

## **External referral responses**

### **DA No. 5.2021.221.1**

To undertake staged subdivision comprising 742 residential lots, 2 neighbourhood business lots, 1 residue lot (future residential), 14 public reserve lots and associated infrastructure, 45 new roads, road widening and road closures, bulk earthworks, essential services (water, sewer, power & telecommunications), stormwater management facilities, landscaping and environmental rehabilitation.

### **NSW Rural Fire Service**



**NSW RURAL FIRE SERVICE**

Lismore City Council  
PO Box 23A  
LISMORE NSW 2480

Your reference: (CNR-22288) 5.2021.221.1  
Our reference: DA20210527002157-CL55-2

**ATTENTION:** Sue Thatcher

Date: Thursday 1 September 2022

Dear Sir/Madam,

**Development Application**

s100B – Subdivision – Torrens Title Subdivision

101 DUNOON ROAD NORTH LISMORE NSW 2480, 3//DP772626, 35//DP755729, 2//DP772626, 1//DP772626, 1//DP303295, 20//DP1148069, 1//DP1192319, 1//DP1191684, 1//DP596437, 2//DP570029, 2//DP596437, 1//DP1243923, 2//DP1243923, 113//DP755729, 1//DP570029, 1//DP1213795

I refer to your correspondence regarding the above proposal which was received by the NSW Rural Fire Service on 16/06/2022.

The amended plans/documents request that condition 2 the Bush Fire Safety Authority, dated 28 March 2022 be amended to remove:-

Proposed perimeter tracks shall be:

- in the care and control of Council or under a community title scheme;

Council is not willing to take care and control of any perimeter tracks. The proponent is not prepared to enter into a 'community title' scheme for the management of perimeter tracks. The proponent has not proposed any satisfactory management of the proposed perimeter access tracks.

The individual management of a perimeter fire access tracks will not provide a consistent on-going management but rather a ad-hoc haphazard management regime that will render the perimeter fire trails in-accessible,

The requirements of Planning for Bush Fire Protection guidelines, is to ensure the ongoing consistent management of the perimeter fire access tracks by way of a single entity. The amended proposal does not satisfy this requirement.

The NSW RFS is unable to support the amended plans/documents. As such the conditions of the Bush Fire Safety Authority, dated 28 March 2022 is still applicable to the development.

For any queries regarding this correspondence, please contact Alan Bawden on 1300 NSW RFS.

## NSW Rural Fire Service - GTA



NSW RURAL FIRE SERVICE

Lismore City Council  
PO Box 23A  
LISMORE NSW 2480

Your reference: (CNR-22288) 5.2021.221.1  
Our reference: DA20210527002157-CL55-1

ATTENTION: Sue Thatcher

Date: Monday 28 March 2022

Dear Sir/Madam,

### Integrated Development Application

s100B – Subdivision – Torrens Title Subdivision

101 DUNOON ROAD NORTH LISMORE NSW 2480, 3//DP772626, 35//DP755729, 2//DP772626, 1//DP772626, 1//DP303295, 21//DP1148069, 20//DP1148069, 1//DP1192319, 1//DP1191684, 1//DP596437, 2//DP570029, 2//DP596437, 1//DP1243923, 2//DP1243923, 113//DP755729, 1//DP570029, 1//DP1213795

I refer to your correspondence dated 18/02/2022 seeking general terms of approval for the above Integrated Development Application.

The New South Wales Rural Fire Service (NSW RFS) has reviewed the submitted amended information. General Terms of Approval are now re-issued, under Division 4.8 of the *Environmental Planning and Assessment Act 1979*, and a Bush Fire Safety Authority, under section 100B of the *Rural Fires Act 1997*, are now issued subject to the following conditions.

### General Conditions

1. Prior to the release of construction certificate(s) for each stage, a BPAD recognised bush fire consultant shall endorse the construction plans are in compliance with:

- Bushfire Assessment report prepared by Home Solutions, dated 8 April 2021;
- Further Information letter prepared by Home Solutions, dated 2 October 2021.

Where the subdivision stage differs from the bushfire documentation recommendations, a modification application to this bush fire safety authority is required.

2. Proposed perimeter tracks shall be:

- in the care and control of Council or under a community title scheme; and
- Fire trails shall comply with the following requirements:
  - A minimum carriageway width of 4 metres is provided.
  - The trail has a maximum grade of 15 degrees if sealed and not more than 10 degrees if unsealed.
  - A minimum vertical clearance of 4 metres is provided to any overhanging obstructions, including tree branches.
  - The crossfall of the trail is not more than 10 degrees.



## NSW Rural Fire Service - GTA

- The trail has the capacity for passing by
  - reversing bays using the access to properties to reverse fire tankers, which are 6 metres wide and 8 metres deep to any gates, with an inner minimum turning radius of 6 metres and outer minimum radius of 12 metres; and/or
  - a passing bay every 200 metres, 20 metres long by 3 metres wide, making a minimum trafficable width of 7 metres at the passing bay.
- The fire trail is accessible to fire fighters and maintained in a serviceable condition by the owner of the land.
- Appropriate drainage and erosion controls are provided.
- The fire trail system is connected to the property access road and/or to the through road system.
- Fire trails do not traverse a wetlands or other land potentially subject to periodic inundation (other than a flood or storm surge).
- Gates for fire trails are provided and locked with a key/lock system authorised by the local RFS.
- Fire trail design does not adversely impact on natural hydrological flows.
- Fire trail design acts as an effective barrier to the spread of weeds and nutrients.
- Fire trail construction does not expose acid-sulphate soils.

### Asset Protection Zones

*The intent of measures is to provide sufficient space and maintain reduced fuel loads so as to ensure radiant heat levels of buildings are below critical limits and to prevent direct flame contact with a building. To achieve this, the following conditions shall apply:*

3. At the issue of a subdivision certificate for each stage, asset protection zones must be managed as an inner protection area in accordance with the following requirements of Appendix 4 of *Planning for Bush Fire Protection 2019*.

### Access – Public Roads

*The intent of measures is to provide safe operational access to structures and water supply for emergency services, while residents are seeking to evacuate from an area. To achieve this, the following conditions shall apply:*

4. Public road access shall comply with the Access roads general requirements of Table 5.3b of *Planning for Bush Fire Protection 2019*

5. At each stage of the subdivision, temporary turning heads shall be provided to temporary dead end roads in accordance with Appendix 3 of *Planning for Bushfire Protection 2019*.

### Water and Utility Services

*The intent of measures is to provide adequate services of water for the protection of buildings during and after the passage of a bush fire, and to locate gas and electricity so as not to contribute to the risk of fire to a building. To achieve this, the following conditions shall apply:*

6. The provision of water, electricity and gas for each stage, must comply with the following in accordance with Table 5.3c of *Planning for Bush Fire Protection 2019*.

### Landscaping Assessment

*The intent of measures is for landscaping. To achieve this, the following conditions shall apply:*

## NSW Rural Fire Service - GTA

7. Landscaping within public spaces must comply with Appendix 4 of *Planning for Bush Fire Protection 2019* except where certified under the *Vegetation Management Plan* and endorsed by the BPAD qualified Bush Fire Consultant.

### **General Advice – Consent Authority to Note**

# Future dwellings shall comply with planning for Bush Fire Protection guidelines.

This letter is in response to an assessment of the application based on the submitted further information and supersedes our previous general terms of approval dated 11/02/2022.

For any queries regarding this correspondence, please contact Alan Bawden on 1300 NSW RFS.

Yours sincerely,

Timothy Carroll  
**Manager Planning & Environment Services**  
**Built & Natural Environment**



## Natural Resources Access Regulator

Contact: Shavaun Tasker  
Phone: 03 5881 9944  
Email: [shavaun.tasker@nrar.nsw.gov.au](mailto:shavaun.tasker@nrar.nsw.gov.au)

Lismore City Council  
(uploaded to planning portal)

Our ref: IDAS1138700  
Your ref: DA5/2021/221/1

Attention: Sandy Strachan

15/06/2021

Dear Sandy,

**Re: Request for additional information for proposed development - Subdivision at 101 Dunoon Road NORTH LISMORE NSW 2480**  
DA Ref: DA5/2021/221/1

I refer to your recent referral relating to the above integrated development. An initial review of the material provided indicates that additional information relevant to issuing the General Terms of Approval is needed in order for NRAR to complete the assessment.

According to the Environmental Planning and Assessment Regulation 2000, as amended, (the Regulation), any request for further information made within 25 days of receipt is not considered in calculating the period prescribed by clause 70 for notifying the General Terms of Approval. This referral was received by NRAR on 25/05/2021.

NRAR requests that Council stop the clock as at the date this letter is received.

**Additional documents requested:**

- Good quality photographs of the watercourse (on site) showing bank/s and views upstream and downstream. Please orient the photographs (location and direction) on a sketch plan and ensure the top of bank is clearly identified. NRAR recommends that the photo points be surveyed or identified by GPS coordinates.
- A plan or diagram showing the proposed riparian corridor in accordance with the departments guidelines available at:

[www.industry.nsw.gov.au](http://www.industry.nsw.gov.au) » [Water](#) » [Licensing & Trade](#) » [Approvals](#)

A scale bar should be included.

- A plan or diagram showing location of the watercourse relative to the proposed work or activity (ensure a scale bar is included).
- A concept plan or diagram showing details of all proposed works associated with the controlled activity within the bed and bank of the watercourse. All proposed work should be in accordance with the NRAR guidelines which are available at:

[www.industry.nsw.gov.au](http://www.industry.nsw.gov.au) » [Water](#) » [Licensing & Trade](#) » [Approvals](#)

A scale bar should be included.

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Email: [nrar.servicedesk@dpie.nsw.gov.au](mailto:nrar.servicedesk@dpie.nsw.gov.au)



**Time allowed to provide requested information:**

Clause 67 of the Regulation allows NRAR to specify a reasonable period within which the information requested must be provided. In this case, NRAR considers 21 days from the date of this letter as a reasonable period of time within which the requested information must be provided. The Regulation also provides that failure by the applicant, to provide the requested information within the specified period, is to be taken by NRAR mean the information will not be provided. This may result in NRAR refusing to grant General Terms of Approval.

The applicant should notify NRAR, in writing, of their intent to provide the requested information or to arrange for a suitable period to supply this information.

Please direct any questions or correspondence to Shavaun Tasker,  
[shavaun.tasker@nrar.nsw.gov.au](mailto:shavaun.tasker@nrar.nsw.gov.au)

Yours sincerely



**Shavaun Tasker**  
Water Regulation Officer  
Water Regulatory Operations – West  
Natural Resources Access Regulator



**Natural Resources  
Access Regulator**

Contact: Natural Resources Access Regulator  
Phone: 1800 633 362  
Email: [nrar.enquiries@nrar.nsw.gov.au](mailto:nrar.enquiries@nrar.nsw.gov.au)

Our ref: IDAS-2021-10117  
Your ref: DA5/2021/221/1

20 October 2021

General Manager  
Lismore City Council  
*Uploaded to the ePlanning Portal*

Attention: Sandy Strachan

Dear Sir/Madam

**Re: IDAS-2021-10117 - Request for additional information**  
**Dev Ref: DA5/2021/221/1**  
**Description: 742 Lot Staged Subdivision**  
**Location: 101 Dunoon Road, North Lismore NSW 2480**

The Natural Resources Access Regulator (NRAR) has reviewed documents for the above development application. An initial review of the material provided indicates that additional information relevant to issuing General Terms of Approval is needed in order for the Natural Resources Access Regulator (NRAR) to complete the assessment.

The following additional information is required:

1. Site plans indicating the demarcation of watercourses and waterfront land, riparian zones and identification of any areas of encroachments and offsets in accordance with NRAR's guidelines located on the website: <https://www.dpie.nsw.gov.au/nrar/how-to-apply/controlled-activities/guidelines-for-controlled-activities>

Where NRAR's guidelines cannot be met then appropriate assessment and justification is required for NRAR's consideration.

2. The proposal seeks to completely remove - fill and pipe, a second order watercourse (identified as Watercourse F in your proposal). The removal of a 2<sup>nd</sup> order watercourse is not consistent with NRAR guidelines and is not supported by NRAR. The subdivision layout should be amended so as to maintain this 2nd order watercourse and associated riparian zone in accordance with NRAR guidelines.

Clause 67 of the Regulation allows NRAR to specify a reasonable period within which the information requested must be provided. In this case, NRAR considers 21 days from the date of this letter as a reasonable period of time within which the requested information must be provided.

The applicant should notify NRAR, in writing, of their intent to provide the requested information or to arrange for a suitable period to supply this information.

Please direct any questions or correspondence to Shavaun Tasker,  
[shavaun.tasker@nrar.nsw.gov.au](mailto:shavaun.tasker@nrar.nsw.gov.au)

Yours Sincerely



**Shavaun Tasker**  
Water Regulation Officer  
Licensing & Approvals - West  
Water Regulatory Operations  
**Natural Resources Access Regulator**





3 June 2021

File No: NTH21/00125/01  
Your Ref: 5.2021.221.1

The General Manager  
Lismore City Council  
PO Box 23A  
LLISMORE NSW 2480

Attention: Sue Thatcher  
Sue.thatcher@lismore.nsw.gov.au

Dear Madam,

**RE: Development Application for 742 lot Residential Subdivision  
101 Dunoon Road North Lismore**

I refer to the above-mentioned development application, referred to Transport for NSW (TfNSW) through the NSW Planning Portal on 17 May 2021. The application was referred under clause 104 of *State Environmental Planning Policy (Infrastructure) 2007*.

#### **Roles and Responsibilities**

The key interests of TfNSW are the safety and efficiency of the transport network, the needs of our customers and the integration of land use and transport in accordance with Future Transport Strategy 2056.

Dunoon Road is a classified (Regional) road (MR 306). Lismore City Council is the Roads Authority for all public roads (other than freeways or Crown roads) in the local government area pursuant to Section 7 of the *Roads Act 1993*. TfNSW can exercise roads authority functions for classified roads in accordance with the Roads Act. Council is responsible for setting standards, determining priorities and carrying out works on Local and Regional roads however TfNSW concurrence is required prior to Council's approval of works on classified (Regional) roads under Section 138 of the *Roads Act 1993*.

In accordance with Clause 101 of the *State Environmental Planning Policy (Infrastructure) 2007* (ISEPP) the Consent Authority is to have consideration for the safety, efficiency and ongoing operation of the classified road as the development has frontage to a classified road. TfNSW is given the opportunity under Clause 104 to comment on traffic generating developments listed under Schedule 3.

#### **Transport for NSW Response**

TfNSW understands that the development application proposes subdivision of the 'Yellow Wood Precinct' of the North Lismore Plateau project to create 742 residential lots, 2 Neighbourhood Business lots, 14 Public Reserves, 1 residual lot for future residential development and associated infrastructure works. Development is planned to occur over eight (8) main stages.

We have reviewed the information provided with the development application and provide the following comments to assist the consent authority in making a determination.

1. As required by ISEPP, it is noted that a Traffic Impact Assessment (TIA) was provided. While that Study references a number of supporting studies and Council's Section 94 Plan, it is unclear if the Lismore area-wide traffic study jointly undertaken by this Agency and Council post 2015 has been used as a base model. It is not clearly referenced in the documents provided.

It is acknowledged that the joint study is a model to consider and gauge options for traffic management, rather than an actual plan of works; however, Council should be satisfied that the TIA has taken account of the risks and impacts identified in that study for the immediate and surrounding road network.

2. Council needs to be satisfied that the impacts of the development have been clearly identified and quantified, not only in respect to the intersection of new roads with Dunoon Road, but also on the major travel routes to Lismore. Any roadworks and supporting mitigation measures required should be clearly reflected in the conditions of approval.
3. It is requested that any approval granted acknowledges a clear staging plan related to the subdivision and associated infrastructure. The staging plan should set out what is required at each and every stage of the development, and which road/intersection upgrades are to be in place prior to issue of the subdivision certificate for each stage.
4. The development is of a scale that will require reference to the Local Traffic Committee for advice in relation to any regulatory facilities that will require approval under the *Roads Act 1993*.
5. The TIA makes brief reference to bus services circulating in the area. It is suggested that a conversation be held with local bus service providers early in the development process to ensure that appropriate public transport is available as each stage develop.
6. It is noted in the Statement of Environmental Effects and TIA that bike paths will be provided under Council's Section 94 Contribution Plan to service the development. Provision of access to active transport modes is important and the timing of such infrastructure needs to be determined with any approval of the project.
7. As mentioned previously, any intersection works on a classified Regional road will require approval under Section 138 of the *Roads Act 1993*. The concurrence of TfNSW will be required. When such an application is made, full drawings of the intersection works will be needed to assess the proposal, and it is requested that the applicant be advised accordingly.
8. In summary, Council and the proponent are encouraged to consult with TfNSW prior to design and construction of works where required.

Any roadwork on classified (State) road/s is to be designed and constructed in accordance with the current Austroads Guidelines, Australian Standards and [TfNSW Supplements](#).

TfNSW highlights that in determining the application under the *Environmental Planning and Assessment Act 1979*, it is the Consent Authority's responsibility to consider the environmental impacts of any roadworks which are ancillary to the development. This includes any works which

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**Transport for NSW**

76 Victoria Street, Grafton, NSW 2460 | PO Box 576, Grafton NSW 2460  
W [transport.nsw.gov.au](http://transport.nsw.gov.au)

form part of the proposal and/or any works which are deemed necessary to include as requirements in the conditions of project approval.

If you have any further enquiries regarding the above comments please do not hesitate to contact Cheryl Sisson, Development Services Case Officer or the undersigned on (02) 6640 1362 or via email at: [development.northern@transport.nsw.gov.au](mailto:development.northern@transport.nsw.gov.au)

Yours faithfully,



for Matt Adams  
Team Leader, Development Services  
Community and Place | Region North  
Regional & Outer Metropolitan  
Transport for NSW



## Essential Energy

Dear Sir/Madam,

We refer to the above matter and to your correspondence via the NSW Planning Portal seeking comment from Essential Energy in relation to the proposed development.

Strictly based on the documents submitted, Essential Energy has no comments to make as to potential safety risks arising from the proposed development.

Essential Energy makes the following general comments:

1. If the proposed development changes, there may be potential safety risks and it is recommended that Essential Energy is consulted for further comment.
2. As part of the subdivision/s, easement/s are to be created for any existing or new electrical infrastructure, using Essential Energy's standard easement terms current at the time of registration of the plan/s of subdivision. Essential Energy has existing overhead powerlines located on the properties. The proposed plans provided indicate that proposed residential lots will be in the location of these existing powerlines. It is Essential Energy's preference that its electrical infrastructure is located in road reserves or public reserves (with easements) and not within residential lots. Refer to Essential Energy's Contestable Works team for requirements via [contestableworks@essentialenergy.com.au](mailto:contestableworks@essentialenergy.com.au)
3. Any existing encumbrances/easements in favour of Essential Energy (or its predecessors) noted on the title of the above properties should be complied with.
4. Council should ensure that a Notification of Arrangement (confirming satisfactory arrangements have been made for the provision of power) is issued by Essential Energy with respect to all proposed lots which will form part of the subdivision, prior to Council releasing the Subdivision Certificate. It is the Applicant's responsibility to make the appropriate application with Essential Energy for the supply of electricity to the subdivision, which may include the payment of fees and contributions. Despite Essential Energy not having any safety concerns, there may be issues with respect to the subdivision layout, which will require Essential Energy's approval.
5. In addition, Essential Energy's records indicate there is electricity infrastructure located within the properties and within close proximity to the properties. Any activities within these locations must be undertaken in accordance with the latest industry guideline currently known as *ISSC 20 Guideline for the Management of Activities within Electricity Easements and Close to Infrastructure*. Approval may be required from Essential Energy should activities within the properties encroach on the electricity infrastructure.
6. Prior to carrying out any works, a "Dial Before You Dig" enquiry should be undertaken in accordance with the requirements of Part 5E (Protection of Underground Electricity Power Lines) of the *Electricity Supply Act 1995 (NSW)*.
7. Given there is electricity infrastructure in the area, it is the responsibility of the person/s completing any works around powerlines to understand their safety responsibilities. SafeWork NSW

[www.safework.nsw.gov.au](http://www.safework.nsw.gov.au) has publications that provide guidance when working close to electricity infrastructure. These include the *Code of Practice – Work near Overhead Power Lines* and *Code of Practice – Work near Underground Assets*.

Should you require any clarification, please do not hesitate to contact us.

Regards

Fiona Duncan  
Conveyancing Officer  
Legal & Conveyancing  
Governance & Corporate Services



T: 02 6589 8773 (Ext 88773) | [conveyancingteam@essentialenergy.com.au](mailto:conveyancingteam@essentialenergy.com.au)  
PO Box 5730 Port Macquarie NSW 2444 | [essentialenergy.com.au](http://essentialenergy.com.au)  
General enquiries: 13 23 91 | Supply interruptions (24hr): 13 20 80

Follow us  

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From: NSW Planning <[planning.apps@planning.nsw.gov.au](mailto:planning.apps@planning.nsw.gov.au)>  
Sent: Thursday, 3 June 2021 1:30 PM  
To: Fiona Duncan <[fiona.duncan@essentialenergy.com.au](mailto:fiona.duncan@essentialenergy.com.au)>  
Cc: ConveyancingTeam <[conveyancingteam@essentialenergy.com.au](mailto:conveyancingteam@essentialenergy.com.au)>  
Subject: Update: NSW Government concurrence and referral request CNR-22288(LISMORE CITY COUNCIL)

**WARNING: Do not click links or open attachments unless you recognise the source of the email and know the contents are safe.**

## Online Concurrence and Referral Service

[planningportal.nsw.gov.au](http://planningportal.nsw.gov.au)

The NSW Government consideration of an application 5.2021.221.1 at 101 Dunoon Road NORTH LISMORE NSW 2480 has been assigned to you for assessment.

Please log into the [NSW Planning Portal](http://planningportal.nsw.gov.au) and use reference number CNR-22288 to action this request.

This email has been automatically sent through the NSW Planning Portal. Please do not reply to this message.



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**Development Application Review**

WEBCOPS Event No: N/A

RMS number: D/2021/719949

DA Reference No: 5.2021.221.1

Council: Lismore City – C/- Mrs S J Thatcher

Developer/Applicant: Anthony Riordan c/o RCS Group Australia

Private Certifier: - N/A

Property address:

Property: DP 118555 lot 1, DP 772626 lot 3, DP 755729 lot 35, DP 772626 lot 2, DP 772626 lot 1, DP 303296 lot 2, LOT: 1 DP: 596437, LOT: 20 DP: 1148069, LOT: 1 DP: 1191684, LOT: 21 DP: 1148069, LOT: 2 DP: 1191684, LOT: 1 DP: 1243923, LOT: 2 DP: 1243923, LOT: 1 DP: 1213795, DP 755729 lot 113, DP 570029 lot 2, LOT: 1 DP: 1192319, LOT: 2 DP: 1213795, 101 Dunoon Road NORTH LISMORE, 103 Dunoon Road NORTH LISMORE, 103A Dunoon Road NORTH LISMORE, 103B Dunoon Road NORTH LISMORE, 103C Dunoon Road NORTH LISMORE, 103D Dunoon Road NORTH LISMORE, 263 Dunoon Road NORTH LISMORE, 273 Dunoon Road NORTH LISMORE, 273A Dunoon Road NORTH LISMORE, 15 Pagottos Ridge Road NORTH LISMORE, 177A Hewitt Road BOOERIE CREEK, 9 McLeay Road NORTH LISMORE, 11 McLeay Road NORTH LISMORE, 41 McLeay Road NORTH LISMORE, 43 McLeay Road NORTH LISMORE, 54 McLeay Road NORTH LISMORE, 54A McLeay Road NORTH LISMORE, 84 McLeay Road NORTH LISMORE

Proposed development/use of space:

To undertake staged subdivision comprising 742 residential lots, 2 neighbourhood business lots, 1 residue lot (future residential), 14 public reserve lots and associated infrastructure, 45 new roads, road widening and road closures, bulk earthworks, essential services (water, sewer, power & telecommunications), stormwater management facilities, landscaping and environmental rehabilitation.



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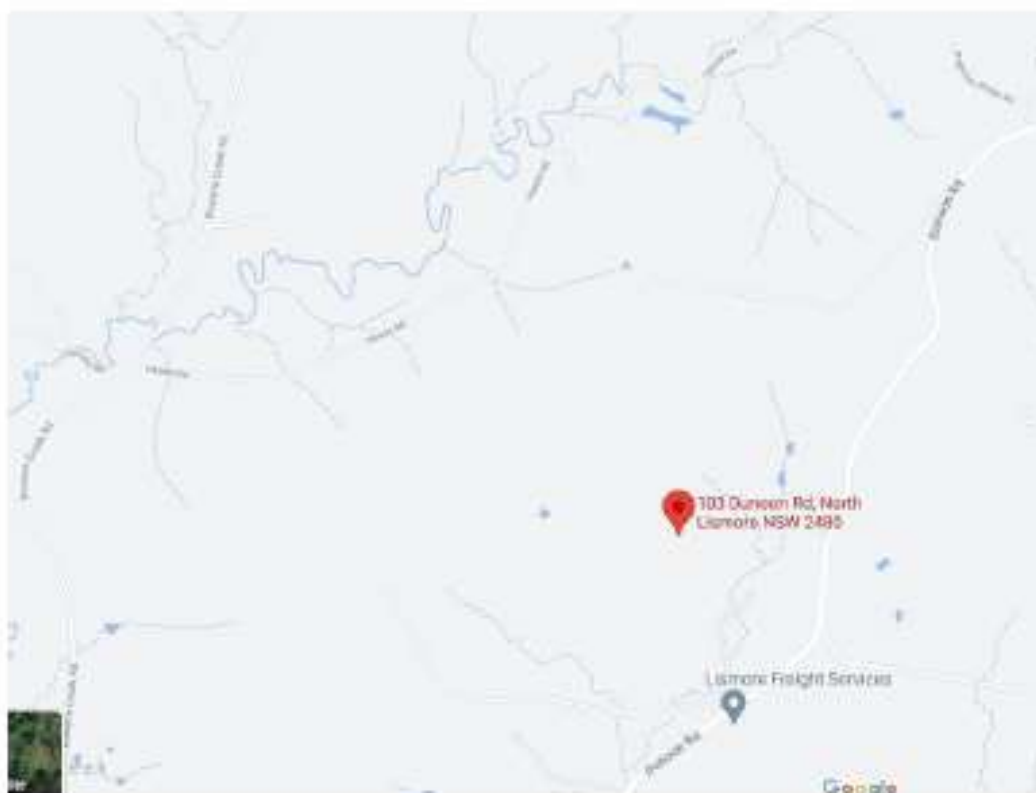


## 1. Introduction

In line with section 4.15 of the New South Wales Planning & Assessment Act 1979 and the New South Wales Planning Guidelines, the below report has been conducted on Development Application 5.2021.221.1.

### 2.1 Current environment

The subject lands consist of nineteen holdings with a combined area of 126.11 Ha situated in the northern outskirts of the City of Lismore. The development of the estate will occur in stages, over 8 main precincts, to be named *The Allura Parklands Residential Area*.



#### **Richmond Police District**

5 Zedec Street, Lismore NSW 2480

T 02 6626 0500 F 02 6626 0511 W [www.police.nsw.gov.au](http://www.police.nsw.gov.au)

TTY 02 9211 3776 for the hearing and speech impaired AIN 43 434343

**TRIPLE ZERO (000)**

Emergency only

**POLICE ASSISTANCE LINE (131 444)**

For non-emergencies

**CRIME STOPPERS (1800 333 000)**

Report crime anonymously

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## 2.2 Proposed development

It is the intention of the Developer to undertake the subdivision of 8 precincts and associated earthworks and civil infrastructure (roads, drainage and essential services). The developer proposes;

- 742 Residential Lots
- 2 Neighbourhood business lots (future local retail)
- 14 Public Reserves
- 1 Residue lot for future Residential Development
- 45 New Roads
- Road Widening and Road Closure
- Bulk Earthworks – Cut and Fill
- Water, Sewer, Power and Telecommunication Infrastructure
- Stormwater Management Facilities
- Landscaping, environmental rehabilitation and;
- Public reserve Infrastructure works.

## 3. Crime risks and identified issues

The crime risks identified in the local area include the potential for property crime (including vandalism and property theft).

3.1. Current/trending crimes that impact the local area that should be considered within the design and building process: As this is a new development, there are no current/trending crimes impacting this area.

3.2. Crimes that the current proposed development application will introduce or facilitate within this space: As with any residential development, there is always the potential for property crime. The risk of property crime can be mitigated by the implementation of CPTED principles within the design of the space/properties.

3.3. Developments can introduce or facilitate certain issues that are not necessarily a crime, but impact on the ability to police a space: NIL issues identified at this time.

## 4. Recommendations

Due to the nature of this development, we understand that the proposal does not involve the construction of any buildings and therefore the specific outcomes are not known. As with all new developments, Police recommend the following considerations in relation to CPTED principles;

1. Surveillance – Consideration of lighting along roadways, pathways and throughout recreation areas.

**Richmond Police District**

5 Zedoo Street, Lismore NSW 2480

T 02 6628 0500 F 02 6628 0511 W [www.police.nsw.gov.au](http://www.police.nsw.gov.au)

TTY 02 6211 3776 for the hearing and speech impaired Aes-03-001-001-001

**TRIPLE ZERO (000)**

Emergency only

**POLICE ASSISTANCE LINE (131 444)**

For non emergencies

**CRIME STOPPERS (1800 333 000)**

Report crime anonymously

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**NSW Police Force**

Ensure private fencing does not obstruct sightlines between residential lots and recreation or environmental areas. Reduce the likelihood of concealment areas, by planting low lying shrubs along pathways and other areas used by pedestrians.

2. Access control and Territorial Reinforcement – The subdivision will be bound by residential perimeter fencing and an Acoustic Barrier (along Dunoon Road). There is only one proposed vehicular access road from Dunoon Road, with Legible internal roadways and pathways. Consider associated way finding signage to direct traffic and define use of space.

#### Disclaimer

The New South Wales Police Force has a vital interest in ensuring the safety of members of the community and their property. By using the recommendations contained in this assessment, any person who does so acknowledges that:

3. It is not possible to make all areas evaluated by the NSWPF entirely safe for members of the community or the security of their property.
4. It is based upon the information provided to the NSWPF at the time the assessment was made.
5. This assessment is a confidential document and is for use of the consent authority unless otherwise agreed.
6. The contents of this assessment are not to be copied or circulated otherwise than for the purposes of the consent authority, unless otherwise agreed.

The NSW Police Force hopes that by using the recommendations contained in this assessment, criminal activity will be reduced and the safety of members of the community and the security of their property will increase. However, it does not guarantee that all risks have been identified, or that the area assessed will be free from criminal activity if its recommendations are followed.

Should you have any questions in relation to the evaluation contact Senior Constable Edina Kotek, Crime Prevention Officer, Richmond PD, Phone 02 6626 0569.

Yours sincerely,

Superintendent Scott Tanner  
Commander – Richmond Police District  
10.6.2021

#### Richmond Police District

5 Zadoc Street, Lismore NSW 2480

T 02 6626 0599 F 02 6626 0511 W [www.police.nsw.gov.au](http://www.police.nsw.gov.au)

TTY 02 9211 3776 for the hearing and speech impaired ABN 43 408 513 190

TRIPLE ZERO (000)	POLICE ASSISTANCE LINE (131 444)	CRIME STOPPERS (1800 333 000)
Emergency only	For non-emergencies	Report crime anonymously

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**Tony Bale**

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**From:** Anthony Acret <Anthony.Acret@rous.nsw.gov.au>  
**Sent:** Friday, 25 June 2021 4:52 PM  
**To:** Records  
**Cc:** Samuel Curran; Andrew Logan  
**Subject:** RE: DA2021/221 North Lismore Plateau  
**Attachments:** 08052.1 v2\_Final\_Report\_dark logo.pdf; Rous Water Draft DCP\_Final\_dark logo.pdf; LCC - Development Proposal - RCS Group Australia - Staged Subdivision - 27 05 2021.pdf

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

*Attention: Ms. Sue Thatcher*

Dear Sir/Madam

Thank you for the opportunity to provide comment on the Staged subdivision of the Allura Parklands – a major residential development at the North Lismore Plateau comprising 742 residential lots, 2 neighbourhood business lots, 1 residue lot (future residential), 14 public reserve lots and associated infrastructure, 45 new roads, road widening and road closures, bulk earthworks, essential services (water, sewer, power and telecommunications), stormwater management facilities, landscaping and environmental rehabilitation.

As you are aware, the proposed development proposal is located within the Wilsons River catchment, as shown in the *Drinking Water Catchments Map* that forms part of the Lismore Local Environment Plan (LEP) 2012. Rous County Council (RCC) is committed to providing quality drinking water to the region and therefore welcomes the opportunity to be involved in review of this development proposal so as to minimise the risk posed to the public water supply arising from this development.

RCC extracts water from the Wilsons River at Howards Grass near Lismore for the purposes of providing the bulk urban water supply for this region. The proposed development is set within a small sub-catchment that discharges directly to the Wilsons River via Slaters Creek approximately 8 km from the water supply offtake point at Howards Grass.

One of the key sources of catchment risk for the Wilsons River source relates to urban stormwater impacts. Therefore, the key concern of RCC associated with this development proposal is to ensure that the water quality and catchment health outcomes from any development arising from the development proposal are consistent with the water catchment values of this location.

Specifically, it is noted that the material provided to support of the development proposal to date does not systematically address the matters outlined in Clause 6.4 of the Lismore LEP 2012. Therefore, whilst RCC is not opposed to the form of development planned for the proposed development, the purpose of our submission is to clearly state the issues of significance from a RCC perspective, so that the outcomes from the development proposal are clearly consistent with the drinking water catchment status of the development.

**Key issue of concern - Stormwater**

The key concern of RCC relates to the management of stormwater. Review of the supporting documentation (*Stormwater Management Strategy* prepared by Australian Wetlands) indicates that integrated stormwater management will be employed within the precinct, and that water sensitive urban design principles shall be employed. However, no mention is made of any RCC requirements.

RCC acknowledges the constraints of the site, and endorses the general approach of integrating stormwater treatment facilities as described. However RCC considers that it will be critical that the stormwater plan



prepared for the development proposal recognize the need to protect surface water quality for the purpose of drinking water supply purposes.

RCC recognises that the *Stormwater Management Strategy* has been prepared to address the performance objectives of LCC as specified in the LCC Development Control Plan Chapter 22.

However RCC considers that these performance objectives are not adequate to protect water quality in receiving waters.

The recent *Ecohealth Assessment of River and Estuarine Condition* completed by the University of New England for the Richmond River catchment demonstrated that the subject reach of the Wilsons River was one of the worst in the catchment (and indeed NSW), achieving a 'D-' or 'poor' ecological health rating on the basis of the prevailing water quality, riparian and geomorphological conditions and characteristics.

The performance objectives that have been applied to the project are inadequate to protect water quality in receiving waters – and effectively indicate that it is acceptable for the proposed development to make this prevailing situation worse.

Development in a water supply catchment needs to be considered both in its own right and in the broader context of incremental development. That is, the development needs to present an acceptable risk in its own right, and needs to be an acceptable incremental risk given the broader context. Rous considers that new development of this nature in water supply catchments should be assessed against a test resulting in a neutral or beneficial effect to the catchment area.

RCC considers that in order to demonstrate that development is "sited and will be managed to avoid any significant adverse impact on water quality and flows" (as required by the *Lismore Local Environmental Plan 2012*), then a 'neutral or beneficial effect on water quality' approach and assessment criteria should be applied to significant developments being undertaken within drinking water catchment areas.

RCC has prepared an indicative Development Control Plan (DCP) for developments in drinking water catchments - as stated in the RCC DCP documentation, RCC requires proponents of development to undertake stormwater modelling of the proposed stormwater management approach in order to demonstrate that a 'neutral or beneficial effect' can be achieved in relation to surface water quality (details of this are attached).

In order to demonstrate that the development proposal achieves a neutral or beneficial effect on water quality, the quality of runoff from the pre-development site should be compared with that from the post-development site including proposed stormwater treatment measures (such as water sensitive design elements) that may be needed to mitigate pollutant loads and concentrations resulting from the proposed land use change.

RCC recommends that the storm water treatment train be designed with consideration that the development is located within a water supply catchment and that a 'neutral or beneficial effect on water quality' test be applied to any proposed stormwater management approach.

If Rous' 'neutral or beneficial' test for stormwater quality cannot be demonstrated, it is possible that the proposed development will exacerbate what is already an unacceptable receiving environment in relation to water quality. The *Stormwater Management Strategy* provides a good mix of treatment options, however should be extended to meet the enhanced performance objective of the 'neutral or beneficial effect on water quality' test.

It should be noted that this advice is consistent with an outstanding action in the Lismore Urban Stormwater Management Plan (ID NS5) to "Consult with Rous Water regarding development assessment guidelines for developments within the Wilsons River drinking water catchment." I have reproduced the relevant section of the plan below:

**6.3.1 Planning and Development within the Wilsons River Drinking Water Catchment**

NS5: Consult with Rous Water regarding development assessment guidelines for developments within the Wilsons River drinking water catchment.

The majority of the area being considered as part of the USMP is located within the Wilsons River Source drinking water catchment area as designated in the mapping included in the Lismore Local Environmental Plan (LEP) 2012. Of key significance is Clause 6.4 of the Lismore Local Environmental Plan 2012 which was established "to protect drinking water catchments by minimising the adverse impacts of development on the quality and quantity of water". Clause 6.4 should be addressed early in the design process for any significant development that is proposed.

Although Council has stormwater management requirements and objectives, these are not specifically designed to protect water quality for drinking water supply purposes. Rous Water considers that development consent should not be granted unless the proposed development would have a Neutral or Beneficial Effect (NorBE) on water quality. In order to assist LCC and consultants/developers to meet Clause 6.4 in designated water catchment areas, Rous Water has provided guidance to LCC that establishes the requirements of Rous Water in relation to significant developments in drinking water catchment areas such as residential subdivisions and associated development and assessment processes. Consultation with Rous Water is required to develop appropriate planning controls and referral processes that address the risks to water quality while satisfying Council's development objectives.

### Conclusion

The *Public Health Act 2010* requires RCC to maintain a quality assurance program that is consistent with the Framework for the Management of Drinking Water Quality (as set out in the *Australian Drinking Water Guidelines*). In order to demonstrate compliance with contemporary standards for urban development in drinking water catchment areas as well as the water catchments clause in the *Lismore Local Environmental Plan 2012*, it is requested that LCC and the proponent address the issues and requirements outlined above as part of this development proposal process.

Thank you for the opportunity to detail this important issue of concern to Rous County Council. Should you require any further information regarding this letter or should you wish to discuss the issues raised further, please contact me on (02) 6623 2300.

Yours faithfully, Anthony Acret

**Anthony Acret**

**NRM Planning Coordinator**

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*Rous County Council is a supporter of flexible working arrangements. If you receive an email from me outside of normal business hours, it is not my expectation that you read, respond, or follow up on this email outside your hours of work.*

-----Original Message-----

From: Samuel Curran [Samuel.Curran@rous.nsw.gov.au](mailto:Samuel.Curran@rous.nsw.gov.au)

Sent: Thursday, 27 May 2021 4:21 PM

To: Lismore City Council [council@lismore.nsw.gov.au](mailto:council@lismore.nsw.gov.au)

Cc: Anthony Acret [Anthony.Acret@rous.nsw.gov.au](mailto:Anthony.Acret@rous.nsw.gov.au); Andrew Logan [Andrew.Logan@rous.nsw.gov.au](mailto:Andrew.Logan@rous.nsw.gov.au)

Subject: DA2021/221 North Lismore Plateau





Planning,  
Industry &  
Environment

Our Ref: DOC21/908526  
Your Ref: DA 5.2021.221.1

General Manager  
Lismore City Council  
PO Box 23A  
Lismore NSW 2480

Attention: Ms Virginia Seymour

Dear Ms Oldham

**RE: Allura Parklands Proposed Subdivision North Lismore Plateau, (DA 5.2021.221.1)**

Thank you for your e-mail dated 15 November 2021 about the proposed Allura Parklands subdivision at the North Lismore Plateau seeking comments from the Biodiversity and Conservation Division (BCD) of the Biodiversity, Conservation and Science Directorate in the Environment, Energy and Science Group of the Department of Planning, Industry and Environment. I appreciate the opportunity to provide input and apologise for the delay in responding.

We have reviewed the documents supplied and advise that, although we have no issues to raise about National Parks and Wildlife Service estate, climate change, sustainability, flooding, or coastal and estuary matters, several issues are apparent with the assessments for biodiversity. These issues are discussed in detail in Attachment 1 to this letter.

In summary, the BCD recommends that:

1. The subdivision layout should be revised to exclude areas of E2 or E3 zoned land from the residential allotments to ensure permissibility in accordance with the Lismore Local Environmental Plan (2012).
2. The Biodiversity Development Assessment Report (BDAR) must be revised to:
  - a. accord with the Biodiversity Assessment Method (BAM) 2020 and then certified and re-submitted within 14 days of that certification.
  - b. clearly demonstrate it has determined the presence and absence of each candidate species credit species in accordance with section 5.2.4 of the BAM 2020 and the information on survey method and effort, timing and survey limitations for each candidate species credit species must be documented in the BDAR.
  - c. either clearly document the justification for conducting surveys for threatened flora candidate species outside of the months specified in the Threatened Biodiversity Database Collection, or, if such justification cannot be provided, to document surveys for those species in the correct time period, or assume they are present, or provide an expert report.

- d. include an explanation of the methodology for mapping the Hairy jointgrass species polygons and justification for excluding some areas of PCT 887 (derived) with similar characteristics from these species polygons.
- e. assess the impacts of clearing scattered trees in the PCT 887 (derived) vegetation zone by using Appendix B of the BAM 2020.

If you have any questions about this advice, please do not hesitate to contact Mr Bill Larkin, Senior Conservation Planning Officer, at [bill.larkin@environment.nsw.gov.au](mailto:bill.larkin@environment.nsw.gov.au) or 6659 8216.

Yours sincerely



8 December 2021

**DIMITRI YOUNG**  
**Senior Team Leader Planning, North East Branch**  
**Biodiversity and Conservation**

Enclosure: Attachment 1 – Detailed BCD Comments – Proposed Allura Parklands Subdivision, North Lismore Plateau