

Amended Planning Proposal

Note: this Planning Proposal is amended following consideration of a submission received during public exhibition.

LEP Minimum Lot Size Amendment 366 Dunoon Road, Tullera

June 2017



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Part 1 - Objectives or Intended Outcomes

The objective of this amended planning proposal is to enable a reduction in the minimum lot size applicable to Lot A DP 100387 at 366 Dunoon Road, Tullera to create two (2) additional allotments for residential development. This objective will be achieved through an amendment to the Lismore Local Environmental Plan 2012 (LEP 2012), specifically the lot size map. The site is presently in the R5 Large Lot Residential zone in the Lismore Local Environmental Plan 2012 as shown on Figure 1 below with a minimum lot size of 2ha (Z1) as shown in Figure 2 on the next page.

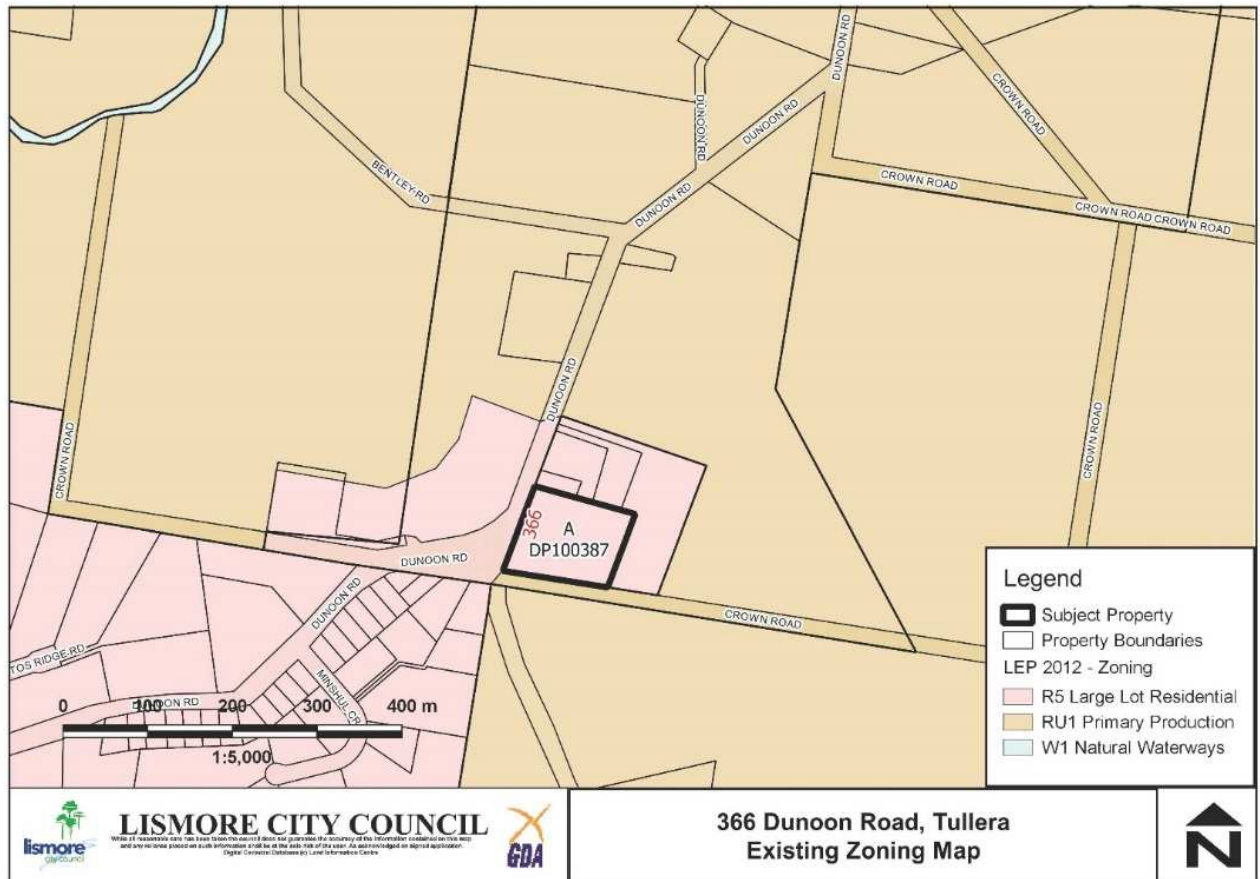


Figure 1 - Current zone at 366 Dunoon Road, Tullera

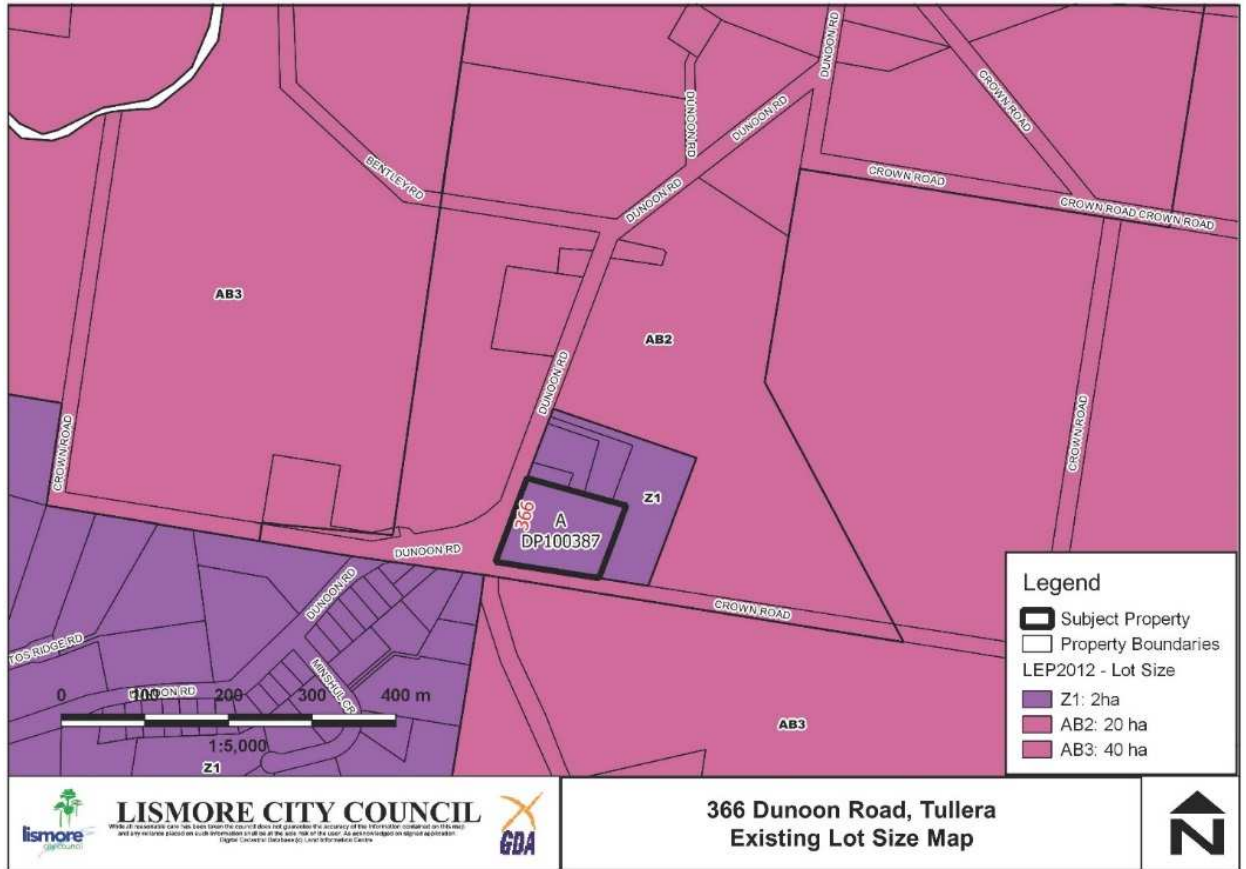


Figure 2 - Current lot size map Lismore LEP 2012

Site description and setting

The land subject to this proposal totals approximately 1.2 hectares in area and currently accommodates a dwelling and shed, both located in the north western corner as shown on Figure 3 below.

The majority of the site has been cleared except for the steep, eastern portion that comprises Hoop Pine. The flatter parts of the site comprise a number of Forest Red Gum and Brush Box trees.

The site is located on the northern end of the Tullera settlement, with frontage and direct access onto Dunoon Road. An unformed Crown Road bounds the southern part of the site that comprises steep slopes leading to dense vegetation. On its northern and eastern boundaries, the site adjoins residential development with a similar zoning, while the southern boundary abuts agricultural lands.

The site enjoys expansive views on the eastern aspect toward the hills surrounding the Lismore township.

The site is located approximately 6km's from the Lismore CBD which offers high level services and facilities commensurate to its status as a Regional Centre.

The site is serviced with electricity, reticulated water and can accommodate on-site wastewater disposal.



Figure 3 - Aerial photograph of the site



Figure 4 - View of Lismore suburbs to the south east



Figure 5 - Existing dwelling and dense vegetation to the east

Part 2 - Explanation of Provisions

The objective of the proposal will be achieved by amending the Lismore Local Environmental Plan 2012 to reduce the minimum lot size of the land in R5 Large Lot Residential zone from 2ha to 3,600m². The following map sheet is proposed for amendment. The proposed LEP map is included in Part 4 of this planning proposal:

- Lot Size Map – [Sheet LSZ_005] to apply a 3,600m² minimum lot size to the site.

Part 3 - Justification

Section A - Need for the Planning Proposal

There is a need for the Planning Proposal to reduce the minimum lot size in Zone R5 Large Lot Residential to allow for a subdivision to create two (2) additional lots for residential development. The North Coast Regional Plan (March 2017) estimates that the Lismore Local Government Area population is projected to increase to 51,750 by 2036 with 23,900 dwellings by 2036. This proposal will assist in meeting this demand for residential land.

Q1. Is the planning proposal a result of any strategic study or report?

The Lismore Growth Management Strategy 2015-2035 (GMS) was adopted by Council at its Ordinary meeting on 12 May 2015 and identifies land preferred for development for residential and employment purposes.

The subject site is specifically identified and discussed in the GMS as one of a number of sites in Zone R5 Large Lot Residential that have potential for further subdivision to be achieved through a combined development application for subdivision and a planning proposal to amend the minimum lot size or by way of a standalone planning proposal.

The GMS was conditionally approved by the Department of Planning and Environment on 11 August 2015. This proposal is consistent with the land use policy articulated in the GMS for this site.

Q2. Is the planning proposal the best means of achieving the objectives or intended outcomes, or is there a better way?

A planning proposal to reduce the minimum lot size in the R5 Large Lot Residential zone and an associated amendment of the Lot Size map is the best way to enable the further subdivision of the site.

Clause 4.2B(3) of the Lismore LEP 2012 allows for the erection of a dwelling house in Zone R5 on land that is at least the minimum lot size applying to the land. The current minimum lot size applying to the land is 2ha which precludes subdivision of the land and the development of a dwelling. Therefore, a change to the minimum lot size applying to the land is necessary to achieve the objectives and intended outcomes and the planning proposal is the only means to achieve this.

A change in minimum lot size is therefore consistent with Council's Growth Management Strategy and therefore is considered to be the most appropriate means of enabling the development of the land.

Section B – Relationship to strategic planning framework

Q3. Is the planning proposal consistent with the objectives and actions of the applicable regional or sub-regional strategy?

The North Coast Regional Plan (NCRP) March 2107 is the current overarching State Government framework to sustainably manage growth for the Far North Coast and allocate further land for development for residential and employment purposes in appropriate locations.

The NCRP states that 'local growth management strategies will be prepared by councils to reflect the directions and actions contained in this Plan'. The Planning Proposal is consistent with the

Goals and Actions of the NCRP with regard to locating new housing in and around existing towns where essential services and road infrastructure has been established.

The NCRP also states that local growth management strategies 'will be developed prior to preparing a local environmental plan to zone land for residential, rural residential, commercial and industrial land uses'. This proposal is consistent with the intent of the SCRCP as the future subdivision and development of the site is compatible with Council's GMS that the State Government has approved.

Q4. Is the planning proposal consistent with a council's local strategy or other local strategic plan?

The Planning Proposal is consistent with the following strategic planning documents:

- Imagine Lismore (Lismore Community Strategic Plan) 2013-2023.
- Lismore Growth Management Strategy 2015-2035 (GMS).

Imagine Lismore (Lismore Community Strategic Plan) 2013-2023

Imagine Lismore 2013-2023 was developed and endorsed by Council in accordance with the *Local Government Act 1993*. The plan identifies the main priorities and aspirations for the future of the local government area for a period of at least 10 years.

The planning proposal is consistent with Imagine Lismore's community visions and aspirations for growth as follows:

- The subject site is identified in the Lismore Growth Management Strategy 2015-2035;
- The site is close to existing development and services;
- The land is not flood prone.

Lismore Growth Management Strategy 2015-2035

The subject site is discussed on page 72 of the GMS as being one of a number of sites in Zone R5 Large Lot Residential with further ability to be subdivided, potentially through a combined development application for subdivision/planning proposal to amend the minimum lot size. The applicant in this case opted to lodge an individual planning proposal rather than combine it with a subdivision application.

Q5. Is the planning proposal consistent with applicable State Environmental Planning Policies?

The Planning Proposal is consistent with the requirements of the applicable State Environmental Planning Policies (SEPPs). An assessment against relevant SEPPs is provided at **Appendix 1**.

Q6. Is the planning proposal consistent with applicable Ministerial Directions (s.117 directions)?

The proposal is consistent with applicable Section 117 Directions or any inconsistency can be justified. An assessment against the Ministerial Directions is provided at **Appendix 2**.

Section C – Environmental, social and economic impact

Q7. 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?

Council's Ecologist has reviewed the Flora and Fauna Assessment completed by the Melaleuca Group in 2015 that accompanied the application and conducted a site inspection.

Koala habitat

While the site is not shown to contain Koala habitat in Council's GIS mapping, a site inspection confirmed that the site supports three (3) Forest Red Gum trees that are Koala food tree species. Figure 6 on the next page shows an area of primary Koala habitat that is located to the east/northeast of the site.

The Forest Red Gums' are primarily located on the proposed 'Lot 2' on the indicative lot layout plan. Council's Ecologist has advised that due to these trees being relatively isolated from other Koala food trees in the locality, it is likely they would provide 'stepping stones for Koala movement across the landscape. It is recommended that these trees be retained in the future development of the site, which could occur by way of a condition on a future development approval.

It is acknowledged that the amended Planning Proposal has the potential to impact these trees due to two (2) smaller allotments being proposed, compared to the one (1) additional larger allotment originally proposed. However, it is recommended that the future subdivision be designed to avoid lot boundaries transecting these trees which is possible with the proposed 3,600m² minimum lot size.

Endangered Ecological Communities

Based on recent observations, it is clear that the site has been substantially cleared since the Assessment was prepared by Melaleuca Group in 2015. It appears that the weedy Broad-leaved Privet shrub layer was removed, leaving several isolated Hoop Pine and not many native species. Council's Ecologist does not consider this vegetation to be dry rainforest as the required dense canopy is absent as well as native species diversity.

Threatened Flora

There were no threatened flora species recorded on the site which confirms the findings of the 2015 Melaleuca Group Assessment.

No further technical reporting relating to ecology is required at this stage.

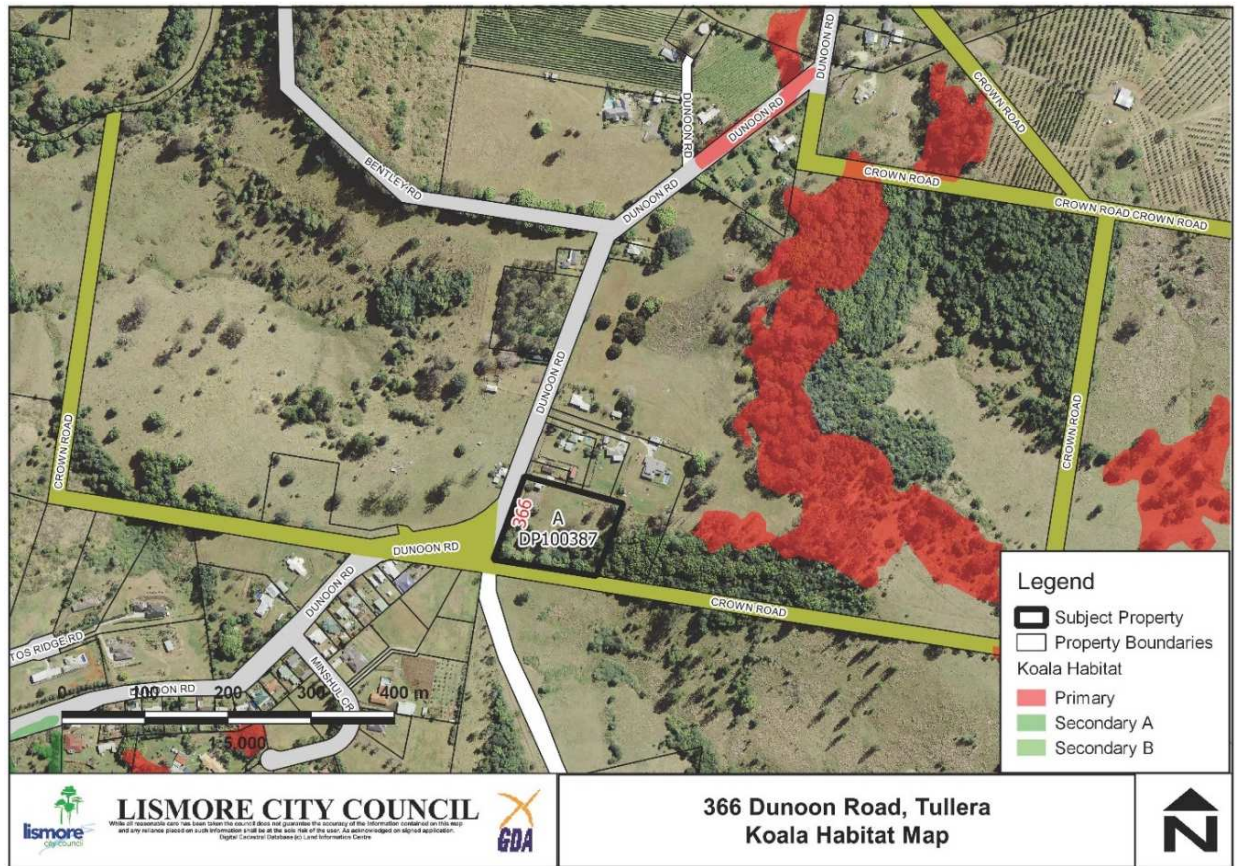


Figure 6 – Koala Habitat Map at 366 Dunoon Road, Tullera

Q8. Are there any other likely environmental effects as a result of the planning proposal and how are they proposed to be managed?

Land Contamination

A preliminary land contamination report was submitted with the first Planning Proposal that assessed soil tests located in the area surrounding the proposed new dwelling site, based on the conceptual lot layout for one (1) additional lot. Council’s Environmental Health Officer (EHO) reviewed this report and advised that the information was sufficient at this stage to demonstrate the land is suitable for residential habitation.

An additional land contamination report was supplied with the submission that assessed the southern portion of the site where a second additional lot is being proposed. Council’s EHO has recommended that due to high levels of arsenic being found in one of the samples, further assessment of the extent of contamination will be required at the development assessment stage.

Council’s EHO has indicated that the arsenic can be remediated and will not jeopardise the future development of the site.

Bush Fire

The majority of the site is mapped as Vegetation Category 2 and Vegetation Buffer except for the north western corner as shown in Figure 7 on the next page. A Bushfire Hazard Assessment has been submitted as part of this proposal which indicates that future development will be able to meet the requirements of Planning for Bushfire Protection 2006. The planning proposal will require referral to the NSW Rural Fire Service due to the land being bushfire prone.

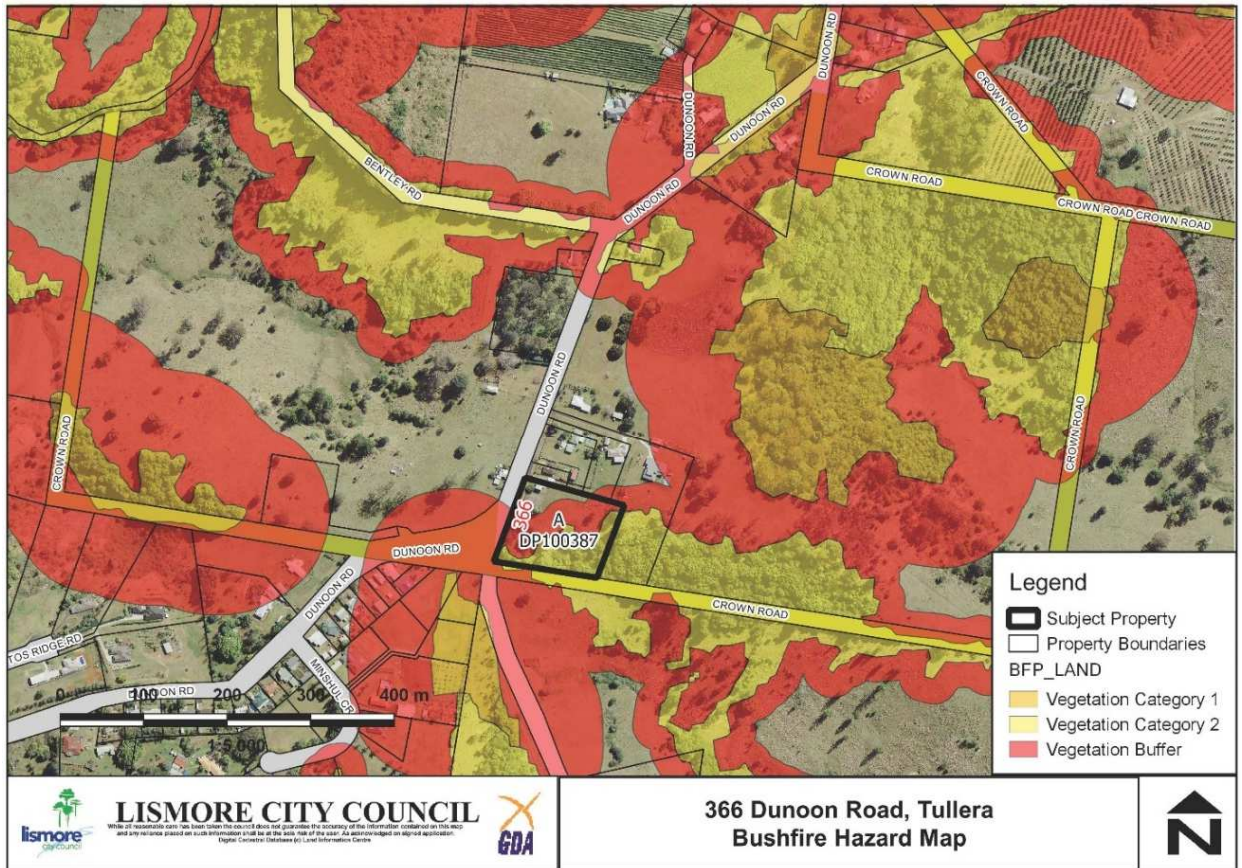


Figure 7 - Bushfire prone land at 366 Dunoon Road, Tullera

Regionally Significant Farmland

Approximately 0.7ha of the site is mapped as ‘Regionally Significant Farmland’ under the Northern Rivers Farmland Protection Project, as shown on Figure 8 on the next page. The impact of the Planning Proposal on the capacity of the land to support productive agriculture is negligible given that the subject site was permanently removed from agricultural production when it was developed for housing and is currently in the R5 Large Lot Residential zone.

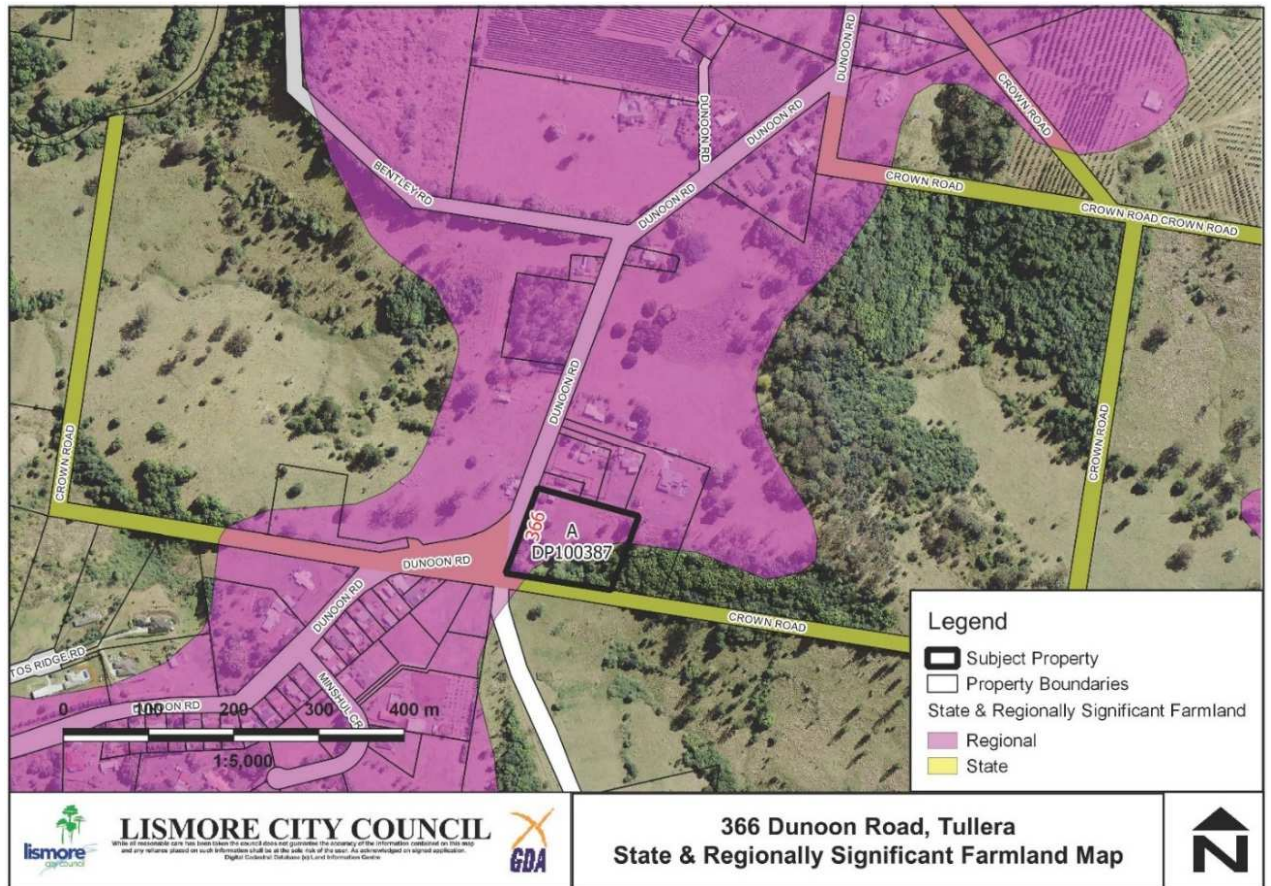


Figure 8 – Regionally Significant Farmland

Land use conflict

Although the planning proposal will result in the development of two additional dwellings on the subject site, only the southern allotment adjoins rural land, which has the potential to generate land use conflict. The risk of land use conflict occurring is relatively low given that the southern boundary is buffered from rural zoned land by an unformed Crown road and this land that may be too steep for productive agriculture. It is recommended that a Land Use Conflict Risk Assessment be undertaken at the development assessment stage.

Geotechnical Hazards

The western part of the site is gently undulating while the eastern section becomes steeper toward the eastern boundary. Council’s Strategic Engineer suggests on the south eastern corner of the site where the grade steepens to 30 - 50%, building should be prohibited. The constraints mapping is consistent with this advice because it identifies two (2) indicative dwelling sites located on the western portion of the site in close vicinity to Dunoon Road, where the slope is gently undulating.

The land is not mapped as being a site of potential mass movement.

Flooding

The subject site is not in the Flood Planning Area of the Lismore Local Environmental Plan 2012 and is not mapped as being prone to flooding or inundation.

Stormwater Management

Council's Strategic Engineer has advised that a culvert under Dunoon Road discharges stormwater on to the site. This flow path will need protecting with a drainage easement in the future. However, this issue will not impede the future subdivision and development of the site and the proper discharge of stormwater can be appropriately dealt with at the development assessment stage.

Q9. Has the planning proposal adequately addressed any social and economic effects?

Economic Impacts

It is expected that this planning proposal will facilitate the development of two (2) additional lots which is likely to have a positive economic impact.

Aboriginal and European Cultural Heritage

The site is not mapped in the LEP as containing any features or values in relation to Aboriginal or European cultural heritage. A search of the NSW Office of Environment and Heritage Aboriginal Heritage Information Management System shows no records of Aboriginal sites or places on the site.

Council's Environmental Contractor does not have any concerns with the proposal from a cultural heritage perspective. Thus a referral to the Ngulingah LALC is not deemed necessary due to the disturbed nature of the site, minor scale of the proposal and absence of any Aboriginal heritage records.

Social Impacts

Due to the minor nature and scale of the proposal there are not expected to be any adverse social impacts. The provision of additional land for residential development will increase housing choice in this locality.

Section D – State and Commonwealth interests

Q10. Is there adequate public infrastructure for the planning proposal?

Water supply

The subject site is serviced by reticulated water.

Sewerage

The site is not serviced by reticulated sewerage therefore, it is proposed to service future development through an on-site wastewater management system.

As part of the submission to this Planning Proposal, the applicant has provided an onsite wastewater management report that details proposed sewage management systems for two (2) additional lots. A constraints map (see Figure 9 over the page) was also provided to demonstrate there is sufficient unconstrained land to accommodate evapotranspiration beds located at appropriate buffer distances upslope and downslope from property boundaries, and reserve areas for effluent disposal. The south eastern corner of the site is identified as an 'Effluent Exclusion Zone' due to slope having a gradient of between 30 to 50%.

Council's EHO has advised that this information meets Council's Onsite Sewage and Wastewater Management Strategy.

It is also noted that the existing septic tank that services the existing dwelling will need decommissioning as part of a future development application which is recommended in the report.

Lot size

The proposed minimum lot size has been determined based on the capacity of the land to dispose of effluent wholly within each lot boundary. The original Planning Proposal that was placed on public exhibition proposed a lot size of 5,000m² based on the creation of one (1) additional allotment. Subsequently, the submission requested a minimum lot size of 4,000m² to create two (2) additional allotments. However, based on advice from Council's EHO a constraints map was requested to demonstrate each allotment can dispose of its wastewater wholly within each lot boundary in a way that meets Council's OSWMS. The constraints map shown below in Figure 9 meets Council's OSWMS and is the basis for the new minimum lot size of 3600m².

It is considered that 3600m² is suitable because it falls within the current range of different lot sizes within Zone R5 Large Lot Residential in the vicinity of the subject site that range between 3.5ha to 750m².



Figure 9 – Constraints map showing onsite wastewater management for each lot

Education, Health and Emergency Services

Tullera is located approximately 6km's from the Regional Centre of Lismore CBD which offers high level education, health, commercial, recreational facilities and services. Tullera also has a Rural Fire Brigade, Community Hall and tennis club.

Roads and Traffic

The Planning Proposal will create an additional 2 (two) lots.

Due to the small scale of the development a traffic assessment has not been undertaken. Council's Strategic Engineer has advised that this Planning Proposal will result in the generation of an estimated 8 to 12 trips per day which will have a negligible impact on the amount of traffic on Dunoon Road.

The construction of two additional vehicle access points to the proposed 2 lots is possible from Dunoon Road. Council's Strategic Engineer has recommended that driveway access visibility along the frontage is satisfactory for a 50 kph speed zone with at least 75m of visibility in either direction.

A section 94 contributions plan for Lismore LGA was adopted by Council in 2014 and is available on its website. Contributions for public infrastructure will apply to new rural dwellings and new rural lots.

Q11. What are the views of State and Commonwealth public authorities consulted in accordance with the Gateway determination?

Consultation with state and commonwealth public authorities has not occurred at this stage. It is recommended that the following authorities are consulted following the Gateway determination and in accordance with any s117 directions and conditions of the determination:

- Rural Fire Service

Part 4 - Mapping

Current zoning

The land is currently in Zone R5 Large Lot Residential under the provisions of the Lismore Local Environmental Plan 2012. The land is also mapped on the Lot Size Map (Z1) with a minimum lot size of 2ha. A maximum building height of 8.5m already applies to the land. Extracts of the relevant Lismore LEP 2012 lot size map is included below at Figures 5-6.

Proposed lot size

It is proposed to amend the minimum lot size that applies to the land from 2ha to 3,600m². The existing and proposed lot size maps are provided in Figures 10 and 11 below. This will be achieved by amending map sheet: LSZ_005

No changes are required to the Lismore LEP 2012 written instrument.

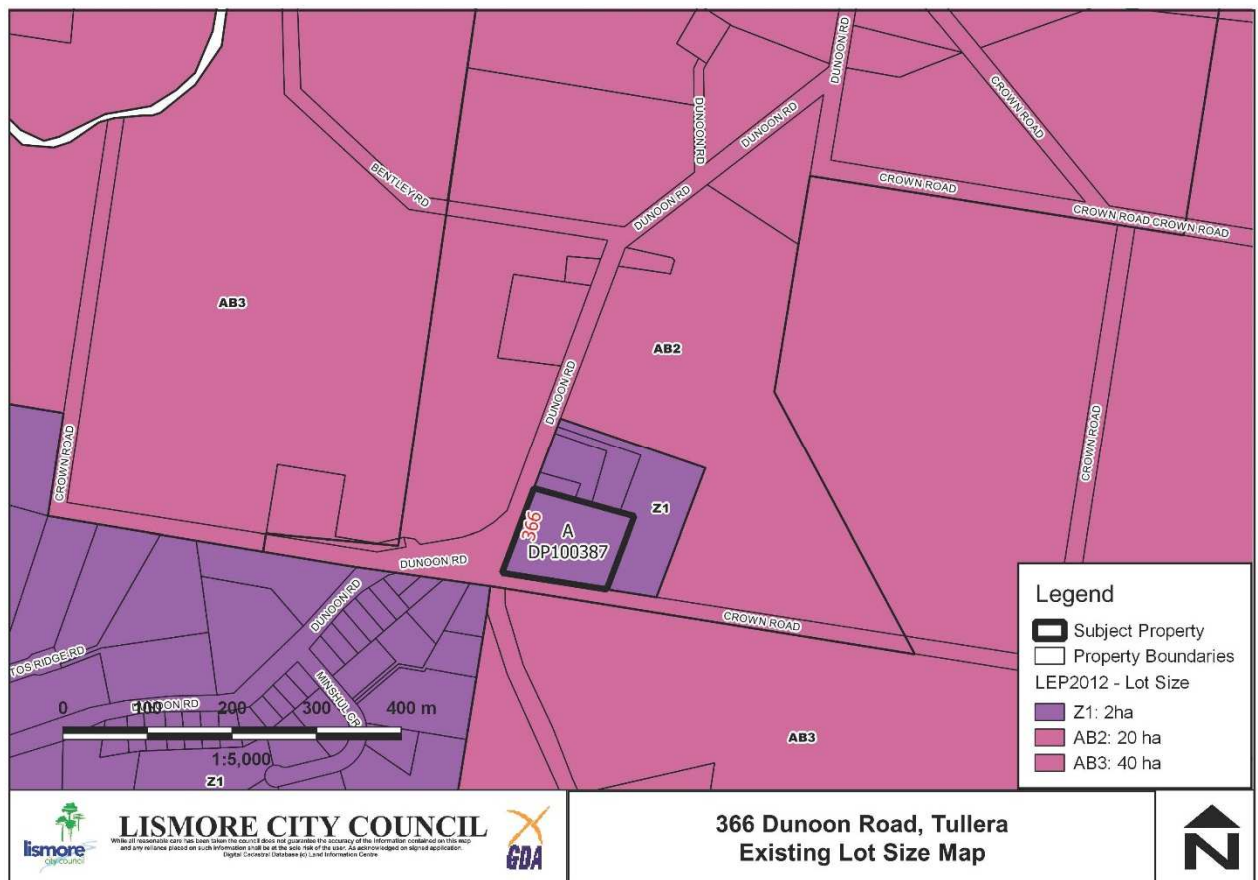


Figure 10 - Existing Lot Size

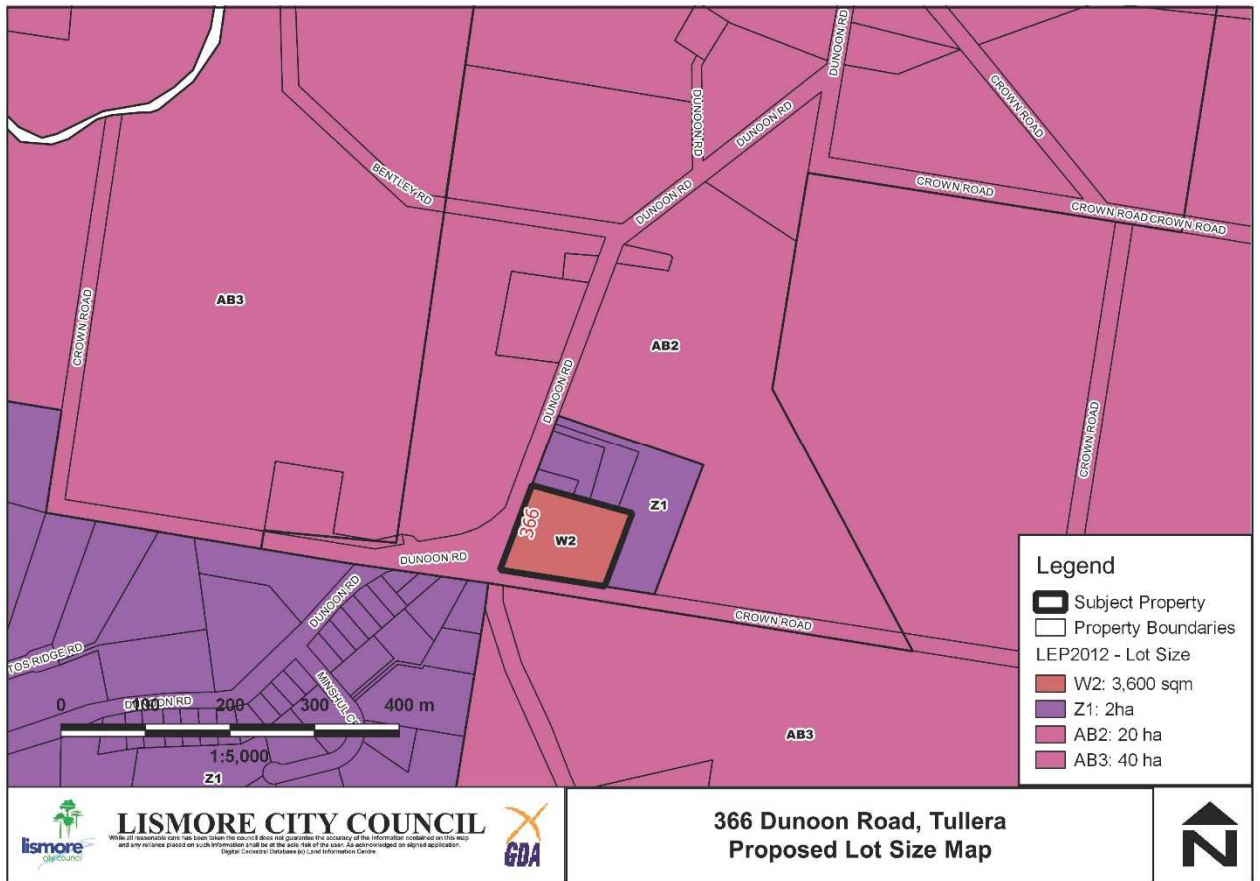


Figure 11 - Proposed Lot Size

Part 5 - Community Consultation

Council placed the original Planning Proposal for this site on public exhibition from 16 February 2017 until 3 March 2017. During this time one submission was received from GM Project Development and Management which sought an amendment to the Planning Proposal.

It is anticipated that the amended Planning Proposal will be sent to the Department of Planning with a request to alter the Gateway Determination.

Following receipt of the Gateway Determination, Council will carry out consultation with the community including a fourteen (14) day public exhibition period due to the minor nature of the proposal.

Notification of the exhibited Planning Proposal will include:

- A newspaper advertisement (Local Matters) that circulates in the area affected by the Planning Proposal.
- The website of Lismore City Council and the Department of Planning and Environment.
- Letter to adjoining landholders.

The written notice will:

- Provide a brief description of the objectives or intended outcomes of the Planning Proposal.
- Indicate the land that is the subject of the Planning Proposal.
- State where and when the Planning Proposal can be inspected.
- Provide detail that will enable members of the community to make a submission.

Exhibition Material:

- The Planning Proposal, in the form approved for community consultation by the Director General of the Department of Planning and Environment.
- The Gateway Determination
- Any studies required as part of the Planning Proposal.

The Gateway Determination will confirm the public consultation requirements.

Part 6 - Project Timeline

It is anticipated that the planning proposal will be completed within nine (9) months with an indicative timeline shown below:

- Report to Council – **August 2017**
- Gateway determination issued – **September 2017**
- Agency and public consultation - **October 2017 to November 2017**
- Consideration of submissions - **December 2017**
- Council consideration of the proposal post exhibition - **January 2018**
- Anticipated date of submission to the Department for notification of the making of the LEP - **February 2018**
- Anticipated date for plan making - **February 2018**

Conclusion

The subject land has been identified in the Lismore Local Growth Management Strategy 2015-2035 as having potential for further subdivision. A preliminary assessment of the amended Planning Proposal indicates that it responds to the constraints of the land and is consistent with relevant State Environmental Planning Policies and s117 Ministerial Directions, or any inconsistency can be justified. There is sufficient information to enable Council to support the amended Planning Proposal and forward it to the Department of Planning and Environment for its consideration and response.

APPENDIX 1 - Compliance with applicable State Environmental Planning Policies

State Environmental Planning Policy	Requirements	Compliance
SEPP 44 – Koala Habitat Protection	<p>3 Aims, objectives etc (a) by requiring the preparation of plans of management before development consent can be granted in relation to areas of core koala habitat, and (b) by encouraging the identification of areas of core koala habitat, and (c) by encouraging the inclusion of areas of core koala habitat in environmental protection zones.</p> <p>16 Preparation of local environmental studies The Director General may require that potential or core koala habitat not proposed for environmental protection zoning is the subject of an environmental study.</p>	<p>Consistent. The site is not mapped as containing primary or secondary Koala habitat. However, a site inspection by Council's Ecologist indicated that three (3) Forest Red Gum Koala food trees are present on the site.</p> <p>It is not anticipated that these trees will be removed as part of the future subdivision and development of the site. Therefore, the planning proposal is not inconsistent with the provisions of SEPP 44.</p>
SEPP 55 – Remediation of Land	<p>6 Contamination and remediation to be considered in zoning or rezoning proposal Council is required to consider whether the land is contaminated when rezoning for residential development.</p>	<p>Not applicable.</p>
SEPP (Affordable Rental Housing) 2009	<p>No specific requirement regarding rezoning land.</p>	<p>Not applicable.</p>
SEPP (Housing for Seniors or People with a Disability) 2004	<p>No specific requirement regarding rezoning land.</p>	<p>Not applicable.</p>
SEPP (Infrastructure) 2007	<p>No specific requirement regarding rezoning land.</p>	<p>Not applicable.</p>
SEPP (Rural Lands) 2008	<p>2 Aims of Policy The aims of this Policy are as follows: (a) orderly and economic use and development of rural lands, (b) regard to Rural Planning Principles and the Rural Subdivision Principles, (c) to implement measures designed to reduce land use conflicts, (d) to identify State significant agricultural (e) to amend provisions of other environmental planning instruments relating to concessional lots in rural subdivisions.</p>	<p>Consistent. Part of the site is identified as regionally significant farmland in the Far North Coast Farmland Protection Project. However, the land is already within Zone R5 Large Lot Residential and the majority of the site has been developed with a dwelling and shed and is thus considered to have limited agricultural potential.</p> <p>The planning proposal is consistent with the SEPP because the land has been identified in the Lismore Growth Management Strategy 2015-2035 (GMS) as having potential for further subdivision. In preparing the GMS Council has had consideration for the Rural Planning Principles within the SEPP.</p>

APPENDIX 2 – Compliance with Section 117 Ministerial Directions

Ministerial Directions	Requirements	Compliance
1. Employment and Resources		
1.1 Business and Industrial Zones	Not applicable	Not applicable.
1.2 Rural Zones	A Planning Proposal must not rezone land from a rural zone to a residential zone unless it is justified under clause 5 of the direction. Such justification includes the identification of the land in a strategy.	Not applicable.
1.3 Mining Petroleum Production and Extractive Industries	This direction applies when the Planning Proposal: <ul style="list-style-type: none"> • Has the effect of prohibiting mining of coal or other minerals, production of petroleum, or winning or obtaining extractive materials; • Restricting the potential of State or regionally significant mineral resources. 	Not applicable. The Planning Proposal does not have the effect of prohibiting mining of coal or other minerals, production of petroleum, or winning or obtaining extractive materials. The land does not accommodate mineral resources or extractive materials which are of State or regional significance.
1.4 Oyster Aquaculture	Not applicable	Not applicable.
1.5 Rural Lands	The Planning Proposal must be consistent with the Rural Planning Principles listed in SEPP (Rural Lands) 2008. Rural Planning Principles The Rural Planning Principles are: (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 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,	Not applicable.

Ministerial Directions	Requirements	Compliance
	(f) the provision of opportunities for rural lifestyle, settlement and housing that contribute to the social and economic welfare of rural communities, (g) consideration of impacts on services & infrastructure & appropriate location when providing for rural housing	
2. Environment and Heritage		
2.1 Environment Protection Zones	The Planning Proposal must include provisions that facilitate protection of environmentally sensitive areas. Must not reduce protection standards for environmental protection zones.	Consistent. The site has no environmentally sensitive areas. The Planning Proposal does not involve existing or proposed environmental protection zones.
2.2 Coastal Protection	Not applicable	Not applicable.
2.3 Heritage Conservation	A planning proposal must contain provisions that facilitate the conservation of: (a) items, places, buildings, works, relics, moveable objects or precincts of environmental heritage significance to an area, in relation to the historical, scientific, cultural, social, archaeological, architectural, natural or aesthetic value of the item, area, object or place, identified in a study of the environmental heritage of the area, (b) Aboriginal objects or Aboriginal places that are protected under the <i>National Parks and Wildlife Act 1974</i> , and (c) Aboriginal areas, Aboriginal objects, Aboriginal places or landscapes identified by an Aboriginal heritage survey prepared by or on behalf of an Aboriginal Land Council, Aboriginal body or public authority and provided to the relevant planning authority, which identifies the area, object, place or landscape as being of heritage significance to Aboriginal culture and people.	Consistent. Preliminary assessment through an AHIMs search and a review of Schedule 5 in the Lismore LEP 2012 indicates no items or places of Aboriginal or European heritage significance. Council's Cultural advisor has also advised there is a very low risk the site contains items of Aboriginal Cultural Heritage significance. It is recommended consultation with the Ngulingah Local Aboriginal Land Council is not required due to the disturbed nature of the site, minor scale of the proposal and absence of any Aboriginal cultural heritage records.
2.4 Recreation Vehicle Areas	Not applicable	Not applicable.
2.5 Application of E2 and E3 Zones and Environmental Overlays in Far North Coast LEPs	A planning proposal that introduces or alters an E2 or E3 zone or an overlay must apply zones and clauses consistent with the Northern Councils E Zone Review Final Recommendations	Not applicable. This planning proposal does not introduce or alter E Zones or overlays.

Ministerial Directions	Requirements	Compliance
3. Housing, Infrastructure and Urban Development		
3.1 Residential Zones	<p>Where applicable a Planning Proposal must include provisions that encourage housing that will:</p> <ul style="list-style-type: none"> (a) Broaden the choice of housing types and locations. (b) Make efficient use of existing infrastructure and services. (c) Reduce consumption of land on the urban fringe. (d) Housing of good design. <p>In addition, a planning proposal must:</p> <ul style="list-style-type: none"> • Contain a requirement that residential development is not permitted until land is adequately serviced. • Not contain provisions that will reduce permissible residential density of land. 	<p>Consistent.</p> <p>This proposal is consistent with the Direction because the proposal will result in greater housing choice and diversity in the housing market and increased residential density.</p> <p>Lismore LEP 2012 contains provisions that require the provision of services prior to development consent for residential development.</p> <p>The planning proposal is therefore consistent with this Direction.</p>
3.2 Caravan Parks and Manufactured Home Estates	<ul style="list-style-type: none"> (a) Retain provisions that permit development of caravan parks. (b) Retain zonings of existing caravan parks. (c) Take into account principles for siting manufactured home estates. 	<p>Consistent.</p> <p>This planning proposal does not identify suitable zones, locations or provisions for caravan parks or manufactured home estates.</p> <p>The site does not contain an existing caravan park.</p>
3.3 Home Occupations	<p>The Planning Proposal must permit home occupations in dwelling houses without development consent.</p>	<p>Consistent.</p> <p>Home occupations are permitted without development consent under LEP 2012 and SEPP (Exempt and Complying Development Codes) 2008. This planning proposal does not affect these provisions.</p>
3.4 Integrating Land Use and Transport	<p>The Planning Proposal must give effect to and be consistent with the aims, objectives and principles of:</p> <ol style="list-style-type: none"> 1. <i>Improving Transport Choice – Guidelines for planning and development</i> (DUAP 2001) <ul style="list-style-type: none"> • better integrate land use and transport planning and development, • provide transport choice and manage travel demand to improve the environment, accessibility and livability, • reduce growth in the number and length of private car journeys, • make walking, cycling and public transport use more attractive. 	<p>Consistent.</p> <p>The proposal is consistent with this Direction because it facilitates development that will access services and facilities primarily in Lismore and thus serve to reinforce its role and importance as a Regional Centre in the LGA.</p>

Ministerial Directions	Requirements	Compliance
	<p>2. <i>The Right Place for Business and Services – Planning Policy (DUAP 2001)</i></p> <p>This policy aims to encourage a network of vibrant, accessible mixed use centres that are closely aligned with and accessible by public transport, walking and cycling. Objectives include:</p> <ul style="list-style-type: none"> • help reduce reliance on cars and moderate the demand for car travel • encourage multi-purpose trips • encourage people to travel on public transport, walk or cycle • provide people with equitable and efficient access • protect and maximise community investment in centres, and in transport infrastructure and facilities • foster growth, competition, innovation and investment confidence in centres, 	
3.5 Development Near Licensed Aerodromes	Not applicable	<p>Not applicable.</p> <p>The site is not in the vicinity of a licensed aerodrome.</p>
3.6 Shooting Ranges	Not applicable	<p>Not applicable.</p> <p>The site is not located adjacent to an existing shooting range.</p>
4. Hazard and Risk		
4.1 Acid Sulfate Soils	Not applicable	Not applicable.
4.2 Mine Subsidence and Unstable Land	<p>Applies to mine subsidence areas</p> <p>Applies to areas identified as unstable</p>	<p>Consistent.</p> <p>The land is not within a mine subsidence area. The site is not mapped as being unstable or prone to subsidence and displays no physical evidence of this. The planning proposal is therefore consistent with this Direction.</p>
4.3 Flood Prone Land	Not applicable	<p>Not applicable.</p> <p>The land is not in a Flood Planning Area in the Lismore LEP 2012 and is not mapped as being prone to flooding or inundation.</p>
4.4 Planning for Bushfire Protection	<p>A Planning Proposal in bush fire prone land:</p> <p>(a) Is to be referred to the Commissioner of the NSW Rural Fire Service following receipt of a gateway determination and prior to community consultation.</p> <p>(b) Have regard to Planning for Bush Fire Protection 2006.</p> <p>(c) Restrict inappropriate development from hazardous areas.</p> <p>(d) Ensure bush fire hazard reduction is not prohibited within the APZ.</p>	<p>Consistent.</p> <p>The majority of the site is mapped as bushfire prone except the northwestern corner.</p> <p>A Bushfire Hazard Assessment has been submitted as part of this proposal which indicates that future development can meet the requirements of Planning for Bushfire Protection 2006.</p> <p>The amended planning proposal will require referral to the NSW Rural Fire Service due to the land being bushfire prone.</p> <p>The planning proposal is consistent with this Direction.</p>

Ministerial Directions	Requirements	Compliance
5. Regional Planning		
5.1 Implementation of Regional Strategies	The Planning Proposal must be consistent with the North Coast Regional Plan (March 2017).	Consistent. This proposal is consistent with the North Coast Regional Plan (NCRP) (March 2017) because it has been identified in a Departmental approved Local Growth Management Strategy (Lismore GMS 2015-2035). This proposal is also consistent with the Goals and Actions of the NCRP with regard to locating new housing in and around existing towns where essential services and road infrastructure have been established.
5.2 Sydney Drinking Water Catchments	Not applicable	Not applicable
5.3 Farmland of State and Regional Significance on the NSW Far North Coast	The Planning Proposal must not rezone land mapped as State or regionally significant farmland under the Northern Rivers Farmland Protection Project. The Direction does not apply to areas contained within a 'town and village growth boundary' in the Far North Coast Regional Strategy.	Not applicable.
5.4 Commercial and Retail Development along the Pacific Highway, North Coast	Not applicable.	Not applicable.
5.8 Second Sydney Airport: Badgerys Creek	Not applicable.	Not applicable.
6. Local Plan Making		
6.1 Approval and Referral Requirements	A Planning Proposal should not contain provisions requiring concurrence, consultation or referral of a Minister or public authority without approval from the relevant Minister or public authority; and the Director General of the Department of Planning. It must not identify development as designated development unless justified.	Consistent. The Planning Proposal does not introduce new concurrence, consultation or referral requirements. Nor does it propose new forms of designated development.
6.2 Reserving Land for Public Purposes	A Planning Proposal must not create, alter or reduce existing zonings or reservations of land for public purposes without approval of the relevant public authority and the Director General of the Department of Planning.	Consistent. This planning proposal does not affect public land.
6.3 Site Specific Provisions	A Planning Proposal to allow a particular land use (residential development) must rezone the site to an existing zone already applying to the LEP that allows the	Not applicable.

Ministerial Directions	Requirements	Compliance
	land use, without additional development standards to those already in use in that zone.	
7. Metropolitan Planning – Not applicable		