

Department of Planning and Environment

Our ref: SUB23/42659

Jon Gibbons

The General Manager

Lismore City Council

PO Box 32A

LISMORE NSW 2480

8 August 2023

Subject: Notice of proposed residential housing – Attention: Planning

Dear Jon Gibbons

This letter is to notify Council of a proposal by the NSW Land and Housing Corporation (LAHC) to carry out a residential development, and invite Council's written comments on the development proposal:

Property: 1-3 Walker Street, 2-4 Caldwell Street, East Lismore

Lots 1 & 2 in DP 121500 and lots 2 & 25 in DP38118

Proposal: Demolition of four (4) dwellings and construction of a residential flat building containing sixteen (16) dwellings, comprising 8 x 1-bedroom and 8 x 2-bedroom units, parking for twelve (12) vehicles, associated site works and landscaping, and consolidation of four (4) lots into a single lot.

The proposal is considered 'development without consent' under the *State Environmental Planning Policy (Housing) 2021*. LAHC is seeking feedback from Council and neighbours for consideration before deciding whether the development should proceed.

The following plans and documents are available to view via this [dropbox link](#) for Council's review and comments:

- | | |
|------------------------------|-------------------------------------|
| • Survey plan | • Erosion and sediment control plan |
| • Site analysis plan | • BASIX & NatHERS Certificate |
| • Architectural plans | • BCA and Access Report |
| • Fire Hydrant Coverage Plan | • Arborist Report |
| • Demolition plan | • Geotechnical Report |
| • Block analysis plan | • Traffic Report |
| • Landscape plan | • Waste Management Plan |
| • Stormwater plan | |

Please email Council's comments to Gavin Ho, Senior Planner, LAHC at Gavin.Ho@facsnsw.gov.au by **01 September 2023**.

For general enquiries our Community Engagement team can be contacted on 1800 738 718 or by email at CommunityEngagement@facsnsw.gov.au.

Yours sincerely,

A handwritten signature in grey ink, appearing to read "Cotterill".

Carmen Cotterill

Acting Manager, Community Engagement
NSW Land and Housing Corporation

Our ref: SUB23/42659

EAST LISMORE NSW 2480

If you need help reading this letter, call the Translating and Interpreting Service (TIS National) on **131 450**



8 August 2023

Subject: 1-3 Walker Street, 2-4 Caldwell Street, East Lismore

Dear

I am writing to you from the NSW Land and Housing Corporation (LAHC) about our plans to redevelop the housing site at 1-3 Walker Street, 2-4 Caldwell Street, East Lismore and seek your feedback on our detailed design.

What we are proposing

We are proposing to replace the existing aged properties with new two-storey development that better suit the needs of residents. This will include:

- 16 homes in total - 8 x one-bedroom units and 8 x two-bedroom units
- 12 on-site car parking spaces
- landscaping and fencing across the site

What is happening now?

We have recently completed a detailed design for 1-3 Walker Street, 2-4 Caldwell Street. We invite your feedback, which will be carefully considered by our design and planning team as part of the assessment of this project and where possible we will incorporate your feedback in the designs.

Please find enclosed:

- an artist's impression of the proposed property to give you an idea of what it will look like
- site and landscape plan
- building elevations
- shadow diagrams
- proposed materials and colour finishes.

How you can submit your feedback

After reading through the enclosed materials, we invite you to have your say by contacting the Community Engagement Team via email: **CommunityEngagement@facns.nsw.gov.au** or phone: 1800 738 718.

All feedback should be received **by 01 September 2023** to give us enough time to consider it and you will receive confirmation that your feedback has been received.

What else is happening in East Lismore

We have also written to you seeking your feedback about the proposed housing development at 195-197 Dibbs Street, East Lismore. The proposed projects at 195-197 Dibbs Street, East Lismore and 1-3 Walker Street and 2-4 Caldwell Street, East Lismore will be funded by the NSW Government's \$150 million Northern Rivers Flood Recovery program which aims to provide more social homes in flood impacted locations within the region.

If you have any questions, please contact the Community Engagement Team using the details above.

Yours sincerely,

A handwritten signature in black ink, appearing to read "Cotterill".

Carmen Cotterill
a/Manager, Community Engagement
NSW Land and Housing Corporation

About the NSW Land and Housing Corporation

Delivering housing is much more than providing people with a roof over their head. Having access to safe housing assists people to pursue health, education and employment opportunities, allowing them to thrive and strengthen the communities where we all live.

At the NSW Land and Housing Corporation, our role is to actively grow and manage the supply of the right types of housing, at the right time, in the right areas, for people in need in our communities.

To find out more about our story please visit our website via the QR code or visit <https://www.dpie.nsw.gov.au/land-and-housing-corporation>



Gavin Ho

From: Stephen Kaposi <stephen.kaposi@lismore.nsw.gov.au>
Sent: Friday, 1 September 2023 1:26 PM
To: Gavin Ho
Cc: CommunityEngagement; Carmen Cotterill
Subject: CM: Lismore City Council - Response - 1-3 Walker Street & 2-4 Caldwell Street, East Lismore

Follow Up Flag: Follow up

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Attention Gavin Ho, Senior Planner, LAHC

Lismore City Council - Response to NSW Land and Housing Corporation development

I refer to a proposal by the NSW Land and Housing Corporation (LAHC) to carry out a 'development without consent' under the *State Environmental Planning Policy (Housing) 2021*, as follows:

Property: 1-3 Walker Street, 2-4 Caldwell Street, East Lismore
Lots 1 & 2 in DP 121500 and lots 2 & 25 in DP38118

Proposal: Demolition of four (4) dwellings and construction of a residential flat building containing sixteen (16) dwellings, comprising 8 x 1-bedroom and 8 x 2-bedroom units, parking for twelve (12) vehicles, associated site works and landscaping, and consolidation of four (4) lots into a single lot.

Council has reviewed the proposal and makes the following comments:

General Planning Issues

Permissibility

The proposed development relates to the erection of a residential flat building and not multi dwelling housing. In this regard, please ensure that you are satisfied that such a development is permitted without consent under State Environmental Planning Policy (Housing) 2021.

Density

The proposed density of 18 units on the site exceeds the density requirements specified in Acceptable Solution A3 of Element 4.1 (Setbacks, Design, Density and Height) of Part 4, Chapter 1 (Residential Development), of the Lismore Development Control Plan.

In the circumstances, a lower density of units may provide a more reasonable outcome in terms of addressing other potential concerns such as parking, private open space and solar access issues – see further comments below.

Parking

While the parking requirements of Division 6 of the State Environmental Planning Policy (Housing) 2021 (SEPP) are being applied to the development, the proposed parking does comply with that required for “multi-dwelling residential/residential flat buildings” specified in Schedule 1 of Chapter 7 (Off Street Carparking), of the Lismore Development Control Plan. Additionally, it is unclear whether visitor and disabled parking has been factored into the parking rates which may suggest that more parking spaces are required.

Lismore is a regional centre that generally lacks the public transport services enjoyed by larger metropolitan cities. In this regard, residents generally have a greater reliance on private vehicles and therefore it is recommended that the level of on-site parking is reviewed with these factors in mind.

Private Open Space

It is unclear where the 20sqm of open space allocated for each Level 1 unit is located on the ground level. Council advises that a communal area located on the ground floor with suitable and equitable access and privacy is reasonable.

Solar Access

It is noted that several of the units (namely units 2, 3, 10 and 11) do not comply with solar access requirements as noted on Sheet DA-206. Council recommends that better solar access is achieved to these units.

Consolidation of Lots

Council recommends that the subject lots are consolidated prior to occupation of the units.

Engineering Issues

Vehicle access, manoeuvring and parking areas are to be designed to demonstrate compliance with Australian Standard AS2890. Where there is more than one dwelling sharing access a minimum of 5.5m (two-way) access onto the property.

All redundant driveways are to be rectified to Council’s Engineering standards. With any redevelopment of the site, the existing vehicular accesses need to be removed and reinstated to a standard verge. This will be addressed when an application under Section 138 of the *Roads Act 1993* is lodged with Council.

Council requests that Dibbs Street be upgraded as part of the proposed development. Dibbs Street is a collector road and Council would expect this development to be providing widening along the Dibbs Street frontage to create a parking lane with appropriate drainage.

As no vehicular access is proposed onto Walker Street and Caldwell Avenue, Council will likely accept these street frontages to remain as existing.

Water & Sewer Issues

Council’s position is that the proposed development is not exempt from obtaining an approval from Council for water supply (including fire services), sewerage and stormwater works under Section 68 of the *Local Government Act 1993*.

The development must establish the existing water and sewer infrastructure has the capacity to service the development and demonstrate compliance with the *Plumbing and Drainage Act 2011*. It is noted that only Council can inspect plumbing works and no new connections can be obtained without an approval in place.

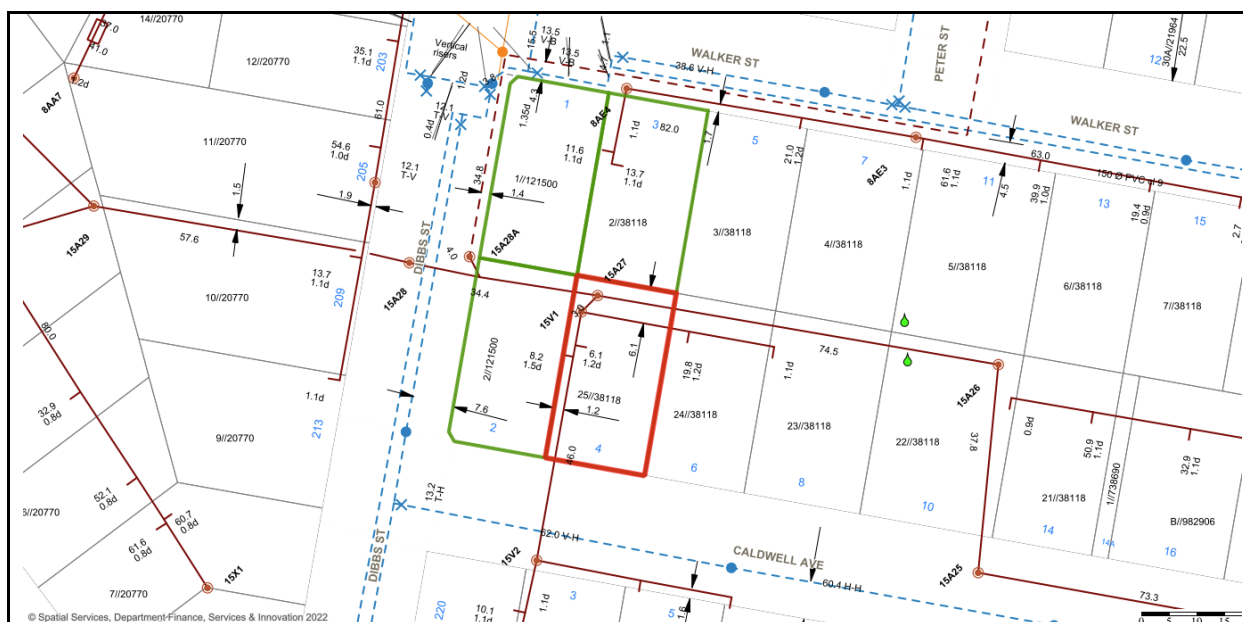
The following comments are also provided:

1 – 3 Walker Street sites

- Water main in the street frontage for disconnection of existing and new connections as per designs

- ## 2 – 4 Caldwell Avenue sites

- Where ultimately the desire is to construct over a sewer, the existing sewer mains are to be removed and replaced with PVC and concrete encased. The sewer inspection chambers in the north-west corner of No. 4 shall maintain a minimum 1.5m clearance. With reference to the map below showing sewer lines, you can see that the secondary main is approx. 6.1m from the rear boundary. This potentially results in an exclusion zone of 7.6m from the rear boundary of No.4.



1. *Maps are indicative and service locations require confirmation on-site by Survey if required.*
2. *A zone of influence also has an impact on foundations and load bearing of the sewer mains pending confirmation of depth.*
3. *No existing house drains are retained or reused all sewerage services to be new materials up to the point of connection.*
4. *Not sure regarding BASIX if required for Department of Housing projects. However, we would encourage best practice regardless and incorporate rainwater tank/s and use throughout the developments for WC's, washing machines and external hose taps for non-potable use. Council would seek one potable, town water supplied external tap for each dwelling.*

A key reporting gap from an Environmental Health perspective is the lack of a Preliminary Contaminated Land Assessment. There is a real potential that existing on-site structures have previously been treated with organo-

chlorines and/or lead based paints resulting in residual contaminants within the soil environment that would exceed Health Investigations Levels for the proposed residential development.

Councils Regional Policy for the Management of Contaminated Land states that in addition to the requirements of *State Environmental Planning Policy (Resilience and Hazards) 2021*, Council will also require a preliminary contaminated land assessment to be undertaken when development works will disturb and/or expose soils previously treated with organo-chlorines associated with termite management practices.

As the development will involve the demolition of four existing dwellings it is recommended that a preliminary contaminated land assessment be undertaken to guide any site remediation works necessary to ensure the development site is suitable for the proposed sensitive use (residential).

Stephen Kaposi | Senior Development Assessment Officer | Lismore City Council

PO Box 23A, Lismore, 2480 | T 02 6625 0414 | F 02 6625 0400 | www.lismore.nsw.gov.au

Lismore City Council acknowledges the people of the Bundjalung Nation, traditional custodians of the land on which we work.

Check out the investment and business opportunities in [The Lismore Prospectus](#) online



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From: Carmen Cotterill <Carmen.Cotterill@fac.s.nsw.gov.au>

Sent: Tuesday, 8 August 2023 1:17 PM

To: Records <Council@lismore.nsw.gov.au>

Cc: CommunityEngagement <communityengagement@dcj.nsw.gov.au>; Andy Parks <andy.parks@lismore.nsw.gov.au>; Gavin Ho <Gavin.Ho@fac.s.nsw.gov.au>

Subject: Statutory notification - 1-3 Walker Street & 2-4 Caldwell Street, East Lismore

CAUTION: This email was sent from outside our organisation. Be cautious, particularly with links and attachments unless you recognise the sender and know the content is safe.

Att: Planning

The NSW Land and Housing Corporation are notifying Council that the **Statutory Notification** for 1-3 Walker Street & 2-4 Caldwell Street, East Lismore has commenced and we are inviting council to provide comments to the proposed development.

The statutory documents are available via this [dropbox link](#), please acknowledge receipt of this email and download the documents within 14 days.

If you have any questions or need any assistance opening the link please contact our Community Engagement team on 1800 738 718 or via email at Communityengagement@fac.s.nsw.gov.au

Kind regards

Carmen Cotterill (she/her)

a/Community Engagement Manager, Partnerships and Communications

Land and Housing Corporation | Department of Planning and Environment

T 1800 738 718 | E CommunityEngagement@facps.nsw.gov.au

Locked Bag 5022 Parramatta NSW 2124

www.dpie.nsw.gov.au

Our Vision: Together, we create thriving environments, communities and economies.

The Department of Planning and Environment acknowledges that it stands on Aboriginal land. We acknowledge the traditional custodians of the land and we show our respect for elders past, present and emerging through thoughtful and collaborative approaches to our work, seeking to demonstrate our ongoing commitment to providing places in which Aboriginal people are included socially, culturally and economically.

Department of Planning and Environment



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