

**Lismore LEP 2012 – 95 Breckenridge Street, Wyrallah.**

Proposal Title : Lismore LEP 2012 – 95 Breckenridge Street, Wyrallah.

Proposal Summary : The planning proposal seeks to amend Lismore LEP 2012 by rezoning part of Lot 1 DP 747721, 95 Breckenridge Street, Wyrallah from RU1 Primary Production to R5 Large Lot Residential and applying a 3000m2 minimum lot size and 8.5m maximum building height to that part of the land being rezoned R5, to enable the land to be developed for rural residential purposes.

PP Number : PP\_2016\_LISMO\_002\_00      Dop File No : 16/04434

**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
  - 3.4 Integrating Land Use and Transport
  - 3.5 Development Near Licensed Aerodromes
  - 4.1 Acid Sulfate Soils
  - 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
  - 6.3 Site Specific Provisions
  - 3.6 Shooting Ranges

- Additional Information :
- It is recommended that the planning proposal should proceed subject to the following;
1. The planning proposal proceed as a 'routine' planning proposal.
  2. Prior to community consultation an Aboriginal and European cultural heritage study be prepared for the subject site and placed on public exhibition with the planning proposal.
  3. A community consultation period of 14 days is necessary.
  4. The planning proposal is to be completed within 12 months.
  5. The RPA is to consult with the following State agencies and organisations;
    - a. The NSW Office of Environment and Heritage;
    - b. The local aboriginal land council in relation to matters of Aboriginal cultural heritage.
    - c. The NSW Rural Fire Service;
  6. A written authorisation to exercise delegation be issued to Lismore City Council.
  7. The delegate of the Secretary agree that the inconsistency of the proposal with S117 Directions 1.2 and 3.1 are justified in accordance with the terms of the direction.
  8. The delegate of the Secretary note that unresolved consistency of the proposal with S117 Directions 2.3 and 4.4.

- Supporting Reasons :
- The reasons for the recommendation are as follows;
1. The proposal will contribute to the identified demand for R5 zoned land in Lismore LGA which is identified in the Lismore Growth Management Strategy 2015-2035.
  2. The land is relatively unconstrained and has been identified as generally suitable for rural residential development through the strategic planning process.
  3. The proposal is consistent with the strategic planning framework and the inconsistencies are considered to be of minor significance.

**Panel Recommendation**

Recommendation Date :

Gateway Recommendation :

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

**Gateway Determination**

Decision Date : **21-Mar-2016**

Gateway Determination : **Passed with Conditions**

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

Exhibition period : **14 Days**

LEP Timeframe : **12 months**

Gateway Determination : **1. Prior to community consultation further assessment of Aboriginal and European cultural heritage significance of the site is to be undertaken and the results of this assessment are to be included with the planning proposal for community consultation.**

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

**(a) the planning proposal is classified as low impact as described in A Guide to Preparing LEPs (Department of Planning and Infrastructure 2013) and must be made publicly available for a minimum of 14 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 or organisations under section 56(2)(d) of the Act and/or to comply with the requirements of relevant S117 Directions:**

- The NSW Office of Environment and Heritage;**
- The local aboriginal land council in relation to matters of Aboriginal cultural heritage;**
- and**
- The 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:

Craig Diss

Date:

21 March 2016