminants has been conducted for the site, therefore the potential for storage of (minor volumes of) Contaminants of Concern (CoC) is unconfirmed.

However, the risk of land contamination is considered to be low given the history of land use on the subject site. This is addressed further in Section C of this planning proposal.

SEPP Rural Lands

The aims of this policy are as follows:

- (a) *to facilitate the orderly and economic use and development of rural lands for rural and related purposes,*
- (b) *to identify the Rural Planning Principles and the Rural Subdivision Principles so as to assist in the proper management, development and protection of rural lands for the purpose of promoting the social, economic and environmental welfare of the State,*
- (c) *to implement measures designed to reduce land use conflicts,*

- (d) *to identify State significant agricultural land for the purpose of ensuring the ongoing viability of agriculture on that land, having regard to social, economic and environmental considerations,*
- (e) *to amend provisions of other environmental planning instruments relating to concessional lots in rural subdivisions.*

Aims (b) and (c) have been addressed below. The subject site is not mapped as regionally or state significant farmland. It does not currently have, or have the capacity for, a viable agricultural enterprise.

Clause 7 of the SEPP outlines the Rural Planning Principles as follows:

- (a) *the promotion and protection of opportunities for current and potential productive and sustainable economic activities in rural areas,*
- (b) *recognition of the importance of rural lands and agriculture and the changing nature of agriculture and of trends, demands and issues in agriculture in the area, region or State,*
- (c) *recognition of the significance of rural land uses to the State and rural communities, including the social and economic benefits of rural land use and development,*
- (d) *in planning for rural lands, to balance the social, economic and environmental interests of the community,*
- (e) *the identification and protection of natural resources, having regard to maintaining biodiversity, the protection of native vegetation, the importance of water resources and avoiding constrained land,*
- (f) *the provision of opportunities for rural lifestyle, settlement and housing that contribute to the social and economic welfare of rural communities,*
- (g) *the consideration of impacts on services and infrastructure and appropriate location when providing for rural housing,*
- (h) *ensuring consistency with any applicable regional strategy of the Department of Planning or any applicable local strategy endorsed by the Director-General.*

Adjoining land to the north and land to the east of Dunromin Drive is developed for approximately 45 rural residential lots (refer to Figure 2). The close proximity of the site to these dwellings would limit primary production opportunities (being a primary objective of the proposed RU1 – Primary Production zoning under the provision of the Draft Lismore Local Environmental Plan) and give rise to potential land use conflicts.

The steep nature of the western portion of the site would prevent any efficient agricultural production (refer to Figure 5). Without this land area, the site is reduced to an area of approximately 14 hectares (being the portion of the site east of the 66kV powerline) which does not provide sufficient land area for a viable agricultural enterprise.

4. Is this planning proposal consistent with applicable Ministerial Directions (s.117 directions)?

The directions made under section 117 of the *Environmental Planning and Assessment Act 1979*, which are relevant to the site, are identified and addressed below, within Table 1.

Table 1: Section 117 Directions

<i>Direction No.</i>	<i>Objective and Consistency</i>	<i>Consideration</i>
No. 1.2 – Rural Zones	<i>Objective: To protect the agricultural production value of rural land.</i> <i>A planning proposal must:</i> <i>(a) not rezone land from a rural zone to a residential, business, industrial, village or tourist zone.</i> <i>(b) not contain provisions that will increase permissible density of land within a rural zone (other than land within a town or village).</i> <i>A planning proposal may be inconsistent with the terms of this direction only if the relevant planning authority can satisfy the Director-General of the Department of Planning (or an officer of the Department nominated by the Director-General) that the provisions of the planning proposal that are inconsistent are:</i> <i>(a) justified by a strategy which:</i> <i>(i) gives consideration to the objectives of this direction;</i> <i>(ii) identifies the land which is the subject of the planning proposal (if the planning proposal relates to a particular site or sites), and</i> <i>(iii) is approved by the Director-General of the Department of Planning, or</i> <i>(b) justified by a study prepared in support of the planning proposal which gives consideration to the objectives of this direction, or</i> <i>(c) in accordance with the relevant Regional Strategy or Sub-Regional Strategy prepared by the Department of Planning which gives consideration to the objective of this direction, or</i> <i>(d) is of minor significance.</i>	The planning proposal seeks to rezone land which currently has a rural zoning (1(a) General Rural under the provisions of the Lismore Local Environmental Plan) to a rural residential zone, being 1(c) – Rural Residential. This will translate to an R5 – Large Lot Residential zone under the Draft Lismore Local Environmental Plan. This inconsistency with Direction 1.2 is justifiable in that the subject site is identified in the <i>Lismore Rural Housing Strategy 2002</i> and the <i>Lismore Village Development Strategy 1997 (re-edited 2002)</i> as land for closer rural settlement and potential rural residential development.
No. 1.5 – Rural Lands	<i>Objectives:</i> <i>(a) protect the agricultural production value of rural land,</i> <i>(b) facilitate the orderly and economic</i>	The site has limited agricultural viability due to inadequate land area and close proximity to rural

	<i>development of rural lands for rural and related purposes.</i> <i>A planning proposal must be consistent with the Rural Planning Principles listed in State Environmental Planning Policy (Rural Lands) 2008.</i> <i>A planning proposal may be inconsistent with the terms of this direction only if the relevant planning authority can satisfy the Director-General of the Department of Planning (or an officer of the Department nominated by the Director-General) that the provisions of the planning proposal that are inconsistent are:</i> <i>(a) justified by a strategy which:</i> <i>(i) gives consideration to the objectives of this direction;</i> <i>(ii) identifies the land which is the subject of the planning proposal (if the planning proposal relates to a particular site or sites), and</i> <i>(iii) is approved by the Director-General of the Department of Planning, or</i> <i>(b) is of minor significance.</i>	residential allotments. The slope of the western portion of the site also limits agricultural enterprise in this part of the site. This is detailed above in the assessment of SEPP Rural Lands. The Rural Planning Principles have also been addressed under SEPP Rural Lands. Due to the limited agricultural production value of the site, the planning proposal is consistent with Direction 1.5 as it will enable the economic development of the land for rural residential purposes. In addition, the site is identified in the <i>Lismore Rural Housing Strategy 2002</i> and the <i>Lismore Village Development Strategy 1997 (re-edited 2002)</i> as land for closer rural settlement and potential rural residential development.
No. 3.1 – Residential Zones	<u>Objectives:</u> <i>(a) to encourage a variety and choice of housing types to provide for existing and future housing needs;</i> <i>(b) to make efficient use of existing infrastructure and services and ensure that new housing has appropriate access to infrastructure and services, and</i> <i>(c) to minimise the impact of residential development on the environment and resource lands.</i> <i>In accordance with subclause (4) of this Direction, a planning proposal must include provisions that encourage the provision of housing that will:</i> <i>(a) broaden the choice of building types and locations available in the housing market, and</i> <i>(b) make more efficient use of existing infrastructure and services, and</i> <i>Reduce the consumption of land for housing</i>	The subject site is located within 5km of Lismore and on the southern fringe of the village of Dunoon. Adjoining land to the north and land on the eastern side of Dunromin Drive is zoned 1(c) – Rural Residential (proposed R5 – Large Lot Residential under the Draft Lismore LEP) and has been subdivided into approximately 45 allotments. The planning proposal would facilitate a similar land use pattern on the subject site and make efficient use of the existing road network, to

	<i>and associated urban development on the urban fringe, and (c) be of good design.</i>	which the site has extensive frontage.
No. 3.4 – Integrating Land Use and Transport	<u>Objective</u> To ensure that urban structures, building forms, land use locations, development designs, subdivision and street layouts achieve the following planning objectives: • Improving access to housing, jobs and services by walking, cycling and public transport; • Increasing the choice of available transport and reducing dependence on cars; • Reducing travel demand including the number of trips generated by development and the distances travelled, especially by car; • Supporting the efficient and viable operation of public transport services; • Providing for the efficient movement of freight	The subject site is located on the southern fringe of the village of Dunoon and within the village of Modanville. There is an existing rural residential subdivision located on adjoining land to the north and on the eastern side of Dunromin Drive. These villages and the existing subdivision are serviced by regular public transport. Development of the subject site would provide a viable extension to these services.
No. 4.4 – Planning for Bushfire Protection	<u>Objectives:</u> (a) To protect life, property and the environment from bush fire hazards, by discouraging the establishment of incompatible land uses in bush fire prone areas. (b) To encourage sound management of bush fire prone areas	The subject land is mapped as bushfire prone land. This has been addressed in Section C, Page 11 of this planning proposal.
No. 5.1 – Implementation of Regional Strategies	Planning proposals must be consistent with a regional strategy released by the Minister for Planning. A planning proposal may be inconsistent with the terms of this direction only if the relevant planning authority can satisfy the Director-General of the Department of Planning (or an officer of the Department nominated by the Director-General), that the extent of inconsistency with the regional strategy: (a) is of minor significance, and (b) the planning proposal achieves the overall intent of the regional strategy and does not undermine the achievement of its vision, land use strategy, policies, outcomes or actions.	The relevant strategy is the Far North Coast Regional Strategy. The consistency of the proposal with this strategy is addressed in Section B, page 5 of this planning proposal.

Section C – Environmental, Social and Economic Impact

1. Is there any likelihood that critical habitat or threatened species, populations or ecological communities, or their habitats, will be adversely affected as a result of the proposal?

A detailed ecological assessment has not been undertaken at this stage. However, the site has been inspected by a qualified ecologist. The preliminary survey indicated that the area proposed for rezoning has been extensively cleared with the majority of existing vegetation being comprised of Camphor Laurel and minor landscape plantings. It is considered unlikely that critical habitat or threatened species, populations or ecological communities, or their habitats, will be adversely affected as a result of the proposal.

A Flora and Fauna Assessment will be completed at the Development Application (subdivision) stage as required.

2. Are there any other likely environmental effects as a result of the planning proposal and how are they proposed to be managed?

Soil Contamination:

The subject site has historically been utilised for cattle grazing and rural living, with a single dwelling house located in the north-east corner of the allotment. The rest of the site remains vacant and not utilised for any agricultural enterprise. The owner has held the allotment for approximately thirty years and this current use has remained unchanged during that time.

No inventory of chemical contaminants has been conducted for the site, therefore the potential for storage of (minor volumes of) Contaminants of Concern (CoC) is unconfirmed. A Contamination Assessment of the site would be completed at the Development Application (subdivision) stage.

Dip Sites

No dip sites are located on the subject site. According to Lismore City Council mapping, the closest dip site (No. 80001) is located on the eastern side of Dunromin Drive, approximately 25 metres from the eastern boundary of the site.

Given that no dip sites are located on the subject site, a Preliminary Soil Contamination Assessment has not been undertaken at this stage but will be completed at the Development Application stage.

Bushfire:

The Site is mapped as bush fire prone land (refer to Figure 5) and therefore any future development of the Site for rural residential purposes will require a Bushfire Assessment to comply with Planning for Bush Fire Protection [PBP] (RFS 2006).

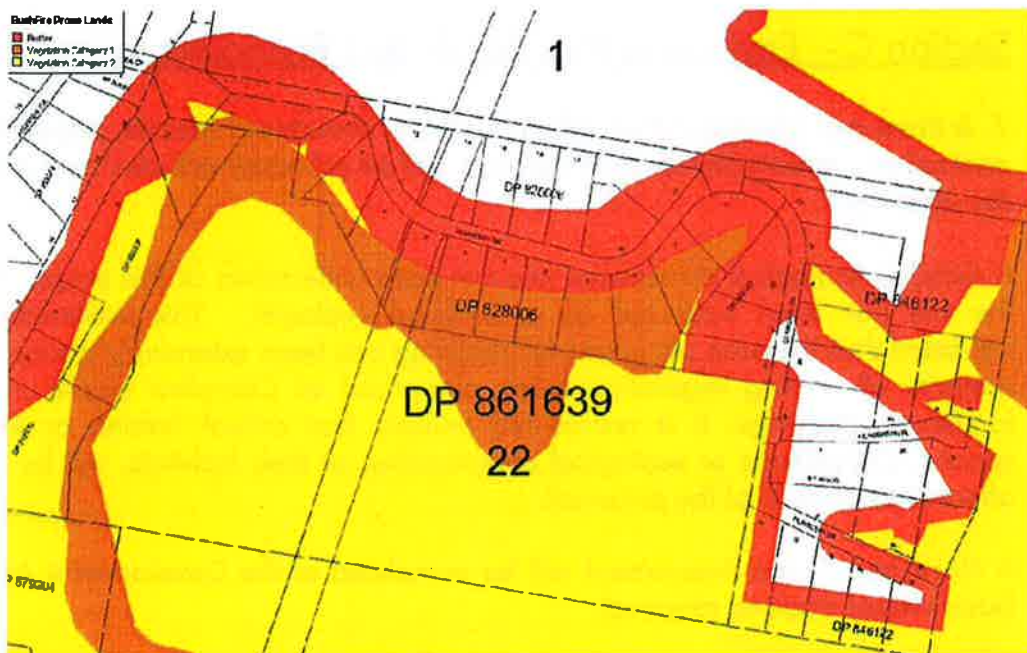


Figure 5: Extract from Lismore City Council Bushfire Prone Land Mapping

PBP requires consideration of a number of Bush Fire Protection Measures and Provisions for Residential and Rural Residential Subdivisions which include:

- Development and maintenance of Asset Protection Zones (APZs);
- Provision and maintenance of adequate access;
- Design, staging and siting of the development;
- Provision of appropriate water supply and availability during times of bushfire emergency
- Landscaping and maintenance; and
- Identification of relevant construction standards for bushfire protection.

For the Subject Site, the principle matters are that setbacks to hazardous vegetation for APZs can be achieved, and that adequate access can be provided. PBP states that performance criteria for APZs include that the APZ is wholly within the boundaries of the development site and located on lands with a slope less than 18 degrees. Preliminary indications are that these requirements can be achieved.

If a public road off Dunromin Drive is proposed to access the Site it similarly must comply with PBP requirements. Ideally, a perimeter road is the best performance solution for safe access to future lots. However if this is difficult to achieve, a one way access road of less than 200 metres in length with a 12 metre outer radius turning circle would be acceptable.

Provided these and other matters identified above are complied with, the development of the Site can be achieved such that compliance with PBP can be achieved.

Slope:

Figure 6 illustrates the contours of the site. A detailed survey of the site will be completed at the Development Application stage, and the subdivision layout will be informed by slope considerations.

Flooding:

The subject site is not flood liable or located within a floodway.

3. How has the planning proposal adequately addressed any social and economic effects?

The rezoning will facilitate subdivision, with a potential lot yield of approximately 10-15 lots. This relatively minor increase would represent a minimal percentage rise in the population of the Modanville / Dunoon locality.

The additional lots would provide economic benefit through the efficient use of existing infrastructure. In particular the subject site would make use of the existing road network currently servicing the rural residential subdivisions to the north and east of the subject site.



Note: 10m contours shown



SCALE 1:5000 AT A4

DISCLAIMER:

The areas and features shown hereon are subject to final survey and also to the requirements of council and any other authority which may have requirements under any relevant legislation. In particular, no reliance should be placed on the information on this plan for any financial dealings involving the land. This note is an integral part of this plan.



LandPartners Limited
2a Carrington Street
Lismore NSW 2480
Phone: (02) 6627 5600

SLOPE ANALYSIS PLAN
Lot 22 DP861639, Dunromin Drive, Modanville
CLIENT: Kerrie Moss

SCALE:	1 : 5000 at A4
LGA:	Lismore
LOCALITY:	Modanville
SURVEYED:	
DRAWN:	GC
APPROVED:	KB
DATE:	29.06.10
COGO:	NA
Dwg. No.	LM090014-PL5A

Figure 6 – Slope Analysis Plan

Section D – State and Commonwealth Interests

1. Is there adequate public infrastructure for the planning proposal?

The proposal is likely to result in a maximum increase of approximately 10-15 lots and will therefore result in minimal increase in population and demand for public infrastructure.

Existing utility services to Modanville and Dunoon (including reticulated water and telecommunication services) is capable of catering for the expected increase in population.

The existing road network, in particular Dunromin Drive can adequately cater for any proposed increase as a result of the proposal. The subject site has 150 metre frontage to Dunromin Drive, which links with Dunoon Road at its north-western end.

2. What are the views of State and Commonwealth Public Authorities consulted in accordance with the gateway determination?

This section of the planning proposal will be completed following consultation with the State and Commonwealth Public Authorities identified in the gateway determination. This section will summarise any issues raised by public authorities not already dealt with in the planning proposal, and will address issues as required.

Part 4 Community Consultation

In accordance with Section 4.5 of *A Guide to Preparing Local Environmental Plans* (Department of Planning, 2009) the gateway determination will specify the community consultation that must be undertaken on the planning proposal.

Given the relatively minor nature of the planning proposal, no community consultation has been undertaken at this stage. Future community consultation will be guided by the gateway determination.

Conclusion and Recommendations

This proposal to amend the Lismore City Council LEP 2000 Zoning Map such that the eastern 15 hectares of Lot 22 DP861639, be zoned 1(c) Rural Residential Zone (or R5 – Large Lot Residential under the provisions of the Draft Lismore LEP 2010). This is a direct result of the *Lismore Rural Housing Strategy 2002 and the Lismore Village Development Strategy 1997 (re-edited 2002)*. Both of these strategies identify the subject site as land suitable for rural residential development.

The proposal is also supported by the Far North Coast Regional Strategy, which highlights the need for rural residential development in areas "close to existing centres, avoiding areas of significant environmental and landscape value, and significant natural resources (including high quality agricultural land)"(FNCRS, Page 28). The close proximity of the subject site to Lismore and the village of Dunoon will maintain the existing hierarchy of settlement densities, as well as the extremely limited agricultural potential of the land demonstrates the consistency of the proposal with this strategy.

The proposal is consistent, or justifiably inconsistent, with all relevant Section 117 Directions. The inconsistency of the proposal with directions No. 1.2 and No. 1.5 is justifiable given that the size, topography and location of the allotment make it unsuitable for agricultural production. The identification of the subject site within the strategies described above, highlight its suitability as rural residential land.

A preliminary investigation of potential environmental constraints including bushfire, ecological, flooding, social and economic impact has been carried out. These investigations have not raised any issues that preclude the site from future development.

The rezoning of the eastern portion of Lot 22 DP861639 (as illustrated in Figure 2) to 1(c) Rural Residential Zone (R5 – Large Lot Residential Zone), is therefore considered suitable.

References

A Guide to Preparing Local Environmental Plans (Department of Planning, 2009)

A Guide to Preparing Planning Proposals (Department of Planning, 2009)

Environmental Planning and Assessment Act 1979 (as amended)

Far North Coast Regional Strategy

Lismore Rural Housing Strategy 2002

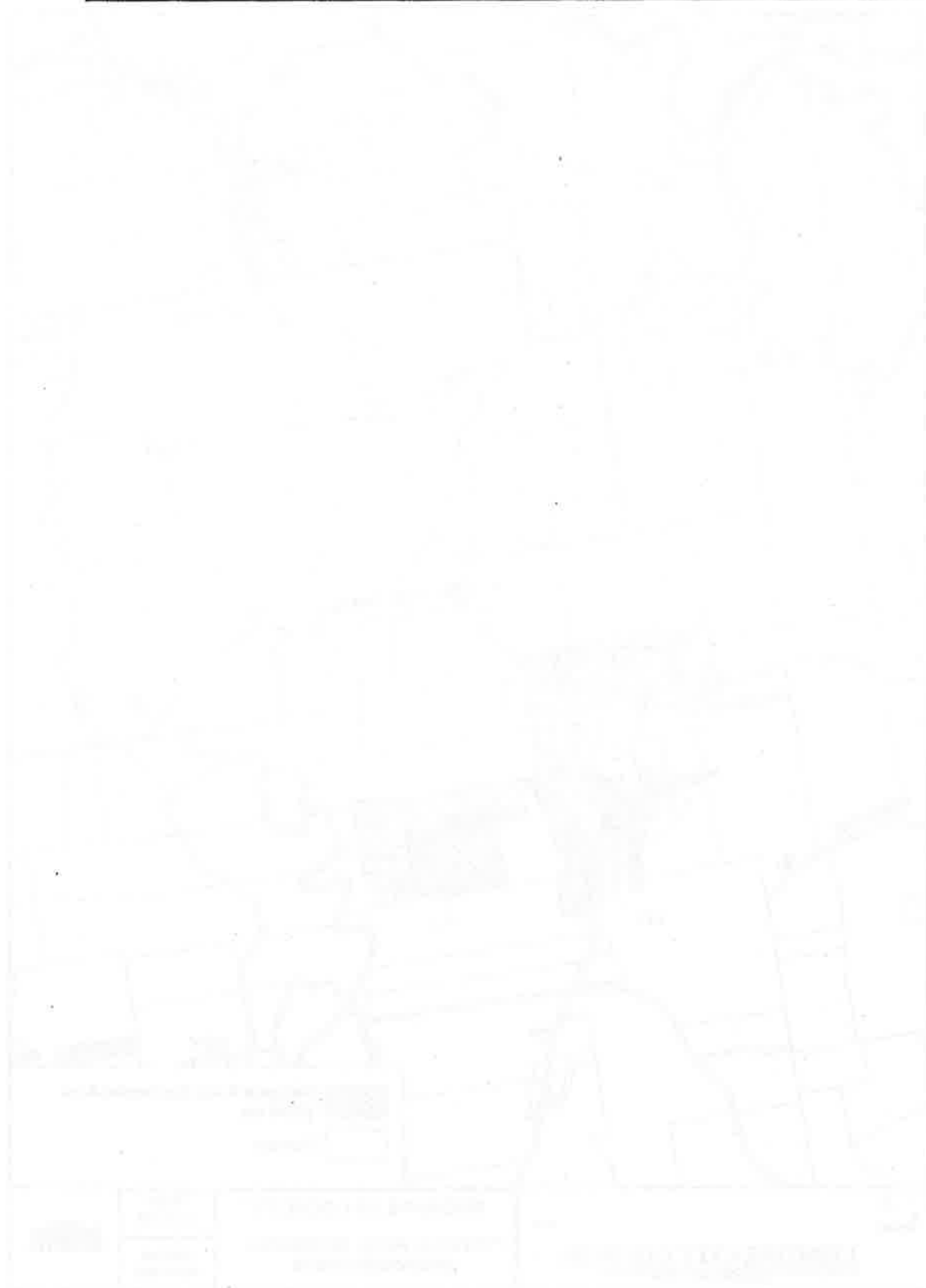
Lismore Village Development Strategy 1997 (re-edited 2002)

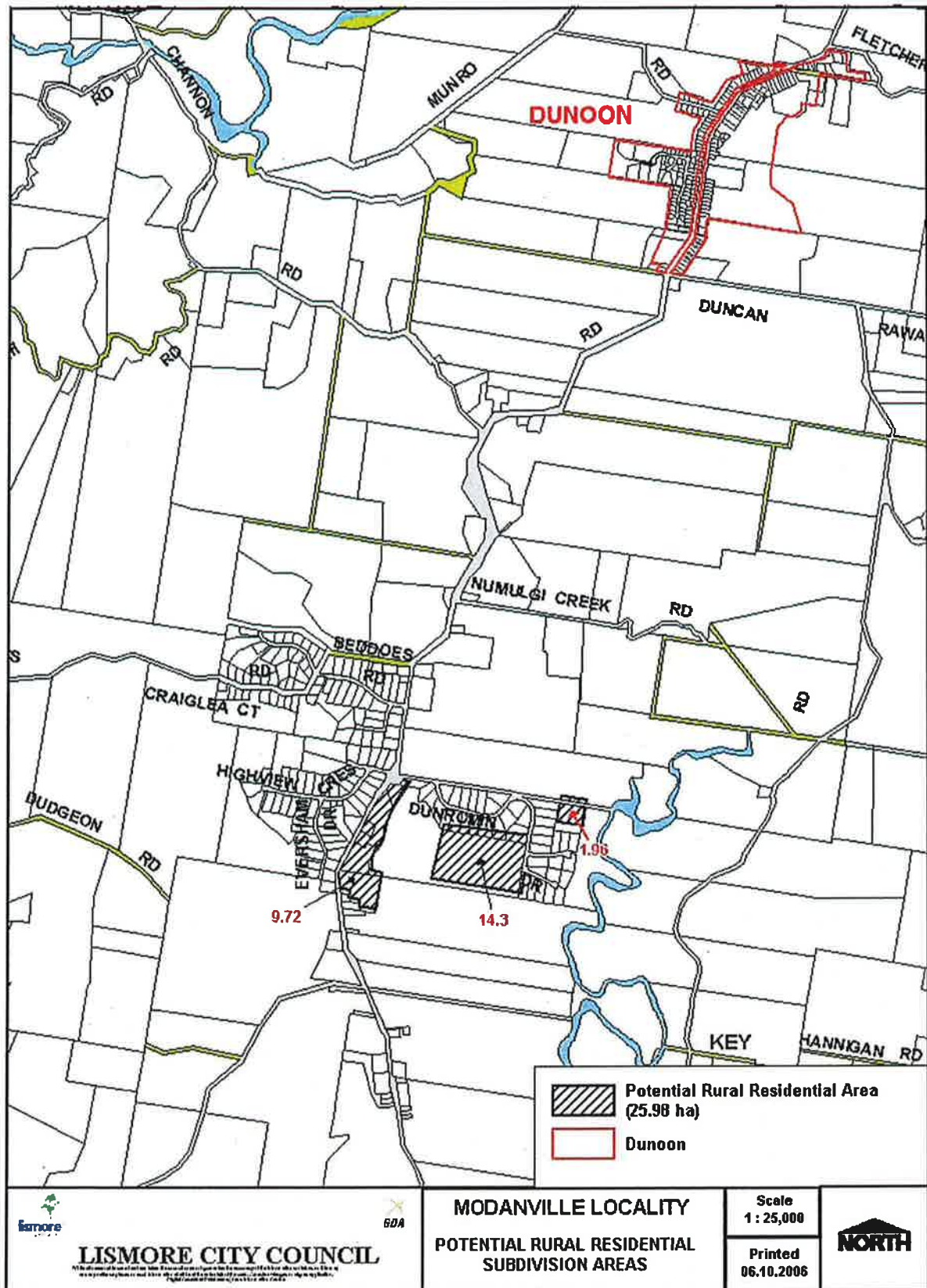
North Coast Regional Environmental Plan

Appendices

Appendix A – Modanville Locality Map, *Lismore Rural Housing Strategy*, p25

Appendix B – Dunoon and Modanville Future Development Map, *Lismore Village Development Strategy*, Map 1.





**APPENDIX B - Dunoon and Modanville Future Development Map (Lismore Village
Development Strategy, Map 1)**



