

## Development Application No. 5.2024.26.1

### Instruction for Administration

I have completed the following assessment report for the following application(s) which are located in TRIM:	
<input type="checkbox"/> Development Application	<input type="checkbox"/> Construction Certificate Application
<input type="checkbox"/> Section 4.55 Application	<input type="checkbox"/> Complying Development Application
<b>LODGED DATE 13/02/2024</b>	
Can you please generate the following documentation for my signature and finalisation:	
<b>Approval document/s</b>	
<input type="checkbox"/> Development & Construction Certificate Application	
<input type="checkbox"/> Including S68	<input type="checkbox"/> Including S138
<input type="checkbox"/> PCA Contract (Note: This document is not to be signed)	
<input type="checkbox"/> Development Application only	
<input type="checkbox"/> Development Application only (no works)	
<input type="checkbox"/> Section 4.55 Application	
<input type="checkbox"/> DA Refusal	
<input type="checkbox"/> Deferred Commencement	
<input type="checkbox"/> Complying Development Application	
<input type="checkbox"/> Construction Certificate Application only	
<b>Instructions</b>	
Description change <input type="checkbox"/> Yes <input type="checkbox"/> No (see Assessment Report)	
<input type="checkbox"/> Integrated Development <input type="checkbox"/> RFS <input type="checkbox"/> Water <input type="checkbox"/> Other	
<input type="checkbox"/> Active S7.11/S64 Contributions <input type="checkbox"/> Discount Policy S7.11/S64 contributions	
<input type="checkbox"/> Submitter letter – Officer to edit standard letter	
<input type="checkbox"/> Put DA and related documents in Vegetation Management Plan Register (Register 26) OR	
<input type="checkbox"/> Koala Plan of Management Register (Register 17)	
<input type="checkbox"/> Resubmit – Time Period <input type="checkbox"/> 30 days <input type="checkbox"/> 90 days <input type="checkbox"/> 180 days <input type="checkbox"/> 5 years <input type="checkbox"/> specify	
<input type="checkbox"/> Clause 4.6 Variation Checklist to be completed (see Assessment Report)	
<input type="checkbox"/> Advise Building Surveyor that they can process Construction Certificate	

#### NOTES

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# DEVELOPMENT APPLICATION EVALUATION REPORT – RESIDENTIAL DEVELOPMENT

<b>DA No.</b>	5.2024.26.1
<b>Proposal:</b>	<p>To undertake:</p> <ol style="list-style-type: none"> <li>1. the demolition of existing buildings, structures and trees; and</li> <li>2. the construction of a Residential Flat Building, comprising 18 residential units and 19 on-site car parking spaces, and associated earthworks, civil works, utility services, driveway and landscaping.</li> </ol> <p>The application is regionally significant development with the Northern Regional Planning Panel as the consent authority.</p>
<b>Property description:</b>	DP 230448 lot 69, DP 230448 lot 70, DP 230448 lot 71 5 McDermott Avenue GOONELLABAH, 7 McDermott Avenue GOONELLABAH, 1 Phillip Street GOONELLABAH
<b>Parcel No/s:</b>	6526, 6527, 6528
<b>Applicant:</b>	Newton Denny Chapelle
<b>Owner:</b>	Social Futures Ltd
<b>Zoning:</b>	
<b>Date received:</b>	13/02/2024
<b>Public notification or exhibition:</b>	<b>Advertised:</b> To
<b>Community Consultation Plan</b>	<b>Adjoining Landowners notified?</b> Yes
<b>Referred to Council for determination</b>	Yes
<b>Check “Stop the Clock” Tracking</b>	N/A
<b>Concurrence of Department of Planning required</b>	Yes
<b>Issues:</b>	<ul style="list-style-type: none"> <li>• Visual impact</li> <li>• Context &amp; setting</li> <li>• Access</li> <li>• Impact on utilities services</li> <li>• Public recreational opportunities</li> <li>• Effect on Natural Resources</li> <li>• Natural hazardous</li> <li>• Social impact</li> <li>• Safety, Security and Crime Prevention</li> <li>• Economic Impact</li> <li>• Sensitivity of the site and internal design</li> <li>• Noise and vibration</li> <li>• Bushfire mitigation measures</li> <li>• The adequacy of the on-site sewage management system</li> <li>• Stormwater management</li> <li>• Contributions</li> </ul>
<b>Variations or non-compliance with Local Environmental Plan or Development Control Plan</b>	<ul style="list-style-type: none"> <li>• Variation or non-compliance with the Local Environmental Plan (insert clause number)</li> <li>• Variation or non-compliance with the Development Control Plan Part (insert number) Chapter (insert number and name of chapter)</li> </ul>

<b>Summary:</b>	<p>Development consent is for the To undertake:</p> <ol style="list-style-type: none"> <li>1. the demolition of existing buildings, structures and trees; and</li> <li>2. the construction of a Residential Flat Building, comprising 18 residential units and 19 on-site car parking spaces, and associated earthworks, civil works, utility services, driveway and landscaping.</li> </ol> <p>The application is regionally significant development with the Northern Regional Planning Panel as the consent authority.</p> <p>. The proposed development &gt;(is, is not) consistent with the provisions of Lismore LEP 2012 and Lismore Development Control Plan and &gt;(is, not likely) to result in significant impacts on the existing environment. It is recommended that consent be granted subject to conditions.</p>
<b>To be approved/refused by Delegated Authority</b>	<b>Recommended approval/refusal date</b>

<b>Internal Referrals</b>	<b>Sent</b>	<b>Reply</b>	<b>Issues</b>
Building Services			Not required for this application
Environmental Health			Buffer issues, contaminated land
Environmental Health (Onsite Officer)			On-site waste water system
Development Engineer			Driveway, access, car parking and stormwater disposal, flooding
Lismore Water and Sewer			Not required for this application
Community Services			Not required for this application
Parks and Recreation			Not required for this application
Assets and Infrastructure			Not required for this application
Natural Resources Management			Not required for this application
<b>State Agency Referrals</b>			
Dept. of Planning & Environment			Not required for this application
Dept. of Industry – Water			Not required for this application
Dept. of Primary Industries (Agriculture, Fisheries, Forests)			Not required for this application
NSW Health			Not required for this application
Office of Environment & Heritage (includes Catchment Management Authority)			Not required for this application
EPA			Not required for this application
RMS (including Waterways Authority of NSW)			Not required for this application
NSW Police			Not required for this application
Rural Fire Service			Not required for this application
Local/Regional Traffic Committee			Not required for this application
<b>Native Title or Land Claim?</b>			Not required for this application
<b>Integrated Development /Concurrence</b>			
Dept. of Industry - Water			Not required for this application

Office of Environment & Heritage (includes Catchment Management Authority)			Not required for this application
EPA			
Dept. of Primary Industries (Agriculture, Fisheries, Forests)			Not required for this application
Rural Fire Service			Not required for this application
RMS (including Waterways Authority of NSW)			Not required for this application
Any other			Not required for this application

## 1. INTRODUCTION

### 1.1 Previous History

Property No.	DA No.	Proposal	Approved/Refused/Withdrawn

### 1.2 Description of the proposed development

The applicant seeks development consent to create a To undertake:

1. the demolition of existing buildings, structures and trees; and
2. the construction of a Residential Flat Building, comprising 18 residential units and 19 on-site car parking spaces, and associated earthworks, civil works, utility services, driveway and landscaping.

The application is regionally significant development with the Northern Regional Planning Panel as the consent authority.

## 2. Description of the Site and Site Inspection Details

- The land has an area of property area hectares/m<sup>2</sup>
- Adjoining development consists of
- The topography of the site
- Access is proposed off

### DATE OF SITE INSPECTION:

INSERT COMMENTS

### Street Addressing

Recommend that the proposed dwellings be addressed as > and > (check with Property Services). This addressing method is consistent with the method used for our multiple occupancy properties, and complies with AS/NZS4819 – 2011 (Figure 5.2) and the Geographical Names Board of New South Wales Fact Sheet.

A condition will be placed on the consent notice requiring the applicant to display correct street addressing and identification for the proposed dual occupancy development to assist emergency services.

>The subject land will need to be re-addressed to reflect where the access is gained to the property.  
>The property has no road frontage, or access, off >. This will create confusion for emergency services if the need arises for any such service to attend the property.

Recommend: that the property be >re-addressed to > and the proposed dwellings be addressed as > and >A. This addressing method is consistent with the method used for our multiple occupancy properties, and complies with AS/NZS4819 – 2011 (Figure 5.2) and the Geographical Names Board of New South Wales Fact Sheet.

A condition will be placed on the consent notice requiring the applicant to display correct street addressing and identification for the proposed dual occupancy development to assist emergency services.

## 3. SECTION 4.15 – MATTERS FOR CONSIDERATION – DISCUSSION OF ISSUES

Having regard for the matters for consideration detailed in Section 4.15(1) of the Environmental Planning & Assessment Act 1979, the following is a summary of the evaluation of the issues.

### 3.1 State Environmental Planning Policies

STATE ENVIRONMENTAL PLANNING POLICIES	ASSESSMENT
State Environmental Planning Policy No. 65 – Design Quality of Residential Flat Development.	
SEPP (BASIX) 2004	
SEPP (Exempt and Complying Development Codes) 2008	
State Environmental Planning Policy (Housing) 2021	
State Environmental Planning Policy (Resilience and Hazards) 2021	<b>Coastal Management</b> >  <b>Contaminated Land</b> >
State Environmental Planning Policy (Industry and Employment) 2021	<b>Advertising and Signage</b> >  <b>Schedule 5 Assessment</b> >
State Environmental Planning Policy (Resources and Energy) 2021	<b>Mining, Petroleum Production and Extractive Industries</b> >
State Environmental Planning Policy (Transport and Infrastructure) 2021	
State Environmental Planning Policy (Biodiversity and Conservation) 2021	<b>Vegetation in non rural areas</b> >  <b>Koala Habitat Protection 2020</b> >  <b>Koala Habitat Protection 2021</b> >
State Environmental Planning Policy (Primary Production) 2021	
State Environmental Planning Policy (Planning Systems) 2021	
State Environmental Planning Policy (Regional) 2021	

### 3.2 Commonwealth and State Legislation and Regulations

Commonwealth and State Legislation and Regulations	ASSESSMENT
Environmental Planning and Assessment Act Regulations	The application was lodged and assessed in accordance with the regulations.
Biodiversity Conservation Act 2016	The proposed development requires development consent from Council under Part 4 of the <i>Environmental Planning and Assessment Act 1979</i> . 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 Biodiversity Development Assessment Report is therefore not required to be submitted.

Commonwealth and State Legislation and Regulations	ASSESSMENT
	The test under section 7.3 of the <i>Biodiversity Conservation Act 2016</i> has been conducted and the proposal does not trigger the offset scheme threshold.
Fisheries Management Act, 1994	
Crime Prevention Through Environmental Design	

### 3.3 State Policies, Guidelines and Other Documents

State Policies, Guidelines and Other Documents	ASSESSMENT
Planning for Bush Fire Protection 2019	
Native Title/Land Claim Referral	
Local/Regional Traffic Committee Referral	

### 3.4 Lismore Local Environmental Plan 2012

Definition: **insert definition**

LISMORE LOCAL ENVIRONMENTAL PLAN 2012	ASSESSMENT
Clause 2.3 - Zone objectives and land use table	
Clause 2.6 – Subdivision – Consent Requirements	
Clause 4.1 – Minimum Subdivision Lot Size	
Clause 4.3 – Height of Buildings	
Clause 4.6 – Exceptions to Development Standards	<p>&gt;</p> <p><b>Dept of Planning Report Details – Please fill in. DO NOT DELETE if variation is applied. Also tick box for instructions for admin above</b></p> <ul style="list-style-type: none"> <li>• Clause being varied = &gt;</li> <li>• Brief Justification for variation = &gt;</li> <li>• Percentage value of variation approved by council =&gt;</li> <li>• Concurring Authority = Lismore City Council</li> <li>• Environmental Planning Instruction =&gt;</li> <li>• Clause Number = &gt;</li> <li>• Percentage of variation sought by Applicant = &gt;</li> </ul>
Clause 5.6 – Architectural Roof Features	
Clause 5.9 – Dwelling house or secondary dwelling affected by natural disaster	
Clause 5.10 – Heritage Conservation	
Schedule 5 – Environmental Heritage	
Clause 5.11 – Bushfire Hazard Reduction	
Clause 5.11 – Flood Planning	
Clause 6.2 – Earthworks	
Clause 6.4 – Drinking Water Catchments	

LISMORE LOCAL ENVIRONMENTAL PLAN 2012	ASSESSMENT
Clause 6.7 – Dual Occupancies (detached) in Zone R5	
Clause 6.9 – Essential Services	
Is the development “Designated Development”	
Is a Species Impact Statement required	

**Draft EPI that is or has been placed on public exhibition and details of which have been notified to the consent authority - Issues**

There are no draft plans that apply to the site.

Adopted LEP Amendment	
Has this site been the subject of an LEP Amendment, for example, a rezoning or an amendment to the lot size map?	Yes / No
<i>If it has, were there any issues raised in the LEP Amendment process that should be considered in the assessment of this development application?</i>	>

### 3.5 Lismore Development Control Plan

Part, Chapter Number and Name	ASSESSMENT (Complies / Does Not Comply / Varied)
Part A Chapter 1 – Residential Development	<p><b>General Provisions</b></p> <p>4.1 – Element – Setbacks, Design, Density and Height &gt;</p> <p>4.2 – Element - Visual Privacy &gt;</p> <p>4.3 – Element - Acoustic Privacy &gt;</p> <p>4.4 – Element - Open Space and Landscaping &gt;</p> <p>4.5 – Element - Earthworks, Retaining Walls and Erosion Controls &gt;</p> <p>4.6 – Element – Off Street Car Parking, Carports, Garages, Outbuildings and Driveways &gt;</p> <p>4.7 – Element - Fences and Walls &gt;</p> <p>4.8 – Element – Service Areas &gt;</p> <p>4.9 – Element – Orientation, Glazing and Shade Control &gt;</p>



	<p><i>4.10 – Element – On-Site Sewage and Waste Water Management System</i></p> <p>&gt;</p> <p><b>Expanded Dwelling</b></p> <p>&gt;</p> <p><b>Small Lot Holding</b></p> <p>&gt;</p> <p><b>Secondary Dwelling</b></p> <p>&gt;</p> <p><b>Shop Top Housing</b></p> <p>&gt;</p> <p><b>Adaptable Housing</b></p> <p>&gt;</p> <p><b>Flexible Housing</b></p> <p>&gt;</p> <p><b>Lismore Height Precinct</b></p> <p>&gt;</p>
Part A Chapter 5A – Urban Residential Subdivision	
Part A Chapter 5B – Commercial and Industrial Subdivision	
Part A Chapter 6 – Subdivision and Infrastructure (Village and Rural Subdivision)	
Part A Chapter 7 – Off-street Parking	
Part A Chapter 8- Flood Prone Lands	
Part A Chapter 12- Heritage Conservation	
Part A Chapter 13- Crime Prevention Through Environmental Design	
Part A Chapter 14- Tree Preservation Order	
Part A Chapter 15- Waste Minimisation	
Part A Chapter 18 – Acid Sulfate Soils	
Part A Chapter – 19 Exempt Development	
Part A Chapter 20 – Complying Development	
Part B Chapter 6 – Nimbin Village	
Landscape Guidelines 2007	

### 3.6 Council's Policies

COUNCIL'S POLICIES	ASSESSMENT
<p>Community Consultation Plan – Appendix 1</p> <p><i>(Council's Community Engagement Strategy and Community Participation Plan)</i></p>	
Social Impact Assessment	

Determination by Council of DA's and other planning matters	
1.8.2 Access to Battle Axe Blocks	
1.8.4/5/6 Undergrounding of Services	
1.8.10 Stormwater Drainage	
1.8.19 Requirement for Pathways from Cul-de-sac	
5.2.29 DA Determination Policy "Getting It Right the First Time"	
5.3.3 Public Transport Infrastructure	
Contaminated Land Policy	
On Site Sewage Management Strategy	
Is the development consistent with Community/Operational Land Classification:	
If classified Community land, consistency with Plan of Management?	
Need for additional street addresses (provided by Property Services)	An email was sent to Property Services on the >. A response was received on >. Standard condition will be included on the consent for street addressing.

### 3.7 The likely IMPACTS of the development, including environmental impacts on both the natural and built environments, and social and economic impacts in the locality and consistency with ESD objectives

IMPACTS	ASSESSMENT
Context & setting (bulk, scale, height, mass; design, character of locality, streetscape, compatibility with adjacent properties, overshadowing, privacy, views, etc)	
Access to development site and public transport; traffic generation and parking	
Impact on, adequacy of and availability of utilities services;	
Impact of the development on public recreational opportunities; pedestrian linkages (NB. Refer to Parks for comment if DA creates a new public reserve, is adjoining a public reserve or proposes removal of a street tree)	
Effect on Natural Resources (water, soils, air & microclimate, Flora & Fauna, Threatened Species, waste, energy, productive agricultural land, water supply catchment etc)	
Any Natural Hazards (site stability, Floodplain Risk Management Plan, bushfire, ASS, contamination)	
Safety, Security and Crime Prevention	
Social Impact (effect of the development on social cohesion, community structure, character, social equity, etc)	
Economic impact of the development on the surrounding locality	

The sensitivity of the site and internal design, in regards to local environmental conditions and site attributes (size, shape and design of allotments, easements, roads site coverage, positioning of buildings, landscaping, open-space, etc.)	
Noise and Vibration	
Construction	
Cumulative impacts	

### 3.8 The SUITABILITY of the site for the development

IMPACTS	ASSESSMENT
Does the proposal fit the locality?	
Are the site attributes conducive to the development?	
Are any issues identified on the property file/record which affect the proposal?	

### 3.9 Submissions made in accordance with this Act or the regulations

The application was on public exhibition for days.

Name	Address	Summary of submission	Relevance

### 3.10 Section 7.11 Contributions

There are no levies to be imposed as contributions towards the cost of meeting increased demand for public services and amenities as none will result from the development as >.

OR

#### LISMORE CITY COUNCIL

DEVELOPMENT CONSENT NO: >

ADDRESS: >

#### IMPORTANT TO NOTE

The rates and amounts shown against the various items below are those applicable as at date of assessment. If these levies are not paid within twelve (12) months of the date of original consent, the rates shall then be increased on an annual basis in accordance with the prevailing Australian Bureau of Statistics Consumer Price Index and Producer Price Index as applicable at the time of payment (refer to the Lismore City Council Section 94 Contribution Plan).

To be read in conjunction with advice of development consent.

The levies imposed by Condition No. >, as contributions towards the cost of meeting the increased demand for public facilities and amenities, that will be required to meet the needs of the incoming population of Lismore. It applies to the Lismore Local Government Area **excluding North Lismore Plateau**.

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.	No. of Bedroom/s	Amount Payable
<b>Community Services and Facilities</b>			
Residential (Rural North)	672	>	>
Residential (Rural South)	713	>	>
Residential (Urban)	715	>	>
Commercial (Rural North)	719	>	>
Commercial (Rural South)	720	>	>
Commercial (Urban)	731	>	>
<b>Public Domain Facilities</b>			
Residential (Rural North)	676	>	>
Residential (Rural South)	722	>	>
Residential (Urban)	723	>	>
Commercial (Rural North)	677	>	>
Commercial (Rural South)	724	>	>
Commercial (Urban)	725	>	>
<b>Open Space and Recreational Facilities</b>			
<b>- Tucki Tucki Creek</b>			
- Residential (Rural North)	671	>	>
- Residential (Rural South)	726	>	>
- Residential (Urban)	727	>	>
<b>- Lismore Park</b>			
- Residential (Rural North)	670	>	>
- Residential (Rural South)	728	>	>
- Residential (Urban)	729	>	>
<b>Cycleway Facilities</b>			
Residential (Urban)	678	>	>
<b>Urban Traffic Management Facilities</b>			
Residential (Urban)	682	>	>
Commercial (Urban)	683	>	>
Industrial (Urban)	684	>	>
<b>Rural Traffic Management Facilities</b>			
Residential (Rural North)	679	>	>
Residential (Rural South)	680	>	>
<b>Stormwater</b>			
Residential (Rural North)	693	>	>
Residential (Rural South)	730	>	>
Residential (Urban)	731	>	>
Commercial (Rural North)	694	>	>
Commercial (Rural South)	732	>	>
Commercial (Urban)	733	>	>
Industrial (Rural North)	695	>	>
Industrial (Rural South)	734	>	>
Industrial (Urban)	735	>	>

<b>Heavy Haulage</b>			
Commercial (Urban)	681	>	>
Industrial (Urban)	681	>	>
Commercial (Rural)	681	>	>
Industrial (Rural)	681	>	>
Other	681	>	>
<b>Section 94 Plan Administration</b>			
Residential (Rural North)	690	>	>
Residential (Rural South)	690	>	>
Residential (Urban)	690	>	>
Commercial (Rural North)	691	>	>
Commercial (Rural South)	691	>	>
Commercial (Urban)	691	>	>
Industrial (Rural North)	692	>	>
Industrial (Rural South)	692	>	>
Industrial (Urban)	692	>	>
<b>Total</b>			>

#### Levies Correct – Checked Accounting Finance Officer

Total levies at current rates (actual amount to be calculated when final plan submitted).

#### COUNCIL USE ONLY

##### Cashier to Note:

This section must be completed by a Financial Services Officer prior to receipt.

Fees payable have been checked to ensure that:

- the Consumer Price Index and Producer Price Index has been applied to the schedule of Section 7.11 fees, where the period between the date of assessment and the date of payment is in excess of twelve (12) months.

#### 3.11 Public interest – Federal, State and Local Government interests and community interests any other relevant matters (e.g. existence, retention or replacement of koala habitat)

The proposed > meets all legislative requirements and is considered to be in the public interest.

#### 4. RECOMMENDATION

- Pursuant to Section 4.16 of the Environmental Planning & Assessment Act 1979, development application No. 5.2024.26.1, for To undertake:
  - the demolition of existing buildings, structures and trees; and
  - the construction of a Residential Flat Building, comprising 18 residential units and 19 on-site car parking spaces, and associated earthworks, civil works, utility services, driveway and landscaping.

The application is regionally significant development with the Northern Regional Planning Panel as the consent authority.  
, be granted consent subject to the following conditions

**OR refused for the following reasons**  
**OR granted deferred commencement (deferral period 12 months)**

#### CONDITIONS OF CONSENT:

- ☐ Section 68 Approval to be issued separately
- ☐ Section 138 Approval to be issued separately

#### INSERT CONDITIONS

### DEFERRED COMMENCEMENT CONDITIONS

#### Relevant Matters

This consent does not operate and may not be acted on until the consent authority is satisfied of the following matter(s):

<LIST THE RELEVANT MATTER(S)>

< DELETE AS REQUIRED - INSERT THE FOLLOWING IF A LAPSE DATE IS SPECIFIED>

Evidence of the above relevant matter(s) must be produced to the consent authority, within <INSERT PERIOD> of the date of the determination, otherwise the consent will lapse.

Under section 76(4) of the EP&A Regulation, the consent authority will notify you in writing if the matters above have been satisfied and the date from which this consent operates.

The conditions of development consent below apply from the date that this consent operates.

*Note: < DELETE AS REQUIRED -INSERT THE FOLLOWING IF A LAPSE DATE IS SPECIFIED> Section 76(3) of the EP&A Regulation enables a consent authority to specify the period within which the applicant must produce evidence to the consent authority sufficient enough to enable it to be satisfied as to the relevant matter(s) that it requires before a deferred commencement consent can operate. Where a period is specified under section 76(3), a deferred commencement consent will lapse if the applicant has not produced sufficient evidence for the consent authority to be satisfied of the relevant matters on the expiration of the specified period.*

*< INSERT THE FOLLOWING >Where the applicant produces evidence of the relevant matters in accordance with section 76(4) of the EP&A Regulation, the consent authority must notify the applicant whether or not it is satisfied as to the relevant matter(s). If the consent authority has not notified the applicant within 28 days after receiving the applicant's evidence, the consent authority is taken to have notified the applicant that it is not satisfied about the relevant matter(s) on the date on which that period expires, for the purposes of section 8.7 of the EP&A Act (see sections 76(4), (5) and (6) of the EP&A Regulation).*

*<DELETE AS REQUIRED -INSERT THE FOLLOWING IF NO LAPSE DATE IS SPECIFIED> A deferred commencement consent will lapse within the relevant period set out in sections 4.53(6)(a)-(c) of the EP&A Act, if the applicant fails to satisfy the consent authority as to the matter(s) specified in the deferred commencement condition.*

#### Condition

A1 >

# BUILDING WORK

## GENERAL

### Development in accordance with plans

1. The development being carried out shall be substantially in accordance with following as endorsed with Council's approval stamp, and the supporting documents submitted with the application, except where amended by the following conditions.

Plan Description	Drawn by	Drawing No.	Date

In the event of any inconsistency between conditions of this approval and the drawings/documents submitted as part of the application, the conditions of this approval prevail.

**Condition reason:** *To ensure that the form of the development undertaken is in accordance with the determination of Council, Public Information.*

## BEFORE BUILDING WORK COMMENCES

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## BEFORE ISSUE OF A CONSTRUCTION CERTIFICATE

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### Dilapidation Survey

- 2 The proponent shall bear the cost of all restoration works to the road reserve that is damaged during the course of this development. A dilapidation survey of the road reserve along the frontage of the property and extending to the neighbouring properties, must be submitted to the principal certifying authority **prior to the issue of any Construction Certificate.**

**Note:** This documentation will be used to resolve any dispute over damage to infrastructure. It is in the proponents interest for it to be as full and detailed as possible.

**Condition reason:** *To ensure the protection of the road reserve and infrastructure.*

## DURING BUILDING WORK

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## BEFORE ISSUE OF AN OCCUPATION CERTIFICATE

### Road Reserve Final Inspection

- > **Prior to the issue of any Occupation Certificate** it is the proponents responsibility to arrange an inspection with Lismore City Council to assess the condition of the road reserve along the frontage of the property and the construction of the vehicular access. Any damage to the road reserve as a result of construction activities will need to be rectified prior to final acceptance by Council and **issue of any Occupation Certificate.**

**Condition reason:** *To ensure works within the road reserve are completed to Lismore City Councils satisfaction.*

### Street Addressing

- > **Prior to release of the Occupation Certificate**, in accordance with Lismore Council's Road Numbering System, the proponent shall place road number identification on a post at the vehicular entry point at the front boundary of the allotment indicating the original dwelling as > <road name> and the proposed dwelling > <road name>.

**Condition reason:** To correctly identify the dwellings upon the allotment.

## **DEMOLITION WORK**

### **BEFORE DEMOLITION WORK COMMENCES**

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### **DURING DEMOLITION WORK**

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### **ON COMPLETION OF DEMOLITION WORK**

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## **REMEDICATION WORK**

### **BEFORE REMEDIATION WORK COMMENCES**

>

### **DURING REMEDIATION WORK**

>

### **ON COMPLETION OF REMEDIATION WORK**

>

## **CHANGE OF USE**

where building work is not involved

>

### **ONGOING USE**

>

## **STRATA SUBDIVISION**

### **BEFORE ISSUE OF A STRATA CERTIFICATE**

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Add this note if applicable for NIMBIN – to be added to COVER LETTER

#### **ADVISORY NOTE**

In the event the town/village potable water supply is unavailable at the time of construction, then a minimum 45,000 litre water tank shall be provided to each duplex unit, in a suitable location to the satisfaction of the Consent Authority, prior to the issue of any Occupation Certificate for the respective units.

## **5. INSTRUMENT OF EXERCISE OF DELEGATED AUTHORITY**

### **DECLARATION OF INTEREST**



Is there any declaration of interest to be made by me in this matter ☐ Yes ☐ No

**ASSESSMENT DELEGATIONS**

Is the determination of this proposal within my delegations ☐ Yes ☐ No

**AUTHORITY AND TRIM**

I have completed all Authority and Trim tasks ☐ Yes ☐ No

**AUTHORITY AND TRIM**

I have completed all Authority and Trim tasks ☐ Yes ☐ No

**STOP THE CLOCK PROVISIONS FINALISED**

I have completed all STC provisions ☐ Yes ☐ No

Mr C Bradridge  
**Assessing Officer**

**6. Concurrence of the Development Assessment Panel**

The application is determined in accordance with the above recommendation (amendments have been made where necessary) under delegated authority.

>  
**Planning Coordinator**  
**Manager of Statutory Planning**

# PEER REVIEW FORM

DA NUMBER: 5.2024.26.1

PROPOSAL: To undertake:



1. the demolition of existing buildings, structures and trees; and
2. the construction of a Residential Flat Building, comprising 18 residential units and 19 on-site car parking spaces, and associated earthworks, civil works, utility services, driveway and landscaping.

The application is regionally significant development with the Northern Regional Planning Panel as the consent authority.

PROPERTY: DP 230448 lot 69, DP 230448 lot 70, DP 230448 lot 71, 5 McDermott Avenue GOONELLABAH, 7 McDermott Avenue GOONELLABAH, 1 Phillip Street GOONELLABAH

1. Review Assessment	Y	N	N/A
Is the development properly described, and a permissible land-use?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Have all relevant impacts been taken into consideration?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Have all relevant EPI & DCP matters been taken into consideration?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
If any variations are being supported, has the assessor given reasonable justification?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
If advertising/notification is required by Council policy or statute, and has it been completed?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
If internal referrals are required, have all responses been appropriately considered?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
If the application is Integrated Development, have all responses been received and included?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
If other State agency referrals are required, have all responses been appropriately considered?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
If the application is Designated Development, has the correct process been followed?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Have all Section 7.11 and Section 64 contributions have been correctly levied and checked?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

2. Review Determination	Y	N	N/A
Are the conditions/reasons for refusal both appropriate and reasonable?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Are all the plans and documents that need to be stamped included in the list?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Does the determination need to be made by the Elected Council / RPP / Minister?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
If determined by the Elected Council / RPP, is the determination per the Resolution?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

3. Review Administrative Matters	Y	N	N/A
Is the estimated cost of the proposal satisfactory?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Has the written consent of all owners been provided?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Is the application (incl. any variations) within the approver's delegations?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Have the Authority items been marked as completed in the system? <b>Including STC</b>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

*\*Note: The 'N/A' response can be used for line-items that begin with an 'IF', in circumstances where that line-item is not relevant to the application. For all other line-items, the response should be either a 'Yes' or 'No'.*

Reviewer's Comments
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I consider that the assessment of the above Development Application has been carried out appropriately, subject to any matters outlined in 'Reviewer's Comments' above.

Reviewers Name

**Reviewers Position**

Date of Review: >

Levy Area	Receipt No.	No. of Bedroom/s	Amount Payable
<b>Community Services and Facilities</b>			
Residential (Rural North)	672	>	>
Residential (Rural South)	713	>	>
Residential (Urban)	715	>	>
Commercial (Rural North)	719	>	>
Commercial (Rural South)	720	>	>
Commercial (Urban)	721	>	>
<b>Public Domain Facilities</b>			
Residential (Rural North)	676	>	>
Residential (Rural South)	722	>	>
Residential (Urban)	723	>	>
Commercial (Rural North)	677	>	>
Commercial (Rural South)	724	>	>
Commercial (Urban)	725	>	>
<b>Open Space and Recreational Facilities</b>			
<b>- Tucki Tucki Creek</b>			
- Residential (Rural North)	671	>	>
- Residential (Rural South)	726	>	>
- Residential (Urban)	727	>	>
<b>- Lismore Park</b>			
- Residential (Rural North)	670	>	>
- Residential (Rural South)	728	>	>
- Residential (Urban)	729	>	>
<b>Cycleway Facilities</b>			
Residential (Urban)	678	>	>
<b>Urban Traffic Management Facilities</b>			
Residential (Urban)	682	>	>
Commercial (Urban)	683	>	>
Industrial (Urban)	684	>	>
<b>Rural Traffic Management Facilities</b>			
Residential (Rural North)	679	>	>
Residential (Rural South)	680	>	>
<b>Stormwater</b>			
Residential (Rural North)	693	>	>
Residential (Rural South)	730	>	>
Residential (Urban)	731	>	>

Commercial (Rural North)	694	>	>
Commercial (Rural South)	732	>	>
Commercial (Urban)	733	>	>
Industrial (Rural North)	695	>	>
Industrial (Rural South)	734	>	>
Industrial (Urban)	735	>	>
<b>Heavy Haulage</b>			
Commercial (Urban)	681	>	>
Industrial (Urban)	681	>	>
Commercial (Rural)	681	>	>
Industrial (Rural)	681	>	>
Other	681	>	>
<b>Section 94 Plan Administration</b>			
Residential (Rural North)	690	>	>
Residential (Rural South)	690	>	>
Residential (Urban)	690	>	>
Commercial (Rural North)	691	>	>
Commercial (Rural South)	691	>	>
Commercial (Urban)	691	>	>
Industrial (Rural North)	692	>	>
Industrial (Rural South)	692	>	>
Industrial (Urban)	692	>	>
<b>Total</b>			>