

Rezoning land at Bangalow Road, Howard Grass for residential purposes

Proposal Title : Rezoning land at Bangalow Road, Howard Grass for residential purposes

Proposal Summary : The planning proposal seeks to rezone part of Lot 182 DP 787249 Bangalow Road, Howards Grass from RU1 - Primary Production to R1 - General Residential under the provisions of the Lismore Local Environmental Plan (LEP) 2012. The remaining part of Lot 182 will retain its RU1 agricultural zoning.

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

PP Number : PP_2015_LISMO_002_00 Dop File No : 15/08315

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
- 3.2 Caravan Parks and Manufactured Home Estates
- 3.3 Home Occupations
- 3.4 Integrating Land Use and Transport
- 4.1 Acid Sulfate Soils
- 4.2 Mine Subsidence and Unstable 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

Additional Information : It is recommended that:

- 1) The planning proposal 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 2.3 Heritage Conservation 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 exhibition and community consultation, complete the following:
 - Updated flora and fauna assessment
 - updated preliminary contaminated land assessment
 - Geotechnical Report
 - Aboriginal and European cultural heritage assessment
 to support the planning proposal. This material should be placed on public exhibition with the planning proposal;
- 4) The planning proposal be exhibited for a period of 28 days;
- 5) The planning proposal be completed in 12 months; and
- 6) Delegation to finalise the planning proposal be issued to Lismore City Council.

Supporting Reasons : The planning proposal to rezone part of Lot 182 DP 787249 from rural to residential in accordance with the Lismore Local Urban Strategy is appropriate to proceed.

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

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Panel Recommendation

Recommendation Date : **29-May-2015**

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 : **29-May-2015**

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 public exhibition the following studies are to be completed:

- (a) updated flora and fauna assessment;**
- (b) updated preliminary contaminated land assessment;**
- (c) Geotechnical Report; and**
- (d) Aboriginal and European cultural heritage assessment.**

2. Community consultation is required under sections 56(2)(c) and 57 of the Act as follows:

- (a) the planning proposal 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 (Department of Planning and Infrastructure 2013).**

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:

- Office of Environment & Heritage**
- 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 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:

STEPHEN MURRAY

Date:

29 May 2015