

COUNCIL ASSESSMENT REPORT

Panel Reference	PPSNTH-286 -
DA Number	DA5.2024.26.1
LGA	Lismore
Proposed Development	Proposed residential flat building development comprising 6 x 1 bedroom and 12 x 2 bedroom dwellings, incorporating demolition works, civil works, landscaping & onsite carparking
Street Address	5 McDermott Avenue GOONELLABAH 2480 7 McDermott Avenue GOONELLABAH 2480 1 Phillip Street GOONELLABAH 2480
Applicant/Owner	Newton Denny Chapelle / Social Futures Ltd
Date of DA lodgement	13 February 2024
Total number of Submissions	• 2
Number of Unique Objections	• 2
Recommendation	Approval
Regional Development Criteria Schedule 6 of the State Environmental Planning Policy (Planning Systems) 2021	Section 2.19(1) and Clause 5 of Schedule 6 of <i>State Environmental Planning Policy (Planning Systems) 2021</i> declares the proposal regionally significant development as: Affordable housing that has an estimated development cost of more than \$5 million.
List of all relevant s4.15(1)(a) matters	<ul style="list-style-type: none"> • State Environmental Planning Policy (Housing) 2021 • State Environmental Planning Policy No 65—Design Quality of Residential Apartment Development • State Environmental Planning Policy (Biodiversity and Conservation) 2021 • State Environmental Planning Policy (Planning Systems) 2021 • State Environmental Planning Policy (Resilience and Hazards) 2021 • State Environmental Planning Policy (Resources and Energy) 2021 • State Environmental Planning Policy (Sustainable Buildings) 2022 • State Environmental Planning Policy (Transport and Infrastructure) 2021 • Lismore Local Environmental Plan 2012 • Lismore Development Control Plan – Part A <ul style="list-style-type: none"> ○ Chapter 1 – Residential Accommodation ○ Chapter 7 – Off-Street Parking ○ Chapter 11 – Buffer Areas (Powerlines) ○ Chapter 13 – Crime Prevention through Environmental Design ○ Chapter 14 – Vegetation Protection ○ Chapter 15 – Waste Minimisation ○ Chapter 22 – Water Sensitive Design
List all documents submitted with this report for the Panel's consideration	All essential documents are on the Planning Portal, principal documents to reference are: <ul style="list-style-type: none"> • Statement of environmental effects and attachments • Site Plans - Attachment 2 - Architectural Design Plan Set
Clause 4.6 requests	<ul style="list-style-type: none"> • None
Summary of key submissions	<ul style="list-style-type: none"> • Disruption to the amenity of the area - Increase in housing density will result in friction, noise pollution etc. • Traffic • The affordable housing development will increase the likelihood of criminal activity • Impact to privacy • Loss of view • Decrease of property value
Report prepared by	Craig Bradridge
Report date	7 May 2024

Summary of s4.15 matters

Have all recommendations in relation to relevant s4.15 matters been summarised in the Executive Summary of the assessment report?

Yes

Legislative clauses requiring consent authority satisfaction

Have relevant clauses in all applicable environmental planning instruments where the consent authority must be satisfied about a particular matter been listed, and relevant recommendations summarized, in the Executive Summary of the assessment report?

Yes

e.g. Clause 7 of SEPP 55 - Remediation of Land, Clause 4.6(4) of the relevant LEP

Clause 4.6 Exceptions to development standards

If a written request for a contravention to a development standard (clause 4.6 of the LEP) has been received, has it been attached to the assessment report?	Not applicable
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Special Infrastructure Contributions	
Does the DA require Special Infrastructure Contributions conditions (S7.24)?	No
<i>Note: Certain DAs in the Western Sydney Growth Areas Special Contributions Area may require specific Special Infrastructure Contributions (SIC) conditions</i>	
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Conditions	
Have draft conditions been provided to the applicant for comment?	Yes
<i>Note: in order to reduce delays in determinations, the Panel prefer that draft conditions, notwithstanding Council's recommendation, be provided to the applicant to enable any comments to be considered as part of the assessment report</i>	

1 Executive Summary

The proposal has been assessed against all relevant Section 4.15 matters of the *Environmental Planning and Assessment Act 1979*. The proposed development satisfies all relevant heads of consideration under S4.15 with a detailed assessment in Section 11 of this report.

The proposal relates to a residential flat building development comprising of 6 x 1 bedroom and 12 x 2 bedroom dwellings, incorporating demolition works, civil works, landscaping & onsite carparking. The DA is regionally significant development, as defined in Schedule 6 of the *State Environmental Planning Policy Planning Systems 2021*, as the proposed development is for affordable housing that has an estimated development cost of more than \$5 million.

The relevant clauses in all applicable environmental planning instruments where the consent authority must be satisfied about a particular matter are as follows:

Lismore Local Environmental Plan 2012 (LLEP), Clause 6.9 Essential Services - Development consent must not be granted to development unless the consent authority is satisfied that all of the essential services for the development are available or that adequate arrangements have been made to make them available when required. Council is satisfied that essential services are adequate or can be made so when required.

State Environmental Planning Policy (Housing) 2021 (Housing SEPP), Clause 147 - Development consent must not be granted to residential apartment development unless the consent authority has considered the following—

- (a) the quality of the design of the development, evaluated in accordance with the design principles for residential apartment development set out in Schedule 9,
- (b) the Apartment Design Guide.

The development has been considered against the design principles for residential apartment development set out in Schedule 9 and the Apartment Design Guide (ADG). The proposal is consistent to the design quality principles and the proposal is consistent to the ADG requirements for car parking, communal open space, internal areas and ceiling heights for proposed apartment. The proposed building does not satisfy the prescribed 6m separation distance for habitable rooms and balconies to adjoining boundaries however visual separation is proposed using deeper balconies, fixed vertical screening, fencing, and deep soil located along site boundaries for tree planting.

State Environmental Planning Policy (Transport and Infrastructure) 2021 (I SEPP), Clause 2.48 – Development within 5m of an exposed overhead electricity power line must;

- (a) give written notice to the electricity supply authority for the area in which the development is to be carried out, inviting comments about potential safety risks, and
- (b) take into consideration any response to the notice that is received within 21 days after the notice is given.

The application was referred to Essential Energy under this clause with Essential Energy response that they have no comments to make as to potential safety risks arising from the proposed development.

State Environmental Planning Policy (Biodiversity and Conservation) 2021, applies to land zoned R1 General Residential. Clause 2.6 - A person must not clear vegetation without the authority conferred by a permit granted by the council.

A biodiversity assessment of the site found no threatened flora or fauna species present, and that the development would not have a serious impact on any threatened species. Council is satisfied that the impact of the proposed tree removal is acceptable, with similar species being common and well represented in the broader landscape and a detailed landscaping plan to be implemented.

State Environmental Planning Policy (Biodiversity and Conservation) 2021, CI 4.8 - requires Council's determination of the development application to be consistent with the approved koala plan of management that applies to the land. Council is satisfied that the development will not impact on potential or preferred Koala Habitat and the development site is under the required area to trigger the Lismore Comprehensive Koala Plan of Management (CKPoM).

The proposed development is not on land included on the Biodiversity Values Map and does not involve clearing of native vegetation in excess of the area clearing threshold. The proposed development is not likely to significantly affect threatened species or ecological communities, or their habitats, and is not in a declared area of outstanding biodiversity value. A test under section 7.3 of the *Biodiversity Conservation Act 2016* has been conducted as per assessment requirement.

The application has been assessed against the relevant controls in the *Lismore Development Control Plan* notably, *Chapter 1 Residential Development*, *Chapter 13 Crime Prevention through Environmental Design*, *Chapter 14 Vegetation Protection* and *Chapter 22 Water Sensitive Design* of which the proposal complies.

The *EPA Regulation 2001, Clause 61* requires that Council must take into consideration *Australian Standard AS 2601—2001: The Demolition of Structures*. As demolition is proposed to occur, a suitable condition has been imposed.

All likely impacts of the proposed development have been considered including environmental impacts on both the natural and built environments, and social and economic impacts in the locality and are to the satisfaction of Council.

The application was notified in accordance with the regulations and Council's Community Consultation Plan with two submissions received by way of objection. The matters raised in the submissions have been addressed in the body of this report with conditions imposed to address relevant planning concerns. The site is considered suitable for the proposed development and is in the public interest.

2 Background

The development application was lodged on 13 February 2024.

The applicant attended a formal pre-lodgement meeting with Council on 6 September 2023. Minutes of the meeting were provided to the applicant that provided an outline of the technical reports required and matters to be addressed in any future development application to be lodged with Council. The issues raised in the pre-lodgement meeting have been adequately address in the application and articulated in section 1.4 of the Statement of Environmental Effects (SEE).

A briefing was undertaken by Council with the Northern Regional Planning Panel (NRPP) on 17 April 2024 where it was established that the application could be progressed to determination. Questions arising from the briefing are discussed in **Attachment 5** of this report.

3 Description of Proposal

The proposal seeks consent for a three-storey Residential Flat Building (RFB) development that will accommodate eighteen (18) residential units (6 x 1-bedroom units and 12 x 2-bedroom units) on the site.

Specifically, the proposal involves:

- Demolition of the existing dwellings & structures;
- Earthworks;
- Vegetation management works including tree removal;
- Civil design works associated with earthworks, services & driveway design; and
- Eighteen (18) residential apartments serviced by nineteen (19) on-site car parking spaces.
- The proposal will provide a total Gross Floor Area (GFA) of 1,266m². The proposal provides an impermeable area of 1,144.2m² (63%); and 765m² of landscaped area.

The key development data is provided in **Table 1**.

Table 1: Key Development Data

Control	Proposal
Site area	1,821m ²
GFA	1,144.2m ²
FSR (retail/residential)	0.69
Clause 4.6 Requests	No
No of apartments	eighteen (18) apartments
Max Height	8.5 m
Landscaped area	impermeable area of 1,144.2m ² (63%); and 765m ² of landscaped area.
Car Parking spaces	Nineteen (19) on-site car parking spaces

Setbacks	4.7 m – McDermont Ave frontage (north) 2.8 m – Phillip Street frontage (east) 2.8 m – Rear (south) 3.1 m – Side (west)
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4 Description of Locality

The existing character of the locality is a leafy established suburb with medium to low density built environment comprising predominately single dwellings with a mixture of multi-dwelling housing and dual occupancies. The minimum lot size for the locality is 400 m² with the majority of the land subdivided into lots around 650 m².

The site is directly adjoined by existing multi-dwellings to the west (1 McDermott Avenue) and single dwellings to the south (3 Phillip Street) and east (2A & 2 Phillip Street). The subject site is adjoined to the following land uses:

- North – R1 General Residential zoned land, RE1 Public Recreation Land (Elders Memorial Park) and McDermott Avenue;
- East – R1 General Residential & Phillip Street;
- South – R1 General Residential zoned land; and
- West – R1 General Residential zoned land.

The locality provides a range of services - Care-Ring Pre-school is located on Phillip St., Elders Park is on McDermott Avenue. Jubilee Avenue community facilities include St. Carthages Community Care, St. Matthews Self-Care Units, Goonellabah Primary Public School, the Jim Kelly Field and the Lismore Theatre Company. Rous Road, one block over to the west, has commercial premises, including an IGA, restaurants, op shop, and a GP clinic. Within walking distance one block to the east is Oliver Avenue and the Goonellabah Shopping Village that contains a Woolworths supermarket, coffee shops, takeaway food outlets and fuel station. Community facilities on Oliver Avenue include Lismore City Council Corporate Centre, the Goonellabah branch of the Richmond-Tweed Regional Library, Community Health, a childcare centre and Goonellabah Sports and Aquatic Centre.

5 The Site

The site is made up of 3 allotments that equate to a total site area of 1821 m². The site presently contains an early 1970's housing commission development comprising a covered carpark providing 8 car spaces and two blocks of units that accommodate a total of 7 attached 1 bedroom residential units.

The site is highly modified containing the structures described above, retaining walls and established vegetation that includes a mix of native and exotic planted vegetation typical of the locality.

The site is a corner allotment that has approximately 30m frontage onto McDermott Avenue and 32m frontage onto Phillip Street. The site slopes from the elevated southern boundary (RL158.92m – 159.41m AHD) to the northern boundary (RL154.69m – 155.45m AHD), comprising a change in grade of some 4.72m.

As mentioned above, the site is situated in the established urban area of Goonellabah and achieves good accessibility to a range of services and facilities including the Goonellabah Shopping Village (300m east of the site), Western Park (75m west of the site) and Goonellabah Public School (350m north of the site). The site is bound by McDermott Avenue to the north and Phillip Street to the east.

Residential housing is located to the south and east of the subject site and comprises a mix of dwellings and multi-dwellings with a single and two storey built form.

6 Statutory Controls

Lismore LEP 2012

- Zoning –R1 General Residential
- Item of Heritage – No
- In vicinity of Heritage Item – No
- Conservation Area – No

S94 Contributions Plan (S7.11)

Environmental Planning & Assessment Act 1979

State Environmental Planning Policy (Housing) 2021

State Environmental Planning Policy No 65—Design Quality of Residential Apartment Development

State Environmental Planning Policy (Biodiversity and Conservation) 2021

State Environmental Planning Policy (Planning Systems) 2021

State Environmental Planning Policy (Resilience and Hazards) 2021

State Environmental Planning Policy (Resources and Energy) 2021

State Environmental Planning Policy (Sustainable Buildings) 2022

State Environmental Planning Policy (Transport and Infrastructure) 2021

Biodiversity Conservation Act 2016

Environmental Planning and Assessment Act 1979

7 Policy Controls

Lismore Development Control Plan

Community Consultation Plan – Appendix 1 (*Council's Community Engagement Strategy and Community Participation Plan*)

1.2.20 Council Briefings Policy

1.8.4 Undergrounding of Electricity Mains & Provision of Street Lighting

1.8.6 Undergrounding of Telephone Plant in Subdivisions

5.2.4 Naming of New Roads

5.2.29 Development Application Determination

5.2.30 Social Impact Assessment

5.2.33 Affordable and Diverse Housing Incentives Policy

5.3.2 Planning Agreements Policy

5.3.3 Provision of Public Transport Infrastructure Policy

8 Internal Referrals

Set out below is a summary of each of the relevant referral officer's comments. A full copy of each of the referral comment reports is included with this report as **Attachment 2**.

8.1 Building

The application has been reviewed by Council's Building Surveyors with the following comment provided.

The application has provided a BCA review that considered the relevant sections and an overarching compliance strategy for the development and provided advice regarding triggers for significant compliance requirements.

Further assessment will be undertaken prior to issuing a Construction Certificate.

8.2 Environmental Health

The application has been reviewed by Council's Environmental Health Officer and comments provided, with issues such as contaminated land, noise impacts, amenity impacts, and water quality considered satisfactorily addressed with conditions.

8.3 Engineering/Traffic/Stormwater Drainage

The application has been reviewed by Council's Development Engineer and provides assessment of stormwater, vehicular access, traffic impact and pedestrian safety, car parking configuration and movement and geotechnical considerations. The officer has supported the application and provided conditions of consent.

8.6 Ecology

The biodiversity assessment report was assessed by council's Ecologist. The report found no threatened flora or fauna species present on the site and that the development would not have a serious impact on any threatened species.

A detailed landscaping plan will be required prior to the issue of a Construction Certificate as several species listed in the concept landscape plan are not suited to the site and solar access conditions. The landscaping will need to be maintained at all times.

9 External Referrals

A copy of all Government department responses is attached to this report as **Attachment 1**.

9.1 NSW Rural Fire Service

Council sought the NSW RFS advice regarding bush fire protection for the subject Development Application in accordance with section 4.14 of the *Environmental Planning and Assessment Act 1979*. A response was provided on 26 February 2024.

The New South Wales Rural Fire Service (NSW RFS) considered the information submitted with no objections and provided recommended conditions that are included in the consent. The NSW RFS and LCC is satisfied that the development conforms to the specifications and requirements of *Planning for Bush Fire Protection*.

9.2 Essential Energy

The application was referred to Essential Energy and general comments were received on 15 March 2024. Essential Energy had no comments to make as to potential safety risks arising from the proposed development.

9.3 NSW Police

The application was referred to NSW Police with comments and recommendations provided on 15 March 2024. NSW Police recommendations have been included as an Advisory Note in the draft conditions.

11 Matters for Consideration

The relevant matters for consideration under Section 4.15 of the *Environmental Planning and Assessment Act 1979*, are assessed under the following headings:

11.1 Provisions of environmental planning instruments

11.1 Lismore Local Environmental Plan 2012

Part 1 Preliminary

Aim of the Plan (cl 1.2)

The proposal is considered consistent with the aims of the Plan, particularly with the following:

- *to encourage a diverse range of housing, and the equitable and appropriate provision of services,*
- *to give effect to the desired outcomes, strategic principles, policies and actions contained in the Council's adopted strategic planning documents,*
- *to minimise the adverse effects of natural hazards, particularly flooding, bush fire and land instability,*

Part 2 - Permitted or Prohibited Development

Zone objectives and Land Use Table (cl 2.3)

The subject site is zoned R1 General Residential, the objectives of the zone are;

- *To provide for the housing needs of the community.*
- *To provide for a variety of housing types and densities.*
- *To enable other land uses that provide facilities or services to meet the day to day needs of residents.*
- *To ensure that new development is compatible with the character, and preserves the amenity, of each residential area.*

the proposed development is considered consistent with the above objectives, residential flat buildings are permissible in the General Residential zone with development consent.

Part 4 – Principal Development Standards

Height of buildings (cl 4.3)

The proposed building complies with the maximum prescribed building height of 8.5m.

STATUTORY CONTROL –Lismore Local Environmental Plan 2012				
Height of Buildings – #m		Proposed	Control	Complies
Residential				
Max Building Height		8.5 m	8.5m	YES

Floor space ratio (cl 4.4)

There is no prescribed maximum floor space ratio on the Floor Space Ratio Map for this site.

Part 6 – Additional Local Provisions

Earthworks (cl 6.2)

The proposal has been considered against the objectives of this clause and the heads of consideration under cl 6.2 (3). The following comments are applicable.

The development is unlikely to disrupt or have any detrimental effect on drainage patterns and soil stability in the locality of the development. Conditions have been applied in relation to unexpected finds, fill quality and excavation noise management. A geotechnical report has been provided and assessed and determined to demonstrate there will be satisfactory level of soil stability.

Construction noise / vibration will impact on the amenity of the area for an interim period as such, a dilapidation survey and a vibration management has been conditioned as part of the construction site management plan.

Essential services (cl 6.9)

Development consent must not be granted to development unless the consent authority is satisfied that services that are essential for the development are available or that adequate arrangements have been made to make them available when required. Council is satisfied that essential services are available and either adequate or have the capacity to be made so.

The supply of water

The existing water supply network has capacity to handle the increase in demands as a result of this development. Water supply will be subject to Section 68 application and approval and Section 64 Contributions.

The supply of electricity

Investigation into the supply of electricity has been undertaken with a viable connection to be realised via a new 315kVA pole substation.

The disposal and management of sewage

The existing sewage network has capacity to handle the increase in demands as a result of this development. Internal sewer works will be required, subject to Section 68 application and approval and Section 64 Contributions.

Stormwater drainage or on-site conservation

The applicant has provided a Stormwater Management Plan (SWMP) for the site that demonstrates with the use of on site detention tanks the post development flow will be reduced from the pre developed condition for all storm events. The development will connect into Council approved drainage system.

Suitable vehicular access

The proposed vehicular access is approximately 6.2m in width and will be adequate to service the development with two-way access. The access will be provided with a sealed surface and meets Council requirements.

There is an existing vehicular access within Phillip Street that will be decommissioned with this development and replaced with standard kerb and gutter.

11.2 State Environmental Planning Policy (Housing) 2021

State Environmental Planning Policy (Housing) 2021 (Housing SEPP) commenced on 26 November 2021 and aims to enable the delivery of diverse housing types to meet the needs of the community including affordable housing, boarding houses, secondary dwellings, group homes, co-living housing, build to rent and seniors housing.

On 14 December 2023, the NSW Government consolidated the provisions of *State Environmental Planning Policy No 65 – Design Quality of Residential Apartment Development* (SEPP 65) into the Housing SEPP and the *Environmental Planning and Assessment Regulation 2021* (the Regulation). The process of consolidation does not affect the operations of the provisions or the Apartment Design Guide (ADG).

Chapter 2 of Part 2 of the SEPP applies to 'in-fill affordable housing' and contains development standards, including non-discretionary development standards, for this form of development which is applicable to the subject proposal.

Chapter 2 Affordable housing

Part 1 Preliminary

Before imposing a condition under the Act, section 7.32, the consent authority must consider the following—

- (a) affordable housing must aim to create mixed and balanced communities,*
- (b) affordable housing must be created and managed so that a socially diverse residential population, representative of all income groups, is developed and maintained in a locality,*
- (c) affordable housing must be made available to very low, low and moderate income households, or a combination of the households,*
- (d) affordable housing must be rented to appropriately qualified tenants and at an appropriate rate of gross household income,*
- (e) land provided for affordable housing must be used for the purposes of the provision of affordable housing,*
- (f) buildings provided for affordable housing must be managed to maintain their continued use for affordable housing,*
- (g) affordable housing must consist of dwellings constructed to a standard that, in the opinion of the consent authority, is consistent with other dwellings in the area.*

Council is confident that the development is consistent with the above requirements and has imposed a condition of consent that the development is to be utilised as affordable housing, to be managed by a registered community housing provider, for a period of at least 15 years.

Development to which division applies (CI 15C)

The proposed development is permissible with development consent under LLEP 2012 and 100% is proposed to be affordable housing. The land is approximately 270m from land zoned E1 Local Centre (relevant zone).

Non-discretionary development standards—the Act, s 4.15 (CI 19)

The object of this section is to identify development standards for particular matters relating to residential development under this division that, if complied with, prevent the consent authority from requiring more onerous standards for the matters.

SEPP Provision	Comments
(a) a minimum site area of 450m ² ,	Complies. The site has a total area of 1,821m ² .
(b) a minimum landscaped area that is the lesser of— (i) 35m ² per dwelling, or (ii) 30% of the site area,	Complies Landscaped area required: 18 x 35m ² = 630m ² Landscaped area at ground and Level 2 totals approximately 765m ² (including the communal areas and private yards).
(c) a deep soil zone on at least 15% of the site area, where— (i) each deep soil zone has minimum dimensions of 3m, and (ii) if practicable, at least 65% of the deep soil zone is located at the rear of the site,	Complies 15.15% of the subject site comprises Deep Soil Zone designated area for landscaping.

(d) living rooms and private open spaces in at least 70% of the dwellings receive at least 3 hours of direct solar access between 9am and 3pm at mid-winter,	Complies 83% of units achieve compliant solar access. Of the 20 units, 6 are south facing, 3 of them satisfy the requirement through skylights.
(e) the following number of parking spaces for dwellings used for affordable housing— (i) for each dwelling containing 1 bedroom—at least 0.4 parking spaces, (ii) for each dwelling containing 2 bedrooms—at least 0.5 parking spaces, (iii) for each dwelling containing at least 3 bedrooms— at least 1 parking space,	Complies 6 x 1 bed @ 0.4 = 2.4 rounded up to 3 spaces 12 x 2 bed @ 0.5 = 6 spaces The development is to provide a minimum of 9 car parking spaces, 19 are proposed.
(g) the minimum internal area, if any, specified in the Apartment Design Guide for the type of residential development,	Complies The units comply with the minimum internal area requirements as specified in the ADG. See the following table for further details.

Must be used for affordable housing for at least 15 years (CI 21)

A condition of consent has been imposed requiring 100% of the residential accommodation provided by this development to be exclusively available for affordable housing for a period of at least 15 years commencing on the day an occupation certificate is issued. If approved the consent will have a condition requiring an instrument placed on title that the development must be used for affordable housing for at least 15 years. The condition also requires the development to be managed by a registered community housing provider also for a period of at least 15 years.

Chapter 4 Design of residential apartment development

Aims of chapter (CI 142)

The proposed development is considered consistent with the aims of this chapter particularly by:

- i) providing socially and environmentally sustainable housing, and
- (ii) being a long-term asset to the neighbourhood, and
- (f) by supporting housing affordability.

Application of chapter (CI 144)

This chapter applies to development for the purposes of residential flat buildings only if the development consists of the erection of a new building, and the building is at least 3 storeys, not including underground car parking storeys, and the building contains at least 4 dwellings.

In this section—

underground car parking storey means a storey used for car parking that is—

- (a) below ground level (existing), or
- (b) less than 1.2m above ground level (existing).

The majority of the proposed car park is below ground apart from the North Elevation that protrudes 3m above the ground level thus triggering the requirement to be assessed under this chapter.

Determination of development applications and modification applications for residential apartment development (CI 147)

Development consent must not be granted to residential apartment development, unless the consent authority has considered the following—

(a) the quality of the design of the development, evaluated in accordance with the design principles for residential apartment development set out in Schedule 9.

Design Quality Principles

The project architect has provided the following detailed comments (in italics) on how the proposed development complies with the 9 design quality principles under Schedule 9 of the Housing SEPP. The architect's comments are supported and it is agreed that the proposed complies with the design quality principles.

1 Context and neighbourhood character

(1) Good design responds and contributes to its context, which is the key natural and built features of an area, their relationship and the character they create when combined and also includes social, economic, health and environmental conditions.

(2) Responding to context involves identifying the desirable elements of an area's existing or future character.

(3) Well designed buildings respond to and enhance the qualities and identity of the area including the adjacent sites, streetscape and neighbourhood.

(4) Consideration of local context is important for all sites, including sites in the following areas—
(a) established areas,
(b) areas undergoing change,
(c) areas identified for change.

Response:

Lismore, nestled in the heart of the Northern Rivers region of New South Wales, Australia, is a vibrant and picturesque city that captivates visitors with its unique blend of natural beauty, cultural richness, and a laid-back lifestyle. This charming city serves as a hub for the surrounding lush hinterland, pristine national parks, and the meandering waters of the Wilsons River. Lismore is not only blessed with natural beauty but also boasts a rich cultural scene. The city is known for its thriving arts community, in the numerous galleries, theatres and festivals that take place throughout the year.

Goonellabah is a suburb located just east of Lismore in the Northern Rivers region of New South Wales, Australia. The neighbourhood character of Goonellabah is defined by a mix of residential, recreational, and educational elements that contribute to its unique charm. Goonellabah features a mix of residential housing, ranging from traditional standalone houses to more modern developments. The suburb caters to a diverse demographic, including families, young professionals, and retirees. The housing styles vary, providing options for those seeking a suburban lifestyle.

Goonellabah is characterized by a harmonious blend of residential diversity, scenic surroundings, educational facilities, community engagement, and convenient amenities. The neighbourhood's unique combination of these elements creates a distinctive and appealing environment for the residents and community.

2 Built form and scale

(1) Good design achieves a scale, bulk and height appropriate to the existing or desired future character of the street and surrounding buildings.

(2) Good design also achieves an appropriate built form for a site and the building's purpose in terms of the following—

- (a) building alignments and proportions,
- (b) building type,
- (c) building articulation,
- (d) the manipulation of building elements.

(3) Appropriate built form—

- (a) defines the public domain, and
- (b) contributes to the character of streetscapes and parks, including their views and vistas, and
- (c) provides internal amenity and outlook.

Response:

The proposed development sits on a 1821m² lot and comprises of a three storey building with a total of 18 units spread across levels 2 and 3. The unit types include 1 and 2 bedroom apartments, catering to various accommodation needs as a social housing project. The building has been thoughtfully designed to maximize natural light, taking into account the surrounding context and the slope of the site. The height of the building has been designed to comply with the height restrictions for the area.

The ground floor comprises of a car park with capacity for 19 vehicles, which caters to both residents and visitors. Additionally, there is an outdoor landscaped communal area on the ground floor, which provides an inviting space for residents to socialize and enjoy picnics outdoors on the grass. The second floor also counts with a large planter that transforms the circulation area into a big communal opens space for residents to socialize. The design is focused on creating a comfortable and welcoming atmosphere for residents.

The proposed development balances function and form, providing a well-designed space that responds to the needs of its residents. The design has taken into account the context of the site, ensuring that the development contributes positively to the surrounding area. The building has been designed to enhance the streetscape and offer an inviting presence to passersby, while creating a comfortable and secure environment for residents.

3 Density

(1) Good design achieves a high level of amenity for residents and each apartment, resulting in a density appropriate to the site and its context.

(2) Appropriate densities are consistent with the area's existing or projected population.

(3) Appropriate densities are sustained by the following—

- (a) existing or proposed infrastructure,
- (b) public transport,
- (c) access to jobs,
- (d) community facilities,
- (e) the environment.

Response:

The proposal is consistent with the context of the locality and within the established & proposed density response accepted by Council for the area. The proximity to public transport, community and health services ensures that the development of this scale will be supported by the existing infrastructure.

4 Sustainability

- (1) Good design combines positive environmental, social and economic outcomes.
- (2) Good sustainable design includes—
 - (a) use of natural cross ventilation and sunlight for the amenity and liveability of residents, and
 - (b) passive thermal design for ventilation, heating and cooling, which reduces reliance on technology and operation costs.
- (3) Good sustainable design also includes the following—
 - (a) recycling and reuse of materials and waste,
 - (b) use of sustainable materials,
 - (c) deep soil zones for groundwater recharge and vegetation.

Response:

The proposal has been oriented and designed in a manner that maximizes the utilization of available solar energy. The number of apartments with over 3 hours of sunlight in Mid-winter exceeds that stipulated in SEPP 65. The design ensures that openings are protected by balconies and some vertical screening elements. Cross ventilation has been designed to all units. Analysis of the Western elevation summer sun exposure has been carried out to confirm that batten screens and depth of balconies are appropriate to ensure adequate shading is provided at this time of year for occupant comfort.

Thermal insulation will be in accordance with BASIX Section J for roof, floors and walls. Materiality has been chosen for durability as well as aesthetics. Where possible, units facing south are provided with skylights to receive direct sunlight to main living rooms.

5 Landscape

- (1) Good design recognises that landscape and buildings operate together as an integrated and sustainable system, resulting in development with good amenity.
- (2) A positive image and contextual fit of well designed development is achieved by contributing to the landscape character of the streetscape and neighbourhood.
- (3) Good landscape design enhances the development's environmental performance by retaining positive natural features that contribute to the following—
 - (a) the local context,
 - (b) co-ordinating water and soil management,
 - (c) solar access,
 - (d) micro-climate,
 - (e) tree canopy,
 - (f) habitat values,
 - (g) preserving green networks.
- (4) Good landscape design optimises the following—
 - (a) usability,
 - (b) privacy and opportunities for social interaction,
 - (c) equitable access,
 - (d) respect for neighbours' amenity.
- (5) Good landscape design provides for practical establishment and long term management.

Response:

The proposed development incorporates high quality soft and hard landscaping with features such as built-in seating along the entry walkway to enliven the community spirit and native plants & trees that will enhance the functional and aesthetic live ability of the site. Entry into the development occurs alongside Deep soil zones with extensive planting. The landscape to the Communal areas of the property allow for buffer to the private terraces and ground floor grassed areas that allow for multiple

uses by the occupants. The Deep soil zones are oriented towards the street-front & side boundaries to enhance privacy.

6 Amenity

- (1) Good design positively influences internal and external amenity for residents and neighbours.
- (2) Good amenity contributes to positive living environments and resident well-being.
- (3) Good amenity combines the following—
 - (a) appropriate room dimensions and shapes,
 - (b) access to sunlight,
 - (c) natural ventilation,
 - (d) outlook,
 - (e) visual and acoustic privacy,
 - (f) storage,
 - (g) indoor and outdoor space,
 - (h) efficient layouts and service areas,
 - (i) ease of access for all age groups and degrees of mobility.

Response:

Amenity is provided to the residences through generous private open spaces and communal areas with open grounds that could support the residents own initiatives. The communal areas are specially located to receive good amount of sunlight.

Unit layouts focus around flexibility of space for different end users and provision of varied storage areas within the unit and in the garage allowing for convenient storage of different categories for all residents. These were key design drivers that provide a high level of convenience to the occupants. Storage is an element that is becoming increasingly important for users particularly for older resident's that may be downsizing from family homes.

Two accessible car spaces are provided on ground level and an accessible ramp provides access to the main entry, from this point all units could be considered accessible via the lift and accessible entry door openings.

7 Safety

- (1) Good design optimises safety and security within the development and the public domain.
- (2) Good design provides for quality public and private spaces that are clearly defined and fit for the intended purpose.
- (3) Opportunities to maximise passive surveillance of public and communal areas promote safety.
- (4) A positive relationship between public and private spaces is achieved through clearly defined secure access points and well lit and visible areas that are easily maintained and appropriate to the location and purpose.

Response:

The proposed development will be consistent with the need to maximize passive observation opportunities in relation to the adjacent roads and to the central communal open space on Level 2. Both street frontages are passively observed by all of the apartments on Levels 2 and 3 facing North and East. It is also proposed to use elements such as screens to the North and West private open spaces to provide privacy to units and to the adjacent neighbours.

The screens to the carpark on the Ground level add an extra element of transparency that would contribute to the passive surveillance and also minimize the need for mechanically ventilate that space.

8 Housing diversity and social interaction

- (1) Good design achieves a mix of apartment sizes, providing housing choice for different demographics, living needs and household budgets.
- (2) Well designed residential apartment development responds to social context by providing housing and facilities to suit the existing and future social mix.
- (3) Good design involves practical and flexible features, including—
 - (a) different types of communal spaces for a broad range of people, and
 - (b) opportunities for social interaction among residents.

Response:

The proposed social housing development sits on a 1821m² lot and comprises of a three story building with a total of 18 units spread across levels 2 and 3. The unit types include 1 and 2 bedroom apartments in each level, catering to various accommodation needs and to the rising demand for social and affordable developments. The development will count with different landscaped open spaces for the residents to enjoy whilst increasing visual amenity to the streetscape.

9 Aesthetics

- (1) Good design achieves a built form that has good proportions and a balanced composition of elements, reflecting the internal layout and structure.
- (2) Good design uses a variety of materials, colours and textures.
- (3) The visual appearance of well designed residential apartment development responds to the existing or future local context, particularly desirable elements and repetitions of the streetscape.

Response:

A contemporary and yet timeless material palette was chosen. This helps the architecture to speak for itself. In addition, the materials have a harmonious relationship amongst themselves and the surrounding landscape. The design is minimalistic and modern and it is suited for both traditional and modular construction.

The building façade has interesting articulation exacerbated by the deep balconies, framed elements and the flying eaves, which also help with the building cooling and sun protection. Similarly, the use of screens to the west and south facades are both for sun protection and privacy for the residents and the neighbours. The screens also add an extra layer of interest to the facade.

The different textures and materials in addition to elements such as the different type of screens paired with a relevant landscape design help provide an interesting visual appeal to the façade. The colours in use represent a timeless palette when pairing the warmth of the timber grain with the eternal strength of a good mix of greys.

In conclusion the proposed development is considered to be consistent with the relevant design principles contained within SEPP No. 65, the Apartment Design Guide and would be a positive insertion in this area that is set for growth and change.

Determination of development applications and modification applications for residential apartment development (CI 147)

Development consent must not be granted to residential apartment development, unless the consent authority has considered the following—

- (b) the Apartment Design Guide,

The application has provided a comprehensive Apartment Design Guide Checklist that addresses part 3 and 4 of the guide. Below is an assessment of the provided criteria.

Apartment Design Guide

Apartment Design Guide – Design Criteria	Comment	Complies												
3A Site Analysis <i>No design criteria - see ADG for design guidance</i>	The DA (plans, SEE and attachments) are considered to include a satisfactory site analysis.	Yes												
3B Orientation <i>No design criteria - see ADG for design guidance</i>	The proposed orientation of the development is acceptable and the proposal is not considered to result in unreasonable overshadowing of any adjoining property.	Yes.												
3C Public Domain Interface <i>No design criteria - see ADG for design guidance</i>	The proposed public domain interface of the development is assessed as being acceptable in the circumstances.	Yes.												
3D Communal and Open Space 1. Communal open space has a minimum area equal to 25% of the site (see figure 3D.3) 2. Developments achieve a minimum of 50% direct sunlight to the principal usable part of the communal open space for a minimum of 2 hours between 9 am and 3 pm on 21 June (mid winter)	Communal open space, deep soil zones + landscaping has a total of 522.4m ² , which represents 28.6% of the site. At least 50% of the ground floor lawns receive more than 2 hours sunlight between 9- 3pm on 21 June.	Yes.												
3E Deep Soil Zones 1. Deep soil zones are to meet the following minimum requirements: <table border="1" data-bbox="167 1055 738 1377"> <thead> <tr> <th>Site area</th><th>Minimum dimensions</th><th>Deep soil zone (% of site area)</th></tr> </thead> <tbody> <tr> <td>less than 650m²</td><td>-</td><td rowspan="4">7%</td></tr> <tr> <td>650m² - 1,500m²</td><td>3m</td></tr> <tr> <td>greater than 1,500m²</td><td>6m</td></tr> <tr> <td>greater than 1,500m² with significant existing tree cover</td><td>6m</td></tr> </tbody> </table>	Site area	Minimum dimensions	Deep soil zone (% of site area)	less than 650m ²	-	7%	650m ² - 1,500m ²	3m	greater than 1,500m ²	6m	greater than 1,500m ² with significant existing tree cover	6m	276.1m ² of deep soil zone has been provided (15.15% of site). The deep soil zone(s) have been located to the front, both sides of the property and to the rear in the POS to visually enhance the street view and provide green space for viewing for residents and to provide more privacy with existing neighbours.	Yes
Site area	Minimum dimensions	Deep soil zone (% of site area)												
less than 650m ²	-	7%												
650m ² - 1,500m ²	3m													
greater than 1,500m ²	6m													
greater than 1,500m ² with significant existing tree cover	6m													
3F Visual Privacy 1. Separation between windows and balconies is provided to ensure visual privacy is achieved. Minimum required separation distances from buildings to the side and rear boundaries are as follows: <table border="1" data-bbox="167 1599 703 1818"> <thead> <tr> <th>Building height</th><th>Habitable rooms and balconies</th><th>Non-habitable rooms</th></tr> </thead> <tbody> <tr> <td>up to 12m (4 storeys)</td><td>6m</td><td>3m</td></tr> <tr> <td>up to 25m (5-8 storeys)</td><td>9m</td><td>4.5m</td></tr> <tr> <td>over 25m (9+ storeys)</td><td>12m</td><td>6m</td></tr> </tbody> </table> <p><i>Note: Separation distances between buildings on the same site should combine required building separations depending on the type of room (see figure 3F.2) Gallery access circulation should be treated as habitable space when measuring privacy separation distances between neighbouring properties</i></p>	Building height	Habitable rooms and balconies	Non-habitable rooms	up to 12m (4 storeys)	6m	3m	up to 25m (5-8 storeys)	9m	4.5m	over 25m (9+ storeys)	12m	6m	The proposed building does not satisfy the prescribed 6m separation distance for habitable rooms and balconies to adjoining boundaries however visual separation is proposed using deeper balconies, fixed vertical screening and deep soil located along site boundaries for tree planting. Further discussion is provided under Likely impacts / Amenity neighbouring properties section of this report.	No.
Building height	Habitable rooms and balconies	Non-habitable rooms												
up to 12m (4 storeys)	6m	3m												
up to 25m (5-8 storeys)	9m	4.5m												
over 25m (9+ storeys)	12m	6m												

3G Pedestrian Access and Entries <i>No design criteria - see ADG for design guidance</i>	The proposed development is considered to have satisfactory pedestrian access and entries.	Yes
3H Vehicle Access <i>No design criteria - see ADG for design guidance</i>	The proposed development is considered to have a satisfactory vehicular access.	Yes
3J Bicycle and car parking 1. For development in the following locations: <ul style="list-style-type: none"> on sites that are within 800 metres of a railway station or light rail stop in the Sydney Metropolitan Area; or on land zoned, and sites within 400 metres of land zoned, B3 Commercial Core, B4 Mixed Use or equivalent in a nominated regional centre <p>the minimum car parking requirement for residents and visitors is set out in the Guide to Traffic Generating Developments, or the car parking requirement prescribed by the relevant council, whichever is less.</p> <p>The car parking needs for a development must be provided off street.</p>	Lismore is a nominated regional centre and the site is within 400m of land E1 Local Centre. The applicable car parking rate under the RMS Guide is: <ul style="list-style-type: none"> 0.6 spaces per 1 bedroom unit. 0.9 spaces per 2 bedroom unit. 1 space per 5 units (visitor parking). <p>Total spaces required is 19 spaces and the proposal nominates 19 spaces.</p> <p>The development also includes parking for bicycles.</p> <p>The car park design is safe and secure.</p>	Yes
4A Solar and Daylight Access 1. living rooms and private open spaces of at least 70% of apartments in a building receive a minimum of 3 hours direct sunlight between 9 am and 3 pm at mid winter 2. In all other areas, living rooms and private open spaces of at least 70% of apartments in a building receive a minimum of 3 hours direct sunlight between 9 am and 3 pm at mid winter 3. A maximum of 15% of apartments in a building receive no direct sunlight between 9 am and 3 pm at mid winter	83% (15 of 18 units) of units receive 3 or more hours of direct sunlight between 9am to 3pm at mid-winter. Skylights are provided on roof for top level units. 83% (15 of 18 units) of units receive 3 or more hours of direct sunlight between 9am to 3pm at mid-winter. Skylights are provided on roof for top level units. Not Achieved. 16% (3 of 18 units) don't receive direct sunlight between 9am to 3pm at mid-winter. The 3 units that do not receive the above mentioned sun light have extended on grade terraces.	Yes Yes No
4B Natural Ventilation 1. At least 60% of apartments are naturally cross ventilated in the first nine storeys of the building. 2. Overall depth of a cross-over or cross-through apartment does not exceed 18m, measured glass line to glass line	100% of apartments are naturally cross ventilated. Overall depth of a cross-over or cross-through apartment does not exceed 18m, measured glass line to glass line	Yes
Ceiling Heights Measured from finished floor level to finished ceiling level, minimum ceiling heights are:	The project architect and SEE confirmed that the floor to ceiling heights are all at least 2.7m for habitable rooms and 2.4 for non habitable.	Yes

<table><tr><th colspan="2">Minimum ceiling height for apartment and mixed use buildings</th></tr><tr><td>Habitable rooms</td><td>2.7m</td></tr><tr><td>Non-habitable</td><td>2.4m</td></tr><tr><td>For 2 storey apartments</td><td>2.7m for main living area floor 2.4m for second floor, where its area does not exceed 50% of the apartment area</td></tr><tr><td>Attic spaces</td><td>1.8m at edge of room with a 30 degree minimum ceiling slope</td></tr><tr><td>If located in mixed used areas</td><td>3.3m for ground and first floor to promote future flexibility of use</td></tr></table>	Minimum ceiling height for apartment and mixed use buildings		Habitable rooms	2.7m	Non-habitable	2.4m	For 2 storey apartments	2.7m for main living area floor 2.4m for second floor, where its area does not exceed 50% of the apartment area	Attic spaces	1.8m at edge of room with a 30 degree minimum ceiling slope	If located in mixed used areas	3.3m for ground and first floor to promote future flexibility of use		
Minimum ceiling height for apartment and mixed use buildings														
Habitable rooms	2.7m													
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For 2 storey apartments	2.7m for main living area floor 2.4m for second floor, where its area does not exceed 50% of the apartment area													
Attic spaces	1.8m at edge of room with a 30 degree minimum ceiling slope													
If located in mixed used areas	3.3m for ground and first floor to promote future flexibility of use													
<p>4D Apartment Size and Layout</p> <p>1. Apartments are required to have the following minimum internal areas:</p> <table><tr><th>Apartment type</th><th>Minimum internal area</th></tr><tr><td>Studio</td><td>35m²</td></tr><tr><td>1 bedroom</td><td>50m²</td></tr><tr><td>2 bedroom</td><td>70m²</td></tr><tr><td>3 bedroom</td><td>90m²</td></tr></table> <p>2. Every habitable room must have a window in an external wall with a total minimum glass area of not less than 10% of the floor area of the room. Daylight and air may not be borrowed from other rooms</p> <p>3. Habitable room depths are limited to a maximum of 2.5 x the ceiling height</p> <p>4. In open plan layouts (where the living, dining and kitchen are combined) the maximum habitable room depth is 8m from a window.</p> <p>5. Master bedrooms have a minimum area of 10m2 and other bedrooms 9m2 (excluding wardrobe space)</p> <p>6. Bedrooms have a minimum dimension of 3m (excluding wardrobe space)</p> <p>7. Living rooms or combined living/dining rooms have a minimum width of:</p> <ul style="list-style-type: none">3.6m for studio and 1 bedroom apartments4m for 2 and 3 bedroom apartments <p>8. The width of cross-over or cross-through apartments are at least 4m internally to avoid deep narrow apartment layouts</p>	Apartment type	Minimum internal area	Studio	35m ²	1 bedroom	50m ²	2 bedroom	70m ²	3 bedroom	90m ²	<p>The proposed apartments all exceed the minimum requirements in the design criteria.</p> <p>The SEE states compliance.</p> <p>Complies.</p> <p>Complies.</p> <p>Complies.</p> <p>Complies.</p> <p>Complies.</p> <p>N/A</p>	<p>Yes</p>		
Apartment type	Minimum internal area													
Studio	35m ²													
1 bedroom	50m ²													
2 bedroom	70m ²													
3 bedroom	90m ²													
<p>4E Private Open Space and balconies</p> <p>All apartments are required to have primary balconies as follows:</p>	<p>Complies. Refer to UNIT TYPES PLAN; FLOOR PLANS GROUND (L1); L2;L3</p>	<p>Yes</p>												

<table><tr><th>Dwelling type</th><th>Minimum area</th><th>Minimum depth</th></tr><tr><td>Studio apartments</td><td>4m²</td><td>-</td></tr><tr><td>1 bedroom apartments</td><td>8m²</td><td>2m</td></tr><tr><td>2 bedroom apartments</td><td>10m²</td><td>2m</td></tr><tr><td>3+ bedroom apartments</td><td>12m²</td><td>2.4m</td></tr></table>	Dwelling type	Minimum area	Minimum depth	Studio apartments	4m ²	-	1 bedroom apartments	8m ²	2m	2 bedroom apartments	10m ²	2m	3+ bedroom apartments	12m ²	2.4m		
Dwelling type	Minimum area	Minimum depth															
Studio apartments	4m ²	-															
1 bedroom apartments	8m ²	2m															
2 bedroom apartments	10m ²	2m															
3+ bedroom apartments	12m ²	2.4m															
<p>The minimum balcony depth to be counted as contributing to the balcony area is 1m</p> <p>For apartments at ground level or on a podium or similar structure, a private open space is provided instead of a balcony. It must have a minimum area of 15m2 and a minimum depth of 3m</p>																	
<p>4F Common circulation and spaces 1. The maximum number of apartments off a circulation core on a single level is eight</p>	Not achieved but a high level of amenity for common lobbies, corridors and apartments was demonstrated through sunlight and natural cross ventilation in apartments, access to ample daylight and natural ventilation in common circulation spaces common areas for seating and gathering, generous corridors with greater than minimum ceiling heights. Refer SEPP CONTROLS [CIRCULATION CORE]	No															
<p>4G Storage In addition to storage in kitchens, bathrooms and bedrooms, the following storage is provided:</p> <table><tr><th>Dwelling type</th><th>Storage size volume</th></tr><tr><td>Studio apartments</td><td>4m³</td></tr><tr><td>1 bedroom apartments</td><td>6m³</td></tr><tr><td>2 bedroom apartments</td><td>8m³</td></tr><tr><td>3+ bedroom apartments</td><td>10m³</td></tr></table> <p>At least 50% of the required storage is to be located within the apartment</p>	Dwelling type	Storage size volume	Studio apartments	4m ³	1 bedroom apartments	6m ³	2 bedroom apartments	8m ³	3+ bedroom apartments	10m ³	Complies. Refer to SEPP PLANS.	Yes.					
Dwelling type	Storage size volume																
Studio apartments	4m ³																
1 bedroom apartments	6m ³																
2 bedroom apartments	8m ³																
3+ bedroom apartments	10m ³																
<p>4H Acoustic Privacy No design criteria - see ADG for design guidance</p>	The proposed development is considered to have a satisfactory regard to acoustic privacy.	Yes															
<p>4J Noise and Pollution No design criteria - see ADG for design guidance</p>	The proposed development is considered to have a satisfactory regard to Noise and Pollution. In particular, it is noted that the site is not located next to any excessive noise and pollution sources.	Yes															
<p>4K Apartment Mix No design criteria - see ADG for design guidance</p>	The proposal provides 1 and 2 bedroom units, which is considered to be an acceptable mix.	Yes															
<p>4L Ground Floor apartments No design criteria - see ADG for design guidance</p>	The ground floor units are considered to have a satisfactory regard to this guideline.	Yes															
<p>4M Facades No design criteria - see ADG for design guidance</p>	The proposed facades are considered to have a satisfactory regard to this guideline in	Yes															

	that they include: <ul style="list-style-type: none"> • good articulation, which enhances visual interest and lessens the perceived bulk and scale; and • a mix of materials, textures and colours. 	
4N Roof Design <i>No design criteria - see ADG for design guidance</i>	The proposed roof design is considered to have a satisfactory regard to this guideline and is considered to be compatible with the predominant character of roofs in the locality (pitched with multiple hipped elements)	Yes.
4O Landscape Design <i>No design criteria - see ADG for design guidance</i>	The proposed roof design is considered to have a satisfactory regard to this guideline	Yes.
4U Energy Efficiency <i>No design criteria - see ADG for design guidance</i>	The DA includes a Basix and NATHERs certificate.	Yes
4V Water Management and Conservation <i>No design criteria - see ADG for design guidance</i>	The proposal is considered to be have adequate regard to the design guidelines. In particular, the proposal is considered to comply with Council's Water Sensitive Design chapter of the DCP.	Yes
4W Waste Management <i>No design criteria - see ADG for design guidance</i>	The proposal has a waste storage area that is sited and design to be consistent with the design guidelines.	Yes
Building Maintenance <i>No design criteria - see ADG for design guidance</i>	The proposal is considered to be have adequate regard to the design guidelines.	Yes

11.3 State Environmental Planning Policy (Transport and Infrastructure) 2021

Determination of development applications—other development (CI 2.48)

This section applies to a development application involving development carried out:

- (i) within or immediately adjacent to an easement for electricity purposes (whether or not the electricity infrastructure exists), or
- (ii) immediately adjacent to an electricity substation, or
- (iii) within 5m of an exposed overhead electricity power line,

Before determining a development application (or an application for modification of a consent) for development to which this section applies, the consent authority must—

- (a) give written notice to the electricity supply authority for the area in which the development is to be carried out, inviting comments about potential safety risks, and
- (b) take into consideration any response to the notice that is received within 21 days after the notice is given.

The SEE provides that *overhead powerlines are located within the McDermott Avenue road reserve and traverse across to Phillip Street adjacent to the north-eastern corner of the subject site. Based on the proposed design plans, Raunik Design have confirmed the built form is setback within 5m to the overhead powerlines.*

Accordingly, an assessment has been completed by ECL Power Services (refer to Attachment 18) to review the clearances from the existing LV Essential Energy Mains adjacent to the proposed development from the adjacent overhead mains.

The assessment by ECL concludes the available clearances meet allowable tolerances of the ISCC 20 document & clearances that meet the EE standard CEOM7106.25.

This information was conveyed to Essential Energy with the following response provided - *Strictly based on the documents submitted, Essential Energy has no comments to make as to potential safety risks arising from the proposed development.* The full response from Essential Energy can be found in **Attachment 1** of this report.

11.4 Biodiversity Conservation Act 2016

The proposed development is not on land included on the Biodiversity Values Map and does not involve clearing of native vegetation in excess of the area clearing threshold. The proposed development is not likely to significantly affect threatened species or ecological communities, or their habitats, and is not in a declared area of outstanding biodiversity value. A test under section 7.3 of the *Biodiversity Conservation Act 2016* has been conducted as per assessment requirement.

11.5 State Environmental Planning Policy (Biodiversity and Conservation) 2021

State Environmental Planning Policy (Biodiversity and Conservation) 2021, applies to land zoned R1 General Residential. Clause 2.6 – requires development consent to be provided by council for removal of vegetation in non-rural areas. Council's Ecologist has no objections on the removal of the vegetation identified provided the site is landscaped and maintained appropriately prior to occupation.

The SEPP also requires Council to consider whether the development will impact on koala habitat. The property contains no mapped primary or secondary koala habitat. No evidence of koalas was found during the ecological site assessment. The biodiversity report found no koala habitat will be negatively affected by the development.

The study area is within the Koala planning area identified in the Lismore Comprehensive Koala Plan of Management (CKPoM). However, as the size of all three adjoining properties is <1ha, in accordance with Lismore CKPoM (s2.2) the plan does not apply.

11.6 State Environmental Planning Policy (Planning Systems) 2021

The proposed subdivision is considered to be consistent with the provisions of this SEPP.

11.7 North Coast Regional Plan 2036

The proposed development is considered consistent with primary directions of the *North Coast Regional Plan 2036* including:

- Direction 1: Deliver environmentally sustainable growth
- Direction 14: Provide great places to live and work
- Direction 15: Develop healthy, safe, socially engaged and well-connected communities
- Direction 22: Deliver greater housing supply
- Direction 23: Increase housing diversity and choice
- Direction 25: Deliver more opportunities for affordable housing

11.8 Draft instruments

No draft instruments are applicable to the site.

11.11 Lismore Development Control Plan

The application has been assessed against the relevant controls in the Lismore DCP as indicated in the following compliance table, and comments are provided where the proposal does not strictly

comply with the applicable provisions or conditions are required to address certain matters. Additional more detailed comments with regard to the major issues are provided after the table.

1. Development Control Plan Compliance Table

LISMORE DEVELOPMENT CONTROL PLAN		
	Complies Yes/No	Relevant Comments
Residential Development – Lismore Health Precinct (3 or more stories)		
P35 Taller buildings are designed having regard to architectural best practice	Yes	The planning provisions contained within the Apartment Design Guide are satisfactorily complied with, particularly those contained within Part 3 'Siting the Development' and Part 4 'Designing the Development'.
P36 Taller buildings are located on sites of a suitable size to enable buildings to be offset from property boundaries, achieve good orientation and to provide substantial onsite landscaping.	Yes	The site has an area of at least 1,200m ² .
P37 Development is sited and designed taking into account the relationship to adjoining premises and the street For a corner allotment the setback is 6m from the primary street and 4m from the secondary road.	Yes	The building has a minimum setback of between 3.8m and 4.1m from Phillip Street. This minor reduction in the rear setback was identified within the pre-lodgement discussions with Council. Council confirmed that the reduced setback appeared satisfactory when providing appropriate screening and plan modification where practical. See further discussion under Amenity neighbouring properties.
P38 For taller buildings deep soil zones provide areas on site that allow for and support healthy plant and tree growth compatible with a predominately residential precinct.	Yes	The proposed development has compliant areas of deep soil zones.
P39 For taller buildings, adequate building separation distances are shared equitably between neighbouring sites to achieve reasonable levels of external and internal visual privacy.	Yes	The building has a minimum setback of between 3.8m and 4.1m from Phillip Street. This minor reduction in the rear setback was identified within the pre-lodgement discussions with Council. Council confirmed that the reduced setback appeared satisfactory when providing appropriate screening and plan modification where practical. See further discussion under Amenity neighbouring properties.
P40 Taller buildings are designed and sited to reduce the visual scale of the development and amenity impacts on adjoining properties.	Yes	The building is designed to provide a 3 storey presentation to the McDermott avenue frontage with the Philip street elevation containing the majority of the carpark as a sub floor area.
P41 Taller buildings include design references to the architectural character of existing residential dwellings in the locality	Yes	A variety of building materials are incorporated into the design. The building address the public street and where possible (Diadem Lane) the ground floor units are provided with direct pedestrian access from the street.

		<p>Vehicle and pedestrian points of entry are separated.</p> <p>Windows and deep balconies and / or decks are provided facing the public street.</p> <p>The front building setback is landscaped with soft landscaping and includes trees for shade and screening.</p>
P43 On-site car parking does not dominate the front setback.	Yes	<p>Carparking areas are integrated into the building form via undercroft parking.</p> <p>Car parking access is provided via integrated access points.</p> <p>No car parking is provided within the front building setback.</p>
Off-street Parking		
Design, Layout and Landscaping	Yes	Council's Development Engineer assessed that the plans provided demonstrate compliance with AS2890 for all parking spaces.
Car Parking Spaces Required	N/A	The parking rate for the development is specified in the ADG. Lismore DCP does not have parking number requirements for RFB's, only for dwellings that require 2 parking spaces per dwelling.
Flood Prone Lands		
Development Controls (Flood Fringe and Low Flood Risk)	Yes	The site is not mapped as a Flood Planning Area.
Buffers		
Recommended Buffers	Yes	<p><i>Buffers to powerlines to be provided in accordance with ISSC 20 Guideline for the Management of Activities within Electricity Easements and Close to Electricity Infrastructure: Industry Safety Steering Committee September 2012.</i></p> <p>The DA was referred to Essential Energy who raised no objections to the DA.</p>
Crime Prevention Through Environmental Design		
CPTED Principles.	Yes	<p>Subject to conditions, the proposed development is considered to have adequately addressed the relevant CPTED principles, including:</p> <ul style="list-style-type: none"> • Surveillance (i.e. siting and design of Units, CCTV, landscaping and lighting, design of gates); • Access Control and Target Hardening (clear and managed entry / exit points, fences, security shutters, gates, locks and security grills); • Territorial Reinforcement (level change, landscaping, fencing and gates); • Defensive Space (site management to coordinate maintenance). <p>See the SEE for more detail on safety and security measures.</p>
Waste Minimisation		
Development Application	Yes	<p>The DA proposes a communal waste refuse room is provided at ground floor to service the proposed residential units.</p> <p>Pursuant to the submitted SWMMP, the proponent will ensure the appointment of a waste supervisor responsible for the proper separation of waste, waste storage area and collection. The waste supervisor is to be also responsible for having the receptacles out for collection at the nominated collection point. The waste storage area is to be of weatherproof construction</p>

		and easy to clean, with provision of cold water supply and wastewater discharged to sewer.
Water Sensitive Design		
DA requirements	Yes	As detailed in the EHO's and Development Engineers referrals, Council is satisfied that subject to conditions to the DA complies with the quantity and quality stormwater requirement of this chapter.

11.12 Section 7.11 Contributions Plan

The proposed development will result in increased demand for public services and amenities, and therefore Section 7.11 Contributions are applicable. It is understood that the previous RFB that existed on the site comprised 7 x 1 bedroom units, which provides credit for the site (6 x 1 bedroom + 12 x 2 bedroom) - 7 x 1 bedroom units = 11 x 2 bedroom and 1 x 1 bedroom. Therefore the 7.11 have been calculated on 11 x 2 bedroom dwellings and 1 x 1 bedroom unit. This has been taken into account in the table below.

Lismore City Council adopted the Lismore Affordable and Diverse Housing Strategy on 14 March 2023. Operable Clause 2 and 5 are applicable to the development which is as follows;

2. Any housing that is to be provided by and managed by a registered Community Housing Provider (CHP) or an Indigenous Community Housing Organisation (ICHO) will have a discount of 50% applied to Lismore City Council's Section 64 and Section 7.11 / 7.12 Contributions that would have been levied had the discount policy not applied. The discount does not apply to any Section 64 Contributions collected on behalf of Rous County Council. If a development application includes a mix of affordable housing to be managed by the CHP / ICHO and housing that is to be sold at market value, the discount will only be applied to the affordable housing component of the development.

5. The following development types will have a condition of consent applied, deferring the payment of all Development Contributions until such time as any Occupation Certificate is required:

- a) New Shop Top Housing (other than development covered by the change of use provision above).*
- b) Secondary Dwellings*
- c) New 1-2 bedroom dual occupancies with a floor area <115m²*
- d) Multi-Dwelling Housing*
- e) Residential Flat Buildings**
- f) Co-living housing g) Seniors Housing*
- h) Build-to-rent housing*

As the development is for Social Futures and they are a Community Housing provider, a 50% discount will be applied to Council levies in accordance with Policy 5.2.33.

The following levies are charged under Section 7.11 of the Environmental Planning and Assessment Act 1979 and amounts payable are set out below.

Levy Area	Receipt No.	11 x 2 Bedroom/s	1 x 1 Bedroom	Amount Payable
Community Services and Facilities				
Residential (Urban)	715	1757.91	79.91	1837.82
Public Domain Facilities				
Residential (Urban)	723	6609.46	300.43	6909.89
Open Space and Recreational Facilities				
- Tucki Tucki Creek				
- Residential (Urban)	727	682.55	31.02	713.57
- Lismore Park				

- Residential (Urban)	729	2310.22	105.01	2415.23
Cycleway Facilities				
Residential (Urban)	678	7798.67	354.48	8125.15
Urban Traffic Management Facilities				
Residential (Urban)	682	25674.22	1167.01	26841.23
Stormwater				
Residential (Urban)	731	429.33	19.52	448.85
Section 94 Plan Administration				
Residential (Urban)	690	1017.28	46.24	1063.52
Total				48355.26
Affordable and Diverse Housing Incentives				
Policy 50% Discount				\$24177.63

11.13 Section 64 Contributions

Is policy 11.3.3 (Infrastructure Contributions Discount Policy for the Change of Use of Commercial Premises) applicable?	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No
Is policy 5.2.33 (Affordable and Diverse Housing Incentives Policy) applicable?	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No

Existing Entitlement (Credit)	The site has approval for 7 x 1-bedroom units which has a demand of 0.4ET Water and 0.5ET Sewer per unit for a total credit of 2.8ET Water and 3.5ET Sewer. The site also is made up of 3 parcels and thus the water credit will be 3.0ET
Proposed Development (Demand)	The proposed development contains 6 x 1-bedroom units and 12 x 2-bedroom units which will be considered under the multi storey apartment rate and which will equate to 7.98ET Water and 12ET Sewer.
Total Demands	Water = 7.98 – 3.0 = 4.98ET Sewer = 12.0 – 3.5 = 8.5ET
Contributions	<p>LCC Water = 4.98 x \$1,687 = \$8,401.26 Rous Water = 4.98 x \$9,951 = \$49,555.98 LCC Sewer = 8.5 x \$13,374 = \$113,679.00 Total = \$171,654.24</p> <p>As the development is for Social Futures and they are a Community Housing provider, a 50% discount will be applied to Council levies in accordance with Policy 5.2.33</p> <p>LCC Water = \$8,401.26 x 0.5 = \$4,200.63 Rous Water = \$49,555.98 LCC Sewer = \$113,679.00 x 0.5 = \$56,839.5 Total = \$110,596.11</p>

11.14 Planning Agreement

A planning agreement has not been offered as part of the development.

11.15 Applicable Regulations

The *EPA Regulation 2001, Clause 61* requires that Council must take into consideration *Australian Standard AS 2601—2001: The Demolition of Structures*. As demolition is proposed to occur, a suitable condition has been imposed.

The application has been notified in accordance with requirements under Clause 57 of *EPA Regulation 2001*

Roads Act Approvals

The proposal requires works within the public road reserve, and as such, a permit under the provisions of s.138 of the *Roads Act 1993* must be obtained prior to those works being undertaken. This requirement is addressed in relevant conditions of consent.

Local Government Act Approvals

The proposal requires approval under the provisions of s.68 of the *Local Government Act 1993*, which must be obtained prior to those works being undertaken. This requirement is addressed in relevant conditions of consent.

Native Title (New South Wales) Act 1994

Council is aware that a Native Title claim has been made on behalf of the Widjabul Wia-bal People by NTSCORP for land within the Lismore Local Government Area. The land subject of this development application does not directly relate to any land covered by the native title determination application as it relates only to privately held freehold land over which native title has presumably been extinguished.

12 Likely impacts of the development

All likely impacts of the proposed development have been considered within the context of this report with specific issues applicable discussed following.

ENVIRONMENTAL APPRAISAL

CONSIDERED

1. Statutory Controls	Yes
2. Policy Controls	Yes
3. Design in relation to existing building and natural environment	Yes
4. Landscaping/Open Space Provision	Yes
5. Traffic generation and Carparking provision	Yes
6. Loading and Servicing facilities	Yes
7. Physical relationship to and impact upon adjoining development (Views, privacy, overshadowing, etc.)	Yes
8. Site Management Issues	Yes
9. ESD Principles and Climate Change	Yes
10. All relevant 4.15 considerations of Environmental Planning and Assessment (Amendment) Act 1979	Yes
11. Conforms to the specifications and requirements of Planning for Bush Fire Protection	Yes

Amenity neighbouring properties

As previously mentioned in this report, the proposed building does not satisfy the prescribed ADG requirement of 6m separation distance for habitable rooms and balconies to adjoining boundaries. The proposed RFB is setback 2.85m to southern boundary of the site and 3.14m to the western.

The following detailed assessment has been undertaken to investigate potential privacy and overshadowing issues and possible remedies.



Figure 1 – Western Boundary with 1 McDermott Avenue

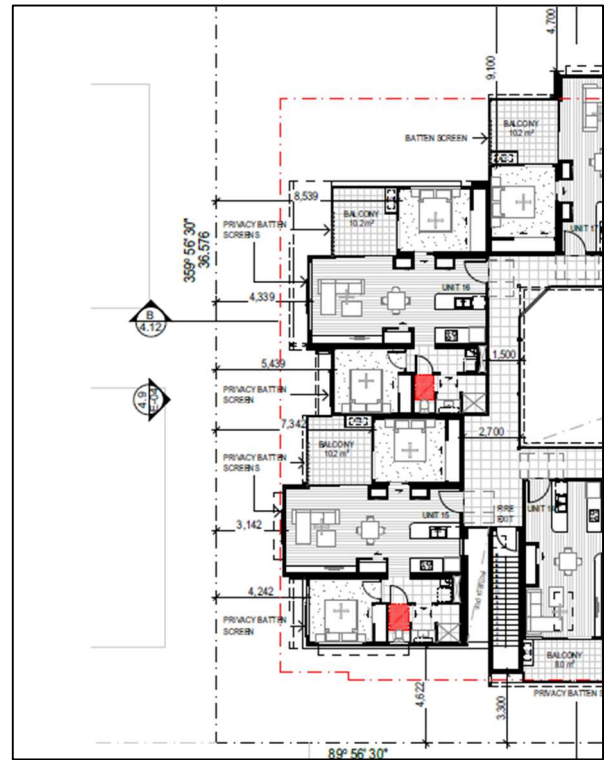


Figure 2 – Proposed floorplan 3 Floor.

The Western elevation has been modified since the original plans were presented (at the pre lodgement meeting) by setting back the 3rd storey balconies and adding privacy screening that has improved the amenity to 1 McDermott Avenue. It is noted that the balconies are now set back with the closest balcony 4m from the western boundary.

It was observed from site inspections that the adjoining properties land between the units and the boundary are “dead spaces” void of entertainment areas and containing hedging. It is not anticipated that there is going to be an unacceptable impact to 1 McDermott Avenue by way of loss of privacy or views. The development is going to have some impact on the solar access to the rear units at 1 McDermott Avenue as illustrated in the shadow diagrams at the end of this section, however this overshadowing would only be for a few hours mid winter during the morning and not an unacceptable impact for an urban environment.

The property to the south of the subject site, being 3 Philip Street, has the most potential to be impacted by this encroachment. The proposed RFB is setback 2.85m to southern boundary of the site and contains private yards to proposed units 3, 4 and 5 on the ground floor. 3 Philip Street’s boundary is a retaining wall that sits approximately 1.8m above the subject site. A 1.8m high fence would completely screen these ground floor yards and solve any privacy concerns.

The second floor of the proposed RFB has the balconies of proposed units 12, 13 and 14 as illustrated in the image bellow, that have more potential for privacy issues from these balconies.



Figure 3 - Southern Boundary, proposed floorplan 3 floor

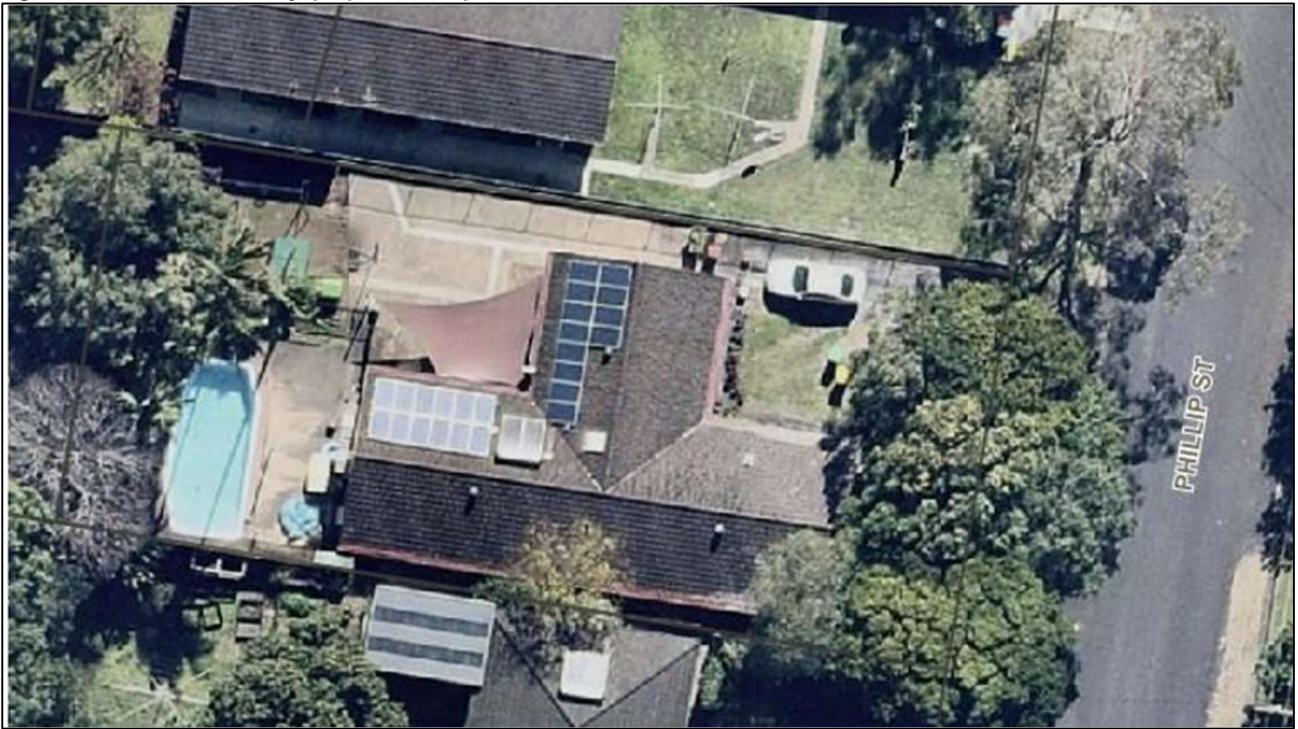
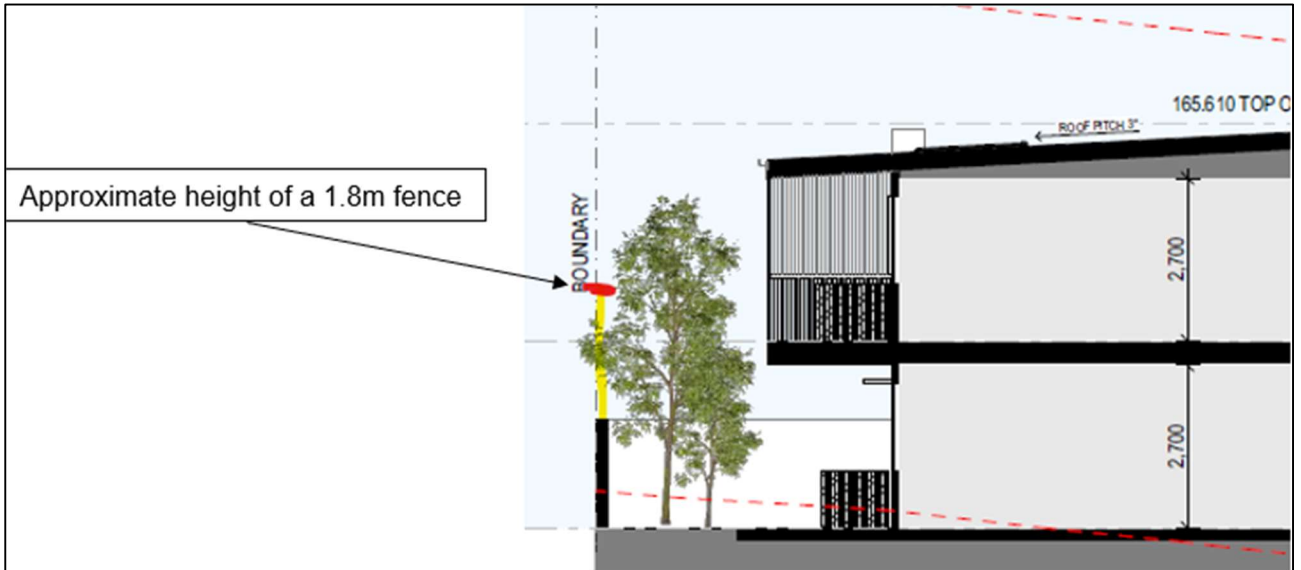


Figure 4 - Southern boundary with 3 Phillip Street

To mitigate possible privacy issues to these balconies the proponent has incorporated deeper balconies, fixed vertical screening and deep soil located along site boundaries for tree planting. As a further measure to improve privacy it is recommended that a condition of consent is imposed that requires the construction of a 1.8 m lapped and capped timber fence to be provided by the developer.



Southern boundary with 3 Phillip Street



Figure 5 - Southern boundary looking from development site



Figure 6 - Southern boundary looking from 3 Phillip Street to development site

Observations from the existing boundary treatment:

- Existing boundary fence provides no visual separation and aspect looks directly into the existing rear yards of the units.
- Sun shade type louvers on the 3 Philip Street building prevent any northerly sun into building, they also prevent any visual privacy issues into what is identified on the building plans as a Dining room

The existing treatment of this boundary is a permeable wire fence that doesn't afford any visual privacy however it does allow for solar penetration making the most of the northerly aspect.

The development is going to impact on 3 Philip Street's solar access as demonstrated bellow however the impacts are to areas that are utilised as circulation spaces in the side yard and the overshadowing of a Dining room window. It is noted that the window currently has set louvered screening that would prevent any solar access currently.

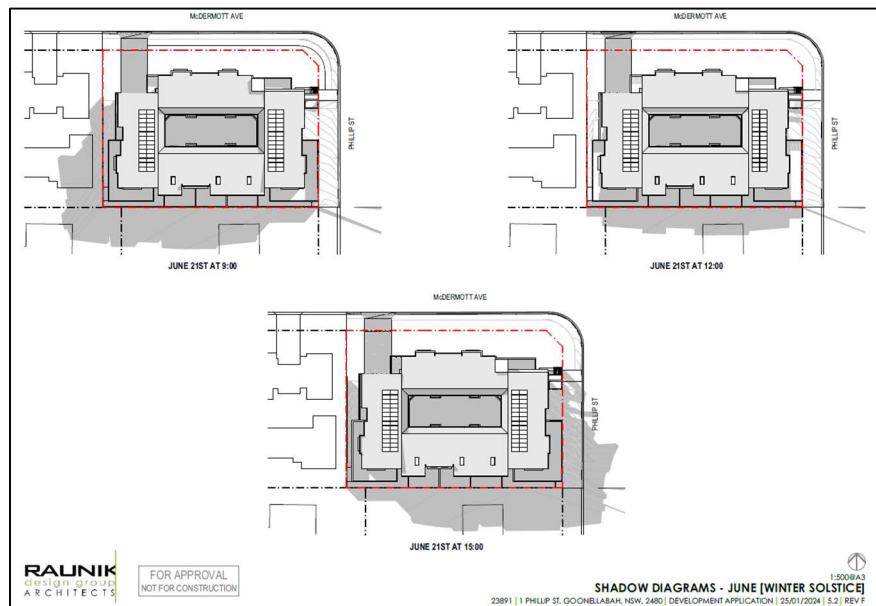


Figure 6 – Shadow Diagram

To conclude, the encroachment into the 6m separation distance for habitable rooms and balconies to adjoining boundaries and the associated residential amenity impacts that may arise from this encroachment is considered acceptable and not anticipated to result in an unacceptable level of disruption. This can be considered due to the following:

- Visual separation is provided through the use of deeper balconies, fixed vertical screening and deep soil located along site boundaries for tree planting.
- While trees provide good screening they can also impact on solar access, therefore a reviewed landscape plan has been requested resubmission with close consideration to plant selection highlighted.
- The areas being impacted on the adjoining properties are not high use areas or habitable rooms
- The existing arrangement to the southern boundary affords no privacy to the existing rear yards, the addition of a fence will remedy this which will be provided by the development (should the owner of 3 Phillip agree)
- The balconies are 8m², not big enough to accommodate an entertainment space for a number guests and therefore not anticipated to be a space of noise generation.

Access/Traffic to the site

The Traffic Impact Assessment has determined that the 18 units will generate 90 vehicle trips per day. When taking into consideration the existing development of 7 units on site the overall impact to the road network will be 55 vehicle movements per day. It is expected that the overall development will have minimal impact on the existing road network.

AS/NZS 2890.1:2004 stated that a Category 1 access driveway shall be 6m, measuring from the side road property lines, away from an unsignalized intersection. The proposed driveway complies with this clause.

The proposed layout is free from obstruction, so compliance with the pedestrian sight line and Vehicle sight distances is achieved. The development will be providing a concrete footpath along the full frontage of McDermott Avenue and around the corner to connect into the pedestrian entry to the site from Phillip Street. This footpath will be 1.5m in width and conditioned accordingly.

Noise Impact to adjoining properties

Construction noise will impact on the area amenity of the area for an interim period and a Noise Management Plan has been conditioned as part of the construction site management plan.

Pacific Geotech also identify vibration as a potential issue due to the nature of excavation works required. Therefore, a dilapidation survey has been conditioned and a vibration management plan has been requested in the construction management plan.

Conditioning has been nominated to ensure that mechanical plant (air conditioning, lift motors and other noise sources) are to be located so that any noise impact due to their operation which may be or is likely to be experienced by any neighbouring premises is minimised.

12.1 Social and economic impacts in the locality

In response to this section of the report it is considered appropriate to present the conclusion from the social impact assessment submitted as part of the application that provides an overarching and fair assessment of the likely social impacts of the development.

There will be some changes to the existing community immediately adjacent to the proposed development as they currently live next to a building housing seven residents. Measures have been taken into account in the design, as much as possible, to ameliorate any minor negative impacts on adjoining owners' private open space. The units will be managed by Social Futures, a registered Community Housing Provider, who will endeavour to alleviate possible future issues by way of a structured management plan and dedicated staff.

There are positive benefits for the existing community in that providing newly built housing in an area of old housing stock will uplift the area. With the proposed mix of affordable and social housing, in a purpose-built designed building with its own central/communal courtyard can only be seen as a positive outcome for the community.

The positive benefits for the Lismore LGA outweigh the minor negative impacts, mainly in providing much-needed housing. Access to affordable housing has been proven to give improved health, social, educational and employment outcomes, leading to long term improvements in productivity. It is effective at reducing homelessness, as rents are set at a percentage of income that makes it affordable.

There are positive benefits for the existing community, and the community overall in that there is increased housing availability for a potentially more vulnerable population cohort in a flood-free site. The social benefits and costs of the development, with the proposed mix of affordable and social housing, in a purpose-built designed building far outweigh any negative impacts.

Housing stress/affordability has been identified as a major issue in the Lismore LGA in just about every report written about it since the 1990s. The 2022 floods greatly exacerbated the lack of housing, particularly affordable housing. The changing nature/age of the population, and predicted continuing change of the Lismore LGA and Goonellabah, point to a need for smaller housing types to accommodate this change. Given climate change scenarios and future flood events points to a need for building of housing in flood-free land in Lismore. The building of 18 new units is overwhelmingly a positive addition to Goonellabah and to the Lismore LGA particularly. The social benefits outweigh any perceived negative impacts, which are minimal to negligible if the proposed development is approved.

The general consensus in the preparation of this social impact assessment is that in itself additional units do not cause the social issues that are already apparent in the Goonellabah area, more widely in the LGA and in the Northern Rivers. Many of the region's social issues are due to the lack of affordable and social housing. There are a number of linked social issues that cause people to participate in anti-social behaviour, mainly being homeless through mental health and drug/alcohol addictions and low incomes. Additional housing in the Lismore LGA is one big step to providing safe and secure housing for more people. Noting this housing intends to house the key worker group which the region so desperately needs.

When housing supply and housing availability is the fundamental issue in Lismore, this planning proposal offers opportunities for the broader community, not on the housing register, to apply for affordable housing. The social benefits and costs of the development, with particular reference made to the proposed mix of affordable, social and accessible housing and the design of the building, can only be a positive for Lismore.

The proposed development will help meet the high need for affordable housing within the LGA, which is considered to result in a very positive social impact.

The potential negative social impact associated with the proposal (i.e. crime, drug use, theft, assault) are likely to be reasonably minimised by:

- The high-quality design of the units;
- Siting and design consideration of and conditions relating to CPTED principles; and
- The development will be managed by Social Futures.

13 Suitability of the site for the development

In relation to relevant matters of s4.15 of the EP&A Act the site is considered appropriate for the proposed development.

14 Submissions

Each of the submissions received are summarised in order of receipt with the issues raised in the summary table attached to this report as **Attachment 4**.

The key issues raised in submissions are as follows:

- Disruption to the amenity of the area - Increase in housing density will mean there will be friction, noise pollution,
- Traffic
- The affordable housing development will increase the likelihood of criminal activity
- Impact to privacy
- Loss of view
- Decrease of property value
- Height and density too much for the locality

These aspects of the application are discussed throughout this report.

15 Public interest

The likely impacts of the development, including social, economic and environmental impacts on both the natural and built environments are acceptable. The application proposes infrastructure and affordable housing in a suitable area that can cater to this demographic with services and access to Lismore CBD.

16 Consultation on Draft Conditions of Development Consent

Draft conditions of consent were provided to the applicant on 30 April 2024 with a response provided 3 May 2024 stating that the applicants project team had reviewed the draft conditions and raise no comments for Council's review.

17 Conclusion

While there are always consequences from having a denser form of housing, in an area of predominantly single story dwellings, the impact to the immediate vicinity is minor with positive impacts prevailing on a whole.

The incorporation of contemporary and tastefully designed RFB will enhance the appeal of an aging residential area and offer advantages to the community. The planned project aims to offer cost-effective housing options in the form of 1 and 2 bedroom units situated in a convenient location near essential amenities, away from flood and high bushfire risk areas. This style of development is sought after, especially with a significant portion of single-person households in the Lismore LGA accounting for 30% of the population alongside a growing elderly demographic.

As presented in this report the provisions of Section 4.15 of the *Environmental Planning and Assessment Act 1979* have been satisfactorily addressed and assessed as acceptable. The application is recommended for approval subject to the imposition of appropriate conditions of development consent as set out in attached recommended conditions.

18 Recommendation

Pursuant to section 4.16/4.46 of the *Environmental Planning and Assessment Act 1979* (as amended) that the Northern Regional Planning Panel, as the consent authority, grant consent to Development Application No. 5.2024.26.1, subject to the conditions in **Attachment 3 - Draft Conditions of Consent**.

Attachments

Attachment 1 - External Referral Responses

Attachment 2 - Internal referral responses

Attachment 3 - Draft Conditions of Consent

Attachment 4 - Summary table of submissions

Attachment 5 - NRPP Q&A