

ENVIRONMENTAL PLANNING AND ASSESSMENT ACT 1979
DIRECTION UNDER SECTION 117(2)

INTERIM PROTECTION FOR FARMLAND OF STATE AND
REGIONAL SIGNIFICANCE ON THE NSW FAR NORTH COAST

I, the Minister Assisting the Minister for Infrastructure and Planning (Planning Administration), pursuant to Section 117(2) of the Environmental Planning and Assessment Act 1979 (the Act), hereby direct each Council specified in Schedule 1 to exercise its functions under Divisions 4 and 5 of Part 3 of the Act in relation to the preparation of a draft local environmental plan specified in Schedule 2.

Signed |

Diane Beamer, MP
Minister Assisting the Minister for Infrastructure
and Planning (Planning Administration)

Sydney, 12 January 2004

SCHEDULE 1

COUNCIL

Ballina Shire Council
Byron Shire Council
Kyogle Shire Council
Lismore City Council
Richmond Valley Council
Tweed Shire Council

SCHEDULE 2

Proposed Direction

Interim protection for farmland of State and regional significance on the NSW Far North Coast.

Objectives

The objectives of this Direction relate to protecting, as an interim measure, the best large contiguous areas of agricultural land in the Far North Coast from re-zoning to urban or rural residential uses while the strategic planning currently being undertaken under the Farmland Protection Project is completed. The objectives are:

Objective 1: To ensure that the best agricultural land will be available for current and future generations to grow food and fibre;

Objective 2: To provide more certainty on the status of the best agricultural land, thereby assisting councils with their local strategic settlement planning.

When this direction applies

This Direction will apply when a council listed in Schedule 1 prepares a draft local environmental plan for land mapped as a State Significant Farmland Protection Area or a Regionally Significant Farmland Protection Area as identified on the set of four draft maps held in the Department of Infrastructure, Planning and Natural Resources and marked "Draft Northern Rivers Farmland Protection Project (Section 117(2) Direction)".

This Direction applies for the duration of two years after the date the Minister signs it, unless withdrawn by the Minister beforehand.

This Direction does not apply to land that has been identified for urban settlement in a currently enforced urban settlement strategy agreed by the Director General of Planning under Clause 38 of the North Coast Regional Environmental Plan (REP), 1988, or identified for rural settlement in a currently enforced rural settlement strategy approved by the Director General of Planning under Clause 20 of the North Coast REP.

What a council must do if this direction applies

A draft local environmental plan relating to land to which this Direction applies must not rezone land, or change the provisions applying to a zone, if that rezoning or change would result in the land becoming available for urban or rural residential use. "Urban use" in this context includes residential housing, retailing, and other uses normally located within towns. "Urban use" does not include a use which adds value to agriculture without consuming a significant area of agricultural land.