

Planning Proposal

REZONING of land at 506 Caniaba Road, Caniaba

June 2016



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APPENDICES

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Part 1 - Objectives or Intended Outcomes

The objective of this planning proposal is to enable the development of Lot 15 DP 246746 at 506 Caniaba Road, Caniaba for large lot residential development. This objective will be achieved through an amendment to the Lismore Local Environmental Plan 2012 (LEP 2012), specifically the maps for land use zones, lot size and height of buildings. The site is presently in the RU1 Primary Production zone in the Lismore Local Environmental Plan 2012 as shown on Figure 1 below.

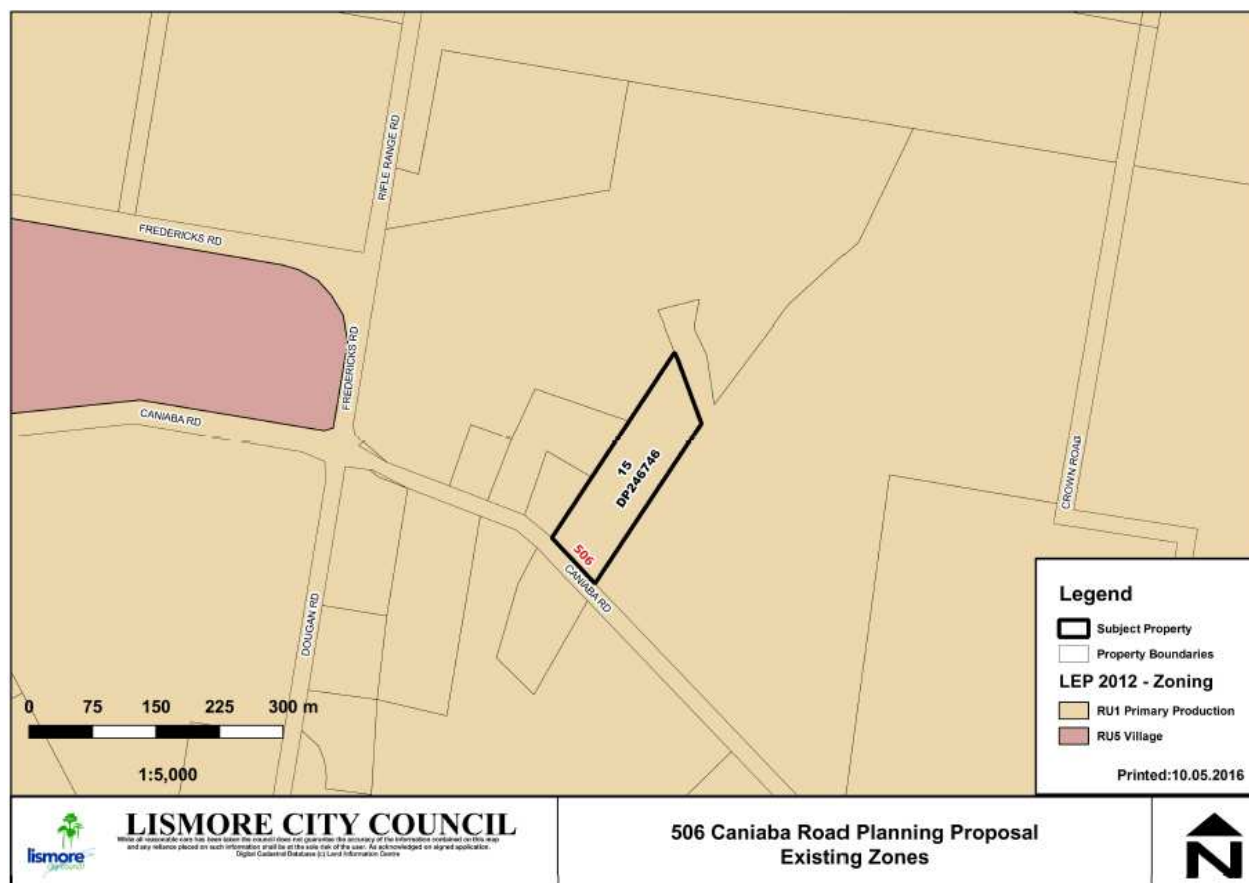


Figure 1 Current zone Lismore LEP 2012

Site description and setting

The subject land is approximately 2 hectares in area and currently accommodates a dwelling and ancillary outbuildings. The site is located less than 1 km from the existing Perradenya Estate and approximately 1 km from the Caniaba primary school, hall and rural fire service building. The site is located approximately 6.5 km from the Lismore urban area via Caniaba Road and the Bruxner Highway.

The Caniaba area consists primarily of rural land and dwellings with some large lot residential lots mostly located along Caniaba Road. Caniaba village facilities include a public hall, Rural Fire Service shed and a primary school. The Perradenya Estate is a residential area that features a range of community sporting facilities including a cricket oval, basketball court and horse riding facilities.

Land to the north and east of the site is rural land mostly used for grazing that is in the RU1 Primary Production zone. Land to the west of the site accommodates large lot residential development. Land on the southern side of Caniaba Road features a mix of large lot residential and rural allotments.

Figure 2 below provides an aerial photograph of the site. Figures 3 – 7 provide images of the land and its surroundings.



Figure 2 - Aerial photograph of the site



Figure 3 - View of the site from Caniaba Road



Figure 4 - View north across the middle of the site



Figure 5 - View of land adjoining the east of the site



Figure 6 - View towards existing development adjoining the west of the site



Figure 7 - View of existing development on the southern side of Caniaba Road

Part 2 - Explanation of Provisions

The objective of the proposal will be achieved by amending the Lismore Local Environmental Plan 2012 to rezone the land from the RU1 Primary Production zone to the R5 Large Lot Residential zone. The following map sheets are proposed for amendment. The proposed LEP maps are included in Part 4 of this planning proposal:

- Land Zoning Map – Sheet LZN_006AA to apply Zone R5 Large Lot Residential to the site.
- Lot Size Map – Sheet LSZ_006AA to apply a 5000m² minimum lot size to the site.
- Height of Buildings Map – Sheet HOB_006AA to apply an 8.5m maximum building height to the site.

Part 3 - Justification

Section A - Need for the Planning Proposal

There is a need for the Planning Proposal to allow for the rezoning of the site from primary production to large lot residential. The population within the Council area is projected to grow by 8,000 additional residents by 2031 (Far North Coast Regional Strategy 2006-31, December 2006) (FNCRS) resulting in demand for additional residential land. The Draft North Coast Regional Plan (March 2016) states that an extra 4,200-5,000 dwellings will be needed in the Lismore City Council Local Government Area by 2036. The proposed rezoning 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 located within an area identified as a 'future potential residential area'. Map 19 'Caniaba - Potential Village/Large Lot Residential' of the GMS clearly identifies the subject land as being in a 'future potential residential' area as shown on Figure 8 below.

The GMS was conditionally approved by the Department of Planning and Environment on 11 August 2015. This site contains a small portion (0.7ha) of regionally significant farmland. When approving the GMS, the Department advised that planning proposals seeking to rezone land mapped as regionally significant farmland should be deferred until it had reviewed its State and regionally significant farmland policy. This was to occur as part of the preparation of the draft North Coast Regional Plan, which is now on public exhibition and which includes this land in Figure 29: Urban Growth Area Map for Lismore LGA.

The Department also advised that proposals that are minor in nature would be considered. This proposal is considered to be minor in nature as only 0.7 hectares of regionally significant farmland is affected and this area is currently occupied by the dwelling and ancillary buildings.

The area to be rezoned is identified in the FNCRS as a 'Proposed Future Urban Release Area' and in the Draft North Coast Regional Plan as 'Proposed Urban Land'.

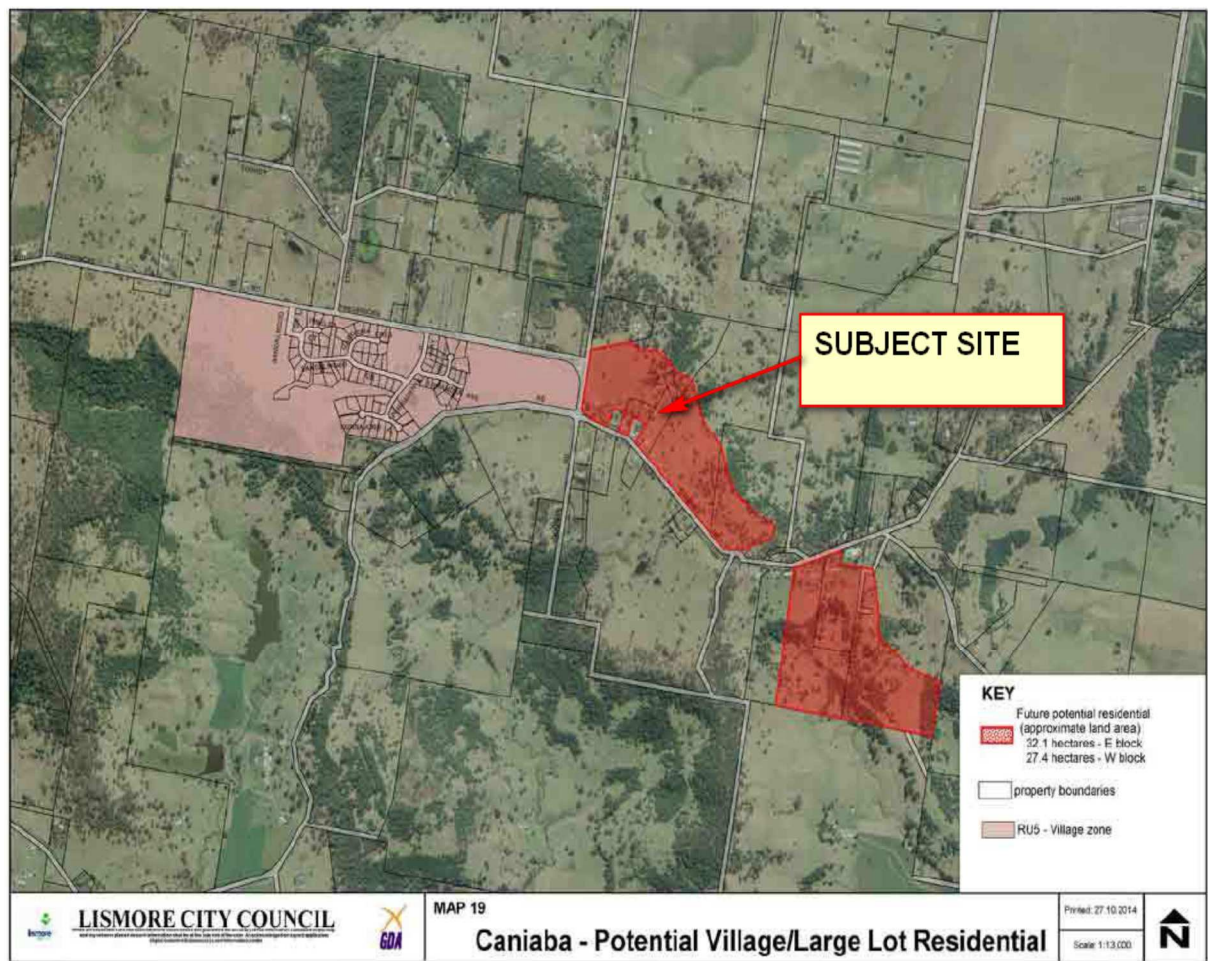


Figure 8 – 506 Caniaba Road in Lismore GMS 2015-2035

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 change the zone to the R5 Large Lot Residential zone and an associated amendment of the Lot Size map is the best way to enable large lot residential subdivision. Clause 4.2B(3) of the Lismore LEP 2012 allows for the erection of a dwelling house in Zone RU1 on land that is at least the minimum lot size applying to the land. The current minimum lot size applying to the land is 20ha which precludes subdivision of the land and the development of additional dwellings. Therefore, a change to the zoning and 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 zoning and minimum lot size is 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 FNCRS is the current overarching framework for the management of growth for the Far North Coast. The FNCRS identifies and promotes a settlement pattern that protects environmental values and natural resources while utilising and developing the existing network of major urban

centres, reinforcing village character and requiring efficient use of existing services and major transport routes.

The FNCRS aims to facilitate the development of settlement and housing to meet the region's projected population growth sustainably and protect the unique environmental assets, cultural values and natural resources of the region. The FNCRS states that 'future rural residential land will only be released in accordance with a Local Growth Management Strategy' (FNCRS, pg.30). The planning proposal is consistent with this Action.

The Draft North Coast Regional Plan (Draft NCRP) is intended to replace the FNCRS. The Draft NCRP also seeks to sustainably manage the growth of the North Coast and allocate further development of land for residential and employment purposes in appropriate locations. Figure 29 in Appendix B of the draft Plan includes the subject site. The planning proposal is consistent with the Goals and Actions of the Draft NCRP.

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 loss of a small amount of agricultural land is offset by the net benefit of the residential development close to services, and;
- The land is not flood prone.

Lismore Growth Management Strategy 2015-2035

The subject site is identified on Map 19 of the GMS as being within a future potential residential area. See Figure 8 above.

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?

Existing vegetation at the site consists almost entirely of exotic pastureland, reflecting historic clearing of the site and previous land use (grazing). While the site is mapped as containing a small amount of koala habitat as shown on Figure 9 below, Council's Ecologist has inspected the site and advised that no koala food trees are present on the site. More extensive areas of mapped primary Koala habitat occur in the locality with the main corridor for Koala movement extending around the site to the north. Council's Ecologist has advised that rezoning the site would not be expected to affect the capacity for Koalas to move through this corridor and that there are no ecological constraints that prevent the planning proposal from being supported.

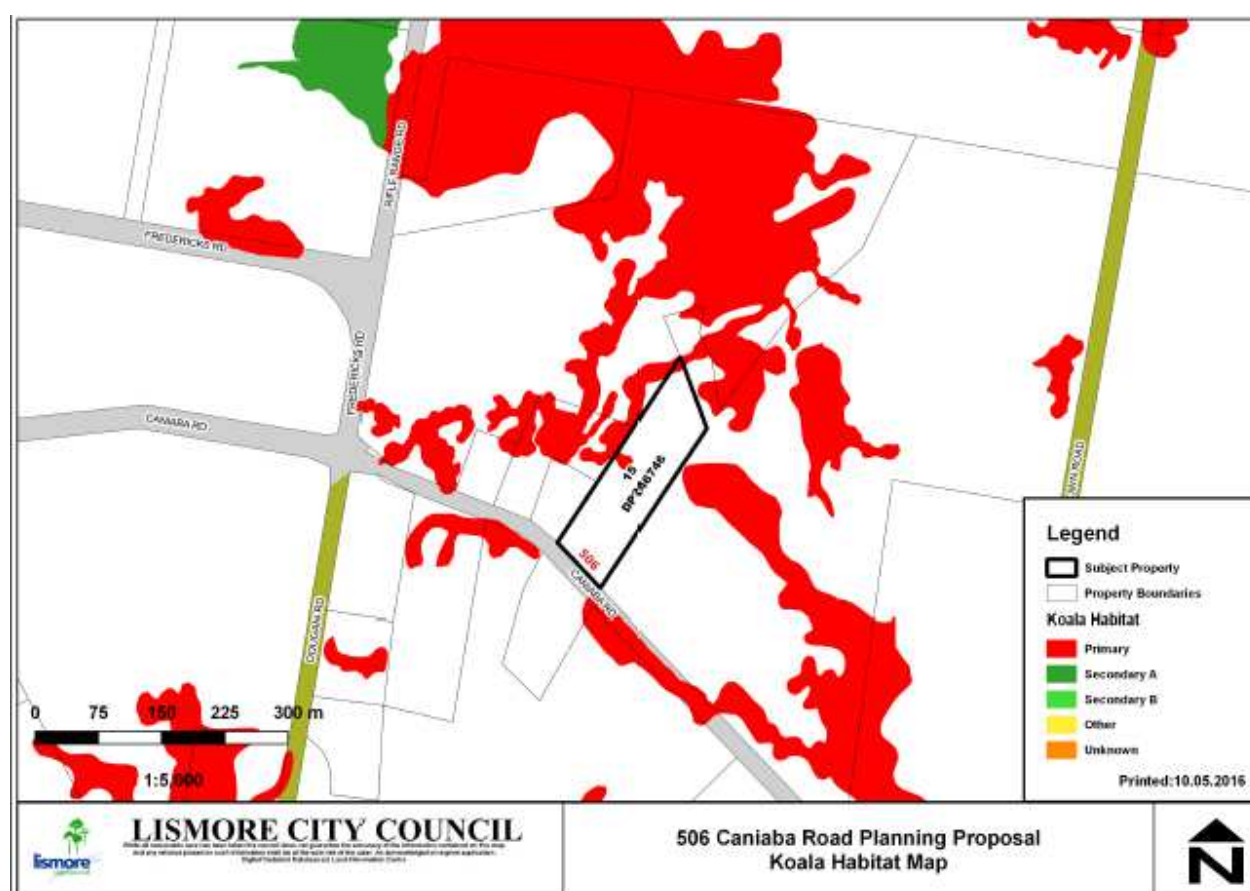


Figure 9 – Koala habitat 506 Caniaba Road, Caniaba

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 contaminated land assessment has been prepared which found no contamination of the land that would present a risk to residential development of the site. Council's Environmental Health Officer has reviewed the report and advised that there are no issues related to contaminated land which mean the planning proposal cannot be supported.

Bush Fire

The very northern part of the site is mapped as bushfire prone land as shown on Figure 10 below. A preliminary assessment of bushfire hazard indicates that future development will be able to meet the requirements of Planning for Bushfire Protection 2006. As the site is mapped as bushfire prone land the planning proposal will require referral to the NSW Rural Fire Service.

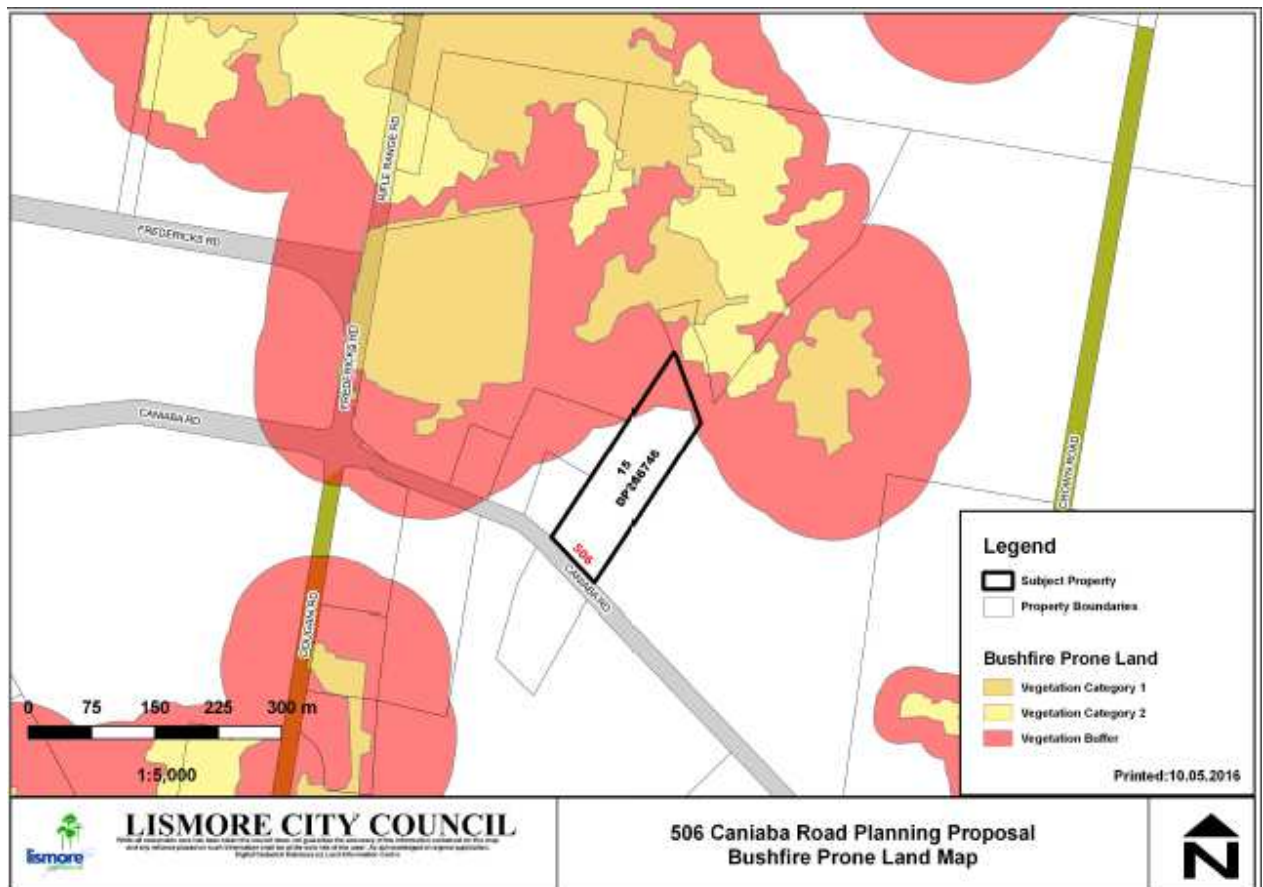


Figure 10 Bushfire prone land 506 Caniaba Road, Caniaba

Land use conflict

The planning proposal will result in the potential for additional dwellings on land adjoining rural land which has the potential to generate land use conflict. Council's Environmental Health Officer has assessed the proposal and advised that appropriate buffers between future dwellings and grazing activities on adjoining land can be addressed or included at the development application stage and there are therefore no issues in regard to land use conflict that would prevent the planning proposal from being supported.

Geotechnical Hazards

The site is relatively flat and does not display any evidence of landslip or geotechnical instability. The site is not mapped as being a site of potential mass movement. Council's Strategic Engineer has advised that the site does not display any evidence of land instability and, due to its minimal slope, a geotechnical hazard assessment is not required.

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

The proposed amendment will not facilitate development that will involve the construction of roads or substantial areas of hardstand. Therefore, future development is unlikely to generate significant stormwater runoff and stormwater management is unlikely to be a significant issue.

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

Economic Impacts

The planning proposal will only facilitate the development of an additional two (2) lots which is unlikely to create any adverse economic effects. There is likely to be some additional economic activity generated by development of the land and construction of future dwellings.

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 that no records of Aboriginal sites or places on the site or its surroundings. The Planning Proposal is therefore unlikely to result in any adverse effects on cultural heritage. However, it is recommended that the Planning Proposal is referred to Ngulingah Local Aboriginal Land Council following Gateway Determination.

Social Impacts

Due to the 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.

Section D – State and Commonwealth interests

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

Water supply

The development site is serviced by reticulated water. Council's Engineer has advised that there is sufficient capacity to accommodate potential development as a result of the Planning Proposal.

Management of effluent

The site is not serviced by reticulated sewerage. It is proposed to service future development through on-site wastewater management systems. An assessment of the potential of the site to accommodate wastewater disposal has been undertaken and Council's Environmental Health Officer has reviewed the assessment report and advised that the report satisfactorily demonstrates that the land is suitable for on-site wastewater management.

Education, Health and Emergency Services

There is a primary school in Caniaba approximately 1 km from the site. Otherwise health, education and emergency services are available nearby in Lismore which is approximately 6.5km from the site.

Roads and Traffic

The planning proposal will only create the potential for two (2) additional lots and development of two (2) additional dwellings on the site. Due to the small scale of the development potential a traffic assessment has not been undertaken. Council's Strategic Engineer has advised that existing roads servicing the development site are considered to have the capacity to accommodate any additional traffic generated by future development of the site that may be undertaken as a result of the proposed amendment of the Local Environmental Plan 2012.

A section 94 contributions plan for Lismore LGA was adopted by Council in 2014 and is available on its web site. 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
- Department of Primary Industries
- Office of Environment and Heritage.

Part 4 - Mapping

Current zoning

The land is currently in Zone RU1 Primary Production under the provisions of the Lismore Local Environmental Plan 2012. The land is also mapped on the Lot Size Map with a minimum lot size of 20ha. There is no maximum height of buildings that applies to the land. Extracts of the relevant Lismore LEP 2012 maps are included below at Figures 11-13.

Proposed land zoning, lot size and height of buildings

It is proposed to rezone the land from Zone RU1 Primary Production to Zone R5 Large Lot Residential. The change to the zoning map will require corresponding changes to the following as shown in Figures 14-16 below:

- a. Land Zoning Map – R5 Large Lot Residential
- b. Height of Buildings Map – 8.5 metres maximum
- c. Lot Size Map – 5000m² minimum

This will be achieved by amending map sheets:

LZN_006AA

LSZ_006AA

HOB_006AA

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

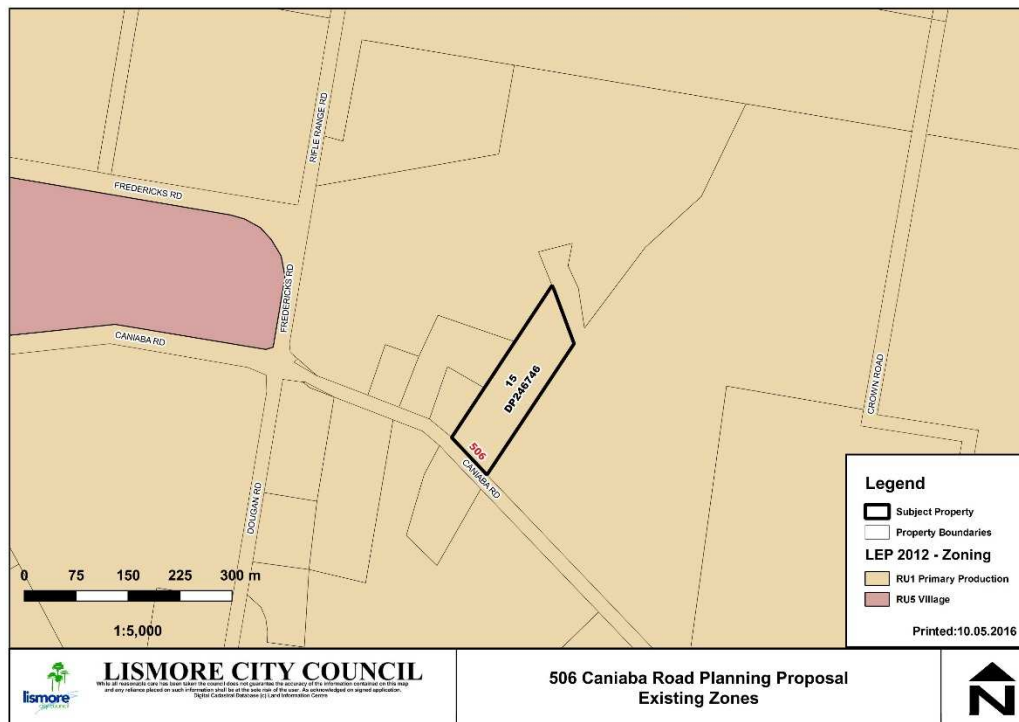


Figure 12 - Existing Land Zoning

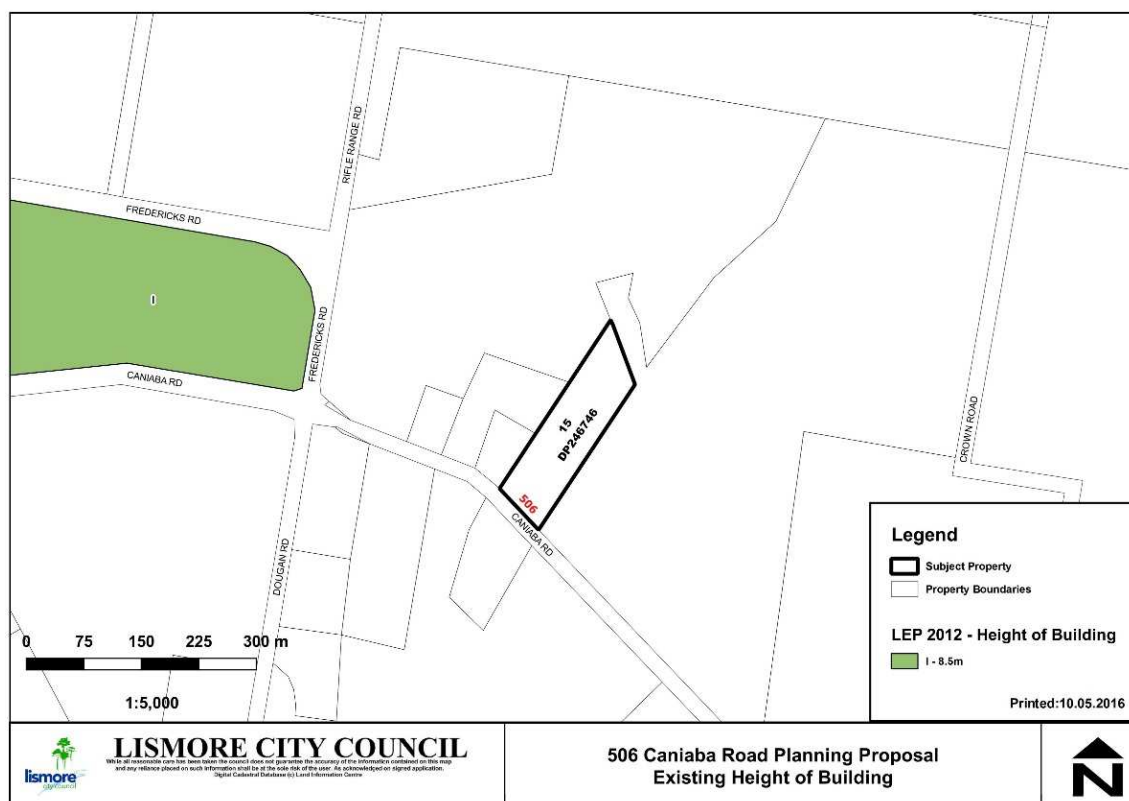


Figure 13 - Existing Height of Buildings

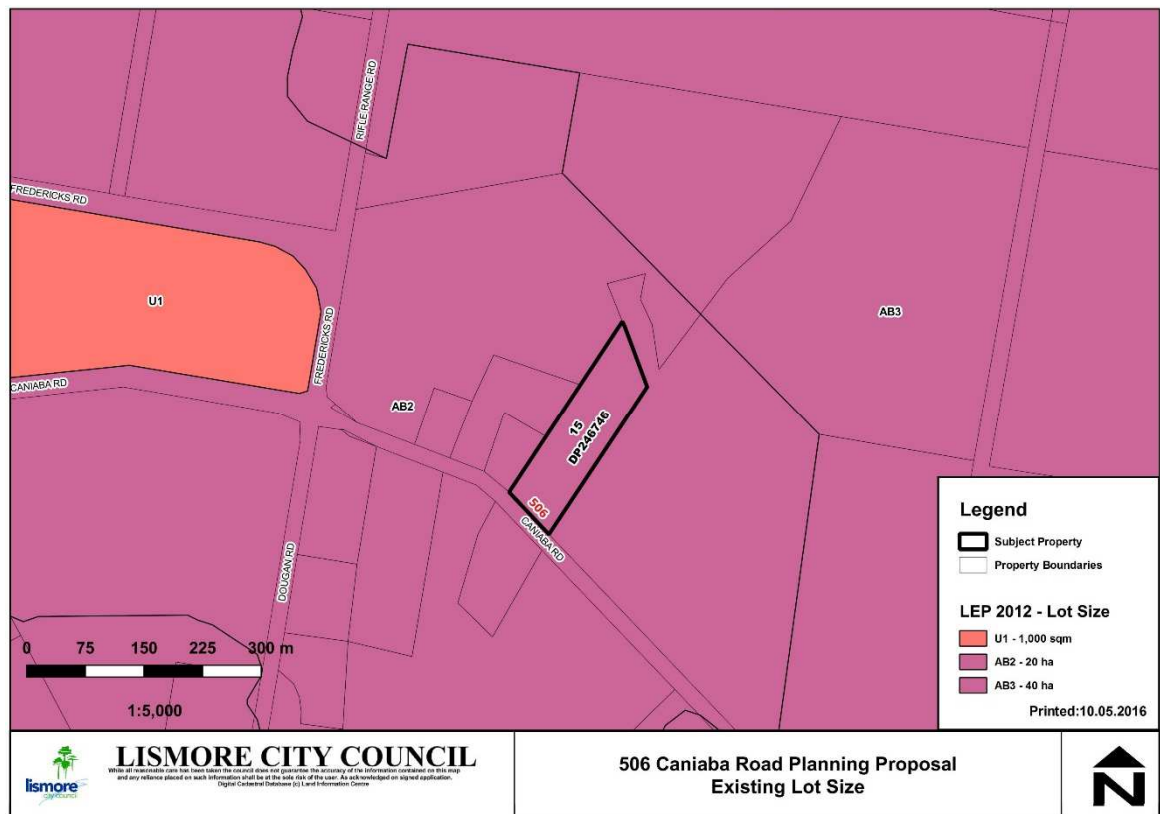


Figure 11 - Existing Lot Size

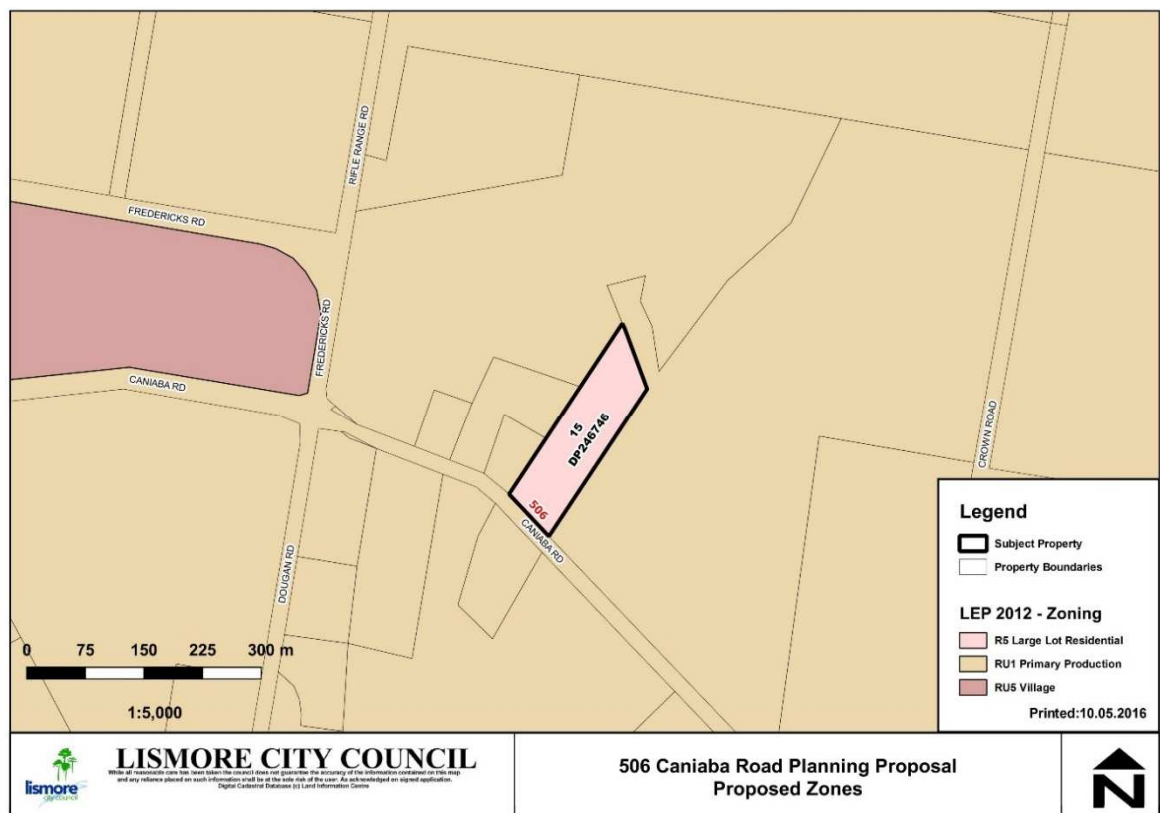


Figure 14 - Proposed Land Zoning



Figure 15 - Proposed Height of Buildings

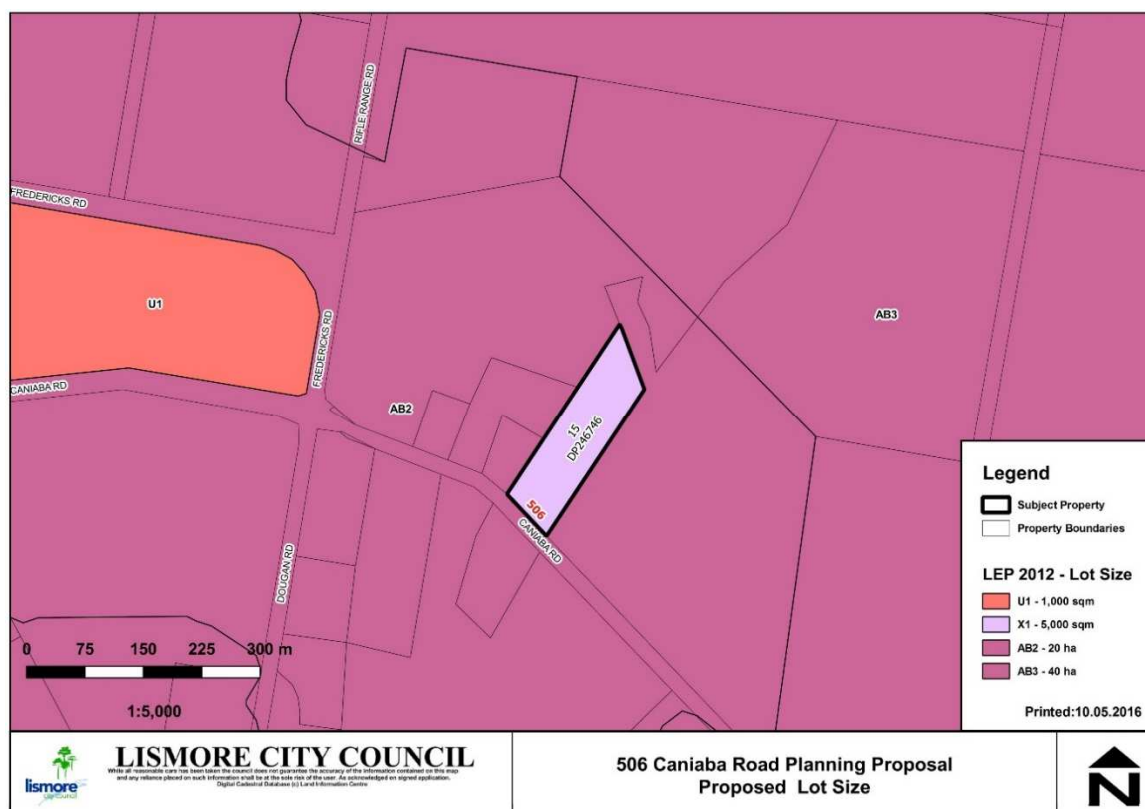


Figure 16 - Proposed Lot Size

Part 5 - Community Consultation

Council will carry out consultation with the community following Gateway Determination. For the purposes of public notification, Council considers that a twenty eight (28) day public exhibition period is appropriate.

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.
- Referral to Ngulingah Local Aboriginal Land Council.

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 - **June 2016**
- Gateway determination issued - **July 2016**
- Agency and public consultation - **August 2016 to October 2016**
- Consideration of submissions - **November 2016**
- Council consideration of the proposal post exhibition - **December 2017**
- Anticipated date of submission to the Department for notification of the making of the LEP - **February 2017**
- Anticipated date for plan making - **March 2017**

Conclusion

The subject land has been identified in the Lismore Local Growth Management Strategy 2015-2035 as future potential residential land, the FNCRS 2006-31 as future urban residential land and in the draft North Coast Regional Plan as future urban land. A preliminary assessment of the 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 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	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 environment protection zones. 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.	Consistent. The site is mapped as containing two very small areas of primary Koala habitat on the north-eastern fringe. However, a site inspection by Council's Ecologist indicated that no Koala food trees are present within these areas. The site is greater than 1 ha in area, however no 'core koala habitat' or 'potential Koala habitat' has been found on site. Therefore, the planning proposal is not inconsistent with the provisions of SEPP 44.
SEPP 55 – Remediation of Land	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.	Consistent. A preliminary contaminated land assessment has been prepared and it found no sources of contamination, other than elevated levels of zinc on one part of the site. Council's Environmental Health Officer has advised that there are no concerns regarding contaminated land that would restrict future development of the site for residential purposes.
SEPP (Affordable Rental Housing) 2009	No specific requirement regarding rezoning land.	Not applicable.
SEPP (Housing for Seniors or People with a Disability) 2004	No specific requirement regarding rezoning land.	Not applicable.
SEPP (Infrastructure) 2007	No specific requirement regarding rezoning land.	Not applicable.
SEPP (Rural Lands) 2008	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.	Consistent. Part of the site is identified as 'non-contiguous regionally significant farmland' in the Far North Coast Farmland Protection Project. The majority of this part of the site is currently occupied by the existing dwelling and outbuildings and is accordingly considered to have limited agricultural potential. DPI mapping shows that the site is classified as Class 3 and 4 agricultural land. The planning proposal is consistent with the SEPP because the land has been identified in the Far North Coast Regional

State Environmental Planning Policy	Requirements	Compliance
		Strategy as a 'proposed future urban release area'. The land is also identified in the Lismore Growth Management Strategy 2015-2035 (GMS) as a 'future potential residential area'. In preparing the GMS Council has had consideration for the Rural Planning Principles within the SEPP and therefore, the planning proposal is consistent with the SEPP.

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.	Justified inconsistency. The inconsistency is justified because the subject land is identified in the Far North Coast Regional Strategy (FNCRS) as being in the 'proposed future urban release area'. The Draft North Coast Regional Plan identifies the land as 'future urban land'. The site is also identified in the Lismore Growth Management Strategy 2015-2035 as 'future potential residential area'.
1.3 Mining Petroleum Production and Extractive Industries	This direction applies when the Planning Proposal: 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. Pursuant to clause 7 <i>SEPP (Mining, Petroleum Production and Extractive industries) 2007</i> , mining, petroleum production and extractive industries can occur where agriculture or industry may be carried out (with or without development consent). 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 as follows: (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 the 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	Consistent. The subject land is identified in the Lismore Growth Management Strategy 2015-2035 (GMS) as being 'potential village/ large lot residential' land. In preparing the GMS Council has recognised the significance of socio-economic benefits of rural land uses. Council has identified natural resources, biodiversity, water resources and constrained land in mapping its preferred areas for future rural residential development. Yet it has also still provided for a reasonable supply of rural housing in a range of locations with adequate services and infrastructure. The planning proposal is consistent with the Rural Planning Principles and is therefore consistent with this Direction.

Ministerial Directions	Requirements	Compliance
	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, (f) the provision of opportunities for rural lifestyle, settlement and housing that contribute to the social and economic welfare of rural communities, (g) the consideration of impacts on services and infrastructure and appropriate location when providing for rural housing, (h) ensuring consistency with any applicable regional strategy of the Department of Planning or any applicable local strategy endorsed by the Director-General.	
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	Planning proposal must incorporate provisions for conservation of European and Aboriginal heritage items or places.	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 Environmental Contractor has advised there is a very low risk of presence of items of Aboriginal Cultural Heritage significance. To confirm, it is recommended that consultation be carried out to confirm with the Ngulingah Local Aboriginal Land Council following an affirmative Gateway Determination.
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.
3. Housing, Infrastructure and Urban Development		
3.1 Residential Zones	Where applicable a Planning Proposal must include provisions	Consistent. A range of housing types will be permitted.

Ministerial Directions	Requirements	Compliance
	that encourage the provision of housing that will: (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. In addition, a planning proposal must: • 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.	The land is situated near to existing community facilities and is serviced by existing infrastructure. The planning proposal will therefore make more efficient use of these infrastructure and services by facilitating increased development potential of the land. Lismore LEP 2012 contains provisions that require the provision of services prior to development consent for residential development. The planning proposal will not reduce the permissible residential density of the land; it will in fact, increase it. The planning proposal is therefore consistent with this Direction.
3.2 Caravan Parks and Manufactured Home Estates	(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.	Consistent. This planning proposal does not identify suitable zones, locations or provisions for caravan parks or manufactured home estates. The site does not contain an existing caravan park.
3.3 Home Occupations	The Planning Proposal must permit home occupations in dwelling houses without development consent.	Consistent. 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.
3.4 Integrating Land Use and Transport	The Planning Proposal must give effect to and be consistent with the aims, objectives and principles of: 1. <i>Improving Transport Choice – Guidelines for planning and development</i> (DUAP 2001) • 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. 2. <i>The Right Place for Business and Services – Planning Policy</i> (DUAP 2001) This policy aims to encourage a network of vibrant, accessible	Consistent. The site has sufficient capacity to provide access to transport for residents. The site is adjacent near to existing residential development and associated infrastructure and community facilities. The site is proximal to all existing services including education, retail, recreation, medical, religious, sporting, trade and professional services. The proposed residential development will to some extent have the potential to increase car journeys. However, given the planning proposal will only facilitate the development of two additional lots, this is not considered to be significant. The planning proposal will not facilitate the development of a centre. The planning proposal will facilitate development that will access services and facilities in Lismore. The planning proposal will therefore serve to reinforce the role and importance of this centre.

Ministerial Directions	Requirements	Compliance
	mixed use centres that are closely aligned with and accessible by public transport, walking and cycling. Objectives include: • 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	Not applicable. The site is not in the vicinity of a licensed aerodrome.
3.6 Shooting Ranges	Not applicable	Not applicable. The site is not located adjacent to an existing shooting range.
4. Hazard and Risk		
4.1 Acid Sulfate Soils	Not applicable	Not applicable.
4.2 Mine Subsidence and Unstable Land	Applies to mine subsidence areas Applies to areas identified as unstable	Consistent. 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.
4.3 Flood Prone Land	Not applicable	Not applicable. The land is not prone to flooding.
4.4 Planning for Bushfire Protection	A Planning Proposal in bush fire prone land: (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. (b) Have regard to Planning for Bush Fire Protection 2006. (c) Restrict inappropriate development from hazardous areas. (d) Ensure bush fire hazard reduction is not prohibited within the APZ.	Consistent. The very northern part of the site is mapped as bushfire prone land. A preliminary bush fire threat assessment was submitted with the planning proposal. This assessment found that the site can accommodate future development that will comply with the relevant provisions of Planning for Bushfire Protection 2006. Council is required under section 117 of the EP&A Act 1979, Ministerial Direction 4.4 to consult with the Commissioner of the NSW Rural Fire Service following receipt of a gateway determination and prior to undertaking community consultation in satisfaction of section 57 of the EP&A Act, and take into account any comments so made. Bush fire hazard reduction authorised under the <i>Rural Fires Act 1997</i> can be carried out on any land without development consent.

Ministerial Directions	Requirements	Compliance
		The planning proposal is consistent with this Direction.
5. Regional Planning		
5.1 Implementation of Regional Strategies	The Planning Proposal must be consistent with the Far North Coast Regional Strategy.	Consistent. The Far North Coast Regional Strategy (FNCRS) Growth Boundary Map shows the site as being within the Caniaba 'Future Urban Release Area'. This planning proposal is therefore consistent with the FNCRS.
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. The subject site is contained within a 'town and village growth boundary' as shown on page 51 of the Far North Coast Regional Strategy: this Direction does not therefore apply to this site.
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 land use, without additional development standards to those already in use in that zone.	Consistent. The proposed R5 zone is the most appropriate for future residential development on the land. No additional development standards are applied that are not already in use.
7. Metropolitan Planning – Not applicable		