

Lismore LEP 2012 – 506 Caniaba Road, Caniaba, Large Lot Residential Rezoning.

Proposal Title : Lismore LEP 2012 – 506 Caniaba Road, Caniaba, Large Lot Residential Rezoning.

Proposal Summary : The planning proposal seeks to amend Lismore LEP 2012 by rezoning Lot 15 DP 246746, 506 Caniaba Road, Caniaba from RU1 Primary Production to R5 Large Lot Residential and applying a 5000m2 minimum lot size and 8.5m maximum building height to the land, to enable the land to be developed for rural residential purposes.

PP Number : PP_2016_LISMO_007_00 Dop File No : 16/09114

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
 - 3.4 Integrating Land Use and Transport
 - 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 the planning proposal should proceed subject to the following;

1. The planning proposal proceed as a 'routine' planning proposal.
2. Prior to community consultation the planning proposal is to be amended to include written advice from the Local Aboriginal Land Council confirming that the site has no significant cultural heritage significance.
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. Rural Fire Service;
 - b. The NSW Office of Environment and Heritage; and
 - c. The Department of Primary Industries.
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 Direction 1.2 is justified in accordance with the terms of the direction.
8. The delegate of the Secretary note that outstanding consistency determinations for S117 Directions 2.3 Heritage Conservation and 4.4 Planning for Bushfire Protection.

- Supporting Reasons :
- The reasons for the recommendation are as follows;
1. The proposal will contribute to the identified demand for residential 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 : 11-Jul-2016 Gateway Recommendation : Passed with Conditions
Panel Recommendation : This is a local planning matter than can be appropriately considered and determined by the Director Regions, Northern without referral to the Panel.

Gateway Determination

Decision Date : 11-Jul-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 the planning proposal is to be amended to include written advice from the Local Aboriginal Land Council confirming that the site has no significant cultural heritage significance.
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;
(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 or organisations under section 56(2)(d) of the Act and/or to comply with the requirements of relevant S117 Directions:
• NSW Rural Fire Services
• NSW Office of Environment and Heritage
• Department of Primary Industries
Each public authority or organisation 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: 12 July 2016