

# Report

<b>Subject</b>	<b>Rezoning Planning Proposal for land at 1055 and 1055A Bruxner Highway</b>
<b>TRIM Record No</b>	BP23/851:AF22/5200
<b>Prepared by</b>	Strategic Planner
<b>Reason</b>	To provide information and seek a resolution on the assessment of a Planning Proposal to rezone land at 1055 and 1055A Bruxner Highway.
<b>Strategic Theme</b>	Our built environment
<b>Strategy</b>	Our land-use planning caters for all sectors of the community.
<b>Action</b>	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

In November 2022 Lismore City Council received a Planning Proposal from landowners at 1055 and 1055A Bruxner Highway, Goonellabah (hereby 'the site'). The Planning Proposal seeks to amend the land zones, minimum lot size and height of building controls within the Lismore Local Environment Plan 2012 to enable future residential, commercial, industrial and recreational development across the 75 hectares of the site.

The Planning Proposal outlines the proposed amendments to the LEP and the assessment of various site-specific technical studies.

The site is identified in Lismore Council's Growth and Realignment Strategy (2022) and the supporting addendum that specifically addresses the need for new flood free employment lands in the region. The mix of zonings proposed across the site will allow for the integration of new housing, employment, recreation and community facilities. A Draft Voluntary Planning Agreement (VPA) will also ensure there are opportunities for the affordable relocation of dwellings from high flood-risk areas, as well as the provision of environmental benefits along Tucki Tucki Creek.

The proposal is considered to facilitate suitable and sustainable growth in a strategically situated location for Lismore's future. It is recommended that the Planning Proposal be supported and forwarded to the Department of Planning and Environment (DPE) for a Gateway Determination.

## Recommendation

That:

1. Council supports the Planning Proposal to amend the zone and planning controls for 1055 and 1055A Bruxner Highway, Goonellabah (Lot Lot 42, DP 868366 and Lot 1, DP 957677) as detailed in this report.
2. Council staff submit the Planning Proposal to the Department of Planning and Environment with a request for a Gateway Determination.
3. in line with conditions of the Gateway Determination, Council staff place the Planning Proposal on public exhibition and consult with Government agencies.
4. following close of the public and government agency exhibition period, staff report back to Council.

## Background

In November 2022 a planning proposal was received from Nimble Estates to amend the zoning and associated development standards on two lots at 1055 and 1055A Bruxner Highway, Goonellabah (Lot 42, DP 868366 and Lot 1, DP 957677).

The planning proposal intends to facilitate the future development of the site for residential, industrial and commercial use. It is expected that the proposal will lead to the creation of around 350 residential lots and 150 industrial / commercial lots. The number of individual homes and business sites is not yet known. However, the controls included in the Planning Proposal and an associated site-specific Development Control Plan (DCP) aim to deliver a range of new housing opportunities including medium density housing, live /work precincts and a range of new industrial / commercial opportunities.

Since lodgment, staff have been working with the landowner, Transport for NSW (TfNSW), the Department of Planning and Environment (DPE) and the Northern Rivers Reconstruction Corporation (NRRC) to address key challenges and ensure the best outcomes for the site and for Lismore's future growth.

On Tuesday 18 July 2023 staff provided an overview of the proposal to Councillors at a Council briefing.

Additionally, at the 12 September Council meeting, Councillors resolved to dedicate a strip of Council-owned land (being Lot 299 in DP 1058607) adjacent to the site as public road to enable future access into this proposal site. On Friday 3 November 2023, the NSW government gazetted Lot 299 in DP 1058607 as public road in accordance with the Council resolution.

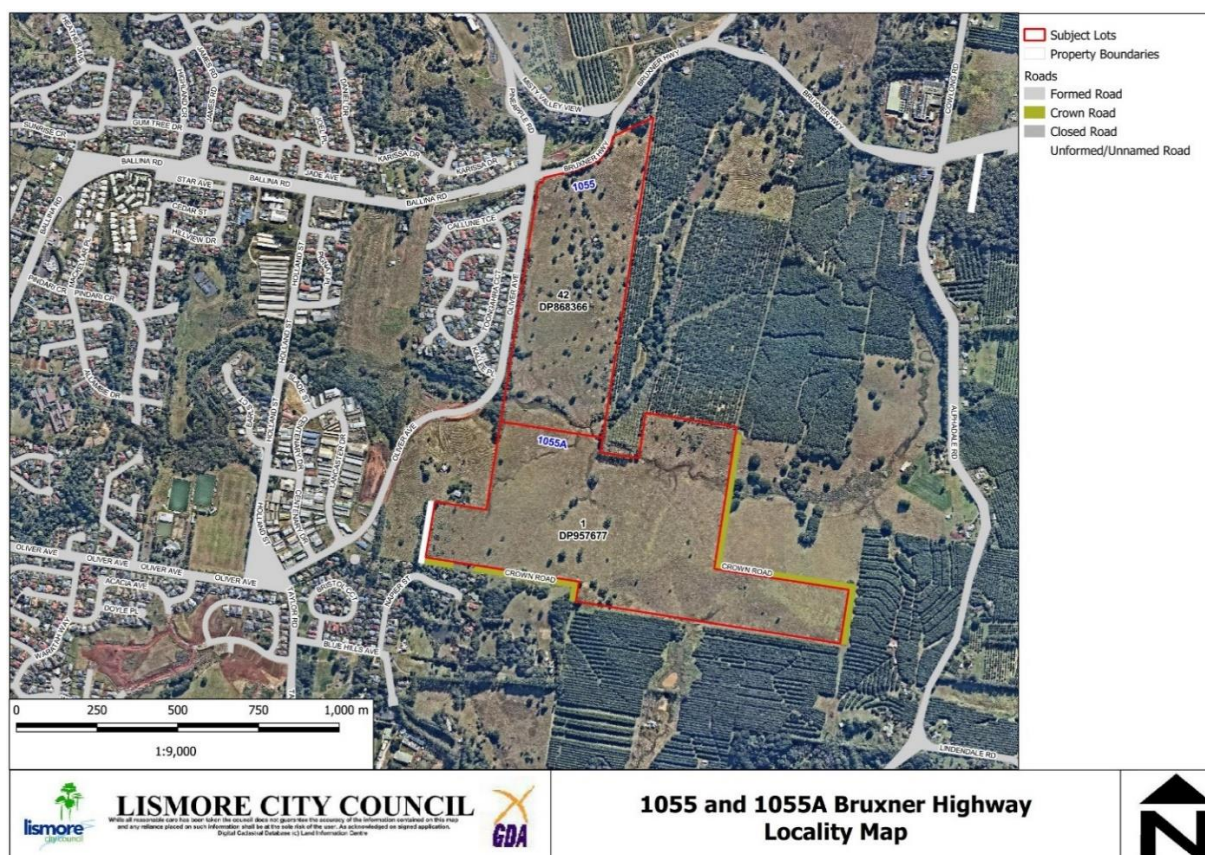
## Characteristics of the subject site

This Planning Proposal applies to land described in the table below and as shown in Table 1 and shown in figure 1.

*Table 1- Subject Lots*

Lot	Deposited Plan	Address	Land area
42	868366	1055 Bruxner Highway	28ha
1	957677	1055A Bruxner Highway	47ha

Figure 1 - The Site



The site has a total of ~75 hectares that sits on the eastern fringe of Goonellabah, an existing urban settlement in the Lismore LGA. It is approximately 3km to the Goonellabah shopping precinct, 5km to Southern Cross University and 8km from the Lismore CBD.

The site sits at the junction of the Bruxner Highway and Oliver Avenue at the Pineapple Road roundabout. Access to the site will be from Oliver Avenue. To the north, west and south of the site is residential and industrial land, and to the east and south of the site is agricultural land currently containing macadamia orchards.

The land is currently used for grazing and is mapped as State Significant Farmland. The site hosts some dilapidated dwellings and a scattering of mature paddock trees. The Tucki Tucki creek, and its tributaries, runs from west to east across the site. The riparian corridor of the Tucki Tucki creek is included in the NSW Biodiversity Values Map.

The majority of the site has a slope of 10-20%, referred to as 'rolling', however there are some areas that are considered 'gently undulating' with a slope of 2-5%.

The subject land is currently zoned RU1 Primary Production. No Height of Building control applies to RU1 zoned land. The current Minimum Lot Size is 40 ha in the north of the site and 20ha in the south.

### Alignment with the Lismore Growth and Realignment Strategy

The northern part of the site is identified in Lismore's adopted growth strategy, the Growth and Realignment Strategy, 2022 (GRS) as being potentially suitable for future residential use, including medium density residential and the incorporation of some commercial areas and a live/work precinct.

The southern part of the site is identified in the GRS as being potentially suitable as part of an expansion of the Goonellabah industrial precinct.

In June 2023, the DPE endorsed part of the site (1055 Bruxner Highway) and conditionally endorsed part of the site (1055A Bruxner Highway) requesting additional information around the need for local industrial land before their full endorsement could be provided. To address this request, and carry out the further investigation, LCC prepared an addendum to the GRS to highlight the need for additional flood-free industrial land and to address concerns about the southern part of the site. The addendum demonstrates the urgent need for flood-free industrial land in Lismore and the Northern Rivers to both support relocation of existing flood impacted businesses and accommodate growth. The addendum was submitted to the DPE in August 2023 and endorsed in September 2023. The Department of Primary Industries provided feedback to the DPE prior to them endorsing the addendum. Both the GRS and its addendum are now published on both LCC's and the DPE's website.

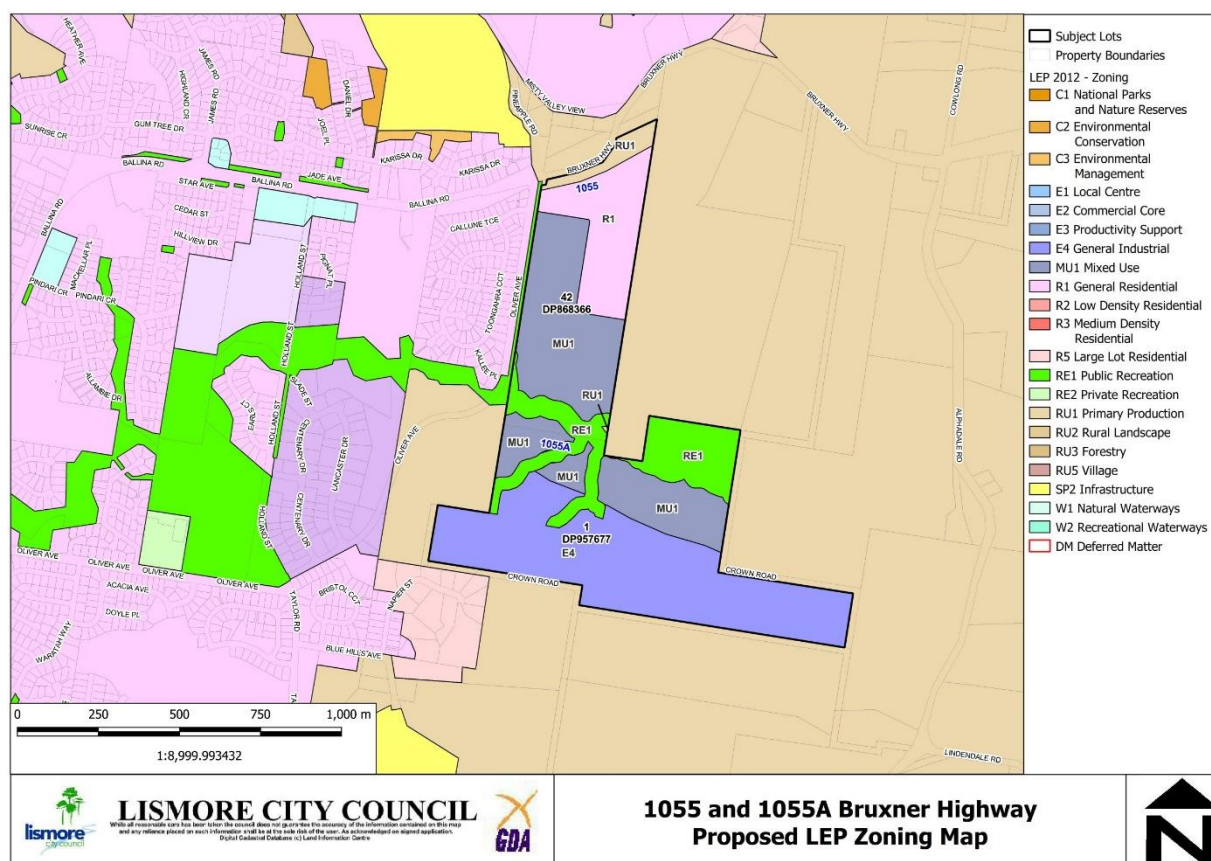
## Proposed changes to the Lismore Local Environmental Plan 2012

The objective of this planning proposal is to amend the Lismore LEP 2012 to enable residential, mixed use and industrial land to meet the needs of the Lismore community.

The intended outcome of this Planning Proposal is to rezone the site to a combination of R1 *General Residential*, MU1 *Mixed Use*, E4 *General Industrial* and RE1 *Public Recreation* as shown in figure 2.

A strip of land at the northern end of the site, fronting the Bruxner Highway, is not proposed to be rezoned. This is to secure land for TfNSW for future realignment of the Bruxner Highway.

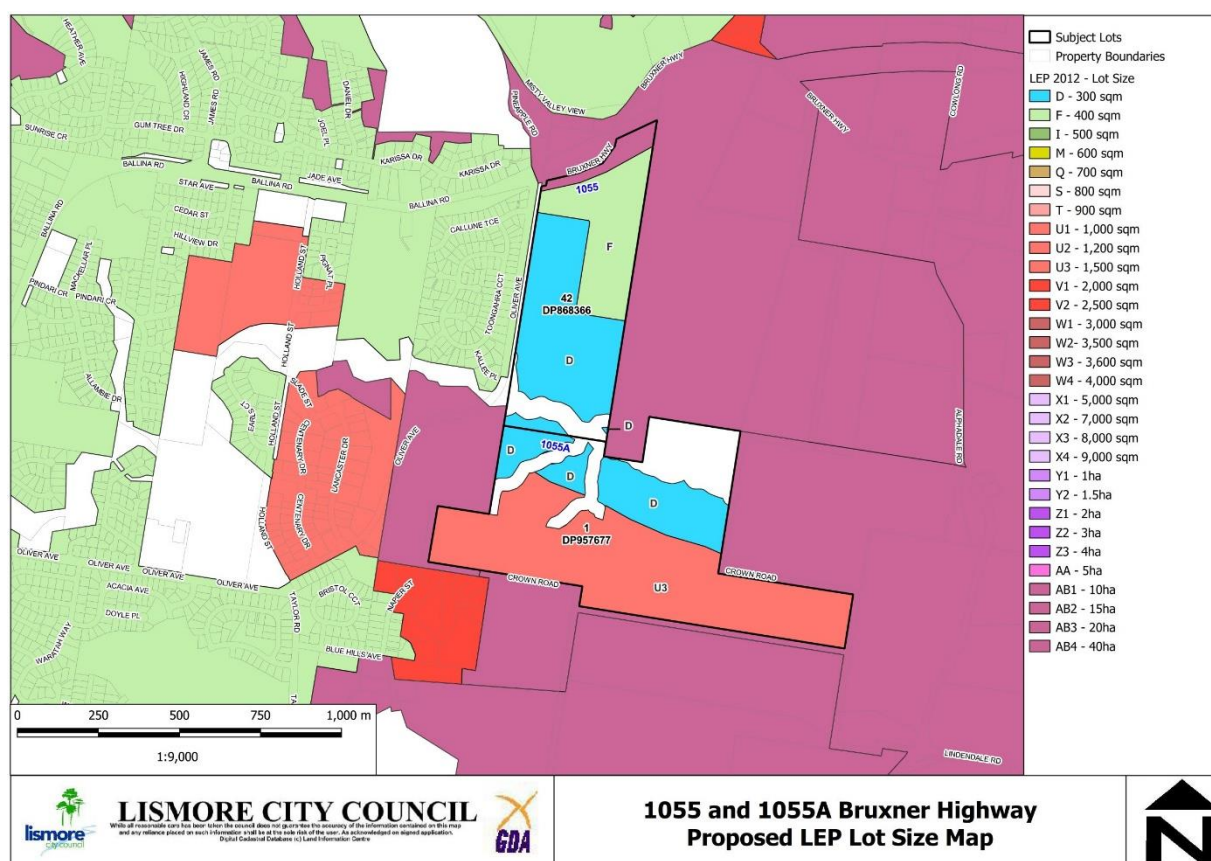
Figure 2 - Proposed Zoning Application



In addition to rezoning the site, the Planning Proposal seeks to amend the Lot Size Map (Sheet LSZ\_005 and Sheet LSZ\_006) to remove the current minimum lot size requirement of 40ha and 20ha and impose the following minimum lot sizes:

- R1 zoned land: a minimum lot size of 400m<sup>2</sup>,
- MU1 zoned land: a minimum lot size of 300m<sup>2</sup>,
- E4 zoned land: a minimum lot size of 1,500m<sup>2</sup>.

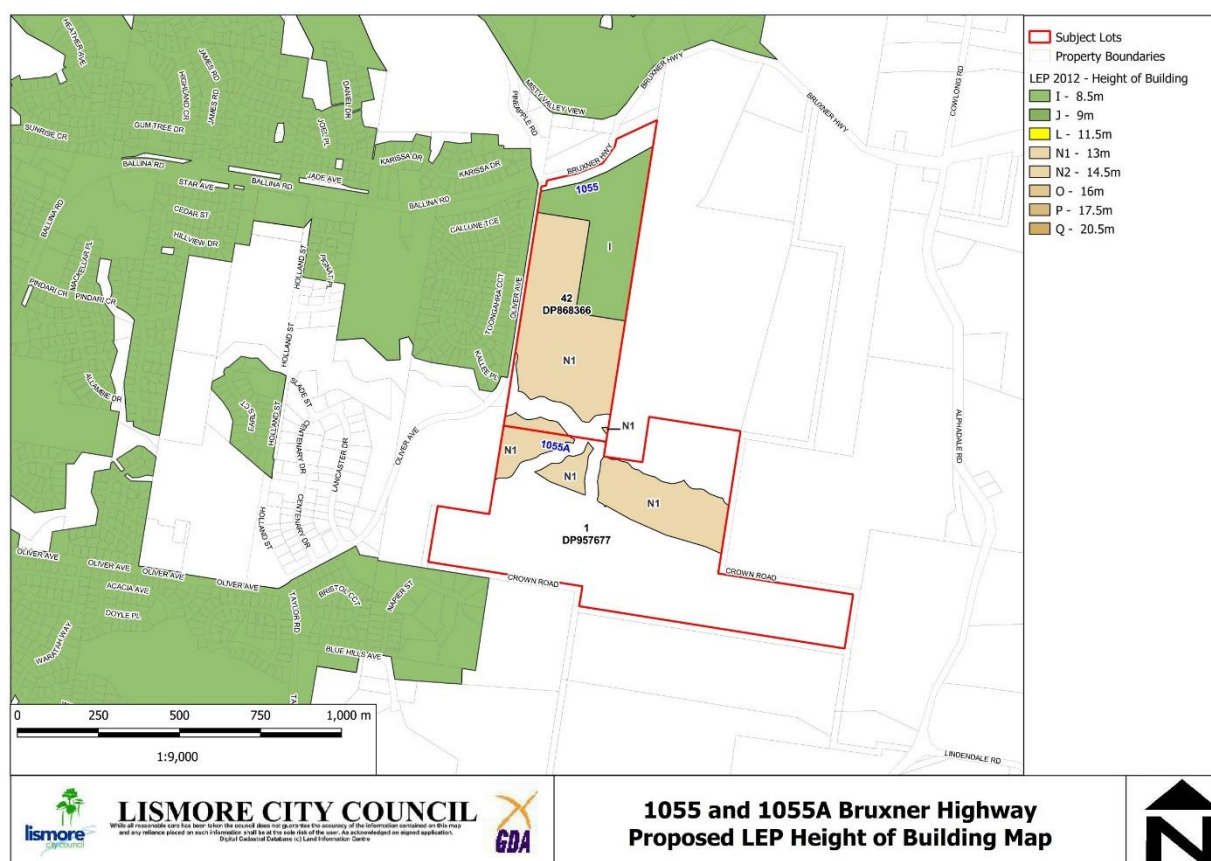
Figure 3 - Proposed Minimum Lot Size



Additionally, the Planning Proposal seeks to amend the Height of Building Map (Sheet HOB\_005 and Sheet HOB\_006) to impose the following maximum height of building control (excluding the RE1 and IN1 zoned land):

- MU1 zoned land maximum building height of 13m
- R1 zoned land: maximum building height of 8.5m

Figure 4 - Proposed Height of Building



The intended outcomes of the amended planning controls through changes to the Lismore LEP are to:

- Provide a diversity of housing options;
- Provide commercial and community land to meet the needs of the new residential community;
- Provide open space areas to meet the needs of the residential community, including, but not limited to, a pedestrian/cycling link along the Tucki Tucki creek reserve;
- Provide a diversity of industrial lots; and
- Retain, enhance and protect the existing environmental qualities on the site.

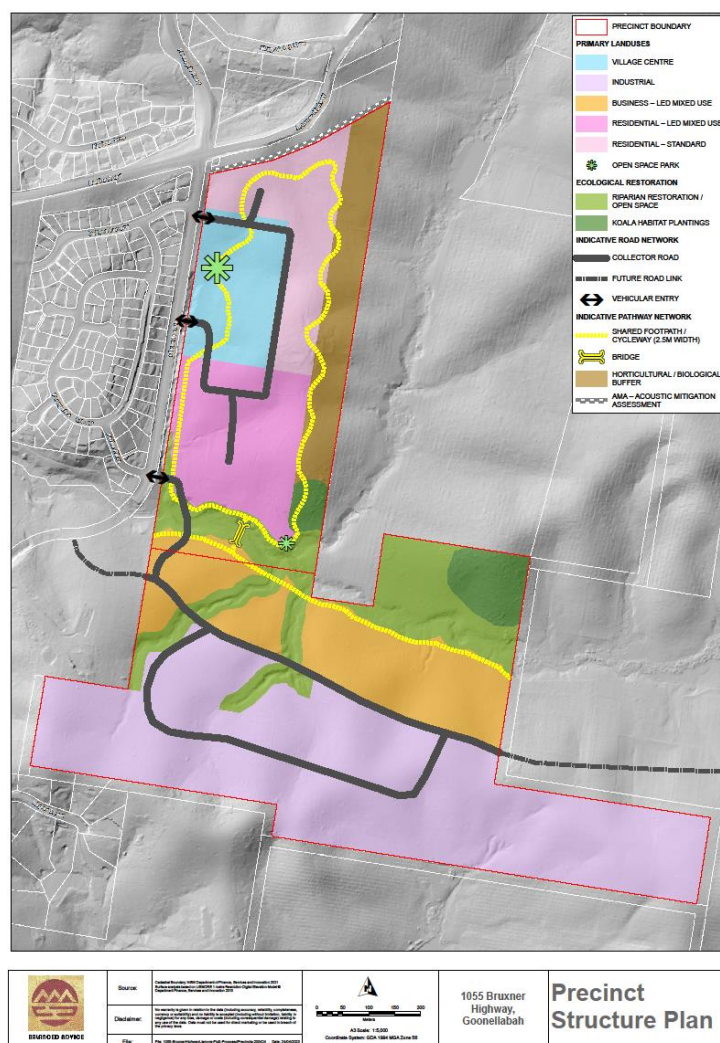
### Planning Controls – Development Control Plan and Voluntary Planning Agreement

Beyond the proposed amendment to the zoning and principal development standards within the LEP, there will be a site specific Development Control Plan (DCP) and a Voluntary Planning Agreement (VPA) to ensure the intended outcomes and objectives for the site will be achieved.

#### Development Control Plan (DCP)

Prior to finalisation of the Planning Proposal, Lismore City Council will introduce a new chapter to Part B of the Lismore Development Control Plan (DCP). This new chapter will set out an overall vision for the site as well as detailed development controls to ensure future development meets the needs of Council and the community. The DCP will also include a final structure plan that will be used to guide future development applications. Figure 5 represents the draft structure plan that breaks the site down into key precincts, including general residential, medium density residential-led mixed use, a local centre, commercial-led mixed-use and industrial. The draft structure plan is also included as an attachment.

Figure 5 - Proposed Structure Plan



This DCP chapter is still a work in progress. It is expected to be reported to Council early in 2024. The process for approving and publishing a DCP differs from a Planning Proposal in that it goes through only three formal stages:

- Resolution from councillors to proceed to public exhibition,
- A period of public exhibition,
- Final resolution from councillors to adopt and publish the new chapter.

Based on this, it is expected that the DCP chapter will be adopted and published prior to the completion of the land rezoning and well in advance of any development applications (DA) being submitted.

#### Voluntary Planning Agreement

On 9 December 2022 the landowners submitted to LCC a preliminary Offer of Intent for a Voluntary Planning Agreement (VPA). See attachment 2. A VPA is a legal instrument that is bound to the land title and will be enforceable at the development application stage.

The VPA for this site will be co-signed by Lismore City Council, the landowners and the NSW Reconstruction Authority (NSW RA). In the VPA, the landowners have offered three main elements:

1. 15 serviced lots at cost price to the NSW RA,
2. 3,000sqm of serviced land at cost price to a registered Community Housing Provider for affordable housing, and
3. Land along the Tucki Tucki creek corridor to be revegetated, development with a shared path and dedicated to Lismore City Council after five years.

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The draft will be reviewed by legal representation and finalised post-gateway.

## Environmental, Social and Economic Impact Assessment

A total of 20 technical reports have been provided to support the Planning Proposal. A summary of the key issues is provided below.

### Environmental and Physical Constraints

#### Biodiversity

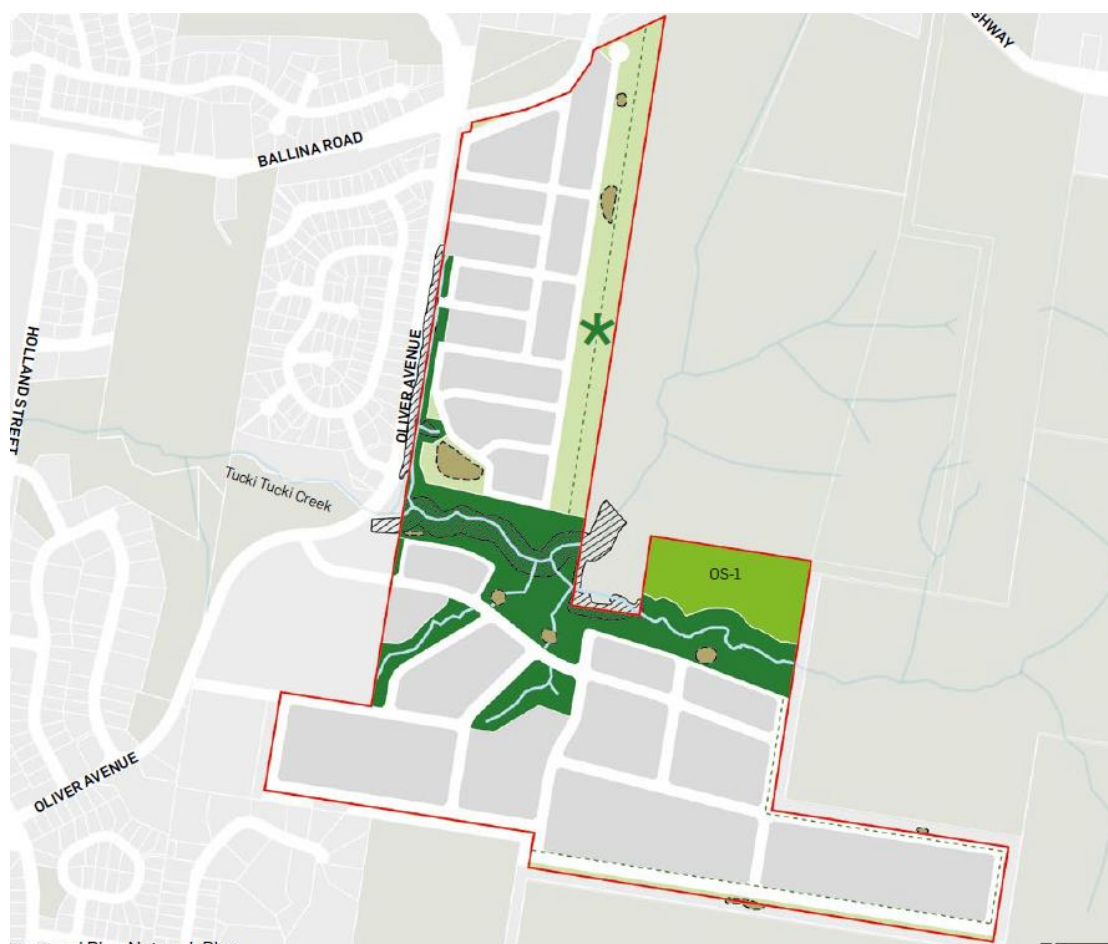
The site contains two small patches of Lowland Rainforest Endangered Ecological Community (EEC) under the NSW Biodiversity Conservation Act, 2016. But these areas would not meet threshold requirements under the Commonwealth Environment Protection and Biodiversity Conservation Act 1999 (EPBC Act). Similarly, there are patches of vegetation that could be recognised as 'Lowland Rainforest in the NSW North Coast and Sydney Basin Bioregions – Endangered Ecological Community'.

Council's ecologist notes that much of the vegetation on the site is unmapped and that there is a high chance that scattered paddock trees are rainforest remnant trees. It is recommended that the scattered trees assessment of the NSW Biodiversity Assessment Method 2020 (BAM) should be applied when assessing impacts on clearing any native vegetation at the Development Application stage.

The ecological report lodged with the Planning Proposal identifies that one threatened flora species (scrub turpentine, *Rhodamnia rubescens*) and evidence of one fauna species (koala, *phascolarctus cinereus*) were confirmed on site. It is not expected that the proposal impacts, with mitigation measures, will require referral. The report also identifies that a targeted survey for Hairy Joint Grass (*Arthraxon hispidus*) will be required as part of any future development application process and that Tucki Tucki Creek is mapped as habitat for the Purple Spotted Gudgeon (*Mogurnda adspersa*) which is a threatened freshwater species. Whilst not identified on the site, future restoration along Tucki Tucki Creek may assist with local recovery of the species.

Outside of the site boundary, but impacted nevertheless, is a strip of Council-owned land along Oliver Avenue. This strip of land, and the corridor of the Tucki Tucki creek, is mapped on the NSW Biodiversity Values Map. As such, any future development application will be required to undertake a Biodiversity Development Assessment Report and calculate offset requirements in accordance with the NSW Biodiversity Assessment Method (2020). It is proposed that the land shown in dark green and marked with 'OS-1' in figure 6, will be the receiving site for biodiversity offsetting.

Figure 6 - Proposed Location for Biodiversity Offset



### Land contamination

Land contamination studies demonstrate that the site is suitable for development. An initial Preliminary Site Investigations report identified that agricultural activities have taken place on the subject land, focusing on the existing and past structures and did not undertake a systematic sampling design across the identified agricultural area. As a result, a further Land Contamination Detailed Site Investigation was submitted to Council that satisfactorily addressed Council's request for information. The two studies together confirm that the site is suitable for the proposed future mixed-use development subject to recommendations included in the reports that involve preparatory works at the Development Application stage.

### Bushfire

The site is partially mapped as being bushfire prone. A Bushfire Constraints and Opportunities Assessment has been prepared that outlines a package of asset protection zones (APZs) suitable for development on the site to ensure the proposal aligns with the Planning for Bush Fire Protection 2019 guide as legislated by the *Environmental Planning and Assessment Act 1979*.

### Geotechnical Issues

The site is defined by several ridges and gullies with a distinct creek line that bisects centrally through the site. Slopes vary on the site but are generally in the order of 7 – 15% with some localised areas being in the order of 26%. These slopes are such that future development can meet current DCP guidelines.

### Flooding

The site is not mapped within the Lismore Flood Planning Area, however, does show on mapping to be affected by creek swelling. In this regard the data suggests that the creek might swell to a level of 140m

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and 1055A Bruxner Highway

AHD. Similar to other areas of Goonellabah a hydraulic/flood assessment is not required, and the applicant has demonstrated that all residential and industrial lots are situated above the 146m AHD contour line which provides adequate freeboard.

## **Potential Land Use Conflict**

This proposal has the potential to impact upon residential zoned land to the north (about 80m) and west (about 70m) and South (about 40m). There is primary production zoned land adjoining the site, including the north (which includes dwellings), south and east. There is intensive agriculture (macadamia plantations) directly to the east, 20m south and 180m to the north. The plantation to the north is situated on R1 General residential land which is subject to an approved residential subdivision.

A Land Use Conflict Risk Assessment (LUCRA) report was submitted to Council to support the planning proposal. The discussion has considered the visual impact, odour impact, pests, chemical use and noise impacts and recommends buffers as outlined in Councils DCP chapter. The LUCRA notes that the proposed buffers will suitably prevent land use conflicts.

## **Significant Farmland**

The site is mapped as State Significant Farmland (SSF). An Agricultural Land Assessment has been lodged with the Planning Proposal that demonstrates, due to the topography and soil types, that the majority of the site is Class 5 Agriculture Land which is not suitable for agricultural enterprises (Class 1 is the best agricultural land and 5 the worst). In endorsing the Growth and Realignment Strategy and its addendum, the DPE liaised with the Department of Primary Industries (DPI). The Planning Proposal discusses the impact on agriculture in more detail in appendix 1, 2 and 3 and demonstrates that the rezoning of this site to a combination of residential, industrial and commercial uses is justified. The North Coast Regional Plan (2041) includes a series of Urban Growth Variation Principles in relation to the rezoning of areas identified as important farmland. These principles have been addressed within the Planning Proposal.

## **Acoustic**

A 'Noise Impact Assessment' (NIA) report has been provided by ATP consulting and has assessed the noise impacts from Bruxner Highway on the proposed residential lots and noise impacts of the proposed employment lots to the proposed and existing surrounding lots. The NIA demonstrated that the proposal can suitably comply with the NSW Road Noise Policy for all residential lots in the development through the addition of a noise barrier along the northern boundary of the development. A section of the land at the boundary of the existing Bruxner Highway has been excluded from the proposal to allow for a potential future realignment of the Bruxner that may necessitate TfNSW acquiring this section of the land. It is expected that future realignment works would include noise buffer solutions within that section of reserved land.

Noise mitigation measures will also be required along the southern boundary of the proposed development to protect existing residents from noise impacts from the employment lands. The NIA proposes two scenarios for compliance that can achieve project trigger levels.

The NIA has not assessed the impacts of traffic noise from Oliver Avenue on the proposed residential lots and it is proposed that this be done post-Gateway. Additionally, it should be demonstrated post-gateway that all noise treatment solutions can be designed to be koala sensitive and in accordance with the Biodiversity SEPP and Lismore's KPOM. This will involve collaboration from the NIA and ecology consultants.

## **Social, economic and cultural heritage impacts**

### **Cultural Heritage**

An Aboriginal Heritage Information Management Systems (AHIMS) search was undertaken and no Aboriginal sites or places were identified within 50 metres of the subject land. The land is also not listed as a heritage item in Schedule 5 of the Lismore LEP 2012. The Cultural Heritage Assessment identified

five Potential Archaeological Deposit (PADs) where it is likely for aboriginal items to be present. The Assessment recommends that these PADs be avoided or excavated and investigated prior to development.

The assessment has been referred to the Ngulingah Local Aboriginal Land Council for a Local Knowledge Holder to review. Ngulingah recommend and request that LCC place a condition on any future development approval to ensure that the developer contract or employ an Aboriginal Cultural Heritage Officer that has experience in Aboriginal Cultural Heritage Surveys to observe and identify any artifacts that may be unearthed during the earth works stage. NLALC should also be invited.

## **Social Assessment**

A Social Infrastructure Needs Assessment was lodged with the Planning Proposal. It focuses on the needs of incoming residents, while also considering local services and facilities to support incoming workers, such as outdoor spaces and childcare. Based on this, a number of key recommendations that have been incorporated into the structure plan, DCP chapter and/ or Voluntary Planning Agreement (VPA). These included:

- Enable childcare centre development within the site.
- Co-locate a parcel of public open space with the proposed Local Centre (e.g. on the lot immediately to the east). Co-locating the Local Centre and park would create a focal point and activity hub within the proposed residential area. This hub would provide an important meeting and gathering point for the local community.
- Consider the provision of amenities within the cleared buffer zone e.g. walking/jogging and cycling path, outdoor fitness equipment, dog park) to increase access to open space and recreational opportunities for the incoming population.
- Investigate opportunities to provide a pedestrian/cycling connection along the Tucki Tucki Creek riparian corridor to provide an east-west connection through the site.

The proposal has been designed to support a thriving community whereby residents are supported by well-designed public spaces and facilities. The site-specific DCP (to be considered separately by Council) and the VPA will ensure the site delivers high-quality, embellished open spaces as well as a co-located community facility and services within the village centre.

The assessment also calculated the need for 68sqm of community facility and 36sqm of library space. Council will need to consider how these additional services can be delivered in the Goonellabah area.

## **Economic**

An Economic Benefits Assessment was lodged with the Planning Proposal. It considers that the construction of the development over a 10 year period is expected to generate 214 jobs per year. Beyond construction, the proposal will generate an additional 4,336 jobs per year, made up of direct and indirect jobs.

The Assessment considers that this will generate an additional \$345.1 million Gross Added Value during construction and \$759 million Gross Added Value through the ongoing jobs and operation as a result of the Proposal.

## **Stormwater**

The applicant has provided a Stormwater Management Report (SWMR) for the full site and anticipated development as a result of the proposal. The report provides recommended measures that will result in post development flows that are reduced from the pre-development conditions.

The basins and underground storage areas have been located and designed so that they will not affect any proposed allotment and will be able to discharge water without affecting any neighbouring property. The use of underground storage tanks would be allowed subject to specific requirements during the Development Application stage.

## Servicing and infrastructure

### Water and wastewater

The site is currently not serviced for water or sewer however preliminary studies show that servicing the site is possible and a number of upgrade and/or delivery options exist. Further work will need to be carried out post-Gateway to determine the most suitable and feasible option.

Water and sewer infrastructure delivery is expected to be the primary barrier to future development of the site and as such Lismore City Council, the landowner and the Northern Rivers Reconstruction Corporation are actively working to determine the most efficient and suitable solution.

Because the site was outside of Lismore City Council's previous growth boundary (prior to the adoption of the Growth and Realignment Strategy in 2022), Council has not planned for nor delivered water and sewer infrastructure that caters to or has capacity to cater to new development of this scale in this location. Existing infrastructure will need to be upgraded (southern trunk main and pump stations) and new infrastructure will have to be provided to the site prior to development. Further investigation is needed to determine if a stage 1 could be delivered on the current network or with a temporary solution.

There are a few streams of ongoing work that together will demonstrate, post-Gateway, how the site will be serviced, these are outlined below:

- Lismore City Council has lodged a grant application to round 2 of the Regional Housing Strategic Planning Fund programme run by the Department of Planning and Environment. If successful, this grant will fund;
  - Detailed designs and costings for the water and sewer infrastructure needed to accommodate the full proposal at this site, including a staging plan; and
  - An Infrastructure Delivery Plan for the site that can be lodged post-gateway that has investigated temporary measures and/or capacity of the current network system to accommodate a stage 1.
- The northern part of the site (1055 Bruxner Highway) is included in the NRRC's Resilient Land Strategy (RLS) which is accompanied by \$100 million in funding. NRRC are currently working through all sites within the RLS to determine which sites they will invest in. LCC and the landowner have been clear with the NRRC that funding will be needed to provide, and fast track, water and sewer infrastructure needs to activate this site. NRRC have indicated they will have provisional information regarding their funding allocation by the end of the calendar year. This will be incorporated into the Infrastructure Delivery Plan and provided post-gateway.
- Strategic Planning staff have liaised with the Water and Wastewater teams regarding this site and the delivery of upgrades that will be necessary into the future. Both teams will work together to ensure LCC can deliver the required works when funding becomes available. A new Development Serving Plan (DSP) for the site may need to be developed, or an amendment to the current Lismore urban plan.

### Roads and traffic

A Traffic and Transport study was lodged with the Planning Proposal. Due to the scale and location of the site, Transport for NSW (TfNSW) has been involved in early reviews of this study. Both LCC's engineer and TfNSW staff raised concerns and issued the landowner with a Request for Further Information. This further information request has now been addressed with an additional study submitted. This study concludes that with a staged delivery of development and road upgrades, the rezoning of this site is suitable. Further amendments to the modelling used in the study will be made post-gateway to ensure the conclusions are robust and as realistic as possible.

### Vehicle Access

Access to the northern part of the site (1055 Bruxner Highway) will be provided directly from Oliver Avenue by way of two entry points. The Council-owned strip of land along the verge of Oliver Avenue has now been gazetted as public road to enable this.

Access to the southern part of the site (1055A Bruxner Highway) is not yet secured, however three options have been identified and will be determined prior to any development application being lodged. The three options are:

1. A third access route into 1055 Bruxner Highway is provided with a new bridge constructed over the Tucki Tucki creek into 1055A Bruxner. This would be at the landowners' cost and is considered achievable by Lismore City Council.
2. Ongoing negotiations between landowner of 245 Oliver Avenue and Nimble Estates be resumed and an agreement subsequently concluded to achieve access via 245 Oliver Avenue.
3. Only if option 2 fails, Lismore City Council enter into negotiations with the third-party landowner at 245 Oliver Avenue and potentially other landowners with properties fronting Oliver Avenue with the aim to enable access directly into the 1055A Bruxner Highway site.

## 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 1 below provides an overview of the planning proposal structured in accordance with the Department of Planning and Environment guidelines for planning proposals. The detailed Planning Proposal report is provided as an attachment 1 to this report.

Table 1 – Summary of the Planning Proposal

REQUIREMENT	JUSTIFICATION
<b>Section A – Need for the Planning Proposal</b>	
<i>Is the planning proposal a result of an endorsed LSPS, strategic study or report?</i>	Yes, the site is identified in Council's Growth and Realignment Strategy (2022) and supporting addendum that have both been endorsed by the DPE.
<i>Is the planning proposal the best means of achieving the objectives or intended outcomes, or is there a better way?</i>	As such, a Planning Proposal is considered the best means of achieving the objectives.
<b>Section B – Relationship to Strategic Planning Framework</b>	
<i>Will the planning proposal give effect to the objectives and actions of the applicable regional or district plan or strategy (including any exhibited draft plans or strategies)?</i>	The Planning Proposal will give effect to many objectives and intentions of the following regional plans and strategies: <ul style="list-style-type: none"> <li>• North Coast Regional Plan (2041)</li> <li>• Lismore Regional City Action Plan (2036)</li> </ul>
<i>Is the planning proposal consistent with a council LSPS that has been endorsed by the Planning Secretary or GSC, or another endorsed local strategy or strategic plan?</i>	The Planning Proposal is consistent with objectives contained within the following local strategies and plans: <ul style="list-style-type: none"> <li>• Inspire Lismore2040 - LSPS</li> <li>• Growth and Realignment Strategy</li> <li>• Lismore Community Strategic Plan</li> <li>• Innovate Lismore - Economic Development Strategy</li> </ul>
<i>Is the planning proposal consistent with any other applicable State and regional studies or strategies?</i>	The Planning Proposal is consistent with applicable State and regional studies or strategies.
<i>Is the planning proposal consistent with applicable SEPPs?</i>	The Planning Proposal is consistent (or justifiably inconsistent) with the applicable SEPPs.
	The Planning Proposal is consistent (or justifiably inconsistent) with the applicable Section 9.1 Directions.

REQUIREMENT	JUSTIFICATION
<i>Is the Planning Proposal consistent with applicable s9.1 Ministerial Directions?</i>	
<b>Section C – Environment, Social and Economic Impact</b>	
<p><i>Is there any likelihood that critical habitat of threatened species, populations or ecological communities or their habitats, will be adversely affected because of the proposal?</i></p> <p><i>Are there any other likely environmental effects of the Planning Proposal and how are they proposed to be managed?</i></p> <p><i>Has the Planning Proposal adequately addressed any social and economic effects?</i></p>	<p>A summary of impacts on threatened species and their habitats is provided within this report.</p> <p>Other environmental impacts and the management of these issues have also been addressed within this report.</p> <p>The planning proposal has adequately addressed social and economic impacts.</p>
<b>Section D – Infrastructure (Local, State and Commonwealth)</b>	
<p><i>Is there adequate public infrastructure for the Planning Proposal?</i></p> <p><i>What are the views of State and Commonwealth public authorities consulted in accordance with the Gateway Determination?</i></p>	<p>Further detailed work will need to be completed post Gateway to determine the extent and staging of water and sewer upgrades required to service the site.</p> <p>The Traffic and Transport Study concludes that the subject site is suitable for the proposed rezoning as a staged development in relation to the impact of traffic. The updated transport study concluded that the current intersections surrounding the site can operate with acceptable average delays for a 10-year growth scenario with stage 1 of development. Further stages will need to consider an upgrade to the Oliver Ave / Bruxner Hwy roundabout.</p> <p>Details of the vehicle access to the southern part of the site will need to be determined prior to any development application for that part of the site.</p> <p>Lismore Council staff have consulted with the following NSW State agencies:</p> <p><b>Transport for NSW</b> Following consultation with TfNSW, the Planning Proposal was amended to remove the northern 30m of the property to allow for any future realignment of the Bruxner Highway in this location. TfNSW were also consulted on the modelling in the Traffic and Transport Study and there may be a need to model various scenarios to understand infrastructure upgrade requirements in relation to the staging of lots released. Depending on the outcome of this additional modelling, there may be a requirement for road infrastructure upgrades at specific staging triggers, managed through a VPA.</p> <p><b>Department of Planning and Environment</b> The DPE have been consulted about the proposal. In particular they requested an addendum to Lismore's Growth and Realignment Strategy to specifically address the need for the quantum of</p>

REQUIREMENT	JUSTIFICATION
	<p>additional employment land proposed and the conflict with rezoning areas identified as State Significant Agricultural land. The addendum has been conditionally approved by DPE, with input from the Department of Primary Industries.</p> <p>It is recommended that the following agencies are consulted following the Gateway Determination:</p> <ul style="list-style-type: none"> <li>• the Rural Fire Service,</li> <li>• Transport for NSW,</li> <li>• Heritage NSW,</li> <li>• DPE Biodiversity and Conservation Division,</li> <li>• Natural Resource Access Regulator and</li> <li>• Department of Primary Industries</li> </ul>

## Comments

### Finance

Not applicable.

## Public consultation

Council will commence community consultation post Gateway determination. Council staff will carry out the public consultation period in accordance with the conditions set within the Gateway Determination, it is expected that the consultation will include a minimum period of twenty-eight (28) days.

The public exhibition will be advertised on Council's webpages, in Local Matters, through the Planning Portal and via letter to adjoining landowners.

## Conclusion

The attached Planning Proposal evaluates the impacts of a proposed development at 1055 and 1055A Bruxner Highway and concludes that the site is suitable of accommodating residential, industrial and commercial land uses.

It is recommended that the Planning Proposal be submitted to the DPE for Gateway consideration and then put on public exhibition for public and agency input into the proposal.

Following close of the exhibition period, staff will report back to Council with details of public and state agency comments as well as a final recommendation.

## Attachment/s

1. Planning Proposal 1055 and 1055A Bruxner Highway (Oliver Avenue) .docx (Over 7 pages)
2. DRAFT VPA - 1055 Bruxner Highway, Goonellabah (Over 7 pages)
3. Proposed Structure Plan - working draft