

Report

Subject	Rezoning Planning Proposal - 389 Keen Street, East Lismore
TRIM Record No	BP19/1287:EF16/315
Prepared by	Senior Strategic Planner
Reason	To obtain a resolution of Council to forward the rezoning planning proposal to the Department of Planning, Industry and Environment for a Gateway determination.
Strategic Theme	Our built environment
Strategy	Our land-use planning caters for all sectors of the community.
Action	Ensure land is available and serviced to meet population growth in locations that are accessible, close to services and employment, and suitable for development.

Executive Summary

This rezoning planning proposal has been prepared in respect to land described as 389 Keen Street, East Lismore (Lot 3 DP 805680). The planning proposal was lodged with Council on 31 August 2016. The proposal originally submitted was to rezone approximately 15ha of 2 allotments covering 61ha from Zone RU1 Primary Production to Zone R1 General Residential. This would have provided the potential to create around 140 residential allotments. The proposal has been the subject of numerous specialist technical reports, including but not limited to: infrastructure provision, cultural heritage and biodiversity assessment. The constraints of the site warranted a reduction in the scale of the proposal. The matter was presented at a Councillor briefing on 26 March 2019 and Councillors indicated support for a smaller scale proposal to rezone approximately 5ha to Zone R1 with a potential residential lot yield of 30.

The aim of the planning proposal is to enable the lodgement of a development application for future residential subdivision. This will require amending Local Environmental Plan 2012 maps as follows:

- Change the zone of part 389 Keen Street, East Lismore from RU1 Primary Production to R1 General Residential; and
- Apply a minimum lot size of 400m² for Zone R1; and
- Apply a maximum building height of 8.5m for Zone R1.

The part of the allotment that forms the subject of this planning proposal is identified in the Lismore Growth Management Strategy 2015 – 2035 as potential residential. The subject land has direct road frontage to Felicity Drive and is contiguous with existing residential land at East Lismore. The site is 3km to the CBD and close to health and educational facilities.

The site has an elevation of 140m and has a history of horticultural use. The macadamia orchid has been cleared and the land is currently vegetated with pasture species and herbaceous weeds. Most of the site has a slope in the range of 2% - 5% which is ideal for future residential development. The lot is partially bush fire prone.

The planning proposal is consistent with the North Coast Regional Plan and the relevant State Environmental Planning Policies. The proposal is also consistent or justifiably inconsistent with the relevant section 9.1 Ministerial Directions.

This report assesses the merits of the planning proposal in accordance with the Department of Planning, Industry & Environment's guide to preparing planning proposals. It is recommended that Council endorse the planning proposal for the purposes of seeking a Gateway determination from the Department of Planning, Industry and Environment.

Recommendation

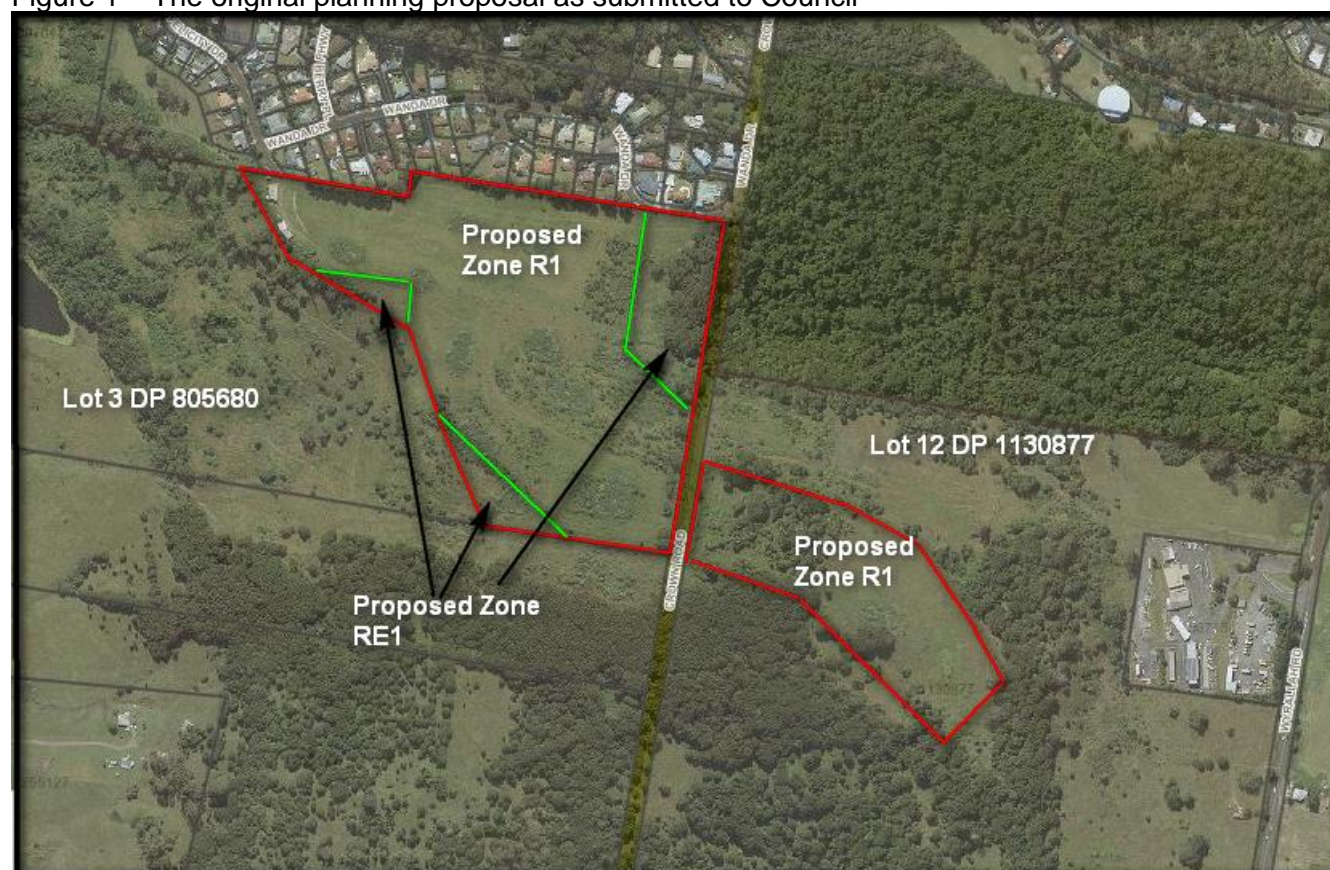
That:

1. Council support the planning proposal detailed in Attachment 1 to rezone part of 389 Keen Street, East Lismore from Zone RU1 Primary Production to Zone R1 General Residential for the purposes of seeking a Gateway Determination.
2. The planning proposal is forwarded to the Department of Planning, Industry and Environment to seek a Gateway determination.
3. The proponent is to provide the following information post Gateway determination:
 - (a) Preliminary Contaminated Land Assessment
 - (b) Land Use Conflict Risk Assessment
 - (c) Bushfire Threat Assessment Report
4. Council confirms that staff are to proceed to public exhibition of the planning proposal based on the Gateway determination and report back to Council with any issues as part of post Exhibition reporting of submissions.

Background

Council received a planning proposal seeking to rezone approximately 15ha of Zone RU1 Primary Production to Zone R1 General Residential within 2 large contiguous lots located at 389 Keen Street, East Lismore and 245 Wyrallah Road, Monaltrie. Refer to Figure 1 below.

Figure 1 – The original planning proposal as submitted to Council



The proposal would have potentially yielded 140 residential lots. The site is directly adjacent to elevated residential land in East Lismore and an expansion of Zone R1 in this location is consistent with the

Lismore Growth Management Strategy. However, the steep topography of some of the 15ha and much of the surrounding land meant that a second access road is not feasible. Moreover, there are significant challenges with servicing a proposal of this scale with reticulated water and sewer. Council staff also explored the possibility of widening Beaumont Drive to 'collector street' specifications in the absence of a second access road; however, a proposal of this scale would double the traffic movements on this street and negatively impact residential amenity and safety for all road users.

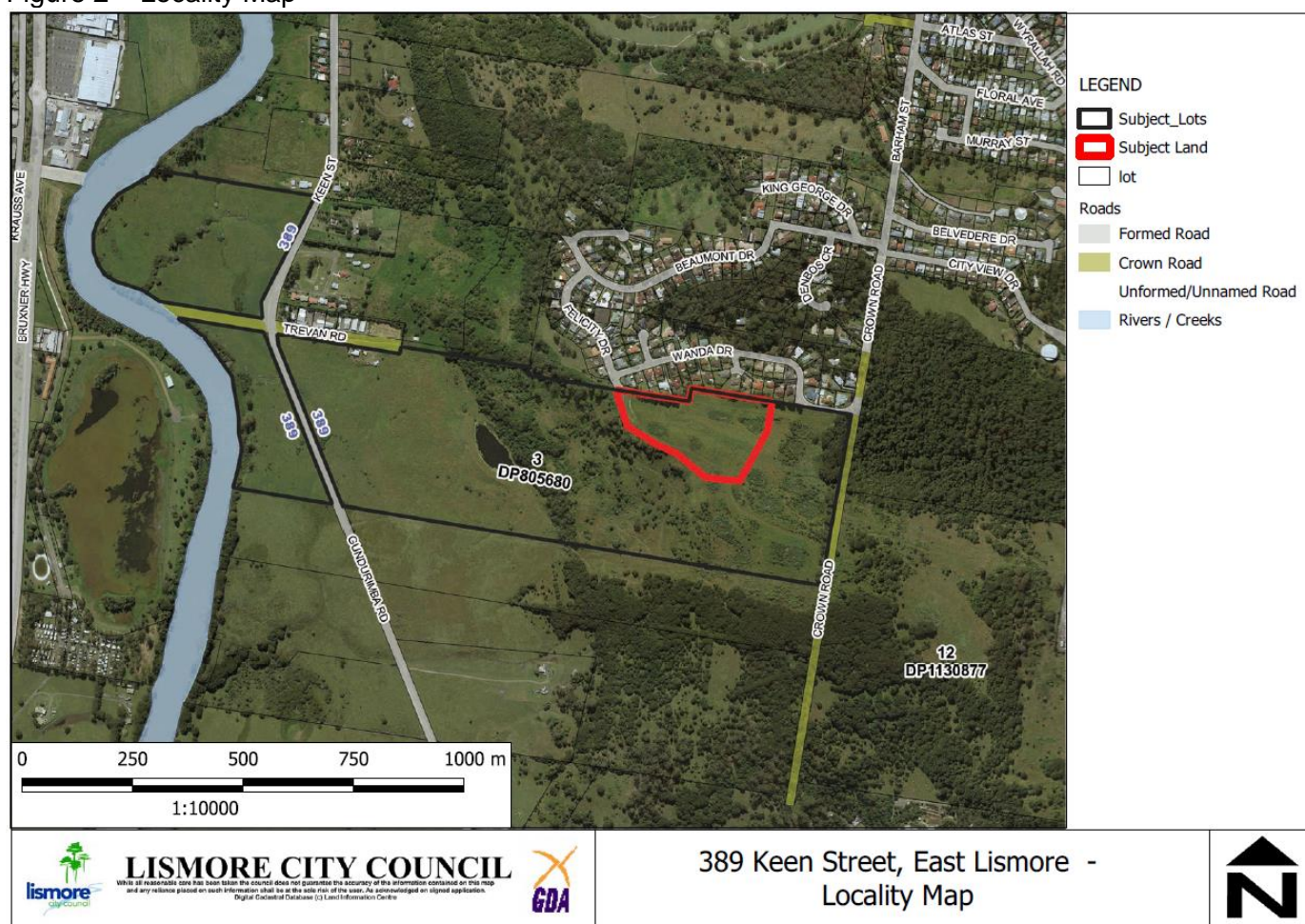
The original planning proposal and a smaller scale proposal were presented at a Councillor briefing on 26 March 2019. In consideration of the constraints of the site Council staff recommended a reduction in the scale of the proposal. The planning proposal that forms the subject of this report now only includes approximately 5ha of proposed Zone R1 at 389 Keen Street, East Lismore (Lot 3 DP 805680). Land at 245 Wyrallah Road, Monaltrie (Lot 12 DP 1130877) has been excluded from the proposal. The potential residential lot yield is 30. A proposal of this scale does not require a second access road and existing water and sewer infrastructure can be utilised. The then applicant was informed that Council staff did not support the original larger scale proposal and Council received confirmation from this applicant on 11 April 2019 that 245 Wyrallah Road, Monaltrie (Lot 12 DP 1130877) was withdrawn from the proposal. A new applicant has since been appointed and their concurrence has been provided regarding the reduced scale of the proposal. Refer to Figure 2 (Locality map) that delineates the land that forms the subject of this planning proposal.

Various technical reports accompanied the planning proposal including biodiversity assessment, reticulated water supply report and Aboriginal cultural heritage assessment. The relevant outcomes of these studies are included in this report and in Attachment 1 (Planning Proposal Report).

The subject site

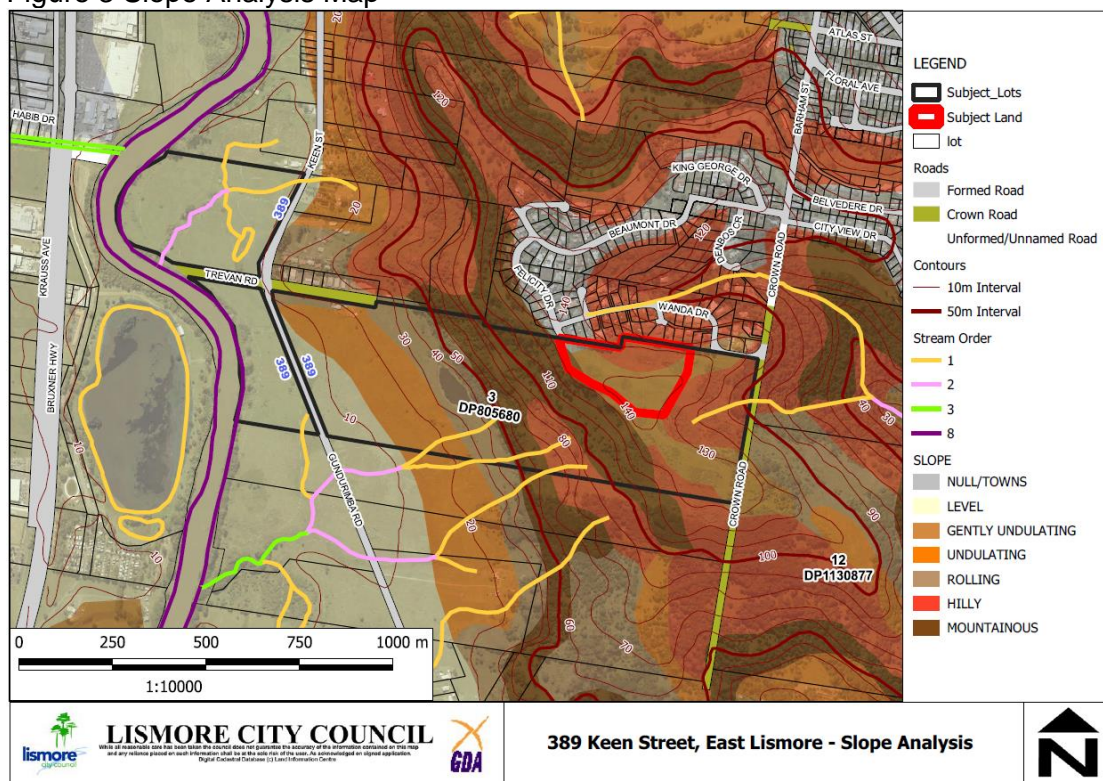
The subject allotment is part of an area of land identified for potential residential in the Lismore Growth Management Strategy (GMS). The site is adjacent to existing residential land in East Lismore and is located 3km to the CBD and near commercial, recreational, health and educational facilities. The land is identified in the North Coast Regional Plan "Urban Growth Area Map for the Lismore LGA". Refer to Figure 2 for Locality Map.

Figure 2 – Locality Map



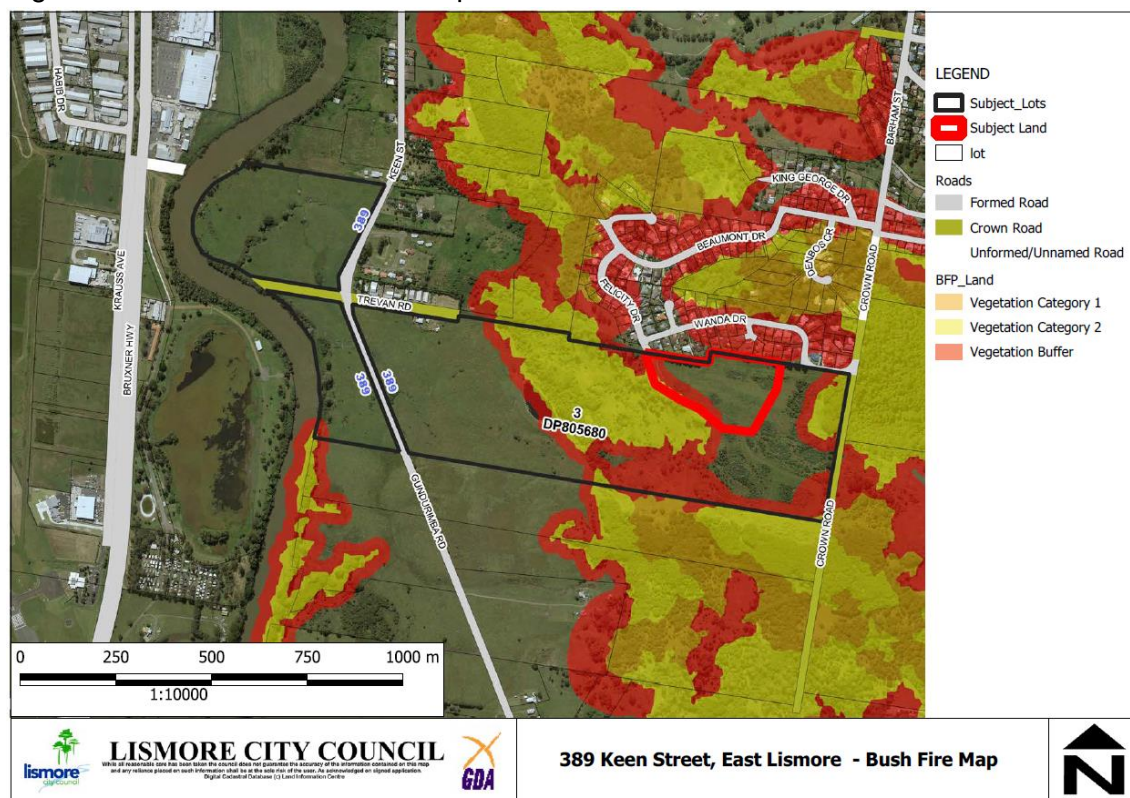
The site has an elevation between 126m to 142m and has a history of horticultural use. The macadamia orchid has been cleared and the land is currently vegetated with pasture species and herbaceous weeds. Most of the site has a slope in the range of 2% - 5% which is ideal for future residential development. Refer to Figure 3 Slope Analysis Map.

Figure 3 Slope Analysis Map



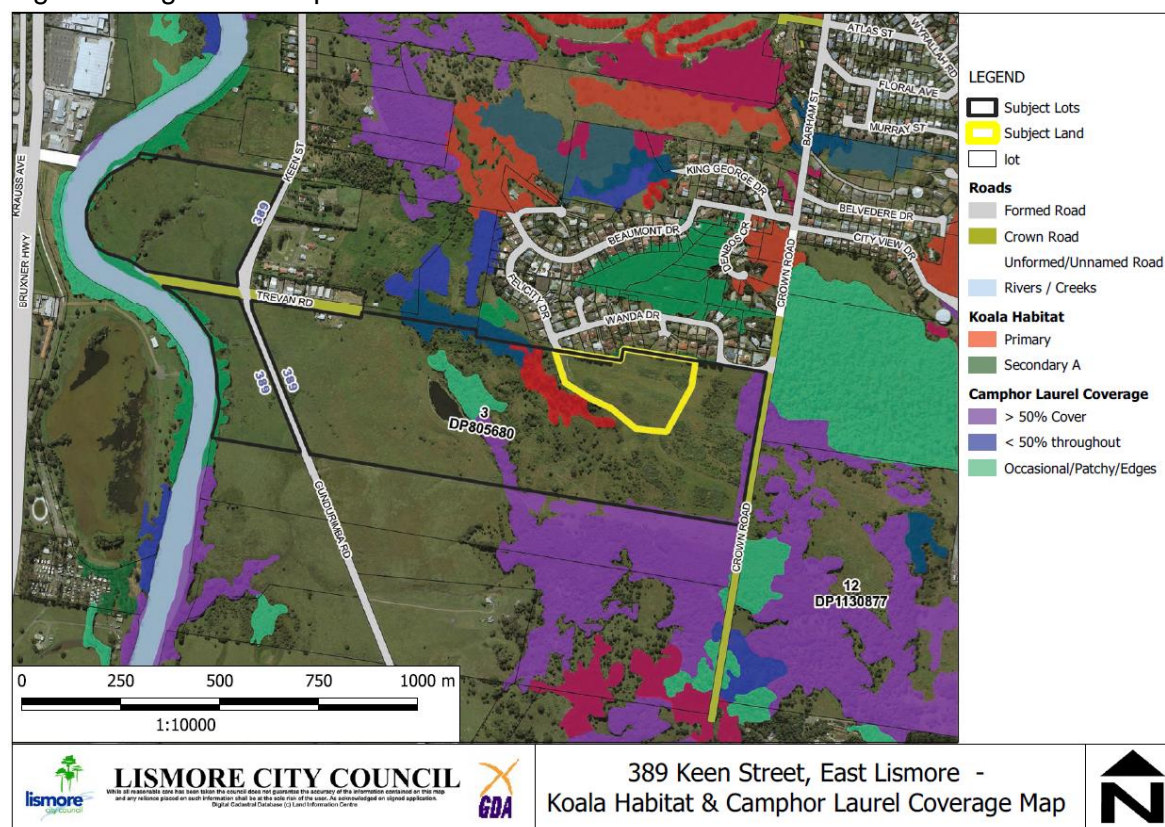
The lot is partially bushfire prone. Refer to Figure 4 Bushfire Map.

Figure 4 - Bushfire Prone Land Map



The 5ha subject site does not include any Endangered Ecological Communities (EEC) or threatened flora species. The site is vegetated with pasture species and herbaceous weeds subsequent to the removal of the commercial scale macadamia plantation in recent years. Refer to Figure 5 – Vegetation Map.

Figure 5 Vegetation Map



Environmental, social and infrastructure assessment

Council's technical staff have reviewed the constraints of the site and undertaken a preliminary assessment of the planning proposal. This section of the report provides a summary of the assessment along with recommendations for further information post Gateway determination.

Environmental

Biodiversity

The proposed rezoning of this cleared 5ha site to enable the future subdivision of approximately 30 residential lots is not likely to have a significant impact on the flora and fauna species on or within the vicinity of the site as listed under the *Biodiversity Conservation Act 2016* and the *Environment Protection and Biodiversity Conservation Act 1999*.

The allotment (Lot 3 DP 805680) has a total area of 61ha and the site that is subject to this planning proposal is approximately 5ha. The vegetation on the 5ha subject site is highly disturbed. The land has been extensively assessed for its ecological attributes. A report was prepared by GeoLINK which was reviewed by Council's ecologist. The 5ha subject site does not include any Endangered Ecological Communities (EEC) or threatened flora species. The site is vegetated with pasture species and herbaceous weeds subsequent to the removal of the commercial scale macadamia plantation in recent years. Refer to Figures 6 & 7.

Areas of high biodiversity value outside of the proposed rezoning area and within Lot 3 DP 805680 include approximately 1ha of primary koala habitat on a steep western slope adjacent to the rezoning area. Another 1ha of vegetation, >50% Camphor Laurel, is located >150m from the rezoning site. An ecological assessment undertaken for the land has determined that this vegetation is consistent with lowland rainforest Endangered Ecological Community. Neither of these areas will be impacted by the proposed rezoning. The requirement for any additional protective measures will be assessed at DA stage.

The Wilsons Nature Reserve, which is predominantly lowland rainforest, has its closest boundary located 200m from the subject site. The adjoining eastern allotment, originally part of this planning proposal, is predominantly vegetated with Camphor Laurel and mixed pasture species. Some threatened species were identified on the site including Thorny Pea, Hairy Jointgrass and Arrowhead Vine. The proposed rezoning will not compromise the biodiversity values on this nearby land.

Flooding

The proposed rezoning site has an elevation of between 126m and 142m and is not flood prone.

Land Contamination

The subject site has previously been used for commercial scale macadamia farming. Council's Environmental Health Officer has assessed the planning proposal and concluded that a preliminary contaminated land assessment will be required post-Gateway determination.

Land Use Conflict

An assessment of the potential land use conflict is required regarding adjoining and surrounding land uses, including but not limited to, current and potential agricultural land uses, the East Lismore sewage treatment plant (STP) and the Wyrallah Road waste or resource management facility. The subject site is located 700m from the waste facility and 1000m from the STP. The Lismore Development Control Plan requires a buffer of 400m between residential development and STPs/waste facilities. 'Living and Working in rural Areas – NSW Department of Primary Industries 2007' requires a separation distance of 1000m from potential hazardous or offensive industries (including STP's and waste facilities).

Council's Environmental Health Officer has concluded that a Land Use Conflict Risk Assessment is required post-Gateway determination. The report is to consider the following guidelines:

- Lismore Development Control Plan – Chapter 11 Buffers
- Living and Working in Rural Areas – NSW Department of Primary Industries 2007
- Technical Framework – Assessment and management of odour from stationary sources in NSW – NSW EPA

Bushfire

The site has been identified as bushfire prone land. A bushfire threat assessment report will be required post-Gateway determination.

Council is required under Section 9.1 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 consider any comments received.

Geotechnical

Council's Strategic Engineering Contractor has assessed the smaller scale planning proposal, as described in this report, and no additional geotechnical reporting is required. The subject site is predominantly gently undulating (slope 2% - 5%), and the access/link road will be provided by the existing Felicity Drive.

It is worth noting that the larger scale planning proposal that was originally submitted to Council included land with a steeper hilly terrain (slope 20% - 33%) and was significantly constrained by potential

geotechnical issues. The larger proposal would have ideally been serviced by an alternative access road. However, such an access road is likely not to have been feasible due to the geotechnical and associated economic constraints. The upgrading of Beaumont Drive was also explored considering the unviable option of a second access road. More detail is provided in this report under “Traffic – external road network”.

Drinking Water Catchment

The allotment is not located within the Lismore LEP 2012 Drinking Water Catchment.

Agricultural potential

The proposed rezoning area and surrounding and adjoining primary production land is not regionally or State significant Farmland under the Northern Rivers Farmland Protection Project 2005. The land is identified in the North Coast Regional Plan “Urban Growth Area Map for the Lismore LGA”. The land is also identified in the Lismore Growth Management Strategy 2015 – 2035 for potential residential infill (Map 16).

The proposed Zone R1 with an approximate area of 5ha will involve a residue Zone RU1 primary production area of 56ha which can still be used for agriculture. The proposed Zone R1 is adjacent and contiguous with existing Zone R1. This approach will utilise existing infrastructure and services whilst minimising the fragmentation of rural land. The residue Zone RU1 will be of a configuration that will enable sustainable rural economic activities.

Social

Aboriginal and European cultural heritage

An Aboriginal Cultural Heritage Assessment, prepared by Everick Heritage Consultants March 2017, was submitted with the planning proposal. The report was prepared in consultation with two cultural heritage staff from the Ngulingah LALC and a representative from the Widjabul Wy-abul native title claimant group. The report concludes that:

- No indigenous cultural heritage sites or relics were identified within the project area.
- No areas have been identified that are considered to contain potential archaeological deposits of significant Aboriginal heritage.
- All the project area has been disturbed in a manner which constitutes ‘disturbance’ within the meaning of the Due Diligence Code and is consistent with the Due Diligence Code.

Lismore City Council’s Environmental and Cultural Heritage Contractor has reviewed the Aboriginal Cultural Heritage Assessment and concurs with the findings.

The allotment is not subject to any listings of environmental heritage items or archaeological sites pursuant to Schedule 5 LEP 2012.

It is recommended that the planning proposal be referred to Ngulingah Local Aboriginal Land Council and the DPIE Environment, Energy and Science to demonstrate consistency with Section 9.1 of the *EP&A Act 1979*, Ministerial Direction 2.3 – Heritage Conservation.

Social Impact

The planning proposal to rezone a portion of the allotment will enable the landholder to lodge a future subdivision development application for the creation of 30 residential allotments. Council's Social Impact Assessment Guidelines normally requires a formal Social Impact Assessment (SIA) for a rezoning that will result in 20 or more lots. The SIA guidelines include discretionary provisions around the requirement for an SIA for proposals meeting the normal threshold requirements. It is contended that the following assessment is adequate for this proposal.

The proposal will enable the expansion of an existing adjoining residential area. The proposal will maximise the social and economic benefits with good access to existing services and community infrastructure. The proposal is not expected to generate any significant adverse social or economic impacts.

Extract from the Lismore Growth Management Strategy 2015 – 2035:

East Lismore presents opportunities for residential infill development that maximises the features of the locality. It presents a mostly northern orientation and aspect with views over Lismore and to rural areas to the west. Furthermore, it enjoys the benefit of being in close proximity to shopping, community, and health services and has the potential to offer a different housing product. Surveys conducted for the Lismore Housing Strategy show that East Lismore is a desirable location.

Infrastructure

Water

The proposed rezoning for a future additional 30 residential allotments can be serviced by an expansion of the existing Tanelawn (adjacent residential area) pressure zone. This could be achieved through an extension of the existing reticulation network and would not likely require additional infrastructure such as reservoirs etc. Detailed modelling will be required at subdivision development application stage to assess the ability of the system to maintain firefighting flows.

The proponent provided a Water Servicing Assessment report with the planning proposal in its now superseded form (140 additional lots). A larger scale rezoning would require significant additional water infrastructure including a new pump station, or upgrading of the existing pump station, located at City View reservoir; a new reservoir; and new sections of trunk main.

Sewer

The existing sewerage system in the Tanelawn catchment has enough reserve capacity to service the proposed rezoning for a future additional 30 residential allotments. Future development could be directed to this sewerage system located to the north of the development. Some sections of the development may need to be serviced by pressure sewer in consideration of the topography. Overall, an additional 30 lots would have a relatively minor impact on the capacity of the East Lismore sewerage system.

The existing sewerage system to the north did not have sufficient reserve capacity to service the original larger scale, now superseded, planning proposal (140 additional lots). In order to service a proposal of this scale, a new gravity reticulation main would be required to drain sewage to the existing trunk main 15 that runs parallel with Wyrallah Road. This existing trunk main has a diameter of 750mm and drains a large catchment. In most circumstances this sewer main operates effectively and could cater for 140 lots. The required new gravity reticulation main would have to be constructed on the side of an escarpment with grades of 20% or greater and construction and future operation of this main would have significant environmental impacts.

Traffic – external road network

The site is located at the southern end of the East Lismore ridgeline. The proposed extension of the existing residential zone in this flood free elevated location is well justified. Constructed road access to

the site is from the north via Felicity Drive and Wanda Drive. This road network links to Beaumont Drive which currently carries around 900 vehicle movements per day (vm/day).

Beaumont Drive has capacity for a maximum of 30 additional residential lots which equates to an additional 195vm/day before upgrading would be required. An additional access road would normally be required for larger scale development of the site, however, the steep topography and presence of high conservation value vegetation along an adjacent unformed Crown road reserve significantly limits the potential for a second access road. The inability to provide a second access road was a major reason Council staff recommended a reduction in the scale of the planning proposal from a potential 140 lots to 30 lots.

The upgrade of Beaumont Drive for the original proposed larger scaled rezoning was investigated. 140 additional lots would double vehicle movements along Beaumont Drive by adding an additional 910vm/day. This would diminish the residential amenity of the established residential area and potentially present additional safety hazards for pedestrians and other road users.

Stormwater

No issues. Stormwater can be addressed at DA stage.

Pre-Gateway government agency comments

The planning proposal in its original larger scale form was referred to the then Office of Environment and Heritage for pre-Gateway comment. The referral was accompanied with a biodiversity assessment report prepared by GeoLINK. Two relevant maps (Figures 6 & 7) incorporated in that report are provided below including "Site Vegetation" and "Threatened Flora and Communities".

Figure 6 - Site Vegetation

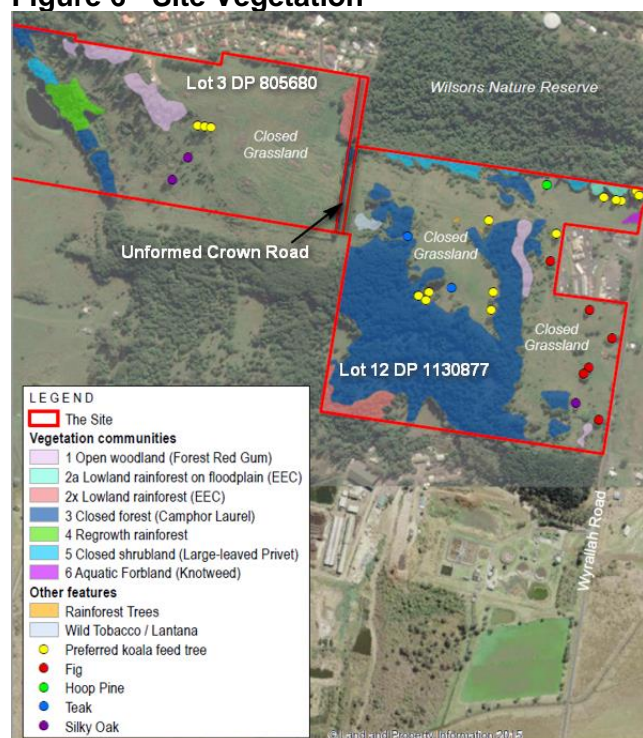
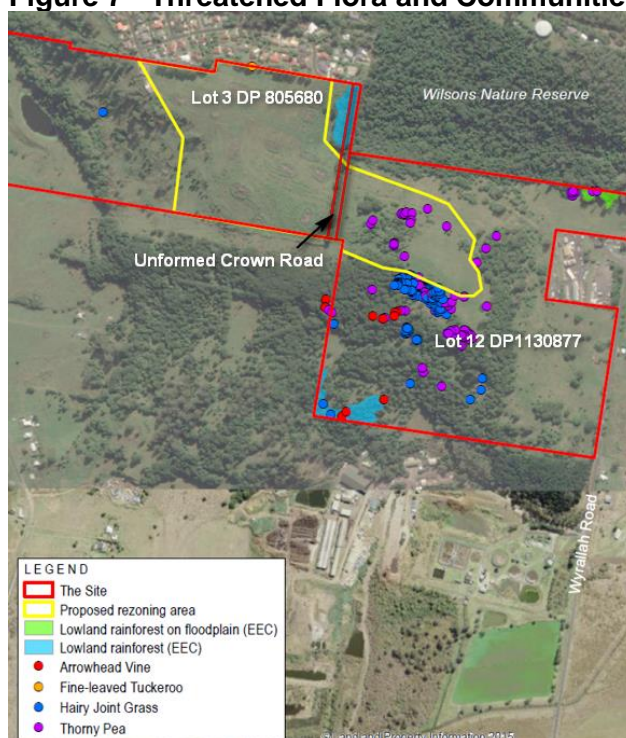


Figure 7 - Threatened Flora and Communities



OEH referral comments and a staff response are provided in Table 1 below.

Table 1 – OEH referral comments

OEH comments	Staff response
Closed Forest (Camphor Laurel) on Lot 12 is an EEC (Lowland Rainforest in the NSW North Coast Bioregion).	Lot 12 is no longer part of the planning proposal.
Threatened flora and fauna habitat and all EEC's should be rezoned E2 Environmental Conservation where possible.	<p>Most of the discussion centred around vegetation within Lot 12. This lot is no longer included in the planning proposal.</p> <p>Council's then ecologist did consider that Zone E2 may be appropriate in some parts Lot 12 and to a lesser extent Lot 3, in particular the areas where EEC and threatened flora occur adjacent to the Wilsons Nature Reserve.</p> <p>Lot 3 does include an area of approximately 7,000m² of Lowland Rainforest EEC in the north east corner of the allotment. This part of the lot is 120m outside of the proposed Zone R1 area. The owner of the land declined the request to rezone this area E2 Environmental Conservation. It is proposed to leave this area as part of the residue Zone RU1 area.</p> <p>The 5ha of proposed Zone R1 is the least constrained area of the allotment and does not contain woody vegetation. This land was previously used as a macadamia plantation until it was cleared in recent years. No threatened flora or EECs exist in this area.</p>
Where avoidance or minimisation of impacts is not possible, an offset strategy must be developed.	The reduced scale 5ha proposed Zone R1 has avoided all threatened flora species and EECs. Therefore, there is no need for offsetting.
The residue Zone RU1 with high biodiversity values should be rezoned E2 Environmental Conservation.	<p>Lot 12, which is no longer part of the planning proposal, included the highest proportion of biodiversity values.</p> <p>Lot 3 DP 805680 that forms the subject of this planning proposal is 61ha in area. No significant biodiversity values are present in the proposed 5ha Zone R1 General Residential. This has been confirmed by the GeoLINK Biodiversity Assessment and Council's ecologist. The residue 56ha is not part of this planning proposal. Moreover, the maintenance of Zone RU1 Primary Production for the residue 56ha is consistent with the North Coast Regional Plan – Direction 11; the aims of SEPP (Primary Production and Rural Development) 2019; and S9.1 Ministerial Direction 1.5 Rural Lands. Zone RU1 affords adequate protection for any areas of high biodiversity value outside of the area proposed for Zone R1. Moreover, the areas of high biodiversity value in the Zone RU1 are identified on the Biodiversity Values Map and are protected under the <i>Biodiversity Conservation Act 2016</i>.</p>
The OEH has no further concerns regarding the Aboriginal cultural heritage matters.	<p>Noted.</p> <p>Refer to 'Aboriginal and European Cultural Heritage' section of this report for detail.</p>
A 50m buffer within Zone E3 Environmental Management should be used along the perimeter of the Wilsons Nature Reserve.	Lot 12, which is no longer part of the planning proposal, included all the common boundary with the Wilsons Nature Reserve. Lot 3, the subject of the planning proposal has no common boundary with the nature reserve, however, 170m of the eastern boundary is within 20m of the reserve. The landholder has not agreed to use an environmental protection zone in this location.

OEH comments	Staff response
A formalised vegetation management plan should be required for the 50m buffer area around the Wilsons Nature Reserve.	This issue is no longer relevant with the reduced scale of the planning proposal. Refer to comments above.

Overview of the planning proposal

The assessment provided in the previous sections of the report show that a rezoning planning proposal can be supported. Table 2 below provides an overview of the planning proposal structured in accordance with the Department of Planning, Industry and Environment guidelines for planning proposals. The detailed planning proposal report is located at Attachment 1 to this report.

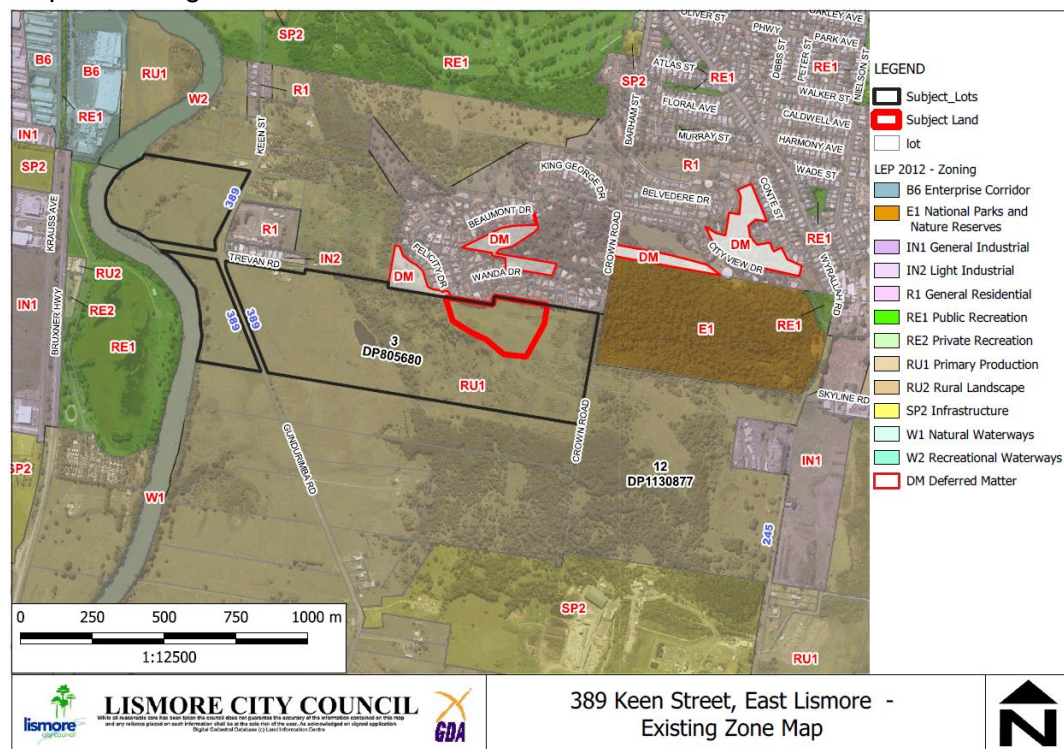
Table 2 – 389 Keen Street, East Lismore – Rezoning Planning Proposal

Part	Requirements	Description of planning proposal
1	OBJECTIVES OR INTENDED OUTCOMES	Amend LEP 2012 by rezoning the land to enable the lodgement of a DA for residential subdivision to create 30 additional lots.
2	EXPLANATION OF PROVISIONS	<ul style="list-style-type: none"> Amending the Lismore LEP 2012 Land Zoning Map Sheet LZN_006AA for 389 Keen Street, East Lismore with the application of Zone R1 General Residential. Amending the Lismore LEP 2012 Minimum Lot Size Map Sheet LSZ_006AA for 389 Keen Street, East Lismore with the application of 400m². Amending the Lismore LEP 2012 Height of Buildings Map Sheet HOB_006AA for 389 Keen Street, East Lismore with the application of 8.5m.
3	JUSTIFICATION Section A – Need for the Planning Proposal <i>1. Is the Planning Proposal a result of any strategic study or report?</i> <i>2. Is the Planning Proposal the best means of achieving the objectives or intended outcomes, or is there a better way?</i>	<ul style="list-style-type: none"> Land mapped in Lismore Growth Management Strategy 2015 - 2035. The planning proposal is consistent with the Lismore City Council Delivery Program 2017 - 2021 and current Operational Plan. Yes, land must be rezoned to enable future residential subdivision.
3	JUSTIFICATION Section B – Relationship to Strategic Planning Framework <i>3. Is the Planning Proposal consistent with the objectives and actions contained within the applicable regional or sub-regional strategy?</i> <i>4. Is the Planning Proposal consistent with the Council's local strategy or other local strategic plan?</i> <i>5. Is the Planning Proposal consistent with applicable State Environmental Planning Policies?</i>	<ul style="list-style-type: none"> The land is included in the North Coast Regional Plan, Figure 16 Urban growth area map for the Lismore LGA as "Investigation Area – Urban Land". The planning proposal is consistent with the North Coast Regional Plan 2036 Actions and Directions. Refer to Attachment 1 for detail. The planning proposal is consistent with the Lismore City Council Delivery Program and the Operational Plan. Consistent with Lismore Growth Management Strategy 2015 – 2035. Consistent with SEPPs (Refer to Attachment 1, Appendix 2 for detail);

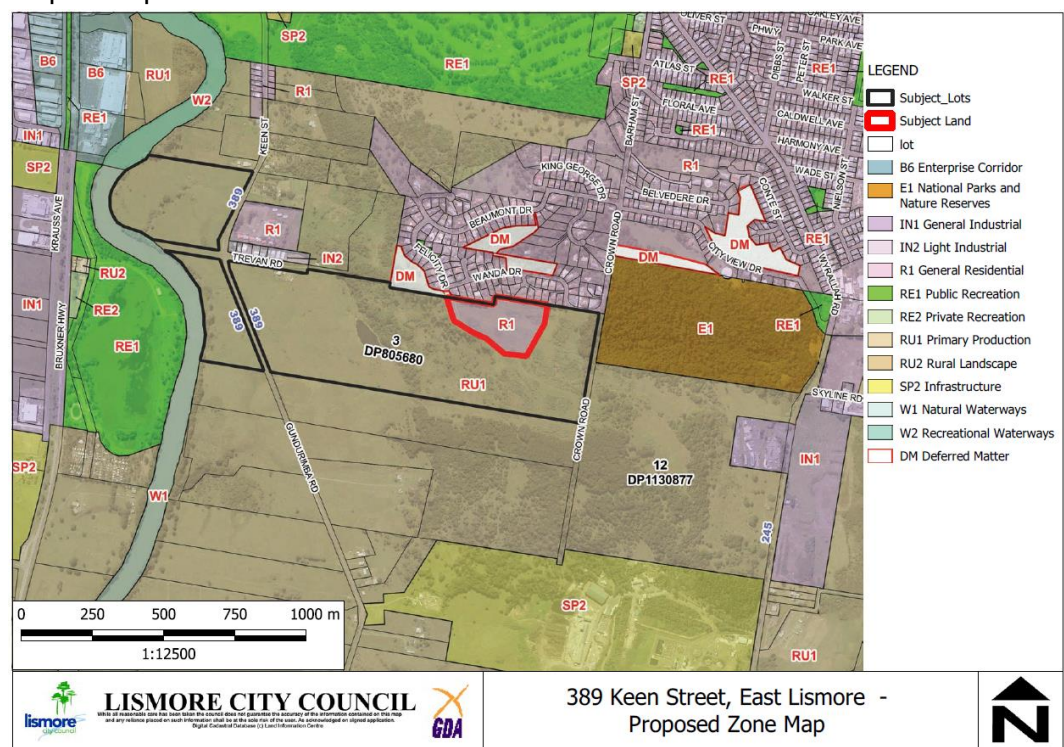
Part	Requirements	Description of planning proposal
	6. Is the Planning Proposal consistent with applicable s9.1 Ministerial Directions?	<ul style="list-style-type: none"> Consistent or justifiably inconsistent with Ministerial Directions (Refer to Attachment 1, Appendix 3 for detail).
3	JUSTIFICATION 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?	<ul style="list-style-type: none"> There is no critical habitat in the Lismore LGA. There is no likelihood that threatened species or threatened ecological communities or their habitat will be adversely affected as a result of the proposal. A preliminary review of the environmental constraints has been undertaken. At this stage of the assessment it is anticipated that any constraints can be appropriately managed without adverse environmental effects. A Gateway determination will confirm if any additional studies are required. Refer to the section of this report entitled 'Environmental, Social and Infrastructure Assessment' for further detail. The following reports are recommended post Gateway determination: Preliminary Contaminated Land Assessment; Land Use Conflict Risk Assessment; and Bushfire Threat Assessment Report. A preliminary review of Aboriginal and European cultural heritage and social impact assessment has been undertaken. No known heritage items/places/objects are associated with the site. Refer to section of this report entitled 'Environmental, Social and Infrastructure Assessment' for further detail.
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?	<ul style="list-style-type: none"> The proposal involves connection to existing public infrastructure which will be funded by the developer. Refer to section of this report entitled 'Environmental, Social and Infrastructure Assessment' for further detail. The Gateway determination will specify referral agencies & organisations.
4	MAPPING	<ul style="list-style-type: none"> LEP Maps are provided in the section of this report entitled 'LEP Maps'. The maps are also located in Attachment 1.
5	COMMUNITY CONSULTATION	<ul style="list-style-type: none"> Recommended 28 day exhibition period (Refer to Attachment 1 for detail).
6	PROJECT TIMELINE	<ul style="list-style-type: none"> Recommendation of 12 months for completion Refer to Attachment 1 for detail).
7	DELEGATIONS	<ul style="list-style-type: none"> The Gateway determination will specify if Council can exercise plan making delegations.

LEP Maps

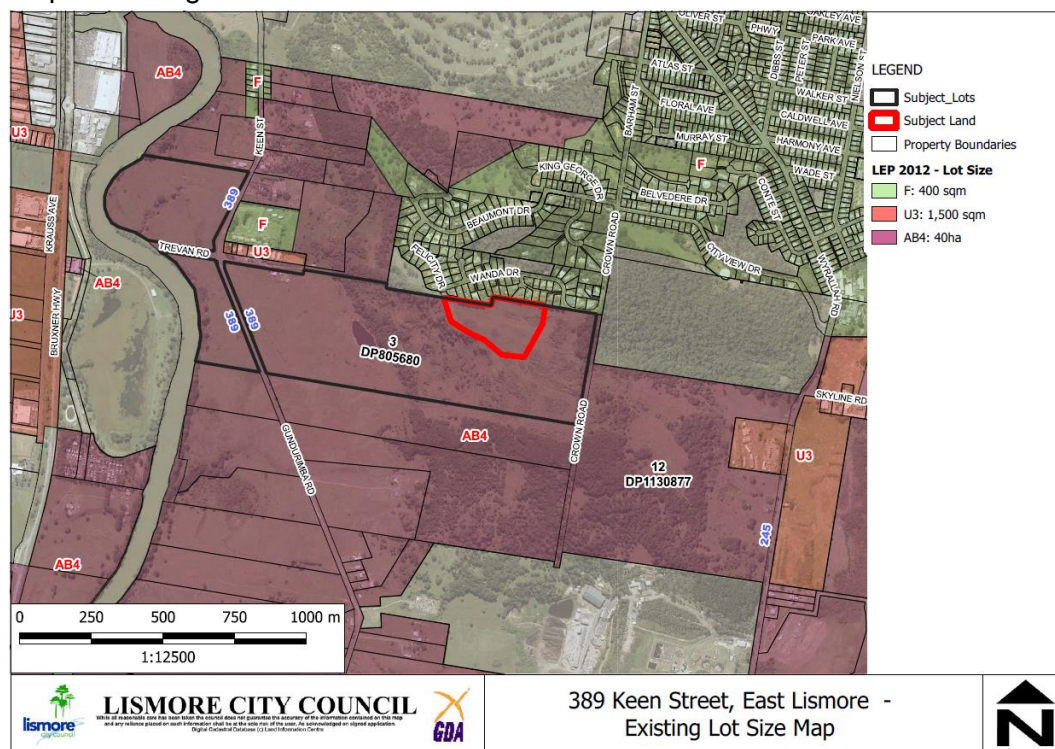
Map 1 Existing Land Zones



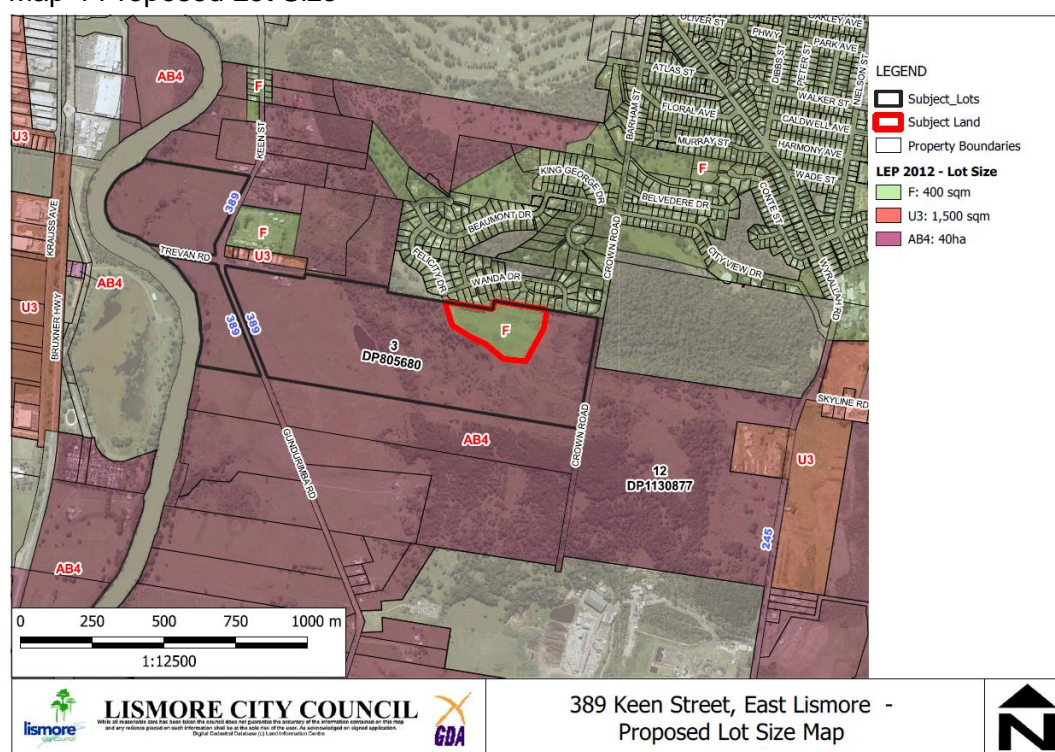
Map 2 Proposed Land Zones



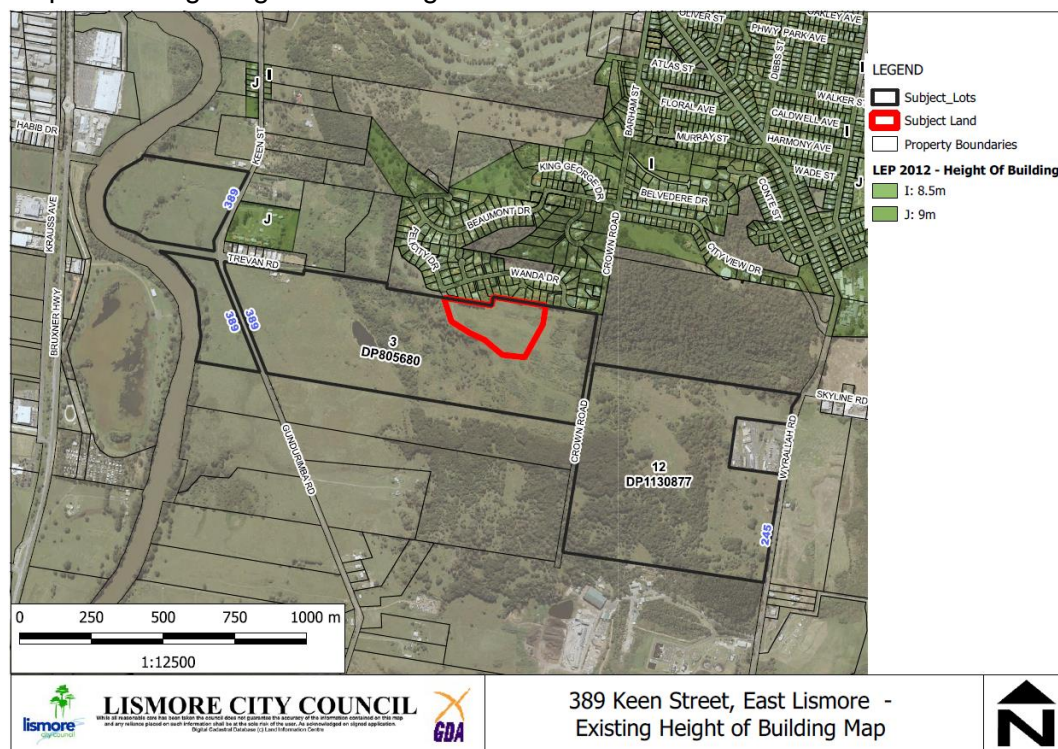
Map 3 Existing Lot Size



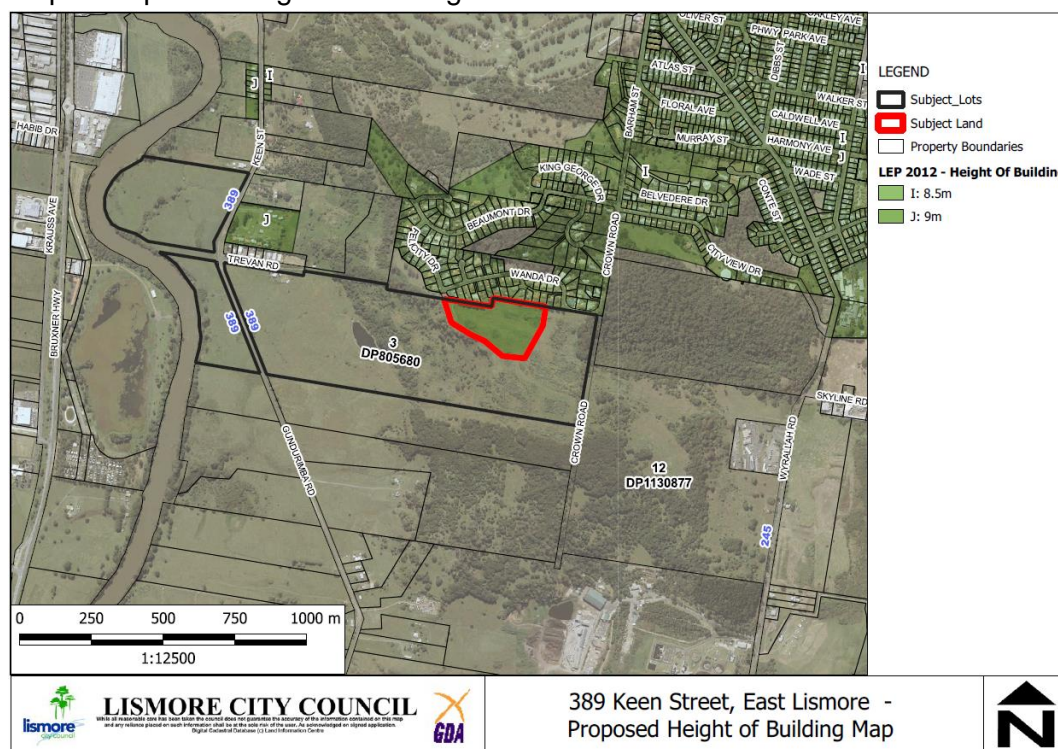
Map 4 Proposed Lot Size



Map 5 Existing Height of Buildings



Map 6 Proposed Height of Buildings



Comments

Finance

N/A.

Other staff comments

Specialist Council staff involved in the assessment of the planning proposal include: Strategic Engineering Contractor; Water and Sewer Engineer; Compliance Coordinator (Environmental Health Officer); Ecologist; Environmental Contractor (Cultural Heritage Management). Comments from these officers are in the section of this report entitled “Environmental, Social and Infrastructure Assessment”.

Public consultation

Council will commence community consultation post Gateway determination. For the purposes of public notification, it is considered that a twenty eight (28) day public exhibition period is appropriate.

Notification of the exhibited planning proposal will include:

- publication in Council’s Local Matters newsletter 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:

- 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.

LEP delegations

Council resolved at its ordinary meeting of 11 December 2012 to accept the delegations which enable it 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 the proposal is consistent with an endorsed strategy. Delegations will be confirmed as part of the Gateway determination.

Conclusion

The inclusion of the subject allotment in the Lismore Growth Management Strategy and the North Coast Regional Plan and consistency with the relevant legislative requirements are justification to support the planning proposal and forward it to the Department of Planning, Industry and Environment for a Gateway determination.

There are a few issues that are required to be addressed via the submission of additional technical reporting prior to public exhibition/agency consultation and post Gateway determination. The outcome of the additional technical reports will confirm the details of the planning proposal.

Attachment/s

1. Planning Proposal Report (Over 7 pages)