

Lismore LEP 2012 - General Amendments

Proposal Title : **Lismore LEP 2012 - General Amendments**

Proposal Summary : **The purpose of the Planning Proposal is to make the following general 'housekeeping' amendments to Lismore LEP 2012:**

- * undertake various minor amendments to the Land Zoning, Lot Size Map, Height of Buildings and Heritage maps;**
- * update Schedule 5 Environmental Heritage;**
- * permit hardware and building supplies in Zone RU5 Village with development consent,**
- * permit vehicle repair stations in Zone B1 Neighbourhood Centre, B2 Local Centre and B3 Commercial Core with development consent;**
- * require development consent for home-based childcare in certain zones;**
- * refine clause 4.2C 'Erection of dual occupancies (detached) in zone RU1' to emphasize the protection of primary production potential of the land; and**
- * refine clause 4.2D 'Exceptions to minimum subdivision lot size for lot boundary adjustments in zone RU1' to cater for the non-urban zone combinations that occur in rural areas.**

PP Number : **PP_2016_LISMO_004_00** Dop File No : **16/06391**

Planning Team Recommendation

Preparation of the planning proposal supported at this stage : **Recommended with Conditions**

- S.117 directions:
- 1.1 Business and Industrial Zones**
 - 1.2 Rural Zones**
 - 1.3 Mining, Petroleum Production and Extractive Industries**
 - 1.5 Rural Lands**
 - 2.1 Environment Protection Zones**
 - 2.3 Heritage Conservation**
 - 3.1 Residential Zones**
 - 3.2 Caravan Parks and Manufactured Home Estates**
 - 3.3 Home Occupations**
 - 3.4 Integrating Land Use and Transport**
 - 3.5 Development Near Licensed Aerodromes**
 - 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**
 - 6.2 Reserving Land for Public Purposes**
 - 6.3 Site Specific Provisions**

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

- 1. The Planning Proposal be supported;**
- 2. The Planning Proposal be exhibited for 28 days;**
- 3. The Planning Proposal be completed within 12 months;**
- 4. That the Secretary (or her delegate) note the current inconsistency with section 117 Direction 4.4 Planning for Bushfire Protection and that this inconsistency will need to be resolved prior to the proposal being finalised;**
- 5. It is recommended that a delegate of the Secretary agree that the inconsistency of the**

proposal with S117 Directions 1.2, 2.3, 3.5, 4.1, 4.3 and 6.2 are justified in accordance with the terms of the directions;

6. That consultation be undertaken with the following agencies:

- Civil Aviation Air Authority
- Office of Environment and Heritage
- The Australian Rail Track Corporation
- NSW RFS

7. A written authorisation to exercise delegation is issued to Lismore City Council Council in this instance.

Supporting Reasons :

The reasons for the recommendation are as follows;

1. The proposed amendments will ensure an accurate and current LEP for Lismore City Council which will provide confidence and clarity in the planning controls.
2. The inconsistencies of the proposal with the S117 Directions are of minor significance

Panel Recommendation

Recommendation Date : **13-May-2016**

Gateway Recommendation : **Passed with Conditions**

Panel Recommendation : **This matter is considered to involve matters of only local significance and can be considered by the Director Regions, Northern.**

Gateway Determination

Decision Date : **13-May-2016**

Gateway Determination : **Passed with Conditions**

Decision made by : **Regional Director, Northern Region**

Exhibition period : **28 Days**

LEP Timeframe : **12 months**

Gateway

Determination :

1. 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 community consultation.
2. Community consultation is required under sections 56(2)(c) and 57 of the Act as follows:
 - (a) the planning proposal and must be made publicly available for a minimum of 28 days;
 - (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 and Infrastructure 2013); and
 - (c) Any mapping material must meet the specifications in the current Standard Technical Requirements for Spatial Datasets and Maps (Department of Planning and Environment 2015).
3. Consultation is required with the following public authorities under section 56(2)(d) of the Act and/or to comply with the requirements of relevant S117 Directions:
 - Civil Aviation Air Authority
 - NSW Office of Environment and Heritage
 - Australian Rail Track Corporation

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 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 timeframe for completing the LEP is to be 12 months from the week following the date of the Gateway determination.

Signature:



Printed Name:

Craig Diss

Date:

13 May 2016