

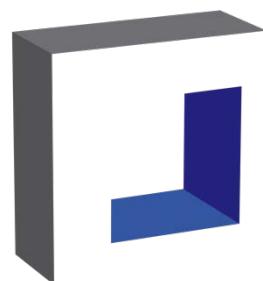
**BOUNDARY ADJUSTMENT, CONSTRUCTION OF
AFFORDABLE HOUSING COMPRISING MULTI
DWELLING HOUSING (4 VILLAS AND 12
TOWNHOUSES), AND ASSOCIATED WORKS**

**44 BRISTOL CIRCUIT AND 2 BLUE HILLS AVENUE,
GOONELLABAH**

**STATEMENT OF
ENVIRONMENTAL
EFFECTS**

JULY 2025

VERSION 4



WILSON PLANNING

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Executive Summary

Landcom is the NSW Government's land and property development agency, mandated to lead initiatives that improve the supply, diversity, and affordability of new housing across the state. In support of the Government's commitment to increasing affordable housing, Landcom has partnered with registered Community Housing Providers (CHPs) to deliver 1,800 affordable rental dwellings by 2029.

As part of this initiative, Landcom has partnered with a registered Community Housing Provider (CHP) and Lismore City Council (Council) to deliver 16 affordable dwellings at 44 Bristol Circuit and 2 Blue Hills Avenue, Goonellabah (Lot 533 DP 1162393 and part Lot 30 DP 1000619) (the Site). The dwellings will address housing affordability issues faced by key workers and employees working in the locale.

The Site is owned by Council and has a site area of 3,882m². The Site is bounded by Bristol Circuit (east), Council-owned land (south) and Taylors Road (west). Surrounding uses include low and medium density dwellings and a Council-owned land parcel containing a sewer pump station (part Lot 30 DP 1000619). The Site is zoned R1 General Residential pursuant to Lismore Local Environmental Plan 2012. Easements for sewer and stormwater infrastructure traverse the central and southern sections of the Site.

Consent is sought for the following:

- Subdivision of part of 2 Blue Hills Avenue and amalgamation with 44 Bristol Circuit to enable development of an access road and visitors parking on 2 Blue Hills Avenue.
- Remediation of part of the Site that was formerly used as a cattle dip.
- Construction of 16 affordable dwellings and associated landscaping, access roads, car parking, drainage, and services.

The architectural strategy for the Site is to use materials and external finishes that are cognisant of surrounding dwellings and are not materially dissimilar. The overall development will maintain existing landscape features, significant trees as well as neighbour privacy and solar amenity. The development will aim to emphasise passive heating and cooling where practicable, to minimise the reliance on active HVAC systems. Townhouse layouts aim to incorporate living or private outdoor spaces with a northerly aspect, where possible.

Key constraints were considered in the design process. These include *inter alia* retention of a mature Silky Oak tree and iterative reviews of the townhouses' aspects to respond to the steep topography, underground infrastructure, and interface with neighbouring land.



1.0 Introduction

1.1 Site Details

The site comprises Lot 533 in DP 1162393 and part of Lot 30 in DP 1000619 and is known as 44 Bristol Circuit and 2 Blue Hills Avenue, Goonellabah. The site has a combined total area of 3,882m² and is irregular in shape, with a frontage of 92.145 metres to Taylors Road (west), a frontage of 48.69 metres to Bristol Circuit (east), and a frontage of 13.45 metres to Blue Hills Avenue (south). Vehicular and pedestrian access is currently provided via Bristol Circuit and Blue Hills Avenue. There is no vehicular access to the site from Taylors Road.

The site slopes from its north-west corner (highest point being RL 162.17m AHD) in a south-easterly direction towards Blue Hills Avenue (lowest point being RL 149.88m AHD) and Bristol Circuit (lowest point being RL 153.87m AHD). The site contains a number of localised embankments, with the steepest of these being along the Taylors Road frontage.

The site is predominantly cleared, containing only two mature trees. Three street trees are located along the Bristol Circuit frontage of the site and two street trees are located along the Taylors Road frontage of the site.

Part of the site previously operated as a cattle dip from 1958 to 1988, with minimal remediation works completed at the time of closure. Temporary remediation works were undertaken between 1993 and 2006; however, the specific details of these works is unknown. The site otherwise remains vacant, except for a sewer pump station located within Lot 30, with access from Blue Hills Avenue. The site is mapped as bush fire prone land but is not identified as being flood prone.

The site is burdened by easements for sewer and stormwater drainage and is provided with reticulated water and sewer services, overhead and underground electricity, and underground telecommunication infrastructure.

The site is zoned R1 General Residential pursuant to Lismore Local Environmental Plan 2012. The locality of the site is shown in Figure 1. Photos of the site are shown in Figures 2-5.



Figure 1 – Locality Plan

Source: MetroMaps, 2025





Figure 2 – View of the site from Taylors Road, looking towards the south-east



Figure 3 – View of the site from the intersection of Taylors Road and Blue Hills Avenue, looking to the north-east



Figure 4 – View of the site from Bristol Circuit, looking southwest



Figure 5 – View of the site from Bristol Circuit, looking northeast

1.2 Surrounding Development

The site is located within a recently developed, low density residential precinct, with modern single and double storey dwellings located to the north, east, and west. To the south is undeveloped residential land. The site is located with short walking distance of employment zoned land, sports fields and courts, and public transport along Oliver Avenue to the north. Surrounding development is shown in Figures 6 - 8.



Figure 6 – Single dwelling to the north of the site



Figure 7 – Single dwellings to the east and south-east of the site



Figure 8 – Rear of single dwellings immediately to the south-east of the site

1.3 Planning Background

There are no approvals over the site relevant to the current application.

1.4 Pre-DA Discussions with Council

A Pre-DA meeting was held on 2 April 2025, with representatives of Lismore City Council, Landcom, Thomson Adsett Architecture, Wilson Planning, Ivy May Landscape Architecture, and Newton Denny Chapelle Engineers in attendance. A summary of the issues raised at the meeting and comments responding to these is contained in the following table.

Issue	Council Comment	Response
1. Obtain approval for use of Blue Hill's Avenue for Driveway Access.	<p>Landowners consent is not granted nor confirmed within pre-lodgement meetings. Suitable contact information for Council's Property Services Department was emailed after the meeting.</p> <p>Given access to the pump station on the allotment appears to be an important matter Council had officers from the Water & Sewer Department attend the meeting as well as Council's Development Engineer.</p> <p>Council advised the design of this driveway needs to take into</p>	<p>Owners consent has been sought and granted from Council's property section for lodgement of the DA over Council's land.</p> <p>Access to Council's sewer pump station will be maintained via Blue Hills Avenue. Council has requested that the proposed access to the development be subdivided off from Lot 30 and incorporated into Lot 533. A Boundary adjustment has therefore been included</p>

	considerations Council's need to access the pump station and the sewer overflow. In this regard any design should incorporate an area where the required vehicle can access the pump station whilst entering and exiting the site in a forward direction. Council also has a sewer overflow in the driveway location and how this is dealt with will need to be detailed in the design.	in the application and a Draft Subdivision Plan has been prepared.
2. Is it acceptable to construct a screened, elevated deck (part of POS attached to a dwelling) over the sewer easement.	As discussed in the meeting Council's preference is that any building over/near sewer is avoided, the sewer main realigned or encased as the final option. If the encroachment into the easement is minimal and the structure is lightweight (low to ground deck), Council may consider allowing the structure if an indemnity is placed on the title to the effect that if Council ever need to remove the structure for access to the pipeline, Council will not replace, reinstall or repair the structure that is removed.	The sewer easement has been avoided as much as possible, with only minimum intrusions such as pathways, driveways, parking spaces and one small portion of lightweight deck. The requirement for indemnity on title is acknowledged.
3. Is the reduction to the Stormwater Easement to 3 metres in width and the relocation of pipework acceptable to the Council?	Council will consider reducing the stormwater easement to 3.0m. The DA will need to confirm the existing depth of the stormwater and/or the depth if it is to be realigned. Council considers that a 3.0m wide easement is sufficient for pipelines under 1.5m in depth.	Noted. The stormwater easement is proposed to be reduced to 4.5m wide. Relevant details have been provided with the application.
4. Is the Silky Oak Tree preferred for retention?	Council's Planner advised the tree retention was preferred for retention form an aesthetic, placemaking and planning perspective. Council's ecologist also preferred to tree be retained and stated the tree had ecological value in relation to its preference for retainment.	The Silky Oak will be retained and protected.
5. Street Setbacks DCP variations to the 6 metre requirements are requested to be discussed in relation to Bristol Circuit and Taylors Road.	<p>Front Setback Variations</p> <p>The applicant is to identify any DCP variations within their statement of environmental effects and provide suitable discussions and justification.</p> <p>The LEP defines setback and building line to be to any balcony. However overall, form and bulk is also a factor to be considered in any variation. Put simply, does the buildings bulk still appear to be setback 6 metres.</p>	Council's comments are noted and appreciated. See Section 4.1 of this report for analysis of setbacks.



	<p>Bristol Circuit front setback</p> <p>As discussed within the information provided and meeting, the house on the opposite side of Bristol Circuit appears to have setback of as little as 3 metres.</p> <p>The setback encroachments are articulated/stepped at number 27. Therefore, Council considers part of any justification discussion could include that the subject proposal is not inconsistent with the established pattern of development in this location.</p> <p>Council also observed and stated the following within the meeting:</p> <ul style="list-style-type: none"> • The Bristol Circuit frontage is not intensively developed based on the plans submitted. • The setback to the building excluding balconies is close to 6 metres where a quality front balcony design and aesthetic in combination with landscaping is recommended to be provided if variation is sought. • Council is not of the opinion Bristol Circuit appears overdeveloped based on the site plans provided. <p>Taylors Road Front Setback</p> <p>The Taylors Road frontage does not present an established regimented front setback pattern of development where the two adjoining allotments to the north have rear setbacks to this street.</p> <p>It is therefore Council's view that any DCP variation would not be deemed out of context with the established pattern of development.</p> <p>Council also notes the following:</p> <ul style="list-style-type: none"> • Council's verge is of reasonable width in this location. • The entire frontage is not developed given the break between the townhouses provided on this frontage. 	
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	<ul style="list-style-type: none"> • The balconies appear as approximately 2 metres setback in a raked/splayed fashion of 2-5 metres on average per unit. • The setback to the front façade appears to encroach the 6 metre front setback requirement, however would comply if an average of 6 metres were viewed as acceptable. • The section provided appears to propose uncovered balconies where the main façade and building bulk is closer to being in compliance with the setback requirement. 	
6. The applicant wishes to advise and discuss with Council contamination and the requirement for a remediation action plan.	Upon review of all data including the Remediation scope for cap and contain - Sellicks Dip prepared by Easterly Point Environmental Pty Ltd it is believed that the requirement of a RAP can be conditioned on any consent granted prior to the release of any construction certificate as Council can be satisfied the site can be remediated prior to the establishment of the residential use. All remediation and validation must be guided by an EPA Accredited Site Auditor and a site audit statement and report will be required to be issued for the site.	See Section 2.2.5 of this report.

1.5 Proposed Development

Consent is sought for a boundary adjustment between Lot 533 DP 1162393 and Lot 30 DP 1000619, the removal of two trees, and the construction of 16 dwellings (affordable housing) and associated earthworks, essential services, landscaping, driveways, and parking.

1.5.1 Boundary Adjustment

Consent is sought for a boundary adjustment between Lot 30 DP 1000619 and Lot 533 DP 1162393 to facilitate the driveway and parking located within Lot 30 being transferred to Lot 533.

The current area of Lot 30 is 684m², while the area of Lot 533 is 3,665m². Both lots currently comply with the minimum lot size requirement of 400m² as prescribed under Clause 4.1 of Lismore Local Environmental Plan (LLEP). Following the boundary adjustment, the two resulting lots will have the following areas, both of which will remain compliant with the minimum lot size requirement of 400m²:

- Proposed Lot 1: 3,882m²
- Proposed Lot 2: 467m².

The proposed boundary adjustment is shown Draft Plan of Subdivision prepared by Newton Denny Chapelle Surveyors and accompanying the application.



1.5.2 Affordable Housing

The proposed development comprises a total of 16 dwellings with a mix of one, two, and three-bedroom configurations, distributed across one and two storeys. Each dwelling includes private open space or a balcony of appropriate size to enhance residential amenity. The breakdown of dwellings is as follows:

- Four (4) x 1-bedroom dwellings, all single-storey, ranging in internal area from 73.9m² to 75.7m², each with 18.9m² of private open space or balcony.
- Eight (8) x 2-bedroom dwellings, all two-storey, ranging in internal area from 87.6m² to 90.9m², each with 19.2m² of private open space or balcony.
- Four (4) x 3-bedroom dwellings, all two-storey, ranging in internal area from 107.3m² to 109.8m², each with 37m² of private open space or balcony.

The proposed development includes the provision of 25 car parking spaces, including 4 accessible spaces and 5 visitor spaces, dedicated waste storage areas, a network of pedestrian pathways throughout the site, and extensive areas of communal open space and landscaping to enhance amenity and functionality. Approximately 10 photovoltaic panels (solar panels) will be provided on roofs to reduce the reliance of the development on the electricity grid.

The proposed development is shown in Figure 9 and the set of architectural plans prepared by Thomson Adsett Architects accompanying the application.



Figure 9 – Aerial view of the proposed development from the north-east

2.0 The provisions of any environmental planning instruments

2.1 Environmental Planning and Assessment Act 1979 (the Act)

2.1.1 Division 4.6 Crown Development

Landcom is a public authority, being a Statutory Stated Owned Corporation under the State-Owned Corporations Act 1989, and the development is Crown development.

Pursuant to Section 4.33(1), the development application cannot be refused except with the approval of the Minister. Further, a consent condition cannot be imposed without the approval of the applicant or the Minister for Planning and Public Spaces.

Pursuant to Section 4.33(2)(a) and Clause 95 of the Environmental Planning and Assessment Regulation 2021, if a determination has not been issued by the consent authority (the Northern Regional Planning Panel) within 70 days of lodgement of the development application, the application can be referred to the Minister for Planning and Public Spaces for determination.

2.1.2 Section 4.46 'Integrated Development'

Integrated Development	Section	Comments
Coal Mine Subsidence Compensation Act 2017	s22	No. The site is not within a Proclaimed Mine Subsidence District.
Fisheries Management Act 1994	s144, s201, s205, s219	No.
Heritage Act 1977	s58	No. The site does not contain a state-listed heritage item.
National Parks & Wildlife Act 1974	s90	No.
Protection of the Environmental Operations Act 1997	ss43(a), 47, 55, ss43(b), 48, 55, ss43(d), 55, 122	No. The development does not require an Environmental Protection Licence.
Roads Act 1993	s138	No. The site does not have frontage to or access from a prescribed road.
Rural Fires Act 1997	s100B	Yes. The site is identified as bush fire prone land and the proposal involves a 2 into 2 lot subdivision (boundary adjustment) of residential land. The DA is therefore integrated and will require a Bush Fire Safety Authority from the Rural Fire Service (RFS). A Bushfire Assessment has been prepared for the proposed development in accordance with <i>Planning for Bush Fire Protection 2019</i> , Clause 45 of the <i>Rural Fires Regulation 2022</i> , and Section 100B of the <i>Rural Fires Act 1997</i> . The assessment confirms that the development complies with the relevant bushfire protection criteria,



		<p>subject to the implementation of the recommended mitigation measures.</p> <p>Specifically, the landscaping within the site is to comply with the performance requirements of an Inner Protection Area (IPA), including limitations on tree canopy coverage, shrub density, and proximity of vegetation to buildings, as detailed in Appendix 4 of <i>Planning for Bush Fire Protection 2019</i>. Additionally, dwellings located wholly or partially within the BAL-12.5 contour, as identified on the bushfire assessment mapping, must be designed and constructed to meet the requirements of BAL-12.5 under AS 3959-2018, including NSW-specific variations.</p> <p>The proposed development is considered acceptable from a bushfire risk perspective, subject to adherence to these recommendations.</p>
<p>Water Management Act 2000 & Water Management Amendment (Controlled Activities) Regulation 2008</p>	<p>s89,90,91</p>	<p>No. A majority of the site is not defined as Waterfront Land or within close proximity of a natural watercourse. A small portion of the works (driveway) within Lot 30 are located approximately 30 metres from the commencement of a first order stream (natural watercourse) on the southern side of Blue Hills Avenue and this is defined as Waterfront Land.</p> <p>Pursuant to Subdivision 4 of Division 1 of Part 3 of the Water Management (General) Regulation 2018, Landcom is a public authority and is exempt from the need for a controlled activity approval (clause 41) and the application is therefore not integrated development for the purposes of the Water Management Act.</p>

2.2 State Environmental Planning Policies (SEPPs)

2.2.1 State Environmental Planning Policy (Biodiversity and Conservation) 2021

2.2.1.1 Chapter 2 Vegetation in Non-Rural Areas

The site is not mapped as having biodiversity values and don't support any threatened flora or fauna.

The site and adjoining road reserves contain a total of 7 trees, including 5 street trees. Consent is sought to remove the following two trees:

- T1 (*Pinus elliottii*, Slash Pine) - Classified as an environmental weed in the Lismore LGA and will be removed.
- T7 (*Xanthostemon chrysanthus*, Golden Penda) - Situated in the footprint of the proposed northern driveway and will need to be removed.

The remaining five trees (T2-T6) are to be retained and protected during construction. No further assessment of biodiversity is required.



2.2.1.2 Chapter 4 Koala Habitat Protection 2021

The site has an area of less than 1ha and contains no preferred koala feed tree species as defined in the Lismore Comprehensive Koala Plan of Management 2012. It does not provide habitat or refuge for koalas.

2.2.2 State Environmental Planning Policy (Housing) 2021 (Housing SEPP)

Despite being for affordable housing, Part 2 of the Housing SEPP does not apply to the development as the site is not within an accessible area of the Six Cities Region and is not within 800m walking distance of land in a relevant zone (being E1 Local Centre, MU1 Mixed Use, B1 Neighbourhood Centre, B2 Local Centre, or B4 Mixed Use, or an equivalent land use zone).

2.2.3 State Environmental Planning Policy (Industry and Employment) 2021 (Industry and Employment SEPP)

2.2.3.1 Chapter 3 Advertising and Signage

No signage or advertising is proposed as part of the current application.

2.2.4 State Environmental Planning Policy (Planning Systems) 2021 (Planning Systems SEPP)

2.2.4.1 Chapter 2 State and Regional Development

Pursuant to Part 2.4 and Schedule 6, the proposed development is regionally significant as it has an estimated development cost of more than \$5M (the estimated cost of development is \$8.143M) and is being carried out by the Crown (Landcom is a public authority, being a Statutory Stated Owned Corporation under the State-Owned Corporations Act 1989).

The Northern Regional Planning Panel is the consent authority.

2.2.5 State Environmental Planning Policy (Resilience and Hazards) 2021 (Resilience and Hazards SEPP)

2.2.5.1 Chapter 4 Remediation of Land

Preliminary Site Investigation (PSI)

Easterly Point Environmental was engaged in 2021 to prepare a Preliminary Site Investigation (PSI) for Lot 533 to determine site's history, environmental setting, and current site status in relation to contaminated land. The PSI was prepared by an accredited site auditor and included the following comments:

The site history review indicates that the dip site was built circa 1958 and operated until 1988 when it was partially demolished by the Department of Agriculture, noting that the concrete dip bath remains in-situ. Historic documentation indicates that some remediation works were undertaken in the late 1980s, including the removal of soil adjacent to the dip bath. Various environmental investigations were undertaken between 1988 and 2006, with elevated concentrations of arsenic and DDTs detected in soils surrounding the bath. Temporary remediation measures were reportedly undertaken between 1993 and 2006, including installation of a geotextile fabric and importation of approximately 1m of imported fill over the identified impacted area, as well as installation of soil and stormwater controls, erection of a



warning sign and installation of a cattle-proof barbed wire fence around the site. It is unknown if these remedial works were enacted.

The site is currently grassed open space, with no signs of the former cattle dip infrastructure visible on the surface. Based on the lack of reliable information available regarding environmental investigations and remediation works undertaken, it is recommended that further investigations are undertaken.

Detailed Site Investigation (DSI)

The PSI identified the presence of contamination associated with the dip bath, although the extent and magnitude of impacts were not clearly defined. While the contamination identified appeared to correlate with historic documentation around the use, location, and temporary remediation of the bath, the information was not considered to be sufficient to allow decisions regarding land use suitability to be made, and further environmental investigations were recommended.

Easterly Point was subsequently engaged in 2023 to conduct a Detailed Site Investigation (DSI) of Lot 533 with soil and groundwater sampling, to allow an understanding of the viability of the site to be developed as multi-dwelling affordable housing.

Easterly Point carried out on-site works to uncover the cattle dip and surrounds and made the following observations:

Distinctive layers and material types were encountered across the site, as summarised below. These broad-suite classifications have been adopted to enable separation and evaluation of the various material types encountered.

1. Fill, Re-worked natural: Soil of similar characteristics to wo1/wo2¹⁶ but have been removed and used as fill. This material type was commonly encountered above the imported 'capping layer' and geofabric marker layer.
2. Capping layer: Capping material, assumed to be that imported circa 1994 over the dip bath area, broadly described as a tan gravelly clay. The capping layer was distinctively different to the natural soils.
3. Geofabric marker layer: Generally encountered immediately below the capping layer.
4. Natural:
 - Natural soils, including former surface. Generally described as wo1 (dark red/brown clay loam) and/or (often grading to) wo2 (Dark red strongly structured light - medium clay).
 - Disturbed natural: Natural soils that appear to have been disturbed, e.g. anthropogenic inclusions at depth, but not completely removed/filled.
 - Fill: All other material types.

Further to the above, a summary of subsurface conditions encountered across the site is provided below:

- *The capping layer was observed over the dip bath area, covering an area of approximately 600m². The capping layer was immediately underlain by a geofabric marker layer at all locations, and was encountered to depths of between 0.6 – 1.2m depth.*
- *The natural soils were generally consistent with the mapped soils, consisting of a dark red/brown clay, transitioning to a heavier red clay.*



- *Weathered basalt was encountered across the site, at depths ranging from approximately 2m in the north-western portion of the site, to 0.5m in the central-eastern and south-eastern portions of the site, e.g. encountered at 1.9m at Test Pit (TP)21, 1.5 m at TP25, 0.5 m at TP26. Large basalt 'floaters' (boulders) were encountered, ranging from depths of approximately 1m at TP29 to 0.7m at TP43 and TP44. Porphyritic basalt with orange/red phenocrysts in a grey basalt matrix was also encountered at TP28 at 1.5m.*
- *Odours were observed to the east of the drip pad at TP101, described as a strong earthy/cattle odour. No odours were observed in any other test-pits.*
- *There was approximately 1.7 m between the end of the concrete dip pad and the neighbouring property fence line to the north. At the northern end of the concrete drip pad a large, decomposing Camphor Laurel root ball was encountered at approximately 1.2m, depth.*
- *Minor anthropogenic inclusions were encountered at a number of locations, including an old shirt at TP07, round fence post and crushed beer can at TP15, a small piece of concrete at TP33, a piece of degraded tarpaulin at TP37, and redundant plastic piping at TP32. These inclusions were primarily encountered within the top 0.5m (of natural soils) and were not considered to be extensive, and were not found to be associated with any odours, staining, etc. A plastic pipe and degraded, blackened wood was encountered at 1.5m depth at TP29, suggesting that there has been some historical disturbance across portions of the site.*
- *Redundant metal pipes, approximately 3 - 10cm in diameter, were encountered in testpits located immediately adjacent to the dip bath, including TP101 and TP103. The pipes were located at the approximate depth of the top of the dip bath but did not appear to be connected to anything (at the time of excavation) and were filled with material from the surrounding soil profile.*
- *Groundwater was encountered during the test-pitting event, at the topographically low point in the south-eastern portion of the site. Saturated soils and water ingress was noted at TP40, TP41 and TP44 at depths of 1.4 – 1.5m, 0.8 – 0.9m and 0.5 – 0.6m, respectively. The difference in water level is considered to be related to the sloping topography, measured from the ground surface. The saturated soils were generally associated with orange/grey mottled clay and various basalt floaters.*

In terms of groundwater, moist to very moist conditions were encountered within non-uniform weathered basalt gravel of varying sizes, within the natural brown/red clays, located immediately above a hard basalt layer. The groundwater indicated fresh waters conditions and an oxygenated environment that is not under stress.

In relation to metals, the majority of samples returned concentrations of heavy metals either below the Laboratory of Reporting or below the Health Investigation Level (HIL)-A criteria. Chromium was detected in a number of samples above the HIL-A criteria of 100mg/kg, at a maximum concentration of 130mg/kg. The elevated concentrations of chromium, marginally above the HIL-A criteria, are considered to be natural in origin, associated with the basalt geology, where concentrations of up to 200mg/kg are expected in mafic igneous rocks. As such, these exceedances are not considered significant or to require further investigation and/or remediation.

Arsenic was detected above the HIL-A criteria of 100mg/kg in eight samples, at a maximum concentration of 350mg/kg. Elevated arsenic was primarily detected at locations adjacent to the bath and drip pad. Almost all locations with elevated concentrations were delineated at depth, suggesting that there has not been significant leaching of contamination through the profile. Elevated concentrations were detected from 0.6 m depth, primarily associated with the former surface, indicating that there are currently no direct exposure pathways to receptors on the surface, assuming this layer is not disturbed.

Easterly Point's DSI makes the following conclusions and recommendations:

'The information obtained from the DSI has provided sufficient information to define the type, extent and level of contamination at the site. Elevated concentrations of arsenic and DDT have been detected at depth, associated with the historic use of the site as a cattle tick dip site. However, the soil, leachate and groundwater data confirms that the impacts are limited to the area immediately surrounding the dip bath structure that remains in-situ, and does not appear to have migrated, either via erosion, leaching, or migration through groundwater.'

The impacts were primary detected at or below the depth of the former surface, noting that historical remedial included the installation of a geofabric marker layer and capping layer over the dip bath area.

The area outside of the historic dip bath structure was not found to be impacted, and is considered to be suitable for low-density residential land use.

Based on concentrations of arsenic exceeding the criteria for low-density residential land use, and the presence of the dip bath structure, remediation and/or management is required to ensure the site can be made suitable for low-density residential land use.

At this stage, two broad remedial strategies are considered viable, including:

- 1. Excavation of the dip bath structure and surrounding impacted soil for off-disposal to landfill, followed by validation of the resulting excavation. This will allow the site to be developed for residential land use with no land use restrictions or management requirements; or*
- 2. Development of a long-term environmental management plan (EMP) to manage the dip bath structure and impacted soils in-situ. Some remedial works will be required, however, are not considered to be extensive. Segregation of the site may be an option and development and management restrictions could therefore apply to the area surrounding the dip bath only. The EMP must be legally enforceable and may include notation of the EMP on the certificate of title and planning certificate.*

Once the final land use and broad remedial strategy is chosen by the relevant stakeholders, it is recommended that a Remediation Action Plan (RAP) and/or EMP be developed, in consultation with the site auditor.'

In consultation with Council, and subsequent to Council's consideration of the PSI and DSI findings, Council can be satisfied that the site is capable of being appropriately remediated prior to the commencement of the residential use and it is deemed acceptable to impose a condition on any consent granted requiring a Remediation Action Plan (RAP) to be prepared in consultation with an EPA Accredited Site Auditor prior to the issue of a Construction Certificate. Remediation works will need to be carried out and signed off by the Accredited Site Auditor before the issue of an Occupation Certificate.

2.2.6 State Environmental Planning Policy (Sustainable Buildings) 2022 (Sustainable Buildings SEPP)

2.2.6.1 Chapter 2 Standards for Residential Development—BASIX

The proposed development is BASIX affected development, and a BASIX Certificate is required for the 16 dwellings. A BASIX Certificate – Certificate No. 1801757M – has been prepared by SLR Consulting, indicating compliance with targets for water, thermal performance, energy, and materials. A copy of the BASIX Certificate accompanies the application.



2.2.7 State Environmental Planning Policy (Transport and Infrastructure) 2021 (Transport and Infrastructure SEPP)

2.2.7.1 Chapter 2 Infrastructure

Division 5 Electricity Transmission or Distribution - Subdivision 2 Development likely to affect an electricity transmission or distribution network

Pursuant to Clause 2.48, the development is likely to have an impact on existing overhead powerlines within the Blue Hills Avenue and a referral to Essential Energy will be required.

Division 17 Roads and Traffic

Pursuant to Clause 2.119, the site does not have frontage to a classified road.

Pursuant to Clause 2.120, the site is not adjacent to a road corridor for a freeway, a tollway or a transitway, or any other road with an annual average daily traffic volume of more than 20,000 vehicles. There are no external noise or vibration sources that would impact on the development.

Pursuant to Clause 2.122, the development is not 'traffic generating'.

2.3 Lismore Environmental Plan 2012 (LLEP)

2.3.1 Zone and Zone Objectives

The site is zoned R1 General Residential, as shown in Figure 10. The objectives of the R1 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.

Comment

The proposal will provide affordable housing, including four x one-bedroom, eight x two-bedroom, and four x three-bedroom dwellings offering a broad range of housing choices to meet current demand. The mix of dwellings interspersed with large areas of open space and landscaping provides housing that complements and preserves the amenity of the existing residential area.

The design fosters a vibrant, well-connected community. Carefully selected materials, building setbacks, and roof forms respond to surrounding residential development, while generous landscaping and open space maintain privacy, solar access, and amenity.





Figure 10 – Zone extract showing the site in the R1 zone

Source: NSW Planning Portal Spatial Viewer, 2025

2.3.2 Land Use Table

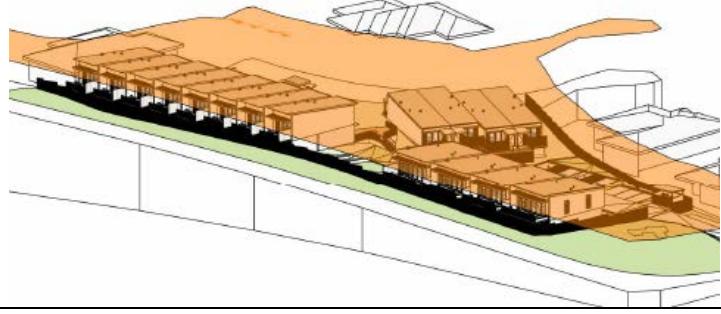
The proposal is defined as multi dwelling housing, which is permissible with consent in the R1 General Residential zone. Multi dwelling housing is defined as '*3 or more dwellings (whether attached or detached) on one lot of land, each with access at ground level, but does not include a residential flat building*'.

2.3.3 Principal Development Standards

The following table provides an assessment of the proposal against other relevant clauses of LLEP, including consideration of Principal Development Standards.

Lismore Local Environmental Plan 2012		
Clause	Provision	Comment
2.6	Subdivision – consent requirements	<p>Consent is sought for a boundary adjustment between Lot 30 DP 1000619 and Lot 533 DP 1162393. The adjustment will allow all of the affordable housing development to be located wholly within a single lot, Proposed Lot 1.</p> <p>Strata subdivision of the affordable housing is not proposed.</p>
4.1	Minimum subdivision lot size	<p>Consent is sought for a boundary adjustment between Lot 30 DP 1000619 and Lot 533 DP 1162393. Currently Lot 30 has an area of 684m² and Lot 533 has an area of 3,665m². Following the boundary adjustment, the new lot sizes will have the following areas:</p>



Lismore Local Environmental Plan 2012		
Clause	Provision	Comment
		<ul style="list-style-type: none"> • Proposed Lot 1: 3,882m² • Proposed Lot 2: 467m² <p>Both proposed lots comply with the minimum lot size requirement of 400m² under Clause 4.1.</p>
4.3	Height of buildings	<p>The Height of Buildings Map identifies a maximum height limit of 8.5 metres for the site.</p> <p>The proposal has the following maximum heights:</p> <p>Building 1B – 4.8m Building 2B – 6.8m Building 3B – 6.12m</p> <p>The development is therefore below the permitted maximum height limit. The following height plane plan shows the entire development below the 8.5m height limit.</p> 
4.4	Floor space ratio	The Floor Space Ratio Map does not identify a maximum floor space ratio for this site.
5.10	Heritage conservation	<p>European Heritage</p> <p>The site does not contain a listed heritage item or draft heritage item, nor are there any within close proximity of the site. The site is not located within a Heritage Conservation Area. No further consideration of European heritage is required.</p> <p>Aboriginal Heritage</p> <p>A Basic AHIMS Search revealed no Aboriginal sites or places within, or within 200 metres of, the site. The site is highly disturbed and used for agricultural purposes for a long period. No further consideration of Aboriginal heritage is required.</p>
5.21	Flood planning	The site is not identified as being flood prone land.
6.1	Acid Sulfate soils	The site is not identified as containing potential Acid Sulfate Soils.

Lismore Local Environmental Plan 2012		
Clause	Provision	Comment
6.2	Earthworks	<p>Consent is sought for non-exempt earthworks as part of the current application. The earthworks relate to excavation of footings, servicing, drainage and tree planting/landscaping.</p> <p>The concept civil engineering plans accompanying the application show bulk earthworks required to achieve the dwelling floor levels and carpark grades. Figure 11 below this table shows the earthworks proposed. The total cut to fill is approximately 125m³ import, with a maximum cut of 2m and fill of 1.6m. All filling on site will be 'Level 1' in accordance with AS 3798-2007 - Guidelines on earthworks for commercial and residential developments.</p> <p>The need for retaining walls or extensive cut and fill has been limited by the split-level design and stepping of the dwellings in response to the natural slope of the land. The only retaining walls required outside of building footprints relate to the northern carpark (up to 2m cut), a short retaining wall along the driveway off Blue Hills Avenue (up to 1.4m fill), a low retaining wall along the eastern side of the southern carpark and waste storage area (up to 500mm), and low height retaining walls as part of the communal open space in the central portion of the site.</p> <p>The proposed earthworks will not disrupt drainage patterns or soil stability, with the implementation of measures during construction and provision of new drainage infrastructure.</p> <p>The site is not in a drinking water catchment and will not impact on waterways or other environmentally sensitive areas.</p>
6.4	Drinking water catchments	The site is not within a drinking water catchment.
6.9	<p>Essential services</p> <ul style="list-style-type: none"> (a) the supply of water, (b) the supply of electricity, (c) the disposal and management of sewage, (d) stormwater drainage or on-site conservation, (e) suitable vehicular access. 	<p>The site is serviced by reticulated water and sewer services, and these can accommodate the additional dwellings.</p> <p>The site will be connected to the reticulated electricity network via overhead and underground power. Consultation with Essential Energy indicates that electricity can be provided to the proposed housing.</p> <p>Stormwater will be collected and re-used on-site and discharged to the public drainage system in accordance with Lismore DCP requirements.</p> <p>Vehicular access will be provided from both Blue Hills Avenue and Bristol Circuit.</p>



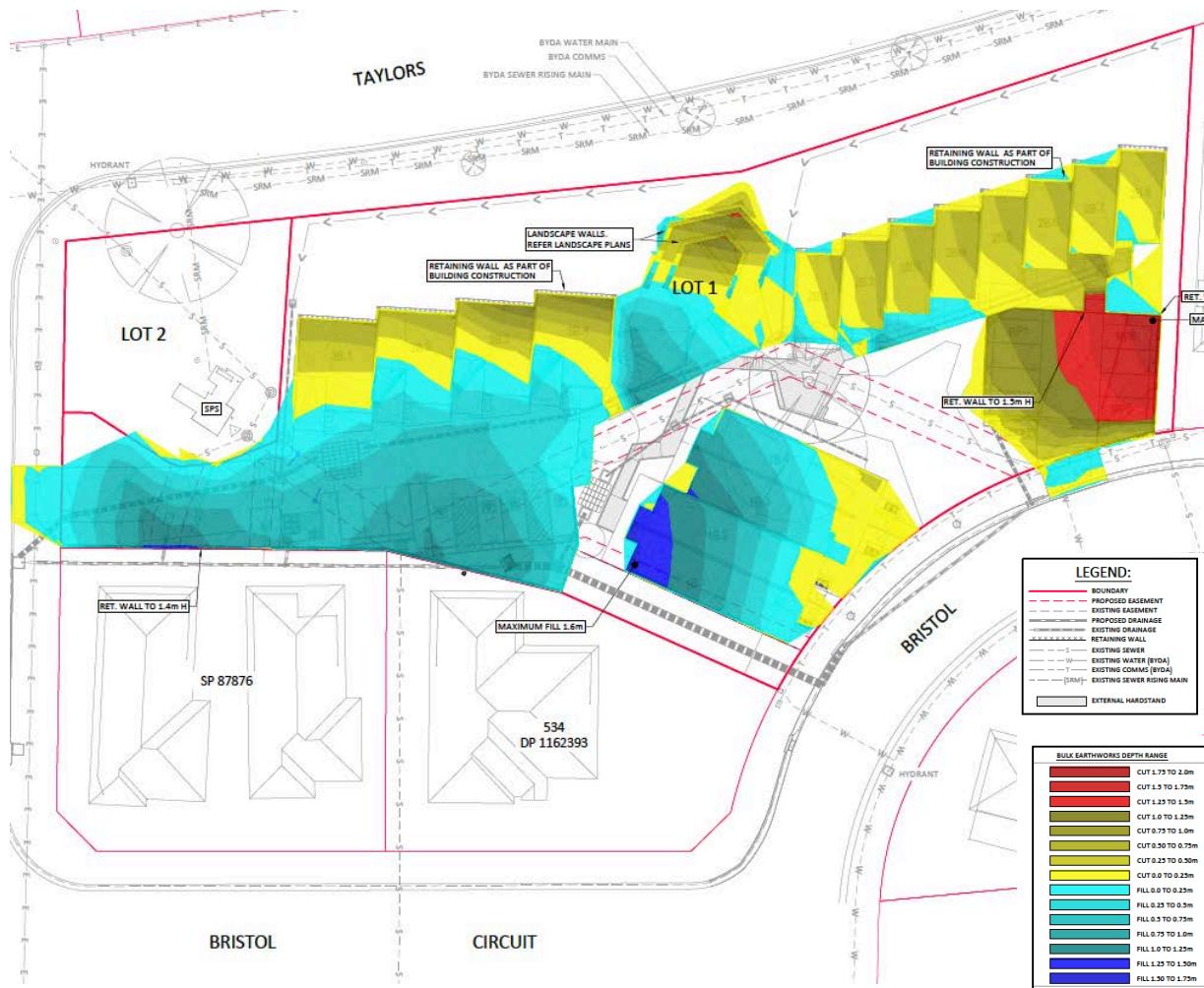


Figure 11 – Bulk earthworks required for the development, a majority of which is within building footprints

3.0 Any proposed instrument that is or has been the subject of public consultation under this Act and that has been notified to the consent authority

There are no known current draft or proposed instruments applicable to the proposal.

4.0 The provisions of any development control plans

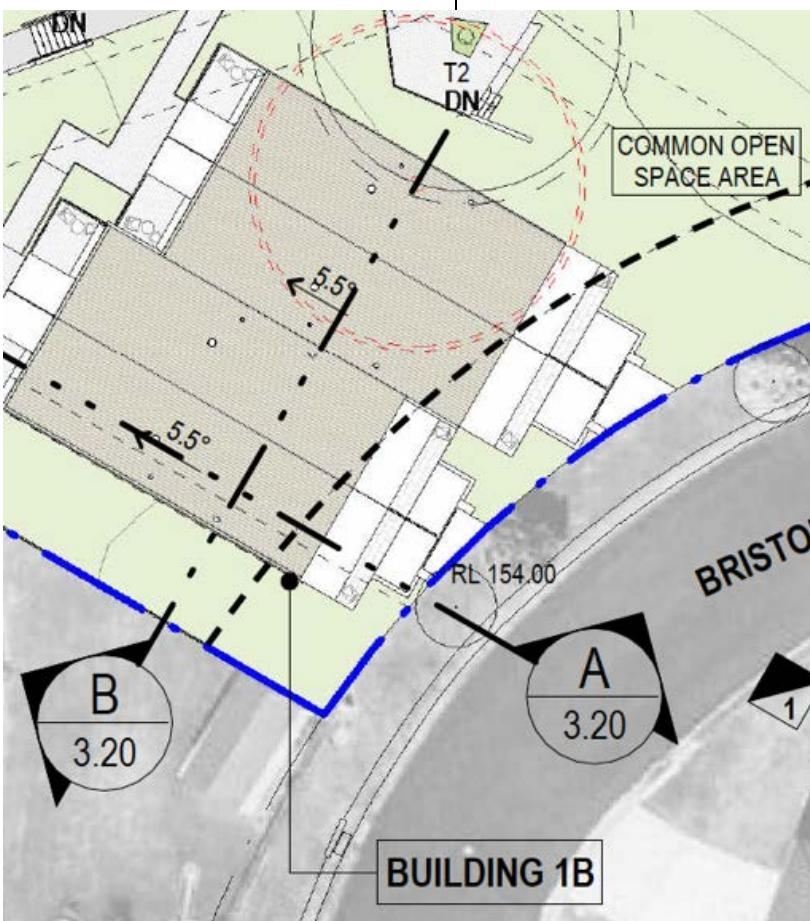
4.1 Lismore Development Control Plan (LDCP)

The following table provides an assessment of the proposed development against relevant sections of LDCP. The DCP contains performance criteria and acceptable solutions as to how the performance criteria may be met. Where the development does not numerically comply with the stated acceptable solutions, an assessment of the proposal against the performance criteria is provided.

Lismore Development Control Plan (applying to land to which LEP 2012 applies)		
Clause	Provision	Comment
Part A Chapter 1 Residential Development		
3. Design Principles		
The design has been developed having to the 10 design principles, with particular emphasis on ensuring a high level of amenity for residents and neighbours.		
The bulk, scale, height, placement of buildings, colours and materials, and provision of extensive open space and landscaping respects and compliments the character of the area and amenity of adjoining dwellings. Density is lower than what could be achieved on the site due to consideration of these factors.		
Earthworks have been kept to a minimum by the stepping of buildings and provision of split-level designs. Carparking and driveways have been limited and surrounded by landscaping.		
Adaptability, affordability, sustainability and safety are all central considerations for this affordable housing proposal.		
4. General Provisions		
4.1 Element – Setbacks, Design, Density and Height	Setbacks – Acceptable Solutions A1.1 Buildings, (not including earthworks, retaining walls and fencing elements), are setback 6m from the boundary fronting the street in zones R1, R2, R3 and RU5.	The site has three street frontages, the primary one being Bristol Circuit. As with all other residential development with frontage to Taylors Road, this is seen as a secondary road frontage with backyards facing it. Blue Hills Avenue provides access and parking only, with no built form fronting it. Bristol Circuit The required 6m setback to Bristol Circuit is shown by the black dashed line below. Building 1B, containing four x one bedroom single-storey accessible dwellings, fronts Bristol Circuit and this building has a staggered minimum front setback of between 4.225m and 4.442m to the front



Lismore Development Control Plan (applying to land to which LEP 2012 applies)

Clause	Provision	Comment
		<p>windows of the dwellings. There are small semi-covered terraces and privacy blade walls forward of these walls, as shown in the plan extract below. As the below plan extract indicates, only minor built form elements of three of the four dwellings are located forward of the 6m setback.</p> 
	<p>Performance Criteria</p> <p>P1 Development is sited and designed taking into account:</p> <ol style="list-style-type: none"> the topography of the land; the relationship to adjoining premises and the street; the locality that establishes the overall setting of the site; the character and scale of surrounding development; 	<p>As Building 1B does not fully comply with the acceptable solution of 6m, an assessment of the proposal against the performance criteria follows.</p> <p>Building 1B is constrained by several easements (sewer and stormwater) and has steep slope in parts. The placement of Building 1B has had regard to:</p>

Lismore Development Control Plan (applying to land to which LEP 2012 applies)

Clause	Provision	Comment
	<p>e) maximising solar access to both indoor and outdoor livings area, allowing sufficient space for landscaping and maintaining privacy and amenity;</p> <p>f) the compatibility of the garage and carport with the dwelling.</p> <p>New development is to have minimal impact on the environment.</p>	<ul style="list-style-type: none"> • The stormwater easement running along the south-eastern boundary, • The sewer easement running through the middle of the site, • The slope of the land between the two easements, • The stepped/articulated setbacks of the dwelling directly across the street (No. 27 Bristol Circuit) which does not achieve a 6m front setback, • The lack of continuous or intensive built form along the Bristol Circuit frontage – Building 1B accounts for only 19.5m (40%) of the total 48.69m frontage, with the remainder being a combination of landscaping and at-grade parking/access. This ensures that Bristol Circuit does not appear overdeveloped or crowded by built form. • The greater than required side setback of 4.5m for Building 1B to allow sufficient separation to the adjoining dwelling. • The high-quality landscaped front terraces and courtyards for the 1-bedroom dwellings in Building 1B providing a superior streetscape and amenity for residents, as shown below. <p>The proposal is considered to meet the performance criteria.</p>

Lismore Development Control Plan (applying to land to which LEP 2012 applies)

Clause	Provision	Comment
		<p>Taylors Road</p> <p>The Taylors Road frontage does not have residential development presented to it and it is not proposed to present any dwellings to this road. It is more like a rear frontage. Nevertheless, the required 6m setback to Taylors Road is shown by the black dashed line below.</p>  <p>As the above shows, each of the dwellings within Buildings 2B and 3B has a triangular portion of its living space within the 6m setback (a sawtooth design).</p> <p>As Buildings 2B and 3B do not fully comply with the acceptable solution of 6m, an assessment of the proposal against the performance criteria follows.</p> <p>Buildings 2B and 3B are constrained by a sewer easement and a steep</p>

Lismore Development Control Plan (applying to land to which LEP 2012 applies)

Clause	Provision	Comment
		<p>embankment. It is not desireable to have individual dwellings and their entrances facing Taylors Road due to the steep slope of the grassed verge, the embankment within the site, and for safety reasons.</p> <p>The placement of Buildings 2B and 3B have had regard to:</p> <ul style="list-style-type: none"> • The sewer easement running through the middle of the site, • The steep embankment along the western/Taylors Road boundary of the site, • The treatment of Taylors Road as a rear boundary with dwellings facing Bristol Circuit, • The lack of continuous or intensive built form along the Taylors Road frontage – Building 2B and 3B present as single storey from Taylors Road and are broken up by a large area of communal open space and landscaping. This ensures that Taylors Road does not appear overdeveloped or crowded by built form, • The main façade and building bulk of both buildings is closer to being in compliance with the setback requirement, with uncovered balconies set back 1.5-2m with high quality landscaped setbacks to Taylors Road, providing a superior streetscape and amenity for residents, as shown below. 



Lismore Development Control Plan (applying to land to which LEP 2012 applies)

Clause	Provision	Comment												
	<p>A1.2 For a corner allotment in zones R1, R2, R3 and RU5, the setback is 6m from the primary street and 3m from the secondary road.</p>	<p>The proposal is considered to meet the performance criteria.</p> <p>Not applicable.</p>												
	<p>Design</p> <p>A1.3 Buildings on allotments with rear lane frontage must be sufficiently setback to ensure vehicular parking can be accommodated completely off road. Where the garage is perpendicular to the lane, it must be setback 5.5m.</p> <p>A1.4 Buildings are setback 15m from the boundary fronting the street in zones RU1, R5 and E3 unless A1.5 applies.</p> <p>A1.5 Buildings in zones RU1, R5 or E3 with frontage to RMS roads (see Definitions) are to be setback 28m from the boundary fronting the street.</p> <p>Design</p> <p>Building materials complement the materials of the neighbouring building/s and are compatible with the subtropical climate</p>	<p>Not applicable.</p> <p>Not applicable.</p> <p>Not applicable.</p> <p>The selected building materials have been chosen to complement the modern architectural character of the area and northern NSW aesthetic. Low skillion roofs follow the contours of the land and reduce height, bulk and overshadowing. A combination of masonry and lightweight materials provide visual interest and variation.</p>												
	<p>Density</p> <p>A3 Provided the development satisfies other criteria in section 4, the dwelling density per site area for multi dwelling housing and residential flat buildings shall not exceed the following:</p> <table border="1"> <thead> <tr> <th>Dwelling Size</th> <th>Site area per dwelling with lot < 1200m²</th> <th>Site area / dwelling with lot > 1200m²</th> </tr> </thead> <tbody> <tr> <td>1 bedroom</td> <td>200m²</td> <td>180m²</td> </tr> <tr> <td>2 bedroom</td> <td>250m²</td> <td>220m²</td> </tr> <tr> <td>3 bedroom</td> <td>300m²</td> <td>270m²</td> </tr> </tbody> </table>	Dwelling Size	Site area per dwelling with lot < 1200m ²	Site area / dwelling with lot > 1200m ²	1 bedroom	200m ²	180m ²	2 bedroom	250m ²	220m ²	3 bedroom	300m ²	270m ²	<p>With 4x1 bedroom, 8x2 bedroom, and 4x3 bedroom dwellings proposed, a maximum site area of 3,560m² is required to meet maximum density requirements. The site has an area of 3,882m².</p> <p>The proposed development complies with the applicable dwelling density controls.</p>
Dwelling Size	Site area per dwelling with lot < 1200m ²	Site area / dwelling with lot > 1200m ²												
1 bedroom	200m ²	180m ²												
2 bedroom	250m ²	220m ²												
3 bedroom	300m ²	270m ²												



Lismore Development Control Plan (applying to land to which LEP 2012 applies)

Clause	Provision	Comment
	<p>Building Height, Bulk and Scale</p> <p>A4.1 Buildings comply with the building height controls specified in the Lismore Local Environmental Plan 2012.</p> <p>A4.2 Development is progressively set back from boundaries as building height increases so as to minimise adverse impacts on existing or future development on adjoining properties by way of overshadowing, reducing privacy or unreasonably obstructing views.</p>	<p>The Height of Buildings Map identifies a maximum height limit of 8.5 metres for the site. The proposed buildings are well below this height limit, as discussed in Section 2.3.3 of this report.</p> <p>The development has been designed with appropriate setbacks from property boundaries to minimise potential adverse impacts on adjoining properties.</p>
4.2 Element – Visual Privacy	<p>A5.1 Maintain visual privacy between dwellings by:</p> <ul style="list-style-type: none"> • offsetting windows alongside boundaries; • installing windows at different heights to the adjoining buildings; • installing garden beds along the boundary line which are mass planted with appropriate trees and shrubs that also define usable open space. <p>A5.2 A courtyard with a depth of at least 10 metres is maintained between dwellings in multi dwelling housing developments where courtyards face each other.</p> <p>A5.3 Where habitable room windows look directly at habitable room windows in an adjacent dwelling, privacy is protected by:</p> <ol style="list-style-type: none"> (a) window sill heights being a minimum of 1.5 metres above floor level; and/or (b) fixing permanent screens that are durable and have a maximum of 25% openings; and/or (c) installing obscure glass; and/or (d) if at ground level, screen fencing to a maximum height of 1.8 metres. <p>A5.4 Decks, verandahs, terraces, balconies and other external living areas within 4 metres from a side or rear boundary are screened with a maximum opening of 25%.</p>	<p>Windows and balconies have been placed to maximum visual privacy.</p> <p>Courtyards of Dwellings 1B.4 and 3B.4 are approximately 9m apart and are provided with a screen and planter box to reduce visual privacy impacts.</p> <p>The dwellings have been designed to ensure that no windows directly overlook habitable rooms of adjacent dwellings. Privacy screens are provided in various locations to ensure maximum privacy for each dwelling and neighbours.</p> <p>Dwelling 2B.8 is provided with a louvred privacy screen to maintain privacy and minimise visual impact.</p>
4.3 Element - Acoustic Privacy	A6.1 Garages and driveways are located away from bedrooms of adjacent dwellings.	Parking has been carefully considered to minimise potential amenity impacts. A fence will be provided along the rear of the southern car park to ensure privacy to Dwellings 1B.1 and 1B.2.



Lismore Development Control Plan (applying to land to which LEP 2012 applies)		
Clause	Provision	Comment
	<p>A6.2 No common driveway is located within 2 metres of the window of a habitable room unless there is screening at least 1.8 metres high between the window and the driveway or a vertical separation of at least 1.5 metres between the driveway level and the window sill.</p>	Complies.
4.4 Element - Open Space and Landscaping	<p>A7.1 Landscaping and open space shall comprise 40% of the site. 70% of the landscaping and open space area is to be permeable.</p> <p>A7.2 Any area of less than 1m² or 1m in width is not counted in the required landscaped and open space area.</p> <p>A8.2 Multi dwelling housing with no direct ground level access to living areas shall provide a 10m² screened balcony or roof garden with a minimum dimension of 2.5m.</p> <p>A9.1 Functional open space shall be landscaped, fenced or screened where necessary to maintain privacy and ensure amenity.</p>	<p>The required landscaped area and open space for the proposed development is 1,553m² (40% of the 3,882m² site). A total of 1801m² of landscaped area and open space (mixture of terraces, courtyards and decks) is proposed, representing approximately 46% of the site area, 79% of which is deep soil/permeable.</p> <p>Due to slope and split-level design, all dwellings have living areas above ground level and therefore is provided with a balcony with a minimum area of 11m² (1B dwellings), 12m² (2B dwellings), and 21.6m² (3B dwellings) of private open space (POS). All dwellings are provided with multiple private open spaces with a combination of terraces, courtyards and decks provided, surrounded by generous communal open space and landscaped setbacks.</p>
4.5 Element – Earthworks, Retaining Walls and Erosion controls	<p>A10.1 The maximum height for cut and fill is 1.8 metres above or below natural ground level except where it is incorporated into the dwelling structure.</p> <p>A10.2 The height of retaining walls is limited to 1.8 metres above natural ground level and constructed of materials that complement the streetscape and site landscaping.</p> <p>A10.3 All areas containing cut or fill are to be drained, stabilised and landscaped to prevent surface erosion.</p>	<p>The concept civil engineering plans accompanying the application show retaining walls proposed.</p> <p>The only retaining walls required outside of building footprints relate to the northern carpark (up to 2m cut), a short retaining wall along the driveway off Blue Hills Avenue (up to 1.4m fill), a low retaining wall along the eastern side of the southern carpark and waste storage area (up to 600mm), and low height retaining walls as part of the communal open space in the central portion of the site.</p>



Lismore Development Control Plan (applying to land to which LEP 2012 applies)		
Clause	Provision	Comment
	<p>A10.4 If the cut or fill is located less than 1m from any boundary, a maximum depth of 1m is permitted.</p> <p>A10.5 The horizontal distance between a cut and a filled area shall be equal to the height or depth of the fill or cut, whichever is the greater.</p> <p>A10.6 Earthworks and retaining walls are located at least 1.5m from any sewer main or Council stormwater drainage line, or the equivalent invert depth of the main or line, whichever is the greater.</p> <p>A10.7 Earthworks and retaining walls do not encroach into any registered easement.</p> <p>Erosion Controls</p> <p>A11 Soil erosion and sediment controls are in accordance with Guidelines for the Control of Erosion and Sedimentation on Building and Development Sites - Lismore City Council.</p>	<p>These retaining walls will be constructed of materials that complement the landscape design.</p> <p>The proposed earthworks will not disrupt drainage patterns or soil stability, with the implementation of measures during construction and provision of new drainage infrastructure.</p> <p>None proposed within 1m of a boundary more than 1m in height.</p> <p>Compliant for the low retaining walls in the communal open space area.</p> <p>No retaining walls are proposed within the sewer or stormwater easements. Minor filling up to 250mm and minor cutting up to 250mm is proposed within the easements and consent is sought for this as part of the development.</p> <p>During construction sediment and erosion control measures will be installed to ensure the loss of soil from the site is minimised. All control measures will be installed prior to the commencement of construction and be in accordance with Managing Urban Stormwater-Soils & Construction Volume 1 (2004) by Landcom.</p>
4.6 Element – Off Streetcar Parking, Carports, Garages, Outbuildings and Driveways	A12.4 The number of off street parking spaces for multi-dwelling housing shall be:	<p>Based on the DCP parking rates, the proposed development is required to provide 24 resident car parking spaces and 3 visitor parking spaces.</p> <p>The proposal includes 20 resident parking spaces, including 4 accessible parking spaces, and 5 visitor spaces (total of 25 spaces). This comprises:</p>



Lismore Development Control Plan (applying to land to which LEP 2012 applies)

Clause	Provision	Comment												
	<table border="1"> <thead> <tr> <th>No. of Bedrooms</th><th>Car parking Spaces/Unit</th></tr> </thead> <tbody> <tr> <td>1</td><td>1</td></tr> <tr> <td>2</td><td>1.5</td></tr> <tr> <td>3 or more</td><td>2</td></tr> <tr> <td colspan="2">Visitor Parking</td></tr> <tr> <td>Multi dwelling housing and residential flat.</td><td>1 space for each five dwelling units.</td></tr> </tbody> </table> <p>A13.1 Each dwelling unit is to have one covered parking space, located as close as practicable to the dwelling unit.</p> <p>A13.2 Where six or more visitor spaces are required, the spaces shall be located in groups of three and not scattered individually around the development. All visitors' spaces shall be clearly marked</p> <p>A14 Detached carports, garages and outbuildings that are not setback behind the dwelling in Residential R1, R2, R3 and RU5 zones, do not have a floor area greater than 60m² and an external wall height of 3.3 metres above natural ground.</p> <p>A16.1 Vehicles can safely enter and reverse from a lot in a single movement.</p> <p>A16.2 Where a street carries more than 5000 vehicles per day all vehicles can move in a forward direction when entering or leaving the site. New driveways entering onto such roads should be avoided unless no other alternative is available.</p> <p>A16.3 The maximum gradient for driveways is 25% with a maximum change in grade of 12.5%.</p> <p>A16.4 Where lots fall steeply below street level, the garage or carport is constructed closer to the street to reduce the need for steeply sloping driveways and large amounts of cut and fill.</p> <p>A16.5 Driveways are integrated with the site using landscaping and appropriate</p> <ul style="list-style-type: none"> • 8 residential spaces in the at-grade, outdoor car parking area in the northeast corner of the site, • 4 residential spaces in the 4 at-grade, enclosed garages dedicated to the 4 x 3-bedroom dwellings in the southwest corner of the site, • 4 tandem residential spaces immediately in front of the abovementioned 3-bedroom dwellings' garages, • 4 accessible residential spaces and 3 visitor spaces in the at-grade, outdoor car parking area located towards the southeast corner of the site, immediately south of the 4 x 1-bedroom dwellings, and • 2 parallel visitor spaces in the southeast corner of the site. <p>A Traffic and Parking Assessment (TPA) Report has been prepared by Varga Traffic Planning and accompanies the application.</p> <p>This discusses the proposed development's shortfall of 4 residential spaces and surplus of 2 visitor spaces as required by the DCP and references the off-street parking rates specified in <i>State Environmental Planning Policy (Housing) 2021, Chapter 2, Part 2, Division 6: Residential development for relevant authorities</i>, as set out below:</p> <p>Clause 42(1)(f)</p> <p><i>For development on land that is not in an accessible area-the development will result in the following number of parking spaces-</i></p> <p><i>(i) for each dwelling containing 1 bedroom-at least 0.5 parking spaces,</i></p> <p><i>(ii) or each dwelling containing 2 bedrooms-at least 1 parking space,</i></p>	No. of Bedrooms	Car parking Spaces/Unit	1	1	2	1.5	3 or more	2	Visitor Parking		Multi dwelling housing and residential flat.	1 space for each five dwelling units.	
No. of Bedrooms	Car parking Spaces/Unit													
1	1													
2	1.5													
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Lismore Development Control Plan (applying to land to which LEP 2012 applies)

Clause	Provision	Comment
	<p>drainage and erosion control measures, particularly on steep slopes.</p> <p>A16.6 The location and design of driveways is consistent with the Subdivision and Infrastructure Chapters of this Development Control Plan, the Northern Rivers Design Manual and the Lismore City Council Design and Construction Specification Vehicular Access Policy</p>	<p><i>(iii) for each dwelling containing at least 3 bedrooms-at least 1.5 parking spaces.</i></p> <p>Based on these rates for relevant authorities, including Landcom, the total parking demand, including visitor parking, would be 24 spaces.</p> <p>The TPA states that '<i>the proposed provision of 20 residential car parking spaces will likely satisfy the actual parking demands to be generated by the affordable housing development proposal, and the shortfall of 4 residential car spaces in accordance with DCP requirements is considered to be acceptable</i>'.</p> <p>The TPA also confirms that the geometric design layout of the proposed car parking facilities '<i>has been designed to comply with the relevant requirements specified in the Standards Australia publication Parking Facilities Part 1 - Off-Street Car Parking AS2890.1 - 2004 and Parking Facilities Part 6 - Off-Street Parking for People with Disabilities AS2890.6 in respect of parking bay dimensions, ramp gradients and aisle widths</i>'.</p> <p>Appropriate landscaping, drainage, and erosion control measures have been incorporated into the proposal to ensure site stability and minimise environmental impacts.</p>
4.7 Element - Fences	<p>A17.1 Fencing height limits</p> <ul style="list-style-type: none"> Front fence – 1.2m Note: A front fence is any fence or like barrier erected forward of the building line setback, whether it is erected on the boundary or not. Side fence – 1.2m within the building line setback and 1.8m for the remainder. 	<p>The proposed development includes 1.2 metre high front fencing for Building 1B and 1.8 metre high boundary fencing along side and rear boundaries, as well as the boundary with Taylors Road. This fencing will provide privacy and safety, while maintaining streetscape compatibility. The 1.8m high fencing along Taylors Road in the vicinity of the central communal open space will</p>



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	<ul style="list-style-type: none"> • Rear Fence – 1.8m, unless the rear fence is the primary frontage and front fence provisions may apply. 	be 50% visually permeable to allow for views to, from, and through the site from Taylors Road. It will also increase light to, and provide passive surveillance of, the communal open space.
4.8 Element - Service Areas and Waste Management	<p>Service Areas</p> <p>A20.1 At least 3m² is provided for each dwelling to accommodate 3 x 240 litre bins. The storage area is in a location readily accessible to the waste collection point.</p> <p>A20.2 Medium density collective storage areas for waste bins are to be adequately screened from the street, located behind the front setback and should not cause odour or noise impacts for neighbours</p> <p>A20.3 Suitable waste collection areas are to be provided for medium density development and the use of street frontages for large numbers of bins is to be avoided.</p>	<p>Waste storage is proposed in 2 dedicated, covered bin stores, one being adjacent to the car parking for Dwellings 2B.1-2B-8 and the second being adjacent to the car parking for Dwellings 1B.1-1B.4 and Dwellings 3B.1-3B.4. Both covered and screened bin store areas will be sealed and provided with a tap and connection to the sewer. Both will have sufficient room to accommodate the required number of bins for the number of dwellings serviced. Both bin store areas are close to a road frontage allowing a garbage truck to stand in the road reserve, and a Council or private contractor to collect and return bins from the store areas and empty in the road reserve. There is no need for trucks to enter the site to collect or empty bins, thereby avoiding reversing movements and pedestrian conflict. Collections will be once a week in two separate locations, ensuring there is little amenity impact.</p> <p>The southern bin store (Waste Store A) will accommodate - 6 x 240L red bins, 2 x 240L green bin and 2 x 360 yellow bins, collected weekly.</p> <p>The northern bin store (Waste Store B) will accommodate 2 x 240L red bins, 1 x 240L green bins and 2 x 360 yellow bins, collected weekly. This area will also accommodate any bulk waste items such as furniture or boxes awaiting collection.</p>



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	<p>A20.4 A paved and screened drying area of at least 7m² is provided for each dwelling unit in medium density development.</p> <p>A20.5 Common television antenna be provided for medium density development.</p> <p>Waste Management Plans</p> <p>A21.2 A site waste minimisation and management plan is to be submitted with the development applications for medium density development in accordance with Section 4.2 DCP Chapter 15 Waste Minimisation.</p>	<p>Portable clothes lines can be accommodated on each dwelling's deck which is greater than 7m².</p> <p>Can be conditioned.</p> <p>A Site Waste Minimisation and Management Plan accompanies the application.</p>
4.9 Element – Orientation, Glazing and Shade Control	<p>A22.1 Orientation of the length of the building is between 30° east of north and 15° west of north where permitted by the configuration of the lot. This will maximise winter solar access and summer shade.</p> <p>A22.2 For new and infill development maintain at least 3 hours solar access to 50% of private open spaces of the proposed development, and to 50% of private open space of adjoining properties, between 9.00am and 3.00pm on June 21.</p> <p>A22.3 Locate the living room, dining room and kitchen on the northern side of the dwelling. Rooms such as bedrooms, bathrooms, toilets and laundries are located on the southern side to provide buffers to summer heat and/or winter wind.</p> <p>A22.4 Eaves, awnings, pergolas or deciduous vines and trees are used to provide shade.</p> <p>A23.1 Windows are located to maximise opportunities for cross ventilation.</p>	<p>The proposed development has been designed to maximise passive solar access in accordance with the relevant controls. The building orientation aligns between 30° east of north and 15° west of north, where permitted by the lot configuration, to enhance winter solar gain and summer shading.</p> <p>3 hours of solar access is provided to a minimum of 50% of all decks between 12pm and 3pm.</p> <p>The proposed development does not overshadow adjoining dwellings and their private open space until 1pm, ensuring that neighbours achieve a minimum of 3 hours</p> <p>Provided where possible, although not able to be accommodated for all dwellings due to the terrace style housing proposed.</p> <p>These elements are incorporated.</p> <p>Achieved.</p>



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	A23.1 Windows of north facing habitable rooms receive at least three hours of sunlight between 9 am and 3pm on 21 June.	Achieved.
4.10 Element - On-Site Sewage and Wastewater Management	A24.1 In areas not serviced by a reticulated sewerage system, on-site sewage management systems are installed in accordance with Council's On-Site Sewage and Wastewater Management Strategy.	Not applicable.
Chapter 5A Urban Residential Subdivision		
4.1 Element – Lot Layout	Lot Size A1.1 Lot sizes are in accordance with LEP 2012.	The application proposes a boundary adjustment between Lot 30 DP 1000619 and Lot 533 DP 1162393. Lot 30 has an area of 684m ² and Lot 533 has an area of 3,653m ² . Following the proposed boundary adjustment, the new lot sizes will be as follows: <ul style="list-style-type: none">• Proposed Lot 1: 3,882m²• Proposed Lot 2: 467m² Both lots comply with the minimum lot size requirement of 400m ² under Clause 4.1 of the Lismore Local Environmental Plan (LEP) 2012.
	Access A4.1 New lots shall front onto a designated public street. No new lots shall be created with sole access via a right of carriageway.	Both lots will have a frontage to a public street.
Chapter 13 Crime Prevention through Environmental Design		
Crime Prevention through Environmental Design	CPTED Guidelines For Development Assessment - Multi dwelling housing	The CPTED principles and guidelines for multi dwelling housing have been used in the design of the proposal. Dwellings have been designed to overlook the street, car parking areas, and communal open space to maximum surveillance. Landscaping, low fencing and pathways will provide territorial reinforcement and guide residents and visitors to front doors of dwellings, which will be clearly visible and numbered to facilitate wayfinding. Low shrubs and groundcovers under high canopied trees around the site will allow viewed through communal



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		<p>open space and carparks without creating areas of concealment or entrapment.</p> <p>A partly solid and partly transparent fence will be provided along Taylors Road to stop non-resident pedestrians using the site as a shortcut and to limit access to people who should not be on-site, while at the same time providing views through and to the site.</p> <p>Lighting will be provided in parking areas and bin stores. Low level lighting will be provided along pathways.</p>

Chapter 14 Vegetation Protection

Vegetation protection	Various controls	<p>The site is not mapped as having biodiversity values and do not support any threatened flora or fauna.</p> <p>The site and adjoining road reserves contain a total of 7 trees, including 5 street trees. Consent is sought to remove the following two trees:</p> <ul style="list-style-type: none"> • T1 (<i>Pinus elliottii</i>, Slash Pine) - Classified as an environmental weed in the Lismore LGA and will be removed. • T7 (<i>Xanthostemon chrysanthus</i>, Golden Penda) - Situated in the footprint of the proposed northern driveway and will need to be removed. <p>The remaining five trees (T2-T6) are to be retained and protected during construction.</p>
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Chapter 15 Waste Minimisation

Waste Minimisation	Various controls	All materials utilised on-site during construction will be disposed of in accordance with Council requirements, and recycling practices will be implemented whenever
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		<p>possible to minimize waste sent to landfill.</p> <p>Both during and after construction, waste management will adhere to Council's waste management guidelines.</p> <p>A Site Waste Minimisation and Management Plan accompanies the application.</p>
Chapter 22 Water Sensitive Design		
	<p>Major Development – Major developments are required to prepare a Water Management Plan that demonstrates how the development satisfies the WSD performance criteria in Table 1 and the objectives of this Chapter.</p>	<p>An Engineering Services Report prepared by Newton Denny Chapelle and accompanying the application addresses water management, including quantity and quality controls, in accordance with the objectives and performance criteria of this section of the DCP.</p>

5.0 The likely impacts of the development, including environmental impacts on both the natural and built environments, and social and economic impacts in the locality

5.1 Environmental impacts on both the natural and built environments

5.1.1 Noise and Vibration

The proposed residential land use will generate residential scale noise only and is considered to be acceptable in a residential area.

There will be some noise impacts during construction of the building, however these will be controlled by standard construction hours to minimise any potential acoustic impacts. Construction noise can also be controlled through the Protection of the Environment Operations Act 1997.

5.1.2 Air Quality

The proposed development will have no impacts on air quality.



5.1.3 Hazards

All known hazards have been addressed in previous sections of this report. There are no other known hazards affecting the site or proposed land uses.

5.1.4 Traffic Impact

A Traffic and Parking Assessment (TPA) Report has been prepared by Varga Traffic Planning and accompanies the application.

The TPA assesses existing traffic conditions on the local road network and the potential impact from the development on these. The TPA concludes that '*projected traffic activity as a consequence of the development proposal is minimal, consistent with the zoning objectives of the area, and will clearly not have any unacceptable traffic implications in terms of road network capacity*'.

5.1.5 Community Engagement

Pre-DA lodgement community consultation was coordinated by Landcom's Community Engagement Team and included:

- a letter to residents delivered to 48 letterboxes in and near Bristol Circuit in December 2024, outlining the project and inviting residents to get information from the Landcom website and to attend a community consultation drop-in session
- a follow-up postcard sent to 80 addresses
- a splash banner in the Lismore app and on Landcom social media
- an advertisement in Northern Rivers Times on 23 January 2025
- direct emails to community members previously in contact with Landcom
- four community and stakeholder meetings
- a community information session attended by 35 people.

In response to the community consultation, the following key concerns were raised:

- devaluation of property values
- low-income people would bring crime to the area, including drug abuse, anti-social behaviour and break and enter theft
- on-street parking problems, traffic accidents and reduced safety for children walking to school
- excessive number of garbage bins
- sewerage system would be overwhelmed
- risk to residents during remediation of the site
- lack of aesthetic compatibility with existing houses in the area.

The community feedback was shared with Landcom's technical and design teams and has been considered in the refinement of the concept design for the development application. Specifically:

Crime

CPTED principles and guidelines for multi dwelling housing have been used in the design of the proposal. Dwellings have been designed to overlook the street, car parking areas, and communal open space to maximum surveillance. Landscaping, low fencing and pathways will provide territorial reinforcement and guide residents and visitors to front doors of dwellings, which will be clearly visible and numbered to facilitate wayfinding. Low shrubs and groundcovers under high canopied trees around the site will



allow viewed through communal open space and carparks without creating areas of concealment or entrapment. A partly solid and partly transparent fence will be provided along Taylors Road to limit access to people who should not be on-site, while at the same time providing views through and to the site. Lighting will be provided in parking areas, bin stores, and along pathways.

The housing will be managed by a registered Tier 1 national not-for-profit community housing provider with 30 years of experience in the affordable housing sector.

Traffic and Parking

Access to the development has been split into two separate locations to reduce traffic and potential for pedestrian conflict in local streets.

Varga Traffic Planning was employed to assess the traffic and parking impacts of the proposal. Varga prepared a Traffic and Parking Assessment (TPA) Report and this concludes that there is adequate parking provided for the likely vehicle usage related to affordable housing and that the projected traffic activity as a consequence of the development proposal is minimal and will clearly not have any unacceptable traffic implications in terms of road network capacity.

Excessive garbage bins

Waste storage is proposed in 2 dedicated, covered and screened bin stores within the site. Both will have sufficient room to accommodate the required number of bins for the number of dwellings serviced.

Both bin store areas are close to a road frontage allowing a garbage truck to stand in the road reserve, and a Council or private contractor to collect and return bins from the store areas and empty in the road reserve. There will be no need for bins to be presented to the street for collection.

Services

Relevant authorities have been consulted about the capacity of existing services to accommodate the additional dwellings. Services are adequate and/or can be augmented to accommodate the 16 additional dwellings.

Remediation works

All remediation work will be carried out in accordance with an approved Remediation Action Plan (RAP) and under the supervision of an EPA accredited site auditor.

Lack of aesthetic compatibility with existing houses in the area

The bulk, scale, height, placement of buildings, colours and materials, and provision of extensive open space and landscaping respects and compliments the character of the area and amenity of adjoining dwellings. Density is lower than what could be achieved on the site due to consideration of these factors.

Overall, there was community recognition that there is a critical need for more affordable and diverse housing in Lismore. It is however acknowledged that some members of the community have concerns about the development that cannot be easily addressed.

Once the development application is submitted, the community will be able to provide further feedback about the proposal when it is publicly exhibited by Council as part of the assessment process.



5.1.6 Development Contributions

Landcom, Council and the community housing provider are currently negotiating an agreement regarding the levying and deferral of development contributions.

5.2 Social impacts

A Social Impact Assessment (SIA) has been prepared by BB Professional Services and accompanies the application.

There is clear and urgent need for safe and affordable rental accommodation for key workers on low to moderate incomes in Lismore. This need was already evident at the 2021 Census but has become far more urgent following the record-breaking floods of 2022, which damaged or destroyed 5,000 homes in Northern NSW, 1400 of them in the Lismore LGA.

While some people have left the area, safe and affordable homes are still needed by workers essential to the functioning of local services and businesses. Currently only flood damaged houses provide affordable rentals for workers on low to moderate incomes. Some Lismore residents, unable to find safe and affordable rental accommodation, are now living in caravans or tiny houses on insecure and poorly serviced sites or “squatting” in homes vacated for the government “buy back” initiative, some earmarked for relocation, but otherwise for demolition.

Most community responses to Landcom community engagement efforts came from home-owning neighbours of the site, who were generally opposed to the proposed development.

Concerns that the project will bring “undesirable” people to the neighbourhood, with attendant crime and danger to existing residents are not likely to eventuate. The related expectation that surrounding property values will be damaged is not consistent with research evidence.

Concerns about visual impacts are unwarranted. The proposed development is not high density. The height and bulk of the proposed buildings will be in keeping with surrounding homes and the site will be extensively landscaped.

On-site car parking provision should be sufficient to prevent any need for on-road car parking and the small number of cars entering and leaving via Bristol Circuit and Blue Hills Avenue are unlikely to cause any significant traffic problems, according to the Traffic Impact Report provided by Varga Traffic Planning.

The addition of 16 households, most with only one or two bedrooms, is unlikely to overwhelm local waste service systems. In consultation with Council and with reference to Environmental Planning instruments, Landcom has prepared a Waste Management Plan, which is outlined in the Statement of Environmental Effects. Newton Denny Chappel Engineering Services have addressed drainage and sewerage issues.

A construction management plan will be prepared with strategies to minimise noise, dust and traffic inconvenience to neighbours during construction. The selected builder will be required to comply with this plan.

The proposed development will be conditional on remediation of the site being satisfactorily addressed. Overall, the social impacts of the proposed development will be strongly positive, contributing to much needed safe and affordable rental housing for key workers on low to moderate incomes. As well as the



benefits for eligible renting workers, this housing will allow local services and businesses to attract and retain essential staff, who will also have more disposable income to contribute as customers of local businesses.

In summary, the overall social impact of the proposed development will clearly be positive.

5.3 Economic impacts

Short Term

The construction of the proposed development will provide short term employment opportunities in the locality and support the local building and development industries. This will have direct monetary input to the local economy. There will be multiplier effects and indirect benefits with increased incomes and construction industry salaries spent in the local economy.

Long Term

The increase in housing within the area will directly influence and enhance business and employment opportunities within the Lismore LGA. The increased number of residents in the locality will provide ongoing economic input through daily activities and spending.

There are no anticipated adverse economic impacts as a result of the proposed development.

6.0 The suitability of the site for the development

Various sections of this Statement of Environmental Effects address the suitability of the site, and it is concluded, based on these assessments, that the site is appropriate for the proposed development. The site is adequately sized and shaped to accommodate the 16 affordable dwellings.

7.0 The public interest

The proposal is considered to be in the public interest as it is consistent with the planning controls applicable to the site, including relevant SEPPs, LLEP and LDCP and consistent with the objectives of the R1 zone.

The proposed development addresses a clear and urgent need for affordable housing. It will enable key workers to access housing close to their workplaces, while also supporting local businesses and services by helping them attract and retain essential staff.



8.0 Conclusion

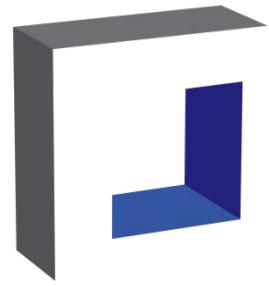
This Statement of Environmental Effects has considered all natural and built constraints and hazards and found the site to be suitable for the proposed affordable housing development. The proposed development will serve a clear and urgent need for affordable housing for key workers. Additionally, it has been found that the proposed development will have minimal and acceptable impacts on the natural or built environment.

The development has been designed by prominent architect firm Thomson Adsett and was informed by a thorough analysis of the urban conditions of the site. The design of the dwellings and their vehicular accesses has been chosen in response to site constraints and opportunities and is considered to result in an acceptable outcome.

The proposal predominantly complies with the development standards of LLEP 2012 and LDCP and is therefore considered acceptable.

Council's favourable consideration of the application is requested.





WILSON PLANNING