

Report

Subject	Rezoning Planning Proposal to large lot residential for 379A and 387 Richmond Hill Road, Richmond Hill
TRIM Record No	BP16/227:EF15/447
Prepared by	Consultant Planner - Mike Svikis Planning
Reason	To obtain a Council resolution to support a planning proposal for the rezoning of 379A and 387 Richmond Hill Road, Richmond Hill to Large Lot Residential and seek a Gateway determination from the Department of Planning and Environment.

Executive Summary

This report provides Council with an overview of a Planning Proposal for 379A and 387 Richmond Hill Road, Richmond Hill (Lot 1 DP 254131 and Lot 2 DP 1182633) that will, if approved:

- Alter the land use zone for part of the subject land from RU1 Primary Production to R5 Large Lot Residential; and
- Alter the minimum lot size for part of the subject land from 40 hectares to 2500m²; and
- Alter the minimum lot size for part of the subject land from 2 hectares to 3 hectares; and
- Apply a building height limit of 8.5 metres to part of the lot consistent with other R5 zoned land.

The site is adjacent to the recently rezoned Pineapple Road Urban Release Area, which includes R5 Large Lot Residential zoned land directly to the south of this site. The Pineapple Road Precinct (PRP) Structure Plan was adopted by Council in Chapter 5 of the Development Control Plan to guide the future development of the Urban Release Area and a development application for the subdivision of this land is currently being processed by Council. Road and environmental links between the PRP and the subject site are desirable and to ensure these links are considered early in the rezoning and development process, the proponent will be required to prepare a Structure Plan for the site that connects with the PRP Structure Plan.

It is recommended that Council support the attached Planning Proposal as part of the implementation of the Lismore Growth Management Strategy 2015-2035 and forward to the NSW Department of Planning and Environment for Gateway Determination. It is also recommended that the proponent prepare an indicative Structure Plan for the site prior to any public exhibition of the Planning Proposal.

Recommendation

That Council:

1. support the Planning Proposal to enable the use of part of 379A and 387 Richmond Hill Road, Richmond Hill (Lot 1 DP 254131 and part of Lot 2 DP 1182633) for large lot residential development as detailed in Attachment 1 to this report and forward it to the NSW Department of Planning and Environment, requesting it issue a Gateway Determination;
2. request that the NSW Department of Planning and Environment agree that further studies are required for:
 - Bushfire hazards,
 - Land contamination,
 - On site wastewater management,

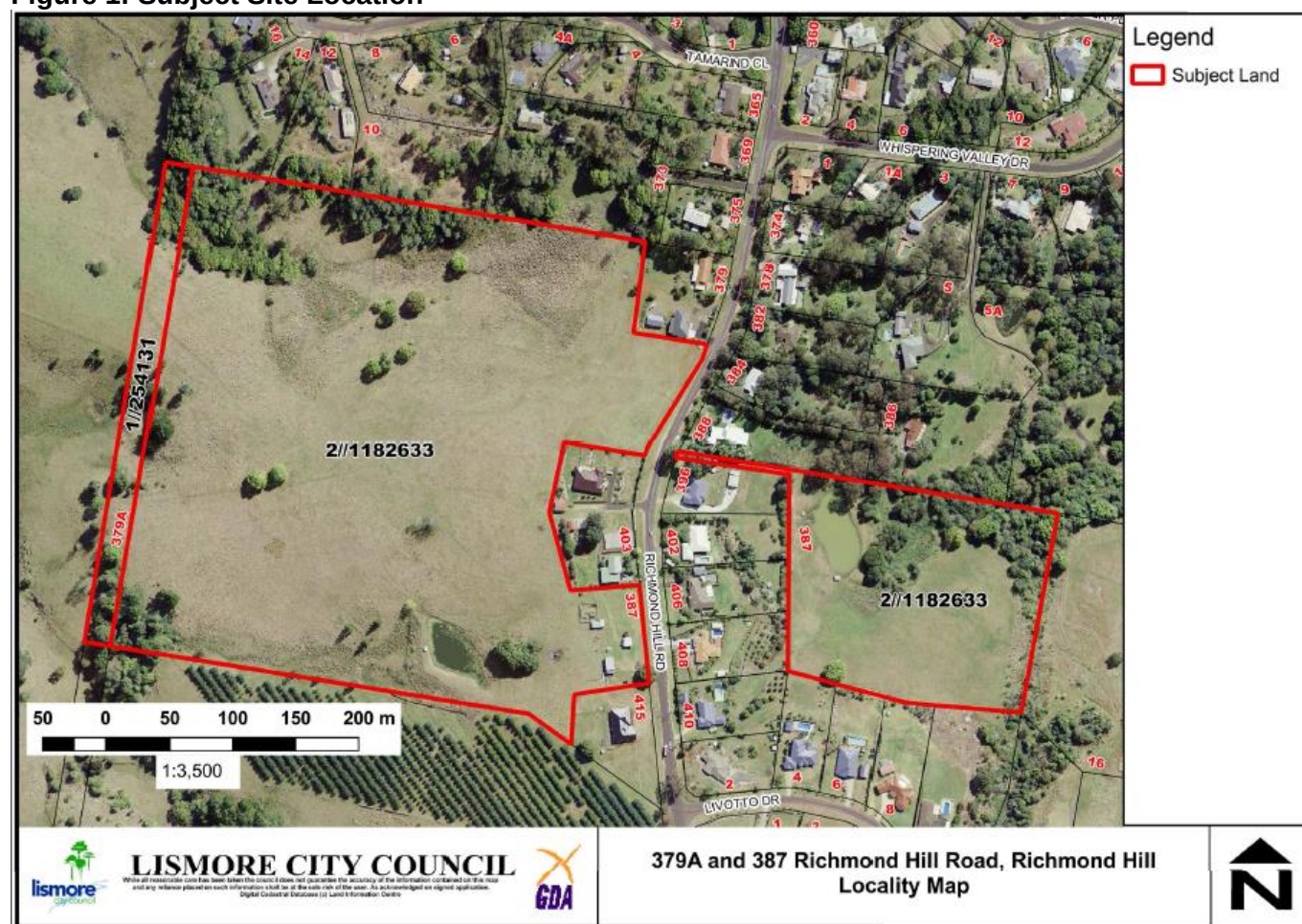
- European and Aboriginal heritage assessment, and
 - Traffic impact assessment.
3. request the proponent to prepare an indicative Structure Plan for the development of the site prior to public exhibition of the Planning Proposal that shows proposed key transport and environmental links to the Pineapple Road Precinct Structure Plan in Appendix A of Chapter 5 of the Lismore Development Control Plan.
 4. agree that staff can proceed to public exhibition of the Planning Proposal and government agency consultation based on the Gateway Determination issued by the Department of Planning and Environment, and report back to Council with any concerns as part of post-exhibition reporting of submissions.

Background

Council received a Planning Proposal on 10 December 2015 for the part rezoning to R5 Large Lot Residential and amendment of lot size on 379A and 387 Richmond Hill Road, Richmond Hill (Lot 1 DP 254131 and Lot 2 DP 1182633). Lot 1 and the western part of Lot 2 are currently zoned RU1 Primary Production. There is currently no Height of Building control that applies to RU1 zoned land. The current Minimum Lot Size for RU1 land is 40 hectares. The eastern part of Lot 2 is currently zoned R5 Large Lot Residential with a Minimum Lot Size of 2 hectares and a Height of Building control of 8.5 metres.

Figure 1 below shows the site location.

Figure 1: Subject Site Location



The applicant is seeking a rezoning of the whole of the RU1 zoned portion of the land to R5 Large Lot Residential and an increase in the minimum lot size on the eastern R5 zoned portion from 2 hectares to 3 hectares.

The Lismore Growth Management Strategy 2015-2035 (LGMS) was adopted by Lismore City Council on 12 May 2015. It was conditionally approved by the Department of Planning and Environment on 11 August 2015. The LGMS clearly identifies 387 Richmond Hill Road (Lot 2 DP 1182633) on Map 28 "Richmond Hill – Potential Large Lot Residential". It states on page 88, *"the rezoning of identified village and large lot residential expansion areas will occur by way of landowner initiated planning proposals."* 379A Richmond Hill Road (Lot 1 DP 254131) is a narrow ex road reserve. It is not specifically identified in the Lismore GMS. However, it is only 0.77 hectares (approximately), abuts the western edge of Lot 2 DP 1182633 and is a logical part of the Planning Proposal. Only part of Lot 1 is proposed to be zoned R5 Large Lot Residential (less than half) and its inclusion is of minor significance.

The subject site

Lot 1 is a closed road (approximately 0.77 hectares) on the western edge of Lot 2 and is mostly open grassland with scattered camphor laurel trees and dry rainforest trees. Lot 2 is a split lot (approximately 18 hectares) with approximately 14.5 hectares on the western side of Richmond Hill Road and approximately 3.45 hectares on the eastern side of Richmond Hill Road. The western side is mostly open grassland with scattered camphor laurel trees, a farm dam and two small wet steep sided gullies. The eastern side is similar but contains some steep land over 25 % slope. A single dwelling and associated sheds is located on Lot 2 on the western side. No dwellings or structures exist on Lot 2 on the eastern side. No dwellings or structures exist on Lot 1 but it does contain a small farm dam and pump.

Surrounding land use is generally rural residential with a prevailing lot size of about 4000 m². Land immediately to the south of Lot 2 on the western side of Richmond Hill Road contains a small Macadamia plantation (about 3 hectares in size) but this is being grown on land zoned R5. This land was rezoned to R5 as part of the rezoning of the Pineapple Road Precinct and Council is currently assessing an application to remove the plantation and subdivide this land into rural residential lots.

The only land in this locality not zoned R5 is the RU1 zoned land immediately to the west of the subject land. This land is part of a larger area of open grazing land that represents the 'residue' land of the Pineapple Road Precinct urban residential rezoning. Beyond this land to the west is the R1 General Residential zone being the "Pineapple Road Urban Release Area".

The existing zone and lot size maps are provided below.

Figure 2: Existing Zone Map

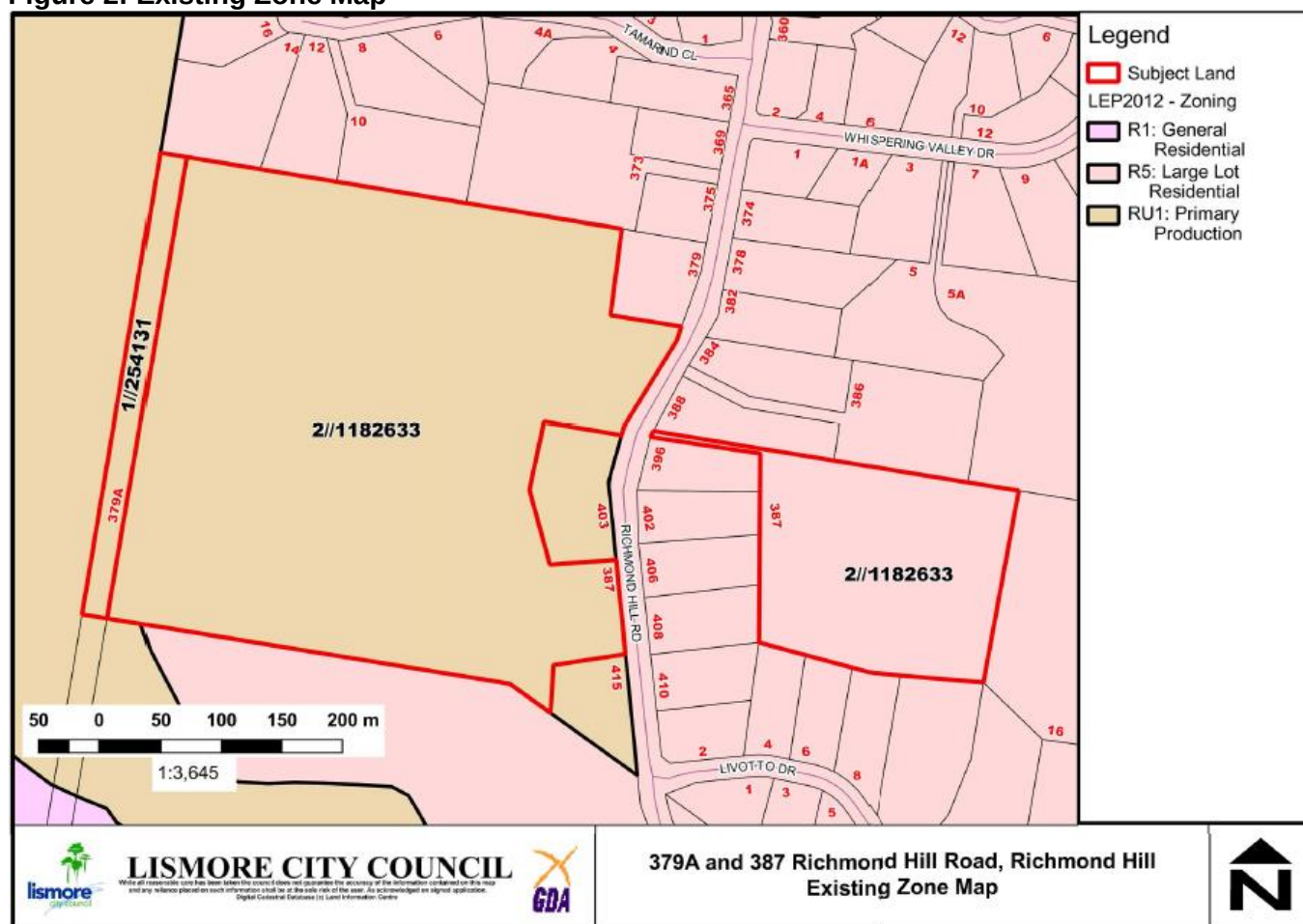
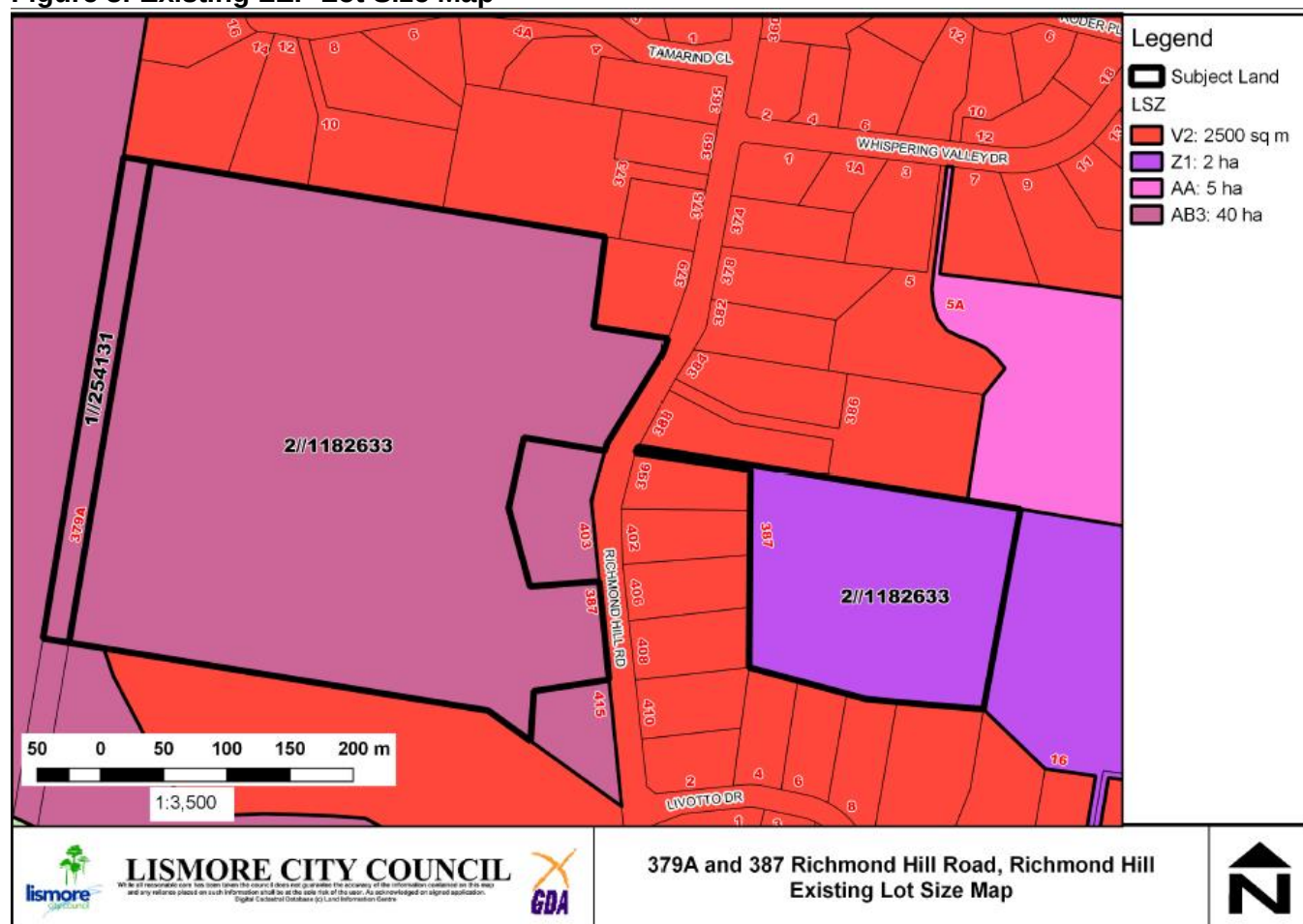


Figure 3: Existing LEP Lot Size Map



Planning Proposal

Changes to the Lismore LEP 2012 Maps

It is proposed that only part of the subject land that is in the RU1 zone is rezoned to R5 Large Lot Residential with a Lot Size of 2,500m². The parts of the subject land excluded from the R5 zone are not suitable for large lot residential development due largely to ecological and slope constraints, as discussed in a later section of this report. The constraints of the land on the eastern side of Richmond Hill Road also support an increase in the minimum lot size on that part of the site. The following map changes are proposed:

- Amend the Land Zoning Map to change part of the subject land from RU1 Primary Production to R5 Large Lot Residential;
- Amend the Minimum Lot Size Map to change part of the subject land from 40 hectares to 2500 m²;
- Amend the Minimum Lot Size Map to change part of the subject land from 2 hectares to 3 hectares;
- Amend the Height of Building Map to change part of the subject land from no maximum building height to a building height of 8.5 metres.

The proposed LEP maps follow the Environmental, Social and Infrastructure Assessment later in this report.

Changes to the LEP Written Instrument

This Planning Proposal does not require changes to the written instrument (LEP 2012).

A summary of the Planning Proposal structured in accordance with the DP&E's guidelines for planning proposals is provided in Table 1.

Table 1: Planning Proposal Summary

PART	REQUIREMENTS	DESCRIPTION OF PLANNING PROPOSAL
1	OBJECTIVES OR INTENDED OUTCOMES	The objective of this Planning Proposal is to enable large lot rural residential development on 379A and 387 Richmond Hill Road, Richmond Hill (Lot 1 DP 254131 and Lot 2 DP 1182633). This objective will be achieved through an amendment to Lismore LEP 2012, specifically the maps for land use zones, minimum lot size and height of buildings.
2	EXPLANATION OF PROVISIONS	Changing the land use zone for part of the site to R5 Large Lot Residential in conjunction with reducing the Minimum Lot Size will allow subdivision into rural residential lots, each of which can be used for a dwelling. The applicant estimates that the Torrens Title subdivision of the subject land would yield approximately 30 lots on the western side of Richmond Hill Road. No further subdivision will be possible on the eastern side of Richmond Hill Road and the existing small piece will be used for one dwelling.
3	JUSTIFICATION Section A – Need for the Planning Proposal 1. Is the Planning Proposal a result of any strategic study or report? 2. Is the Planning Proposal the best means of achieving the objectives or intended outcomes, or is there a better way?	The Lismore Growth Management Strategy 2015-2035 clearly identifies Lot 2 DP 1182633 on Map 28 "Richmond Hill – Potential Large Lot Residential". It states on page 88, "The rezoning of identified village and large lot residential expansion areas will occur by way of landowner initiated planning proposals." Lot 1 DP 254131 is a narrow ex road reserve. It is not actually identified in the Lismore GMS. However, it is only 0.77 hectares (approximately), abuts the western edge of Lot 2 DP 1182633 and is a logical part of the Planning Proposal. Only part of Lot 1 is proposed to be zoned R5 Large Lot Residential (less than half) and its inclusion is of minor significance. In order to increase the supply of rural residential land in accordance with Lismore Growth Management Strategy 2015-2035, Council needs to amend its LEP in response to appropriate landowner initiated planning proposals.
3	JUSTIFICATION Section B – Relationship to Strategic Planning Framework 3. Is the Planning Proposal consistent with the objectives and actions contained within the applicable regional or sub-regional strategy? 4. Is the Planning Proposal consistent with the Council's local strategy or	- In relation to rural settlement in non-coastal areas (all of Lismore LGA), the FNCRS states that it should occur in accordance with existing local growth management strategies agreed to by the Department (pages 28 and 30). The rural settlement that arises from this Planning Proposal will be consistent with the local growth management strategy. It is therefore consistent with the FNCRS. - The Lismore Growth Management Strategy 2015-2035 was adopted by Lismore City Council on 12 May 2015. It was conditionally approved by the Department of Planning and Environment on 11 August 2015. This Planning

PART	REQUIREMENTS	DESCRIPTION OF PLANNING PROPOSAL
	<i>other local strategic plan?</i> 5. Is the Planning Proposal consistent with applicable State Environmental Planning Policies? 6. Is the Planning Proposal consistent with applicable s117 Ministerial Directions?	Proposal is consistent with that strategy other than the inclusion of the ex-road reserve described as Lot 1 DP 254131. Lot 1 is only 0.77 hectares in area and forms a logical part of the subject land. Its inclusion in the Planning Proposal is of minor significance and is justifiable in the circumstances. It does not warrant an assessment against the Sustainability Criteria in the FNCRS because it is not being promoted as a “stand alone” rural residential area and will not add significantly to the yield of the Planning Proposal. • It is consistent or where inconsistent, the inconsistency is justified, with SEPPs, as demonstrated in Table 1 in the Planning Proposal. • It is consistent with s117 Directions or where inconsistent, the inconsistency is justified, as demonstrated in Table 2 in the Planning Proposal.
3	JUSTIFICATION Section C – Environment, Social and Economic Impact 7. 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? 8. Are there any likely environmental effects as a result of the Planning Proposal and how are they proposed to be managed? 9. How has the Planning Proposal adequately addressed any social and economic effects?	• An ecological assessment has been undertaken for the subject land by the landowner’s consultant. This assessment found that the subject land has limited ecological values. No threatened fauna were identified on the site. There is no evidence of Koalas using the site even though there is a small patch of Forest Red Gum on the northern boundary of Lot 2 (western part). A small patch of Lowland Rainforest EEC is located partly on Lot 2 (western part) and partly on Lot 1 in the far south western corner of the subject land. Although it is quite small it is worth retaining and would fit in well with a riparian rainforest restoration corridor proposed on neighbouring land to the west as part of the Pineapple Road Urban Release Area. The vulnerable plant Hairy Joint Grass was located on the edge of drainage lines in amongst taller wet grassland. These areas are currently grazed regularly and slashed periodically. It is proposed that three areas that contain hairy Joint Grass and Lowland Rainforest EEC be retained in the RU1 zone. These areas are all in proximity to wet gullies that are not suitable for dwellings in any case. • The other likely environmental effects are minimal. The site is not identified as State or regionally significant agricultural land under the Farmland Mapping Project. Rural industry conflicts are not anticipated with the low-key agriculture that is undertaken in the locality. The site is not flood prone. • The site is located in the Wilsons River Drinking Water Catchment. Any potential impacts on this catchment can be addressed at the subdivision application stage and a wastewater management study. • If this matter is to proceed to public exhibition the applicant will have to supply further studies addressing bushfire hazards, land contamination, wastewater management, and European and Aboriginal heritage

PART	REQUIREMENTS	DESCRIPTION OF PLANNING PROPOSAL
		assessment. Council has used its Lismore Growth Management Strategy 2015-2035 to focus future rural residential development near villages and established rural residential areas to ensure that new residents can connect with existing social and community services such as halls, schools and local shops. This addition to zoned rural residential land is approximately 2.5 km from the Richmond Hill Community Centre and Pre-school. It is also approximately 2.5km from the Goonellabah shops and services. Overall, no adverse social or economic impacts are predicted as a result of this Planning Proposal.
3	JUSTIFICATION Section D – State and Commonwealth Interests 10. Is there adequate public infrastructure for the Planning Proposal? 11. What are the views of State and Commonwealth public authorities consulted in accordance with the Gateway Determination?	- The subject land has frontage to Richmond Hill Road which has a 60 km/hr speed limit at this location. Adequate sight lines are available for a connection to this road from both sides. Upgrades to Richmond Hill Road may be considered as part of any future subdivision. A detailed traffic assessment for the intersection of Richmond Hill Road with the Bruxner Highway will be required post any Gateway determination. Reticulated water is available to the site though augmentation and capacity in local reservoirs needs to be confirmed. Use of rainwater tanks is possible if reticulated water is not feasible. On-site wastewater management is anticipated as has been the situation with neighbouring large lot subdivision. Council will require stormwater to be addressed at the subdivision stage as well. 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. - Commonwealth public authorities have not been formally involved in this particular Planning Proposal as it is yet to receive a Gateway Determination. At this early stage it appears unlikely that there will be any issues of interest to Commonwealth authorities. - State authorities were consulted in the preparation of the Lismore Growth Management Strategy 2015-2035 and their views taken into account. This document was approved conditionally by the Department of Planning and Environment on 11 August 2015. - It is proposed that the authorities listed below are consulted in relation to this Planning Proposal, and that this consultation is undertaken concurrent with the public exhibition of the Planning Proposal: - Roads and Maritime Services, - Rural Fire Service, - Department of Primary Industries, - Office of Environment and Heritage, and - Department of Industry Resources and Energy.

PART	REQUIREMENTS	DESCRIPTION OF PLANNING PROPOSAL
		As the land is located within the Wilsons River Drinking Water Catchment the planning proposal will also be referred to Rous Water for review and comment.
4	MAPPING	It is proposed to rezone part of the subject land to R5 Large Lot Residential. The R5 area will be subject to a Minimum Lot Size of 2500 m² (western part) and 3 hectares (eastern part) and a maximum building height of 8.5 metres. This will be achieved by amending Lismore LEP 2012 map sheets: LZN_005 LSZ_005 HOB_005
5	COMMUNITY CONSULTATION	Council will commence community consultation post-Gateway Determination. For the purposes of public notification, Council considers that a twenty-eight (28) day public exhibition period is appropriate.
6	PROJECT TIMELINE	If the Planning Proposal is considered by Council at the meeting of 12 April 2016, it should be completed by November 2016.
7	DELEGATIONS	Council's LEP-making delegations apply to routine LEPs. Council does have delegation in this instance once a Gateway Determination has been made but will confirm delegation with the request for the Gateway determination. The Planning Proposal will still have to be forwarded to the Department of Planning and Environment for Gateway Determination.

Environmental, Social and Infrastructure Assessment

Ecology

An ecological assessment has been undertaken for the subject land by the landowner's consultant. This assessment found that the subject land has limited ecological values. No threatened fauna were identified on the site. There is no evidence of Koalas using the site even though there is a small patch of Forest Red Gum on the northern boundary of Lot 2 (western part). A small patch of Lowland Rainforest EEC is located partly on Lot 2 (western part) and partly on Lot 1 in the far south western corner of the subject land. Although it is quite small it is worth retaining and would fit in well with a riparian rainforest restoration corridor proposed on neighbouring land to the west as part of the Pineapple Road Urban Release Area. The vulnerable plant Hairy Joint Grass was located on the edge of drainage lines in amongst taller wet grassland. These areas are currently grazed regularly and slashed periodically. It is proposed that three areas that contain hairy Joint Grass and Lowland Rainforest EEC be retained in the RU1 zone. This will also include the small patch of Forest Red Gum and some regrowth Brush Box associated with the northern gully. No significant developable land will be lost by these proposed zone boundaries as these areas are all in proximity to wet gullies that are not suitable for dwellings in any case.

Council's ecologist inspected the site on 3 March 2016 and agrees with the consultant ecologist's findings. The flora and fauna assessment that was provided has a suitable level of detail and is sufficient to proceed with the Planning Proposal. It is also agreed the core distribution of Hairy Joint Grass and the occurrences of Lowland Rainforest EEC on Lot 2 DP 1182633 should be excluded from the proposed large lot residential rezoning and retained as RU1 zoned land. At the development application stage the applicant will need to supply an:

- Assessment of significance (7-part test of significance) under Section 5A of the *Environmental Planning & Assessment Act 1979* for potentially occurring threatened species and communities,
- Assessment of compensation (determined according to Council's CKPoM) if removal of Koala food trees is proposed,
- Vegetation Management Plan, targeting management and enhancement of Hairy Joint-grass and rainforest vegetation at the site, and potentially integrating with the adjacent vegetation management works being undertaken within the riparian area of the Pineapple Road urban release area.

Roads and traffic

A detailed traffic assessment has not been included with the Planning Proposal. Richmond Hill Road is classified as Sub Arterial road. It is constructed to a six (6) metre wide bitumen sealed standard and carries 2,547 vehicles per day (2013). It is estimated to operate a level of service "B". The Richmond Hill Road/ Bruxner Highway intersection currently experiences significant delays and operates at a much lower level of service. Council and the RMS have concerns about any reduction in the level of service and any increased risks for vehicles using the intersection. Typically a development of this type is likely to add a further 200 vehicles per day to Richmond Hill Road (based on an estimated 30 lots). An 8% increase in traffic could have a significant impact on the operation and safety of this intersection. For this reason a detailed traffic assessment for this intersection is required prior to finalising the Planning proposal. Consultation with Roads and Maritime Services in relation to the Richmond Hill Road and Bruxner Highway intersection is also required.

A section 94 contributions plan for Lismore LGA was adopted by Council in 2014. Contributions for public infrastructure will apply to new rural dwellings and new rural lots. Council selected this site in its growth management strategy because it is a logical infill and extension to the established rural residential area of Richmond Hill. This new area will integrate well with land use, transport and services. This Planning Proposal will reinforce the established pattern of settlement. It is a short drive to urban services at Goonellabah.

Geotechnical Issues

The site slope generally varies from 10% to 25% grade. There are no areas of mass soil movement identified. As colluvial soils will most likely be present on site the risk of slope instability increases. A slope stability assessment will be required as part of any future subdivision development application.

Water and onsite wastewater disposal, electricity and communications

Reticulated water is available to the site (subject to confirmation on quantity and reservoir capacity) and wastewater can be disposed of on-site. Richmond Hill typically has issues for effluent disposal including clay soils, high bedrock, and slope. A walk over the site did identify floaters in some areas. A wastewater management study should be conducted to demonstrate that it is feasible to service the proposed development with on-site sewage management systems and address any potential impacts on the quality of water entering the drinking water catchment. Considerations for any identified site limitations and the wider catchment issues will be required. This information can then be used to justify minimum lot sizes/lot yields and used in a site constraints map that includes all required buffers as per Council's DCP Chapter 11 and wastewater buffers. It is anticipated that a land use conflict risk assessment be conducted to compliment the map.

Electricity and communications are reticulated throughout the locality.

Contamination

This site has been used for cattle grazing in the past which triggers the need for a detailed contaminated land assessment. Cattle grazing is a low impact activity which should not create any contamination issues such that they cannot be remediated prior to any residential use.

Stormwater

The western part of the site lies on a ridge which falls to first order streams in the north and the south. The eastern site is truncated by a first order stream. The onsite management of stormwater runoff from future impermeable surfaces (roof, driveways and street) is not likely to impose any imposition on adjoining properties and can be addressed through the development application process by employing acceptable WSUD techniques. These techniques would also need to consider the wider drinking water catchment issues.

Cultural heritage

There are no heritage items on the site identified in the Lismore Local Environmental Plan. Council's Environmental Contractor inspected the site and noted that it has been considerably modified through a history of clearing, rock picking / stockpiling, grazing and small scale horticulture. There was no evidence of early settlement relics such as dry stone walls.

The western part of the site has extensive views to known Aboriginal heritage cultural landscape features to the west and northwest and the two east / west spurs could have conceivably been traditional pathways or intermittent campsites, particularly due to the presence of spring water sources nearby. The eastern part is a relatively steep gully head that has been severely modified by construction of a dam that has more recently been backfilled along with piping of stormwater flow paths emanating from adjoining residential run off. Whilst a search of the AHIMS data (c. 2013) reveals no recorded Aboriginal Sites for the site and adjoining lands, an unpublished report by Heron et al identifies Richmond Hill Road is aligned along a traditional ridgetop pathway. Whilst it is plausible that Aboriginal objects may be present either within an *in situ* or modified state, it is a low probability given the more recent history and modification of the site since settlement. It is reasonable that a European and Aboriginal cultural heritage study be undertaken along with consultation with Ngulingah LALC.

Structure planning

Subdivision of the land to the south and west of the site is subject to the Pineapple Road Precinct Structure Plan which outlines features such as key road access points. It would be useful to identify how the subject site will work in with adjacent development, particularly in relation to transport and access and environmental restoration works. This should be provided before public exhibition of the Planning Proposal to enable it to be used for public and agency consultation.

Proposed LEP Maps

Figure 4: Proposed Zone Map

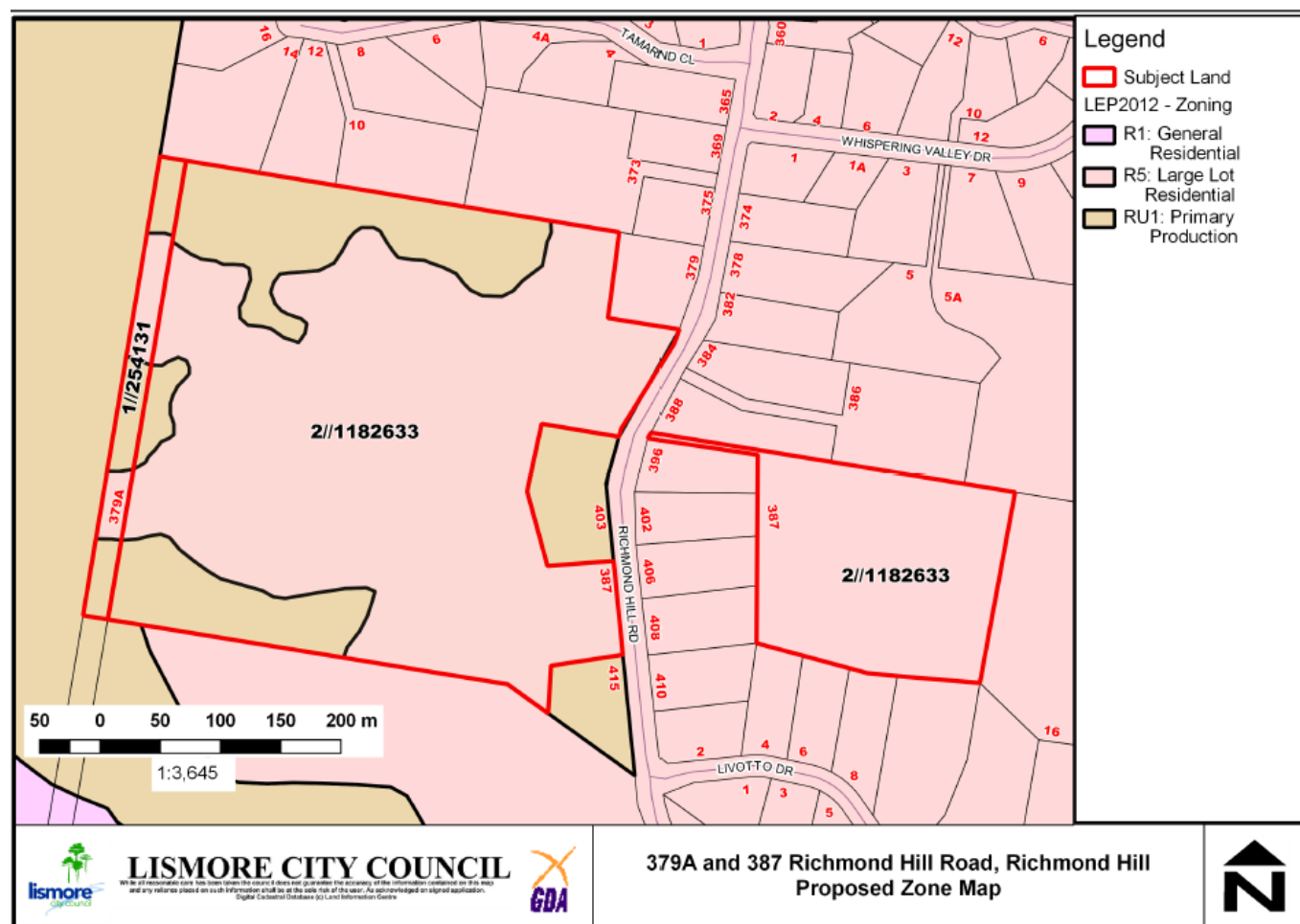


Figure 5: Proposed Lot Size Map

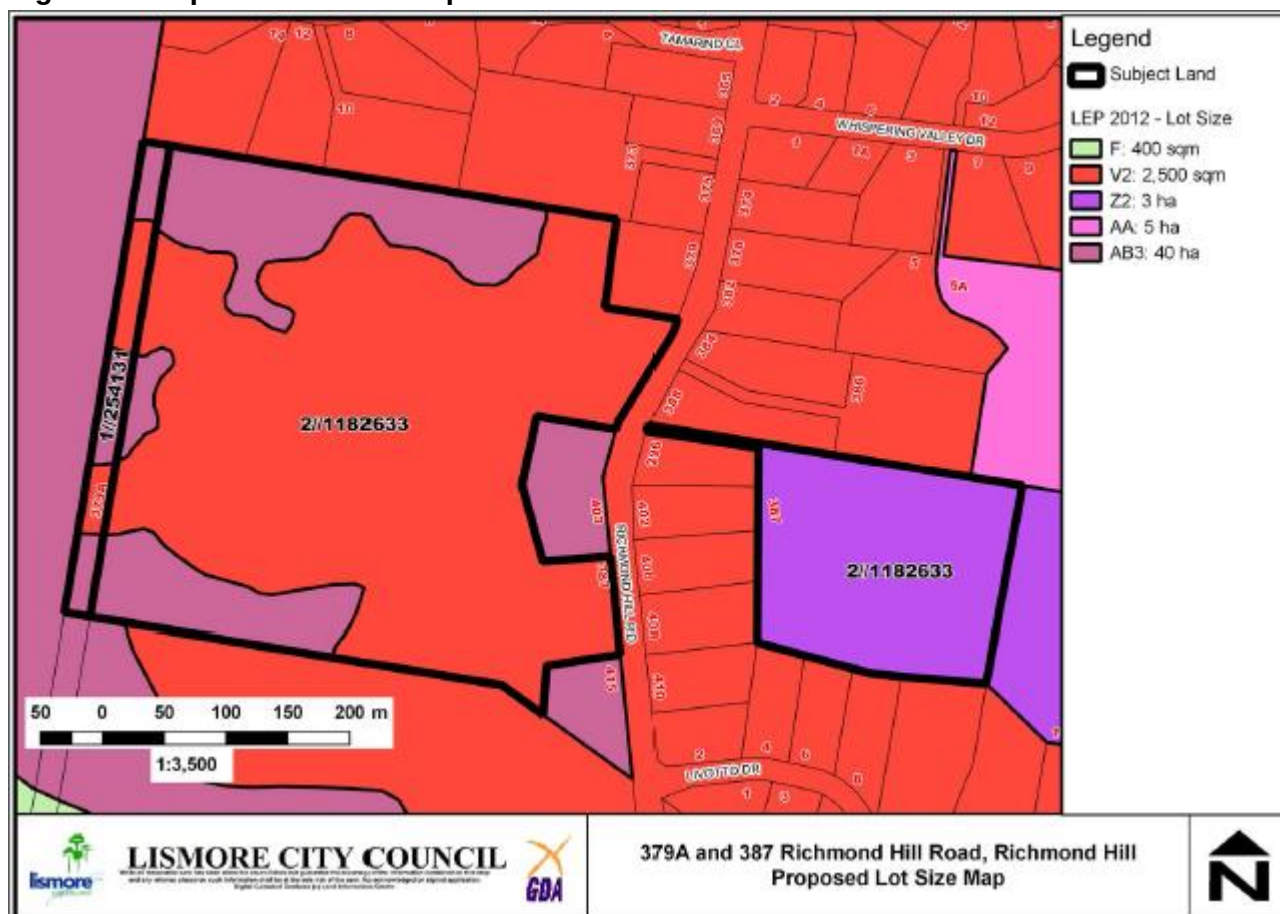
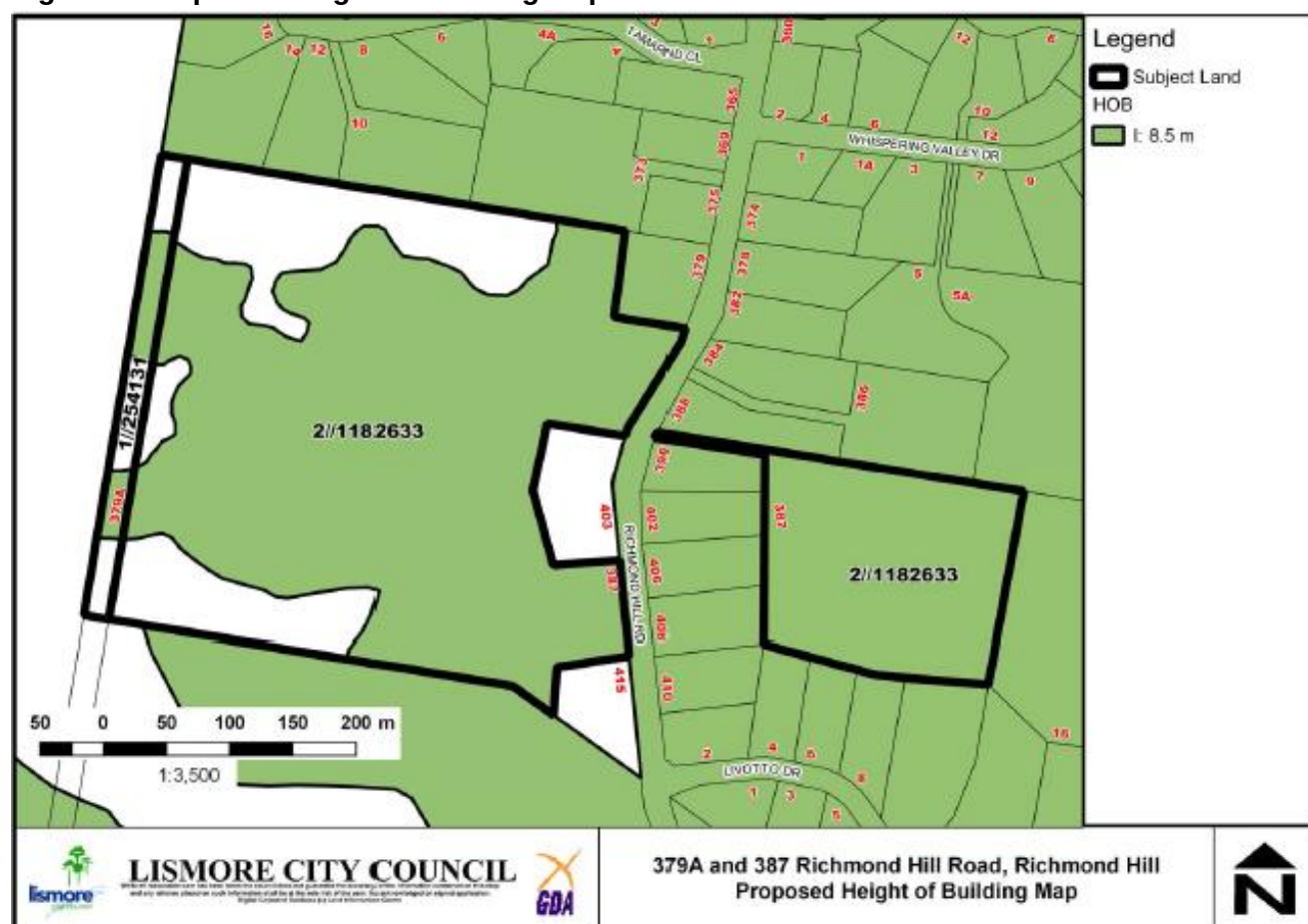


Figure 6: Proposed Height of Building Map



Strategic Alignment

The Planning Proposal is consistent (and implements) the following sections of *Imagine Lismore 10 Year Plan*:

Community Vision: Affordable Housing

“Through the implementation of the Lismore Housing Strategy and the Growth Management Strategy we will ensure that Lismore provides housing options that are affordable, appropriate and accessible to the different economic and social needs of the community.”

Service: Strategic Planning, Assessment and Construction

“The Growth Management Strategy will be completed in 2014. The implementation of the Strategy will see the values of the community enshrined in Lismore’s planning framework.”

The Lismore Growth Management Strategy 2015-2035 clearly identifies the subject land on Map 28 “Richmond Hill – Potential Large Lot Residential”. It states on page 88, “The rezoning of identified village and large lot residential expansion areas will occur by way of landowner initiated planning proposals.”

There are no costs associated with the planning proposal as the applicant reimburses Council for the processing of the proposal, including the costs of engaging a planning consultant. The benefits of the proposal include: the provision of additional high amenity rural residential land adjacent to the Lismore urban area; increased housing stock; and consistency with housing targets of the Far North Coast Regional Strategy.

The only risk associated with the proposal for Council is failure on behalf of the landholder to proceed with the development of the land.

Lismore City Council

Meeting held 12 April 2016 - Rezoning Planning Proposal to large lot residential for 379A and 387 Richmond Hill Road, Richmond Hill

Comments

Finance

Not required at this stage in the planning proposal process.

Other staff comments

Council staff have assessed the proposal as required and their assessment is incorporated into Environmental, Social and Infrastructure Assessment in a forgoing section of this report.

Public consultation

The Planning Proposal and supporting information will be publicly exhibited for twenty-eight (28) days or as required by the Department of Planning and Environment in its Gateway Determination. Notification of the exhibited planning proposal will include:

- publication in Council's Local Matters that circulates in the area affected by the planning proposal.
- the websites of Lismore City Council and the Department of Planning and Environment.
- letter to adjoining landholders.

The written notice will nominate the land that is the subject of the planning proposal along with a brief description of the objectives of the proposal and state where and when the planning proposal can be inspected and how the community can make a submission.

Exhibition material will include the planning proposal, in the form approved by the Department of Planning and Environment, the Gateway determination and any studies required as part of the planning proposal.

Prior to or concurrent with the public exhibition of the Planning Proposal, Council will consult with:

- Roads and Maritime Services,
- Rural Fire Service,
- Department of Primary Industries,
- Office of Environment and Heritage,
- Department of Industry Resources and Energy,
- Rous Water
- Ngulingah LALC and Council's Aboriginal Advisory Group.

All submissions will be reported back to Council with a planning comment and recommended response or change to the Planning Proposal, if required.

LEP delegations

Council resolved at its Ordinary meeting of 11 December 2012 to accept the delegations which enable Council to process the final stages of a planning proposal (LEP amendment). The delegations only extend to routine LEPs. Council does have delegation in this instance as it is a rezoning consistent with an endorsed strategy, unless the Gateway Determination advises otherwise.

Conclusion

The Planning Proposal attached to this report has been prepared in accordance with the Department of Planning and Environment requirements.

The Planning Proposal complies with relevant SEPPs or the inconsistency can be justified pending the outcome of further studies. It is consistent with most Section 117 Directions and the inconsistency with others is well justified at this early stage in the process. Details of those inconsistencies are contained in

the Planning Proposal. It is substantially consistent with the Lismore Growth Management Strategy 2015-2035, Imagine Lismore and the Far North Coast Regional Strategy.

The applicant will have to supply further studies addressing:

- Bushfire hazards,
- Land contamination,
- On site wastewater management,
- European and Aboriginal heritage assessment, and
- Traffic impact assessment.

To ensure road and environmental links between this land and the Pineapple Road Precinct are considered early in the rezoning and development process, it is recommended that the proponent is required to prepare a Structure Plan for the site that connects with the PRP Structure Plan. This should occur prior to public exhibition to enable public agencies and the community to consider and make comment as appropriate.

There is sufficient information to enable Council to support the Planning Proposal and forward it to the Department of Planning and Environment seeking Gateway Determination.

Attachment/s

1. Planning Proposal for rezoning of 379A and 387 Richmond Hill Road (Over 7 pages)