

Lismore LEP 2012 – Richmond Hill Rural Residential Expansion.

Proposal Title : **Lismore LEP 2012 – Richmond Hill Rural Residential Expansion.**

Proposal Summary : The planning proposal seeks to amend Lismore LEP 2012 by rezoning part of Lot 1 DP 254131 and part of Lot 2 DP 1182633, 379A and 387 Richmond Hill Road, Richmond Hill from RU1 Primary Production to R5 Large Lot Residential and applying a 2500m2 and 3 hectare minimum lot size, and 8.5m maximum building height to the land being rezoned R5, to enable the land to be developed for rural residential purposes.

PP Number : **PP_2016_LISMO_003_00** Dop File No : **16/06139**

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
 - 3.4 Integrating Land Use and Transport
 - 3.5 Development Near Licensed Aerodromes
 - 4.4 Planning for Bushfire Protection
 - 5.1 Implementation of Regional Strategies
 - 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 the following site investigations are to be undertaken and placed on public exhibition with the planning proposal:
 - a. an Aboriginal and European cultural heritage study;
 - b. a detailed traffic impact assessment;
 - c. a preliminary contaminated land assessment;
 - d. a bushfire assessment.
3. Prior to community consultation the planning proposal is to be amended as follows:
 - a. to include maps that show the current zone, lot size and building height controls as well as the proposed zone, lot size and building height controls.
 - b. to incorporate any necessary changes to the proposal arising from the additional site investigations or consultation with State agencies or organisations.
4. A community consultation period of 14 days is necessary.
5. The planning proposal is to be completed within 12 months.
6. The RPA is to consult with the following State agencies and organisations:
 - a. Roads and Maritime Services;
 - b. Rural Fire Service;
 - c. Department of Primary Industries;
 - d. Office of Environment and Heritage;
 - e. Department of Industry Resources and Energy; and

Lismore LEP 2012 – Richmond Hill Rural Residential Expansion.

f. The Local Aboriginal Land Council

7. A written authorisation to exercise delegation be issued to Lismore City Council.

8. A delegate of the Secretary agree that the inconsistency of the proposal with S117 Directions 1.2, 2.1 and 5.1 are justified in accordance with the terms of the direction.

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 Acting Director Regions, Northern. Therefore the planning proposal will not be considered by the panel.

Gateway Determination

Decision Date : 04-May-2016

Gateway Determination : Passed with Conditions

Decision made by : Regional Director, Northern Region

Exhibition period : 14 Days

LEP Timeframe : 12 months

Gateway

Determination :

It is recommended that a Gateway determination for the planning proposal to proceed should be issued subject to the following conditions:

1. Prior to community consultation the following site investigations are to be undertaken and placed on public exhibition with the planning proposal:

- (a) an Aboriginal and European cultural heritage study;
- (b) a detailed traffic impact assessment;
- (c) a preliminary contaminated land assessment;
- (d) a bushfire hazard assessment.

2. Prior to community consultation the planning proposal is to be amended as follows:

- (a) to include maps that show the current zone, minimum lot size and building height controls as well as the proposed zone, minimum lot size and building height controls.
- (b) to incorporate any necessary changes to the proposal arising from the additional site investigations or consultation with State agencies or organisations.

3. 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).

4. Consultation is required with the following public authorities and organisations under section 56(2)(d) of the Act and/or to comply with the requirements of relevant S117 Directions:

Lismore LEP 2012 – Richmond Hill Rural Residential Expansion.

- Roads and Maritime Services;
- Rural Fire Service;
- Department of Primary Industries;
- Office of Environment and Heritage;
- Department of Industry Resources and Energy: and
- The Local Aboriginal Land Council

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.

5. 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).

6. 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:

4 May 2016

