

Rezone Lot 82 DP 1187079, Waterford Park Estate, Goonellabah for residential purposes

Proposal Title : Rezone Lot 82 DP 1187079, Waterford Park Estate, Goonellabah for residential purposes

Proposal Summary : The proposal seeks to rezone part of Lot 82 DP 1187079, Waterford Park Estate, Goonellabah from RU1 - Primary Production to R1 - General Residential. The remaining part of Lot 82 is zoned R1 General Residential as part of the Waterford Park Estate.

The proposal will require amendments to Land Zoning, Minimum Lot Size and Height of Building maps.

PP Number : PP_2014_LISMO_003_00 **Dop File No :** 14/20802

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
- 2.3 Heritage Conservation
- 3.1 Residential Zones
- 3.4 Integrating Land Use and Transport
- 4.1 Acid Sulfate Soils
- 4.2 Mine Subsidence and Unstable Land
- 4.3 Flood Prone 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

Additional Information : It is recommended that:

- 1) The planning proposal should proceed as a routine planning proposal;
- 2) The Secretary (or an officer nominated by the Secretary) agrees that the inconsistencies with s117 Directions 1.2 Rural Zones, 1.5 Rural Lands and 5.3 Farmland of State and Regionally Significance on the NSW Far North Coast are justified and 4.4 Planning for Bushfire Protection will be resolved through consultation prior to exhibition with the NSW Rural Fire Service;
- 3) Prior to undertaking public exhibition, Council complete:
 - Flora and Fauna assessment
 - Contamination Land assessment
 - European and Aboriginal Heritage assessment
 - Social Impact assessment
 - Stormwater management plan
 - Traffic Impact assessment
 - Land Use Conflict Risk Assessment
 - Bushfire Risk assessment
- to support the planning proposal. This material should be placed on public exhibition with the planning proposal;
- 4) That the planning proposal be considered as low impact and exhibit the planning proposal for a period of 28 days;
- 5) The planning proposal be completed in 12 months;
- 6) Delegation to finalise the planning proposal be issued to Lismore City Council.

Supporting Reasons : The planning proposal to rezone part of Lot 82 DP 1187079 from rural to residential in accordance with the Local Urban Release Strategy is appropriate to proceed.

The issue of delegation to Council to finalise the planning proposal is appropriate in this instance.

Panel Recommendation

Recommendation Date : **19-Dec-2014**

Gateway Recommendation : **Passed with Conditions**

Panel Recommendation : **This planning proposal is considered of local significance and the Gateway Determination is to be issued under delegation by the General Manager, Northern Region. Therefore the planning proposal will not be considered by the panel.**

Gateway Determination

Decision Date : **19-Dec-2014**

Gateway Determination : **Passed with Conditions**

Decision made by : **General Manager, Northern Region**

Exhibition period : **28 Days**

LEP Timeframe : **12 months**

Gateway Determination : **The planning proposal should proceed subject to the following conditions:**

1. Prior to commencing public exhibition, the following studies are to be undertaken:

- **Flora and Fauna Assessment**
- **Contamination Land Assessment**
- **European and Aboriginal Heritage Assessment**
- **Social Impact Assessment**
- **Stormwater Management Plan**
- **Traffic Impact Assessment**
- **Land Use Conflict Risk Assessment and**
- **Bushfire Risk Assessment**

2. 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 and Environment 2013) and 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 (Planning & Infrastructure 2013).

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

- **NSW Department of Primary Industries – Agriculture**
- **NSW Rural Fire Service**

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.

4. 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).

5. The time frame for completing the LEP is to be 12 months from the week following the date of the Gateway determination.

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Signature:



Printed Name:

STEPHEN MURRAY

Date:

19 DECEMBER 2014