

Pre-Lodgement Application Form

Applicant contact details

Title	Mr	
First given name	Anthony	
Other given name/s		
Family name	Hartshorn	
Contact number		
Email		
Address		
Application on behalf of a company, business or body corporate	No	

Owner/s of the development site

Owner/s of the development site	I am the only owner of the development site

Site access details

Are there any security or site conditions which may impact the person undertaking the inspection? For example, locked gates, animals etc.	No
-------------------------------------------------------------------------------------------------------------------------------------------	----

Developer details

ABN	
ACN	
Name	
Trading name	
Address	
Email Address	

Development details

Application type	Development Application	
Site address #	1	
Street address	94 PELL STREET HOWLONG 2643	
Local government area	FEDERATION	
Lot / Section Number / Plan	13/47/DP758528	
Primary address?	Yes	
	Land Application LEP Corowa Local Environmental Plan 2012	
	Land Zoning R1: General Residential	
	Height of Building NA	
Planning controls affecting property	Floor Space Ratio (n:1) NA	
	Minimum Lot Size 550 m ²	
	Heritage NA	

Land Reservation Acquisition NA
Foreshore Building Line NA

Proposed development

Selected common application types	Erection of a new structure	
Selected development types	Residential Accommodation Medium Density Housing Multi-dwelling housing Driveways and hard stand spaces	
Description of development	Installation of two (2) new transportable dwellings and the construction of three (3) detached carports and a driveway	
Is the development proposed to be build-to- rent housing?	No	
Does the development include affordable housing?	No	
Dwelling count details		
Number of dwellings / units proposed	2	
Number of storeys proposed	1	
Number of pre-existing dwellings on site	1	
Number of dwellings to be demolished	0	
Number of proposed occupants	0	
Existing gross floor area (m2)	0	
Proposed gross floor area (m2)	214	
Total site area (m2)	2,024	
Total net lettable area (m2)	0	
What is the estimated development cost, including GST?	\$425,906.00	
Estimated development cost	\$425,906.00	
Do you have one or more BASIX certificates?	No	
Climate Zone		
What climate zone/s is the development in?	Climate zone 4 - hot dry summer, cool winter	
Has the climate zone impacted the design of the development?	No	
Subdivision		
Number of existing lots		
Proposed operating details		
Number of staff/employees on the site		

Number of parking spaces

Number of loading bays	
Is a new road proposed?	No
Concept development	
Is the development to be staged? No, this application is not for concept or staged development.	
Crown development	
Is this a proposed Crown development?	No

Related planning information

Is the application for integrated development?	No
Is your proposal categorised as designated development?	No
Is your proposal likely to significantly impact on threatened species, populations, ecological communities or their habitats, or is it located on land identified as critical habitat?	No
Is this application for biodiversity compliant development?	No
Does the application propose a variation to a development standard in an environmental planning instrument (eg LEP or SEPP)?	No
Is the application accompanied by a Planning Agreement ?	No
Section 68 of the Local Government Act	
Is approval under s68 of the Local Government Act 1993 required?	No
10.7 Certificate	
Have you already obtained a 10.7 certificate?	
Tree works	
Is tree removal and/or pruning work	Yes
proposed? Please provide a description of the	
proposed tree removal and/or pruning work	Remove 3 planted trees
Number of trees to be impacted by the proposed work	3
Land area to be impacted by the proposed work	
Units	
Approximate area of canopy REQUESTED to be removed	50
Units	Square metres
Local heritage	
Does the development site include an item of environmental heritage or sit within a heritage conservation area.	No
Are works proposed to any heritage listed buildings?	No
Is heritage tree removal proposed?	No No
Affiliations and Pecuniary interests	
Is the applicant or owner a staff member or councillor of the council assessing the application?	No
Does the applicant or owner have a relationship with any staff or councillor of the council assessing the application?	No
Political Donations	
Are you aware of any person who has financial interest in the application who has made a political donation or gift in the last two years?	No
Please provide details of each donation/gift which has been made within the last 2 years	

Sustainable Buildings

Is the development exempt from the <u>State</u> <u>Environmental Policy (Sustainable</u> <u>Buildings) 2022</u> Chapter 3, relating to non-residential buildings?	Yes
Provide reason for exemption. Is the development any of the following:	Development that is wholly residential

Payer details

Provide the details of the person / entity that will make the fee payment for the assessment.

The Environmental Planning and Assessment Regulation 2021 and Council's adopted fees and charges establish how to calculate the fee payable for your development application. For development that involves building or other works, the fee for your application is based on the estimated cost of the development.

If your application is for integrated development or requires concurrence from a state agency, additional fees will be required. Other charges may be payable based on the Council's adopted fees and charges. If your development needs to be advertised, the Council may charge additional advertising fees. Once this application form is completed, it and the supporting documents will be submitted to the Council for lodgement, at which time the fees will be calculated. The Council will contact you to obtain payment. Note: When submitting documents via the NSW Planning Portal, credit card information should not be displayed on documents attached to your development application. The relevant consent authority will contact you to seek payment.

The application may be cancelled if the fees are not paid:

First name	Anthony	Anthony	
Other given name(s)			
Family name	Hartshorn		
Contact number			
Email address			
Billing address			

Application documents

The following documents support the application.

Document type	Document file name
Architectural Plans	Plan Set
BASIX certificate	BASIX Cover Letter
Cost estimate report	Cost Summary Report
Design statement for compliance with low rise housing design	Low Rise Housing Diversity Design Guide - Cover Letter
Owner's consent	Owners Consent - Signed
Site Plans	Site Plan
Statement of environmental effects	24030 - 94 Pell Street, Howlong - Statement of Environmental Effects

Applicant declarations

I declare that all the information in my application and accompanying documents is , to the best of my knowledge, true and correct.	Yes
I understand that the development application and the accompanying information will be provided to the appropriate consent authority for the purposes of the assessment and determination of this development application.	Yes
I understand that if incomplete, the consent authority may request more information, which will result in delays to the application.	Yes
I understand that the consent authority may use the information and materials provided for notification and advertising purposes, and materials provided may be made available to the public for inspection at its Offices and on its website and/or the NSW Planning Portal	Yes
I acknowledge that copies of this application and supporting documentation may be provided to interested persons in accordance with the Government Information (Public Access) 2009 (NSW) (GIPA Act) under which it may be required to release information which you provide to it.	Yes

I agree to appropriately delegated assessment officers attending the site for the purpose of inspection.		Yes
I have read and agree to the collection and use of my personal information as outlined in the Privacy Notice		Yes
I confirm that the change(s) entered is/are made with appropriate authority from the applicant(s).		

DRAWING REGISTER		
SHEET No SHEET NAME		
A01	EXISTING SITE PLAN	
A02	PROPOSED SITE PLAN	
A03	FLOOR PLAN - UNIT 1	
A04	FLOOR PLAN - UNIT 2	
A05	ELEVATIONS	
A06	DETAILS	

SITE DATA:-

ADDRESS: ...94 PELL STREET **HOWLONG**

LOT NUMBER: DP NUMBER: ...758528 SITE AREA: ...2024m²

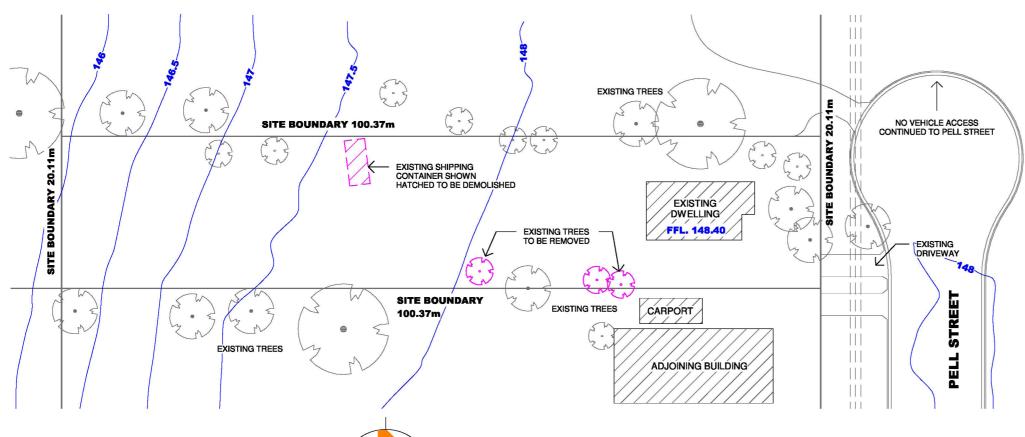
CLIMATE ZONE

...4 ...R1 - GENERAL RESIDENTIAL LAND ZONE









SITE PLAN - EXISTING

1:500



ALL ITEMS TO BE REMOVED OR DEMOLISHED **ARE SHOWN MAGENTA DASHED**

SHEET SIZE "A3"

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PROPOSED MULTI DWELLING HOUSING DEVELOPMENT

At: 94 PELL STREET, HOWLONG NSW 2643

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Sketch:

DA

A01

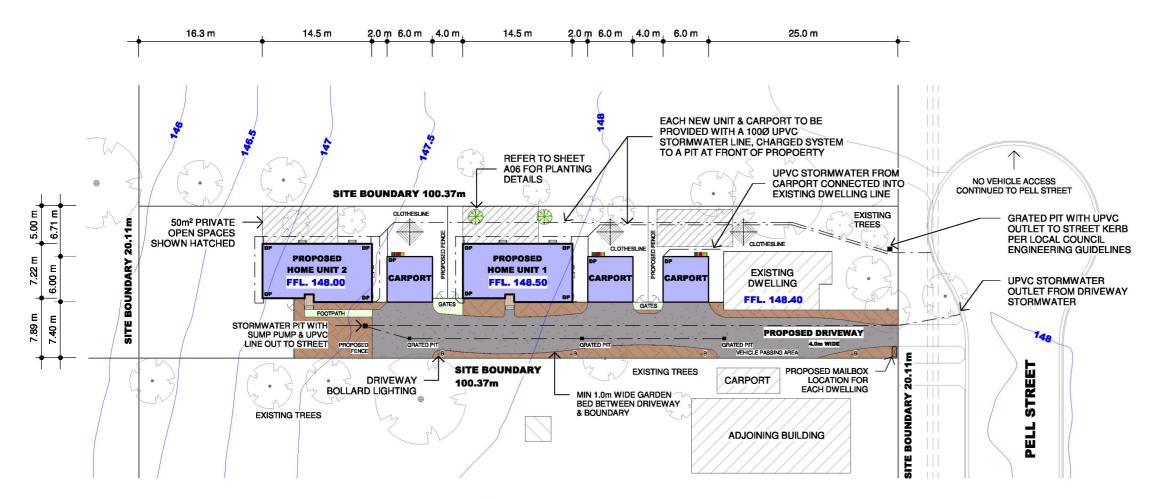
6-3-2024

7628

Sheet: Date:

Job No:

Z:\- REVIT\- Revit\- Home Units\7628 Hartshorn - 94 Pell Street\2 - DA Drawings\2024-3-6\7628 Hartshorn - 94 Pell St - DA.rvt 6/03/2024 4:52:28 PM



AREA TABULATION (GROSS)			
NAME AREA SQUARES			
CARPORT EX. DWELLING	36.00 m ²	3.87	
CARPORT UNIT 1	36.00 m ²	3.87	
CARPORT UNIT 2	36.00 m ²	3.87	
EXISTING DWELLING	104.33 m ²	11.22	
PROPOSED - HOME UNIT 1	107.63 m ²	11.57	
PROPOSED - HOME UNIT 2	107.63 m ²	11.57	
	427.59 m²	45.98	

SITE PLAN - PROPOSED

1:500





PROPOSED EAST ELEVATION - DRIVEWAY

1:200

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PROPOSED MULTI DWELLING HOUSING DEVELOPMENT

At: 94 PELL STREET, HOWLONG NSW 2643

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BUILDING DESIGNERS ASSOCIATION OF AUSTRALIA

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Sketch:

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EXISTING TREES SITE BOUNDARY 100.37m EXISTING TREES PROPOSED CLOTHESLINE ROOF OUTLINE SHOWN DASHED GREEN/RED/YELLOW BIN LOCATIONS AT REAR OF CARPORTS. TYPICAL **HWS** CARPORT ROOF OUTLINE SHOWN DASHED A/C UNIT 6.0 x 6.0 GARAGE ROLLER DOOR 5.2w x 2.1h ACCESS GATE DN ACCESS --PROPOSED DRIVEWAY

FLOOR PLAN - HOME UNIT 1

1:100



AREA TABULATION (GROSS)		
NAME	AREA	SQUARES
CARPORT EX. DWELLING	36.00 m²	3.87
CARPORT UNIT 1	36.00 m ²	3.87
CARPORT UNIT 2	36.00 m ²	3.87
EXISTING DWELLING	104.33 m ²	11.22
PROPOSED - HOME UNIT 1	107.63 m ²	11.57
PROPOSED - HOME UNIT 2	107.63 m ²	11.57
	427.59 m ²	45.98

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PROPOSED MULTI DWELLING HOUSING DEVELOPMENT

For:

At: 94 PELL STREET, HOWLONG NSW 2643



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6-3-2024 Job No: 7628

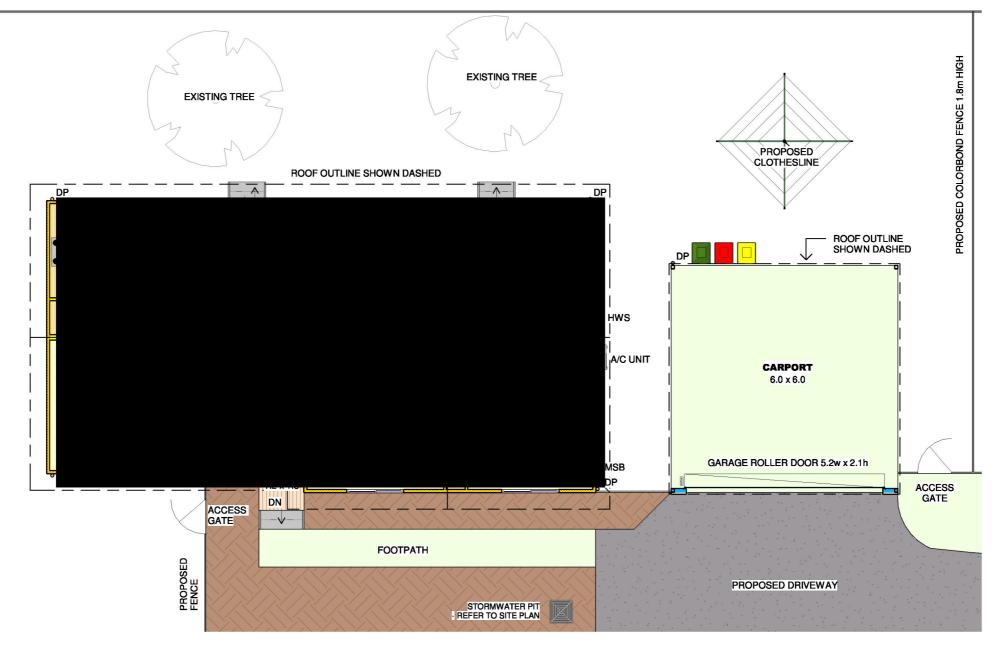
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A03

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SITE BOUNDARY 100.37m



FLOOR PLAN - HOME UNIT 2

1:100



AREA TABULATION (GROSS)		
NAME AREA SQUARES		
CARPORT EX. DWELLING	36.00 m²	3.87
CARPORT UNIT 1	36.00 m ²	3.87
CARPORT UNIT 2	36.00 m ²	3.87
EXISTING DWELLING	104.33 m ²	11.22
PROPOSED - HOME UNIT 1	107.63 m ²	11.57
PROPOSED - HOME UNIT 2	107.63 m ²	11.57

427.59 m²

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PROPOSED MULTI DWELLING HOUSING DEVELOPMENT

For: ANTHONY HARTSHORN

At: 94 PELL STREET, HOWLONG NSW 2643

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RESENTATION ONLY

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DA

A04

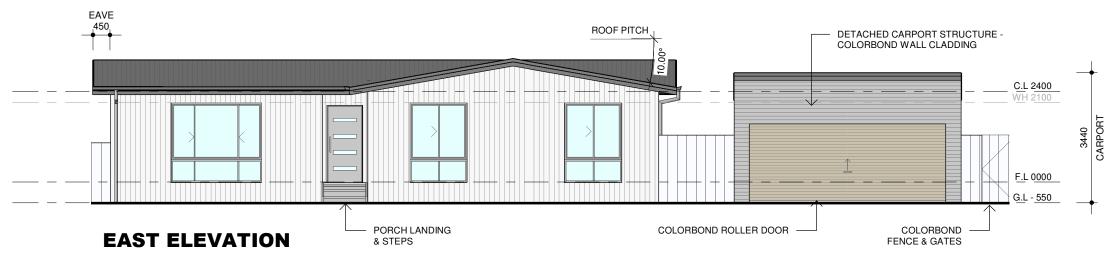
45.98

EAVE 450 CORRUGATED COLORBOND CORRUGATED COLORBOND **ROOF SHEETING ROOF SHEETING** C.L 2400 F.L 0000 G.L - 550 STEPS STEPS SCYON 'AXON' WALL CLADDING

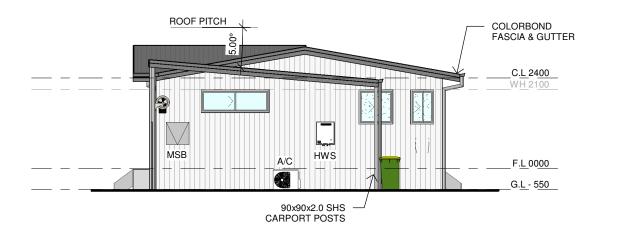
UNITS 1 & 2 ELEVATIONS

WEST ELEVATION

1:100



1:100



ROOF PITCH C.<u>L 2400</u> F.<u>L</u> 0000 G.L - 550

NORTH ELEVATION

1:100

SOUTH ELEVATION

1:100

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PROPOSED MULTI DWELLING HOUSING DEVELOPMENT

For: ANTHONY HARTSHORN

At: 94 PELL STREET, HOWLONG NSW 2643

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BUILDING DESIGNERS

ROB PICKETT DESIGN

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A05

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LEGEND:



ADVANCED PLANTING HEIGHT OF 1.2m

Callistemon citrinus 'Kings Park Special' Kings Park Bottlebrush 4m x 2m

Native cultivar



100mm BARK LANDSCAPE AREA WITH SHRUB PLANTING

NOTES:

GROUP PLANTING:

ASSORTED GROUND COVERS AND SHRUBS TO BE PLANTED IN GROUPS OF 4 - 6

GENERALLY NATIVE GRASSES SHADED AREAS TO BE: - KIKUYU

PLANTING:

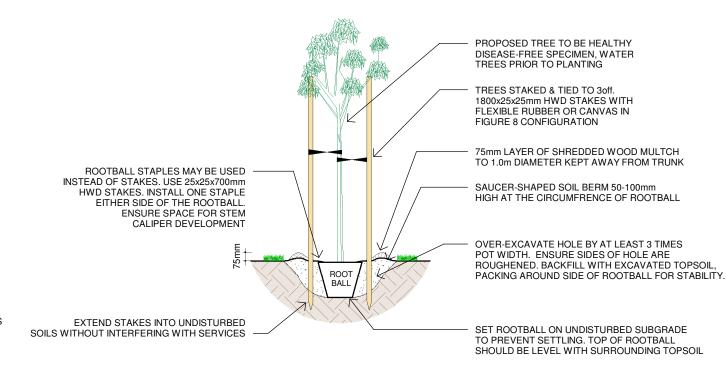
ALL TREES TO BE STAKED AND TIED PROVIDE 100mm BARK MULCH UNDER ALL TREES AND GROUND COVER

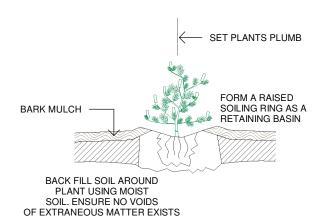
WATERING:

TIME MONITORED DRIPPER SYSTEM TO BE INSTALLED. ALLOW FOR ONE DRIPPER OUTLET PER PLANT

NOTES:

CHECK DRAWINGS AND DISCUSS WITH SITE SUPERVISOR PRIOR TO PLANTING TO PREVENT DAMAGE TO UNDERGROUND SERVICES. PROVIDE TOPSOIL TO LANDSCAPED AREAS





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PROPOSED MULTI DWELLING HOUSING DEVELOPMENT

For: ANTHONY HARTSHORN

At: 94 PELL STREET, HOWLONG NSW 2643

PRESENTATION ONLY



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DA

A06

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Multi-Dwelling Housing Development – Two (2) Additional Dwellings & Associated Works 94 Pell Street, Howlong

MARCH 2024

Submitted to Federation Council On behalf of Anthony Hartshorn

Contact

Matt Johnson, Senior Consultant Brendan Pearson, Consultant

Habitat Planning 409 Kiewa Street Albury NSW 2640 02 6021 0662 habitat@habitatplanning.com.au habitatplanning.com.au

Habitat Planning Pty Ltd ABN 29 451 913 703 ACN 606 650 837

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PROJECT NUMBER 24030

REVISION NO	ISSUE DATE	VERSION STATUS	AUTHOR	APPROVED
1.0	12/03/2024	Final	BP	MJ

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1. Introduction

1.1. Overview

This Statement of Environmental Effects (SEE) has been prepared by Habitat Planning on behalf of Anthony Hartshorn and is submitted to Federation Council in support of a Development Application (DA) for a Multi-Dwelling Housing Development comprising two (2) additional dwellings and associated works at land described as Lot 13 Section 47 in DP758528 and addressed as 94 Pell Street, Howlong.

The DA and this report have been prepared in accordance with the *Environmental Planning and Assessment Act 1979* ("EP&A Act") and the *Environmental Planning and Assessment Regulation 2021* ("EP&A Regs").

This report addresses the relevant heads of consideration listed under Section 4.15(1) of the EP&A Act and provides an assessment of the proposed development against the relevant Environmental Planning Instruments (EPIs) and other planning controls applicable to the site and to the proposal. It also describes the site, its environs, the proposed development, and provides an assessment of the environmental impacts and identifies the steps to be taken to protect or lessen the potential impacts on the environment.

1.2. Supporting Plans and Documentation

This application is accompanied by:

- Building Plans, prepared by Rob Pickett Design
- Planning Compliance Table, prepared by Habitat Planning

2. Site Analysis

2.1. Site Location and Context

The subject land to which this application relates is described as Lot 13 Section 47 in DP758528 and is addressed as 94 Pell Street, Howlong.

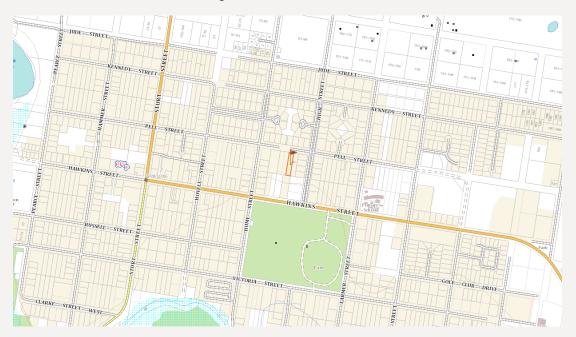


Figure 1 | Context Map (Source: SixMaps)

2.2. Site Description

The subject land is rectangular in shape with long axes of 100.3 metres oriented north-south and short axes of 20.1 metres wide oriented east-west, with an area of 2,024m².

The site is improved by an existing dwelling that covers an area of approximately 130m² and has an existing shipping container to the rear of the lot that will be removed.

The site is on the southern side of Pell Street and fronts this street to the north, which has a large street tree and overhead powerlines on the verge. There is an existing vehicle crossover to the site in the north east corner and the street is sealed with formed kerb and gutter but has no formal footpaths.

There are no easements on the site and a sewer main and manhole is located to the south of the subject site. Water is accessible from Pell Street and stormwater is discharged to Pell Street also.

The site slopes from the north to the south with a 2% gradient and has no discernible drainage lines. There is vegetation typical of an urban landscape, with established planted trees in the north west corner of the site and along the eastern and western perimeter of the site and the remainder of the site includes patches of exotic grasses.

Figure 2 provides an aerial image of the site and the existing conditions are further detailed within the Architectural Plans in **Appendix B**.



Figure 2 | Aerial image of site (Source: NearMap)

2.3. Surrounding Development

The surrounding development context is largely residential, being within an established section of Howlong, east of the town centre.

North of the subject site is the road reserve and cul-de-sac head of Pell Street. Opposite the site is 93 and 95 Pell Street, which host dwellings on allotments of a finer grain than the subject site.

East of the subject site is 96 Pell Street, which hosts a residential dwelling located opposite the dwelling on the subject site. The site to the east is of an identical shape and size to the subject site.

South of the subject site is 93 Hawkins Street, which is the site of an early childhood and education care service. The site is of a slightly coarser grain than the subject site and there are vacant sites, 91 and 105 Hawkins Street either side of the developed site.

West of the subject site is 90 Pell Street which hosts a residential dwelling on a site that is approximately twice the size of the subject site.

The subject site is approximately 130 metres north of the Lowe Square recreation area, 350 metres west of the Howlong Public School and 450 metres east of the Howlong local centre. A bus service runs between Corowa and Albury daily and has stops along Hawkins Street which is approximately 250 metres from the site.

The image in Figure 3 further depicts the surrounding development context.



Figure 3 | Aerial image of site and surrounding development (Source: NearMap).

3. Description of Proposal

3.1. Overview

The proposal seeks approval for a multi-dwelling housing development, comprising the installation of two (2) new transportable dwellings and the construction of three (3) detached carports and a driveway. An existing shipping and three trees are also proposed to be removed and/or relocated to make way for the new works.

The proposal is further detailed in the sections below and in **Appendix B.** A copy of the proposed site plan is reproduced below convenience.

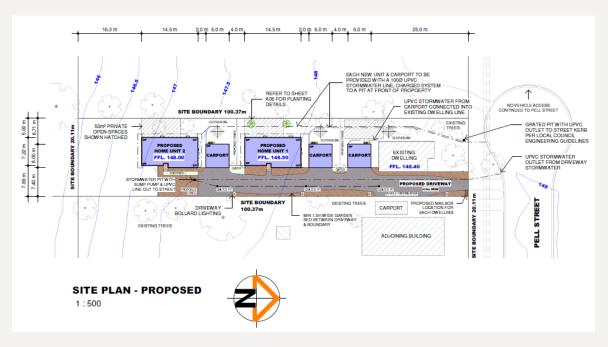


Figure 4 | Proposed Site Plan (Source: Rob Pickett Design)

3.2. Demolition & Tree Removal Works

In order to install the new transportable residential dwellings, the development will require the relocation of an existing shipping container on-site.

The development will also require the removal of three existing planted trees along the eastern boundary to make way for the proposed driveway.

A copy of the proposed demolition plan is included in Appendix B and is reproduced below.

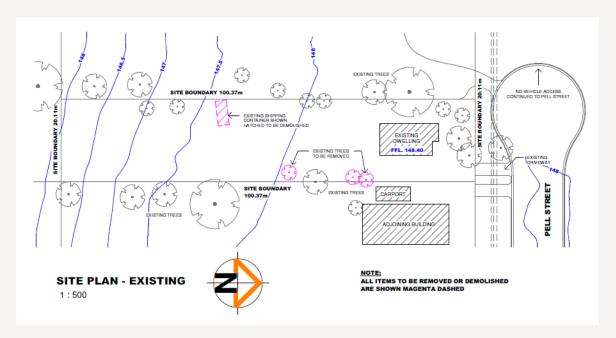


Figure 5 | Proposed Demolition Plan (Source: Rob Pickett Design)

3.3. Multi Dwelling Housing

The subject application seeks approval for the installation of two new transportable dwellings, which will form part of a multi dwelling housing development. The proposal will retain and integrate the existing dwelling into the overall development and proposed the new dwellings to be located at the rear of the existing dwelling.

The single storey transportable homes will be approximately 14.5 metres in length and 7.2 metres in depth and have an overall height of 3.8 metres. These homes will contain three bedrooms, one lounge, one family and kitchen area, laundry, and bathroom amenities and will be oriented in a westerly direction to benefit from passive solar heating.

Externally, the transportable homes will be clad in Scyon wall cladding and Colorbond roof sheeting, with matching fascia and gutter colours, and eaves of approximately 450mm. The homes will be connected to the site's stormwater drainage system.

The homes will be separated by 1.8 metre high dividing fences to provide suitable open space that is accessible via external gates or via the rear doors opening out to the open space. The dwellings will be accessible from the proposed driveway via a porch with a step up into the dwelling. All homes will be serviced with clothes drying facilities in adequate private open space of over $50m^2$ and the development will be suitably landscaped and retain the majority of trees, all bar three on the eastern boundary to make way for the proposed driveway. The development will be appropriately identifiable to the street, with letterboxes indicating the presence of all three dwellings and garbage storage facilities out of view from the street.

Sections of the plan coloured in brown will be landscaped garden beds with bark and shrub plantings and mature trees of approximately 1.2 metres will be planted in the private open space of the first transportable home, which is further detailed in **Appendix B**.

3.4. Carports

Furthermore, the proposal seeks approval for the construction of three (3) detached carports which will be 6 metres by 6 metres with a height of 3.44 metres. All carports will be accessible via a new sealed driveway, which will have stormwater pits along the length of the driveway, which will capture and pump stormwater to the street.

One carport will be located to the rear of the existing dwelling, and one each north of each of the proposed transportable dwellings. The carports will be clad with Colorbond steel for the east facing wall and roof, and will have a 5.2 metre wide by 2.1 metre high roller door for security and will be plumbed into the site's stormwater drainage system.

Elevation plans of the proposed buildings and structures are reproduced below.



Figure 6 | East elevation for development (Source: Rob Pickett Design)



Figure 7 | West elevation for proposed Units 1 and 2 (Source: Rob Pickett Design)



Figure 8 | East elevation for proposed Units 1 and 2 (Source: Rob Pickett Design)



Figure 9 | North elevation and South elevation for proposed Units 1 and 2 (Source: Rob Pickett Design)

3.5. Infrastructure and Services

The subject land is centrally located and already developed for the purposes of a single dwelling and therefore has access to all reticulated infrastructure and services including water, sewerage, stormwater, gas and electricity. As outlined above, a sewer main traverses the rear portion of the site, however no works are proposed in proximity to this infrastructure.

Road access to the subject land is via a driveway crossover that connects with the sealed Pell Street located to the north. This crossover will be retained as part of the subject works.

4. Planning Assessment

Under Section 4.15(1) of the EP&A Act when considering an application for development, the consent authority must take into consideration the relevant environmental planning instruments. This section details and responds to the relevant planning framework applicable to the proposal.

4.1. Applicable Environmental Planning Policies, Instruments and Controls

- Environmental Planning and Assessment Act 1979
- State Environmental Planning Policy (Resilience and Hazards) 2021
- State Environmental Planning Policy (Transport & Infrastructure) 2021
- State Environmental Planning Policy (Biodiversity and Conservation) 2021
- State Environmental Planning Policy (sustainable Buildings) 2022
- Corowa Local Environmental Plan 2012
- Corowa Development Control Plan 2013
- · Strategic Planning Policies

Compliance with the applicable legislation and policies is discussed below.

4.2. Environmental Planning and Assessment Act 1979

Section 4.15 of the EP&A Act sets out the statutory matters for consideration against which the proposed development is to be evaluated. The matters for consideration under Section 4.15 are as follows:

(1) Matters for consideration—general

In determining a development application, a consent authority is to take into consideration such of the following matters as are of relevance to the development the subject of the development application:

- (a) the provisions of:
- (i) any environmental planning instrument, and
- (ii) 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 (unless the Secretary has notified the consent authority that the making of the proposed instrument has been deferred indefinitely or has not been approved), and
- (iii) any development control plan, and
- (iiia)any planning agreement that has been entered into under section 7.4, or any draft planning agreement that a developer has offered to enter into under section 7.4, and
- (iv) the regulations (to the extent that they prescribe matters for the purposes of this paragraph), and
- (v) any coastal zone management plan (within the meaning of the Coastal Protection Act 1979), that apply to the land to which the development application relates,
- (b) the likely impacts of that development, including environmental impacts on both the natural and built environments, and social and economic impacts in the locality,
- (c) the suitability of the site for the development,
- (d) any submissions made in accordance with this Act or the regulations,
- (e) the public interest."

The matters for consideration identified in Section 4.15(1) of the EP&A Act 1979 are addressed in the following section. Subsections (b) to I of Section 4.15(1) of the EP&A Act 1979 are addressed in Section 5 of this Statement of Environmental Effects.

The proposal is not identified as Designated Development, pursuant to section 4.10 of the EP&A Act or Integrated Development pursuant to section 4.46 of the EP&A Act. Division, and consequently, Council is the relevant approval authority.

4.3. State Environmental Planning Policy (Resilience & Hazards) 2021

4.3.1. Chapter 4 – Remediation of Land

Chapter 4 of *State Environmental Planning Policy (Resilience & Hazards) 2021* sets out considerations relating to land contamination across the state. The intention of the SEPP is to establish 'best practice' guidelines for managing land contamination through the planning and development control process.

In the context of this application, clause 4.6 of Chapter 4 generally requires that consideration be given to whether or not land proposed for development is contaminated and fit for use for its intended purpose. The SEPP requires the consent authority to consider whether the subject land is contaminated when determining a development application. If the land is contaminated, the consent authority must be satisfied that the land is suitable in its contaminated state (or will be suitable, after remediation) for the purpose for which the development is proposed to be carried out.

The subject land has been previously developed for residential purposes and is not known to be contaminated, nor is it expected to be at risk of contamination given its historical use and surrounding context.

Furthermore, the subject land is not located on either Council's or the NSW EPA's Contaminated Land Register and the land does not show any signs of land contamination.

Consequently, the subject land is considered fit for purpose.

4.4. State Environmental Planning Policy (Transport & Infrastructure) 2021

4.4.1. Chapter 2 – Infrastructure

Chapter 2 of State Environmental Planning Policy (Transport & Infrastructure) 2021 provides a provides a consistent and flexible planning system to facilitate the delivery of infrastructure and services. The policy identifies environmental assessment categories for types of infrastructure, matters to consider when assessing development adjacent to infrastructure and provides for consultation with relevant public authorities.

The Chapter 2 contains provisions relating to approval processes and assessment requirements for infrastructure proposals according to the type or sector of infrastructure. It outlines land-use zones where types of infrastructure are permissible with or without consent and identifies certain works as exempt and complying development.

There are several Clauses under the SEPP that trigger referral and concurrence matters. These are addressed in the table below for consideration.

Table 1 | SEPP (Transport & Infrastructure) Matters for Consideration

Matter for consideration	Response
Clause 2.48 – Determination of development applications – other development	This clause applies to a development application (or an application for modification of a consent) for development comprising or involving any of the following—

Matter for consideration	Response	
	 (a) the penetration of ground within 2m of an underground electricity power line or an electricity distribution pole or within 10m of any part of an electricity tower, (b) development carried out— (i) within or immediately adjacent to an easement for electricity purposes (whether or not the electricity infrastructure exists), or (ii) immediately adjacent to an electricity substation, or (iii) within 5m of an exposed overhead electricity power line, (c) installation of a swimming pool any part of which is— (i) within 30m of a structure supporting an overhead electricity transmission line, measured horizontally from the top of the pool to the bottom of the structure at ground level, or (ii) within 5m of an overhead electricity power line, measured vertically upwards from the top of the pool, (d) development involving or requiring the placement of power lines underground, unless an agreement with respect to the placement underground of power lines is in force between the electricity supply authority and the council for the land concerned. Comment: Referral under Clause 2.48 is not required to the relevant electricity supply authority as the proximity of the exposed 	
	overhead powerline located on Pell Street exceeds the distance triggers for referral to Essential Energy.	
Clause 2.122 – Traffic generating development	This clause applies to development specified in Column 1 of the Table to Schedule 3 that involves—	
	(a) new premises of the relevant size or capacity, or	
	(b) an enlargement or extension of existing premises, being an alteration or addition of the relevant size or capacity.	
	The following thresholds apply to the proposed development:	
	'any other development' with access to a road (generally) specifies 200 or more motor vehicles an hour.	
	Comment:	
	As the proposed multi-dwelling housing development does not meet these thresholds, the development is not classified as 'traffic-generating development' and referral to TfNSW is not required.	

4.5. State Environmental Planning Policy (Biodiversity and Conservation) 2021

4.5.1. Chapter 5 – River Murray lands

The subject site falls within the area to which Chapter 5 – River Murray lands (previously "MREP") applies. The aims of this chapter are to conserve and enhance the riverine environment of the River Murray for the benefit of all users.

The objectives are:

- (a) to ensure that appropriate consideration is given to development with the potential to adversely affect the riverine environment of the River Murray;
- to establish a consistent and coordinated approach to environmental planning and assessment along the River Murray; and
- (c) to conserve and promote the better management of the natural and cultural heritage values of the riverine environment of the River Murray.

Part 5.2 of this chapter requires Council to take into account a number of general and specific principles when considering development proposals to which the plan applies. These controls generally relate to the protection of the River Murray.

The proposed development will not adversely impact the River Murray or be impacted by the River Murray as outlined in the policy. The distance between the proposed development and the River Murray (>1km) will ensure that the proposed works will have a limited impact on this waterway. Furthermore, the nature of the development, being the establishment of a multi dwelling housing development, is not identified within the planning control and consultation table requiring further consideration by other authorities. Thus, the development complies with the requirements of this SEPP.

Consequently, no further discussion regarding the general and specific controls has been provided in relation to this SEPP.

4.5.2. Chapter 2 – Vegetation in Non-Rural Areas

State Environmental Planning Policy (Biodiversity and Conservation) 2021 aims to protect the biodiversity and amenity values of trees and other vegetation in non-rural areas of the State.

Chapter 2 Vegetation in non-rural areas applies to vegetation in any non-rural area of the State (such as the R1 General Residential zone) that is declared by a Development Control Plan to be vegetation to which this SEPP applies.

Chapter 9 of the *Corowa Development Control Plan 2013* ("the DCP") outlines trees that are declared by a DCP for the purposes of this SEPP (formerly Clause 5.9 of the LEP).

Following a review of Chapter 9 of the DCP, as well as the requirements of this SEPP, the proposed tree removal is considered appropriate in this instance as the trees are non-native and planted and do not form part of a heritage item.

Furthermore, the subject land is not considered critical habitat and their removal will not result in the loss or extinction of any threatened species.

Accordingly, the proposed development will not have an adverse environmental impact on threatened species. See Section 5 for further details.

4.6. State Environmental Planning Policy (Sustainable Buildings) 2022

State Environmental Planning Policy (Sustainable Buildings) 2022 seeks to encourage the design and delivery of sustainable buildings, ensure consistent assessment of the sustainability of buildings, and monitor embodied emissions of materials. Furthermore, it aims to minimise the consumption of energy, reduce greenhouse gas emissions and mains supplied potable water and ensure good thermal performance of buildings. The SEPP outlines the standards for residential development.

The EP&A Regulation 2021 notes that a development application for BASIX affected development must be accompanied by a relevant BASIX certificate, issued no earlier than 3 months before the day on which the development application is submitted on the NSW planning portal.

It is noted that the proposal is not classified as a BASIX affected development. Therefore, a BASIX Certificate is not required in this instance.

4.7. Corowa Local Environmental Plan 2012

The *Corowa Local Environmental Plan 2012* ("the LEP") is the principal planning instrument that guides development within the LGA.

The applicable provisions of the LEP are:

- Clause 2.3 Zone Objectives and Land Use Table
- Clause 2.7 Demolition requires development consent
- Clause 5.10 Heritage Conservation
- Clause 7.3 Stormwater management
- Clause 7.9 Essential services

The below provides an overview of consistency and compliance of the proposal against these relevant provisions.

4.7.1. Clause 2.3 Zone objectives and Land Use Table

The subject site is zoned R1 General Residential by the LEP, as per the figure below.



Figure 10 | Extract of LEP land zoning map (Source: NSW Planning Portal)

The objectives of the R1 zone are as follows:

- 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.

The proposed development is consistent with the zone objectives as:

- it adds to a variety of housing types and densities within Howlong.
- it will provide for the housing needs of the community.
- it will support housing affordability by increasing the supply of residential dwellings, particularly smaller dwellings in the market.
- it will support medium density housing options, have good solar access, private open space and achieve a high standard of amenity for occupants.

Overall, the proposal represents a suitable land use, in an infill scenario within an established residential area of the Howlong.

Furthermore, the proposed land use is defined as multi-dwelling housing in the LEP as follows:

multi dwelling housing means 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.

Multi-dwelling housing is permissible on R1 General Residential land, and thus the proposal is considered to meet requirements of this Clause.

4.7.2. Clause 2.7 — Demolition requires development consent.

Clause 2.7 of the LEP requires that the demolition of a building or work may be carried out only with development consent unless the works are identified as exempt or complying development pursuant to State Environmental Planning Policy (Exempt and Complying Development Codes) 2008.

It is confirmed that the works to demolish the shipping container on site and removal of three (3) trees is not exempt development, and the proposal is seeking development consent.

4.7.3. Clause 5.10 – Heritage Conservation

Clause 5.10 of the LEP relates to heritage conservation and seeks to conserve the environmental heritage of the former Corowa LGA, the heritage significance of heritage items and heritage conservation areas, archaeological sites and Aboriginal objects and places of heritage significance.

Following a review of Schedule 5 and the Heritage Map of the LEP, it is confirmed that the subject land is not identified as a heritage item, nor is it located within a heritage conservation area.

Similarly, matters regarding Aboriginal Cultural Heritage have also been investigated. A review of the Aboriginal Heritage Information Management System (AHIMS) database was undertaken, and it is confirmed that there are no recorded items of Aboriginal cultural significance within 100 metres of the subject site.

Further details regarding environmental impacts are discussed in Section 5 of this report.

4.7.4. Clause 7.3 – Stormwater management

Clause 7.3 of the LEP notes that development consent must not be granted to development on land to which this clause applies unless the consent authority is satisfied that the development—

- (a) is designed to maximise the use of water permeable surfaces on the land having regard to the soil characteristics affecting on-site infiltration of water, and
- (b) includes, if practicable, on-site stormwater retention for use as an alternative supply to mains water, groundwater or river water, and
- (c) avoids any significant adverse impacts of stormwater runoff on adjoining properties, native bushland and receiving waters, or if that impact cannot be reasonably avoided, minimises and mitigates the impact.

The proposed development will be connected to Council's reticulated stormwater and drainage system and there will be adequate landscaped areas around the development to provide sufficient water permeable surfaces for infiltration of water.

The proposal notes the use of grated pits and pipes along the driveway that drain to a main stormwater pit, which will be fitted with a pump to convey the water to the legal point of discharge on Pell Street. Furthermore, the proposed transportable homes and carports will also be connected to stormwater pipes to the west of the allotment and will discharge to Pell Street as per local Council engineering standards.

The proposal is therefore deemed to comply with this clause.

4.7.5. Clause 7.9 – Essential services

Clause 7.9 of the LEP notes that development consent must not be granted to development unless the consent authority is satisfied that any of the following services that are essential for the development are available or that adequate arrangements have been made to make them available when required—

- (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 road access.

The subject land is within an established residential area within Howlong and has access to all necessary servicing infrastructure. Water and electricity will be obtained from Pell Street, sewer will be connected to the main sewer line to the rear of the lot and stormwater will be conveyed to Pell Street. As noted in the site conditions, the site has suitable road access and an established vehicle crossover in the northeast corner of the site.

The relevant services are understood to have adequate capacity to accommodate the proposal and thus the proposal complies with this clause.

4.8. Corowa Development Control Plan 2013

The Corowa Development Control Plan 2013 ("the DCP") provides specific requirements for development within the LGA, including the subject site.

The following chapters of the DCP are applicable to the proposed works:

- Part 2 Residential Development
- Part 6 Strategic Land Use Plan
- Part 9 Vegetation Removal
- Part 12 Notification policy

These matters are addressed in the following sections below.

4.8.1. Variations to Development Controls

It is important to acknowledge that the principal purpose of a DCP is to provide guidance to a consent authority rather than statutory controls. If a development application does not comply with provisions in a DCP, the consent authority must be flexible in the way it applies the controls and allow for reasonable alternative solutions to achieve the objectives of those standards.

The following summarises the items of non-compliance which are sought by this application.

Table 2 | Summary of variations sought to development controls

Guideline	Requirement	Compliance	Justification
2.6 Privacy & Amenity	8. Bedrooms should also not be within 3m of shared driveways and parking areas.	Departure from control	Whilst it is acknowledged that the bedrooms 1 and 2 within Unit 2 will be located within 3 metres of the shared driveway and parking areas/carports, it is submitted that the traffic generated within the driveway area will be minimal and not create undue noise impact on residents. Notwithstanding, in order to help minimise noise generation on-site, the proposed dwellings will be separated from the internal driveway by a landscaped garden bed.
2.12 Outbuildings	9. The maximum wall height for outbuildings shall be: • 2.7m for floor area less than 60m² • 3m for floor area 60m² or more.	Departure from control	The carport outbuilding has a floor area of less than 60m² and the maximum wall height (east fronting) of the carport is 3.4 metres. This wall height variation represents a minor noncompliance, which is considered acceptable, as the carport meets all other requirements for an outbuilding and does not exceed the maximum roof height for outbuildings of 3.9 metres. Furthermore, the overall building height of the structure will not create issues of overlooking and overshadowing and only adjoins an internal driveway.

4.8.2. Part 2 – Residential Development

Part 2 of the DCP relates to Residential Development in the Federation LGA. The purpose of the controls in this chapter is to create well-designed and liveable residential environments for current and future residents. As the development is in a R1 General Residential zone, the standards that apply within this part are the general and average density standards.

The proposed development, being a group of three or more dwellings on a single lot, has been assessed against the general and higher density standards and a response is provided in the **Appendix C.** The proposal is generally in accordance with these standards, apart from some minor variations as noted above.

4.8.3. Part 6 – Strategic Land Use Plan

Part 6.0 of the DCP relates to Council's Strategic Land Use Plan (SLUP). The general purpose of the SLUP is to guide future development and use of land.

The site is located in the residential zoned land central to Howlong, east of the town centre. The development of the subject site for multi-dwelling housing aligns with several of the town development principles, notably to encourage infill development in established residential areas, and provide an adequate supply of zoned and appropriately located land for development to accommodate population growth as noted in the Strategic Land Use Plan for Howlong (pg.35).

The proposal is an infill development, increasing residential dwellings in a multi-dwelling housing context and the development is central and within the established township of Howlong, requiring no further infrastructure to service the site. This is consistent with the recommendations of the Strategic Land Use Plan.

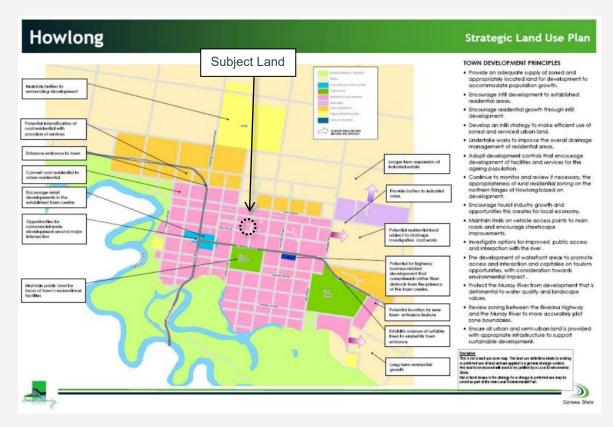


Figure 11 | Howlong Township Master Plan (Source: Howlong Strategic Land Use Plan, 2011)

4.8.4. Part 9 – Vegetation Removal

Part 9.0 of the DCP applies to vegetation removal and prescribes the species of tree and vegetation to which the repealed Section 5.9 of the LEP applies. The criteria prescribed include controls for certain zones, including R1 General Residential, the size of the tree in heigh and trunk diameter and certain species of trees.

It is confirmed that the three (3) trees for removal in the proposal do not qualify as trees that require a development application to be lodged and will be removed to make way for the proposed driveway.

Notwithstanding the removal of these trees, the proposal will include the planting of two (2) advanced species of trees along the western boundary of the site and will include the planting of shrub and ground covers in the landscaping areas marked on the plans in **Appendix B**.

4.8.5. Part 12.0 – Notification Policy

Chapter 12.0 of the DCP outlines Council's process and criteria for the notification and advertising of development applications, modification applications and review of determination applications.

The proposal does not identify as a development that does not require advertising and therefore, will be notified in accordance with the requirements of the DCP.

4.9. Strategic Planning Policies

4.9.1. Riverina Murray Regional Plan 2041

The Riverina Murray Regional Plan 2041 is an update to the Riverina Murray Regional Plan 2036 released by the NSW Government in 2023. This Plan is the relevant regional planning strategy that provides the strategic planning framework to guide decision making and development in the Riverina Murray region for the next 20 years.

The Minister's forward to the document states that the Regional Plan "recognises the need to maintain and improve the resilience of the region's important natural assets that underpin its communities and economy. It strives to align state and local government strategic planning to support ongoing prosperity and growth".

The Regional Plan is underpinned by three (3) parts including:

- Part 1 Environment
- Part 2 Communities and places
- Part 3 Economy

Each of these parts is supported by a number of different objectives which seek to achieve the vision for the region.

The proposal directly delivers on and aligns with the following objectives:

• Objective 5: Ensure housing supply, diversity, affordability, and resilience. Strategies within this objective encourage new urban development to minimise land use conflict with other uses, be integrated with existing urban areas and provide a variety of housing options that reflects community need amongst others. The strategies also encourage Council to consider local affordable housing needs to identify community, council and State Government solutions and actions to support low-income renters and purchasers. It is considered that this proposal will directly deliver on this objective by increasing housing supply and diversity of housing options, whilst providing an affordable option for residents.

• Objective 6: Support housing in regional cities and their sub regions. This objective recognises that surrounding areas, such as Howlong, which is within a reasonable commuting distance of Albury stands to benefit, by offering affordable housing and a country lifestyle for residents. A strategy for regional cities is to increase residential densities within or close to the CBD where appropriate services exist to support the population. The proposal offers a higher density living option for residents through this multi-dwelling housing development which is in close proximity of the Howlong town centre offering a range of services, such as the Howlong Primary School, recreation opportunities at Lowe Square and services sustaining daily living such as a supermarket, bakery, pharmacy, and others.

4.9.2. Local Strategic Planning Statement

The Federation Council *Local Strategic Planning Statement* (LSPS) is a strategy that sets out the landuse planning priorities for the Federation Shire through to 2040, informed by the *Riverina Murray Regional Plan 2041* and the *Federation Community Strategic Plan 2022/23-2031/32*.

The LSPS outlines land-use planning priorities to help expand towns and villages and revitalise rural communities, including providing various housing for the needs of the community from housing for older adults to larger lots for families and small acreage for rural lifestyles. The following planning priorities relate to the proposed development:

- Planning Priority 8 Flexible landuse zonings to help attract and retain population in the area and rebuild the social fabric of the villages and surrounding rural areas in Federation Council
- Planning Priority 9 Review housing needs and lot sizes within the urban areas.

The proposed development aligns with these priorities as it will increase housing options in Howlong. The delivery of a multi-dwelling housing development that provides smaller sized housing and flexibility on an existing lot, which is over 2000m² is seen as a growing priority in the community.

The proposed development aligns with the relevant objectives, directions, and outcomes in the LSPS.

5. Assessment of Environmental Impacts

This section of the SEE identifies potential impacts which may occur as a result of the proposed development and are relevant matters for the consideration of the DA under Section 4.15(1)(b) to I of the EP&A Act.

These impacts and mitigating measures have been identified following comprehensive analysis of the site and the proposed plans.

The analysis and impact identification under this section is informed by:

- Site analysis and visual inspection of the subject land and surrounding properties.
- Analysis of the proposed plans for development (provided attached for reference)
- Desktop review of applicable Environmental Planning Instruments
- · Consideration of the Councils Development Plans and Policies including the DCP
- Assessment of relevant strategic planning documents.
- Consultation with Council and other authorities

5.1. Context and Setting

The proposal is for a multi dwelling housing development, specifically the installation of two (2) new transportable single storey homes, and the construction of three (3) detached carports and a driveway on the subject site, 94 Pell Street, Howlong.

The site is within a well-established residential area and central location within Howlong, only 130 metres north of the Lowe Square recreation area, 350 metres west of the Howlong Public School and 450 metres east of the Howlong local centre.

The proposed development is considered to be in keeping with the existing and emerging neighbourhood character, and for all intents and purposes, the frontage to Pell Street will remain somewhat unchanged. There are sites to the north and east and west of the subject site that represent a finer grain of lots and higher density of development that is compatible with this application for a higher density style of housing development. The development is considered to align with the strategic intent of policies such as the Regional Plan and the Federation Council Local Strategic Planning Statement, providing added housing diversity to meet community needs.

The site is amply large enough for such a development, providing liberal space for on-site parking and manoeuvering, private open space and a northerly aspect to take advantage of passive solar access, providing a high degree of residential amenity.

The proposal will require the removal of three immature trees to allow for a new driveway along the eastern boundary, however, the plans also include the provision of new advanced trees within the private open space of dwelling one (to the west), and extensive shrub and groundcover landscaping along the edges of the driveway to provide an attractive entrance to the development.

Due to the size of the lot and ideal orientation it is considered that the siting of the proposed single storey transportable homes will have minimal impact on neighbouring residents in terms of overshadowing, visual impact, privacy, odour, or noise impacts given the generous setbacks from boundaries.

Overall, the proposal represents a high quality development and an appropriate residential outcome for this site, suitable for the context and setting in Pell Street.

5.2. Privacy

The proposed development, including the existing dwelling and the new single storey transportable dwellings, will be sited appropriately to respect front, side, and rear setback requirements and from one another, to ensure that the privacy of adjoining landowners will be maintained, and future residents will receive appropriate amenity.

There will be no unreasonable areas for overlooking, as existing boundary fences will reduce sightlines and the proposed fencing between dwellings will ensure tenants have sufficient privacy in habitable rooms and outdoor private open space.

5.3. Access & Traffic

The proposal will not unreasonably increase traffic to the site and Pell Street, which has the capacity to handle this modest increase resulting from the establishment of two new dwellings. Pell Street is a sealed road of good quality which will not be unduly impacted by this proposal and associated traffic. The site maintains sufficient access from the northeast, which will be further formalised by way of a longer and wider driveway with passing areas. This will service all dwellings enabling vehicle and pedestrian access and will be legible from the street.

5.4. Parking

Each of the proposed dwellings in the multi-dwelling housing development will have an associated carport that is capable of housing two (2) motor vehicles, which is sufficient for the three bedroom dwellings.

As the site hosts only three dwellings, there is no requirement for visitor parking. Notwithstanding this, it is considered that should visitor parking be required, visitors will be able to utilise on street parking in Pell Street.

5.5. Infrastructure

The site, being in an established part of Howlong, has access to all necessary infrastructure. As noted elsewhere in this report, water and electricity will be obtained from Pell Street, sewer will be connected to the main sewer line to the rear of the lot, and stormwater will be conveyed to Pell Street. These services are understood to have adequate capacity to accommodate the proposed additional dwellings and require only minor alterations to achieve a high quality residential outcome.

5.6. Heritage

Upon review of the Corowa LEP, the site is not a heritage site or within a heritage conservation area within Schedule 5 or the Heritage Map of the LEP.

5.7. Cultural Heritage

The subject land is a highly modified site, having been used for residential purposes and has very little likelihood of any items of containing cultural heritage. A search of the AHIMS databased found no registered cultural heritage items within a 50-metre perimeter of the subject site.

Previous urban development has occurred on the property. In the event that the applicant does identify or uncover archaeological items during works, the items will be left in place and appropriate protocols for dealing with such instances will be observed ('unexpected finds protocol').

5.8. Soils & Erosion

The proposed works may include minor site disturbance in establishing the new boundary fences and placing footings for the transportable homes and carports and installation of services. These works will be appropriately secured and managed by the appointed contractors to avoid any significant impact on drainage infrastructure.

Potential erosion to exposed areas of the site is low given the very minor slope on the lot to towards the south. The risk will be minimised by use of sediment control and stabilisation measures, both before and after construction. To ensure all potential impacts are minimised, appropriate Soil and Water Management techniques will be implemented during the construction works, in accordance with Council's guidelines.

The subject land is within an area that has long been used for residential purposes and as part of this use, there were no activities or storage processes that are potentially contaminating. Consequently, there is a high degree of confidence that the land is not potentially contaminated.

5.9. Biodiversity and Landscaping

The site is not in an area of high biodiversity value and the proposed three (3) trees for removal are immature planted trees and are not remnant native vegetation. The removal of these trees is unlikely to have any impact on any threatened species and the proposal seeks to replace two of these trees with advanced 'Kings Park Bottlebrushes', west of the proposed dwellings. Furthermore, the landscaped areas denoted in the plans are to be planted with assorted ground covers and shrubs in groups of 4-6 to enhance the vegetation diversity in the urban landscape.

5.10. Stormwater

The proposed development will be connected to Council's reticulated stormwater and drainage system and there will be adequate landscaped areas around the development to provide sufficient water permeable surfaces for infiltration of water.

The proposal notes the use of grated pits and pipes along the driveway that drain to a main stormwater pit, which will be fitted with a pump to convey the water to the legal point of discharge on Pell Street. Furthermore, the proposed transportable homes and carports will also be connected to stormwater pipes to the west of the allotment and will discharge to Pell Street as per local Council engineering standards.

5.11. Flooding

The site is not within a flood mapped area.

5.12. Bushfire

The site is not within a bushfire prone land area.

5.13. Safety, security & crime prevention

The proposed development will continue to address the street, assisting with territorial re-enforcement and enabling passive surveillance to the street, providing a sense of safety. The additional dwellings will increase activity in the area and eyes on the street and the proposed carports will be provided with access control from the driveway along with site fencing and gates, further enhancing safety and security in the area, and reducing opportunities for theft and damage. The development includes the use of bollard driveway lighting along the eastern boundary, which will also provide a sense of additional safety and security and will assist with crime prevention.

5.14. Social & Economic Impacts

The proposal is considered to have a positive social and economic impact within and beyond Howlong and the Federation Council area.

Socially, the proposal provides additional housing opportunities for smaller families, couples, or individuals, helping to locally improve housing supply. The location of the housing is ideal, being close to a range of services in Howlong, public transport and provides opportunities for residents to mobilise using active means of transport, reducing dependency on motor vehicles. Future residents are likely to contribute to the local community and more broadly by participation in a range of local activities, groups, and clubs. The development is not anticipated to impact on neighbouring residents by way of visual, privacy, odour or noise impacts given the generous setbacks from boundaries.

Furthermore, the development stands to deliver economic benefits to tradespeople involved in the construction of the development in the short term. In the longer term, the town of Howlong and Federation Council will benefit by way of increased residents, rate payers and customers of local services, helping the vitality of the town and broader area.

5.15. Suitability of the Site for Development

The proposed multi-dwelling housing development is considered suitable for the site which is ample in area for the proposed three (3) detached dwellings on a lot. The subject site has an area of 2,024m² and it is submitted that there is ample room for the proposed development, on-site car parking, amenity for residents including private open space. There are suitable areas for clothes drying with a west and northern aspect and the development will have minimal impact on neighbouring dwellings given the development is single storey and setback appropriately from all boundaries.

5.16. The Public Interest

The public interest is a broad consideration relating to many issues and is not limited to any one particular issue. Taking into account the full range of matters for consideration under Section 4.15C of the EP&A Act (as discussed within this report), it is considered that approval of the application is consistent with the public interest.

The development of land in an orderly and economic way is in the public interest.

6. Conclusion

The Development Application seeks consent for a Multi-Dwelling Housing Development comprising two (2) additional dwellings and associated works at land described as Lot 13 Section 47 in DP758528 and addressed as 94 Pell Street, Howlong.

The application seeks development consent under Part 4 of the EP&A Act and has been assessed against the provisions of Section 4.15(1) of the EP&A Act.

As demonstrated by the detailed assessment above, the proposal satisfies the intent of the provisions of the applicable EPIs and will result in a positive development outcome in terms of social, environmental, and economic impacts.

Having regard for the content of this report, the proposal deserves the support of Council because:

- it is consistent with the relevant environmental planning instruments and development control plan;
- it will assist to increase housing supply and diversity of housing options, whilst providing an affordable option for residents.
- it will offer a higher density living option which is in close proximity of a school, recreation opportunities and services within the Howlong town centre;
- it is an appropriate in-fill development, relying on existing services with capacity for the proposal, and requiring only minimal alterations to provide a high quality residential outcome;
- it is a suitable style of development for the site's area, and will not adversely impact on the area socially or environmentally;
- · it will provide more active, safer streetscape by virtue of increased activity in the area; and
- it is highly accessible by a number of transport modes, given its central location to Howlong;

In light of the above considerations, it is our opinion that the proposal is appropriate from a planning point of view and is in the public interest. The proposed development warrants support by Council.

Appendix A: Building Plans

Appendix B: Planning Compliance Tables

Table 3 | Part 2 Residential Development DCP compliance table.

Co	ontrols	Complies	Comment
2.1 Ne	ighbourhood character		
2. Higher	The design of residential development is to suit the existing scale, density, setbacks, and character of the neighbourhood. No more than two dwellings should be provided within any one building (unless proposed as a residential flat building). density Proposals located within the 'head' of a court (cul-de-sac) or dead-end street shall be regarded as inconsistent with the objectives of this section. Proposals on 'green field' subdivisions are to be located upon allotments with the following minimum frontages and widths: 15m in the case of development with an offset access way with dwellings on one side of the allotment; and 30m in the case of development with a centralised access way with dwellings either side.	Complies	The proposed development is of a suitable scale and density and is considered compatible with the lots to the north and also further east and west and will have a similar appearance to Pell Street as the existing development on the site. Whilst the site is arguably located within the 'head' of a court (cul-de-sac), it is submitted that Pell Street is essentially a street, not a true cul-de-sac as there is no development between the two abutting heads of the cul-de-sacs. Furthermore, it is considered that the site is large enough (2,024m²) to accommodate on-site vehicle parking and being in close proximity of the Howlong commercial centre and open spaces in Lowe Square, it is ideally located for such higher density development. There are no other higher density proposals adjoining the proposed development.
7.	No more than two proposals are to be located adjoining each other.		

Co	ontrols	Complies	Comment
2.2 Str	eetscape		
Genera 1. 2.	Dwellings are to 'face' street frontages.	Complies	The existing dwelling already faces Pell Street. No rear or service areas face the street. There are no double garages fronting the street with all carport garages facing the east and the proposed internal driveway.
<i>4.</i> 5.	as listed.		The existing dwelling, which will be closest to the street already addresses this street in terms of the use of windows and doors.

Higher density

frontage.

exteriors as well as any fences constructed as part of the development.

6. Double garages must not extend across more than 50% of the lot frontage

7. The dwelling closest to the street shall be orientated to, and 'face' that

8. Blank building walls with little or no articulation and/or fenestration facing the street will be regarded as inconsistent with the objectives of this control.

Controls		Complies	Comment
2.3 Site Requirements			
	- · ·	Complies	Complies with SEPP requirements and relevant higher density requirements.
 In the case of a two-s The minimum lot size for attached and for detached dual occupancy 	dual occupancy developments is 550m2		
 the siting of buildings the location of private development; the location and form 	oise and overlooking; on adjoining land; open space and living areas of adjoining		

Co	ontrols	Complies	Comment	
2.4 Bui	ilding Heights			
Genera 1.	As per General Housing Code in Clause 3.13, Subdivision 3, Division 2, Part 3 of State Environmental Planning Policy (Exempt and Complying Development Codes) 2008.	Complies	The proposal does not exceed the specified building height of 8.5 metres.	
	2.5 Building setbacks			
2.	A 1m wide articulation zone for no more than 25% of the frontage of the building is permitted within the front building setback. A garage must be setback a minimum 1m behind the front building line if the building is at the minimum setback distance. density	Complies	The existing dwelling on the site is setback approximately 10 metres from the boundary, further than the requirement. The carports are all behind the dwellings.	
5. 6. 7. 8.	A minimum 4.5m from the front (primary) property boundary or the average of the setback of the adjoining buildings. A minimum 2m from the side and rear property boundaries. A minimum 4m to the side (secondary) property boundary on a corner site (does not apply to detached dwellings that face the second frontage to which the front setback applies). A minimum 1m from the vehicular access way. A minimum 8m between the main entrance of a dwelling and the main entrance of another dwelling which is visible by direct line of sight. A minimum 2m between each group of dwellings or each detached dwelling.		The development exceeds the side and rear setback requirements. The driveway for vehicular access is setback appropriately from the eastern boundary. The dwelling entrances and the gap between dwellings exceeds the requirement in this DCP control and there are no built structures built to the zero lot line.	

Co	ontrols	Complies	Comment
10). A zero lot line setback may be permitted		
2.6 Pri	ivacy & amenity		
Genera	al		
 2. 3. 	Balconies that permit overlooking in to a neighbouring property's living areas or private open space areas will be considered inconsistent with the objective of this control. Noise transmission between attached dwellings is to comply with the Building Code of Australia. Swimming pools and other recreational areas are not encouraged close to neighbour's living areas and bedrooms. External lighting shall be baffled so there is no light spillage onto adjoining properties.	Complies, except for item 8.	There are no balconies proposed in the development. Noise transmission and lighting will not affect adjoining properties due to compliant setbacks and appropriate siting of dwellings and structures. All dwelling entrances will face the main driveway, not towards each other. Sightlines between habitable room windows will be screened by a combination of
Higher	density		fencing, carports, and future landscaping.
5.	Dwellings must be designed so that their main entrance doors are not directly opposite one another unless the doors are more than 8m apart by straight line distance. Alternatively, either entrance door must be set at a minimum angle of 45° to the opposite entrance.		Whilst it is acknowledged that the bedrooms 1 and 2 within Unit 2 will be located within 3 metres of the shared driveway and parking areas/carports, it is

6. Windows of habitable rooms in dwelling on opposite side of an accessway

respect the privacy of other dwellings. Techniques include window

offsetting, angling to the accessway, minimum sill heights of 1.5m or

are to be screen by landscaping. The landscaping should reach a mature

height of 1.5m. Alternatively, the windows should be located or designed to

minimum angle of 45° to the opposite entrance.

opaque entrance.

submitted that the traffic generated within the

noise impact on residents.

driveway area will be minimal and not create undue

Notwithstanding, in order to help minimise noise

generation on-site, the proposed dwellings will be

Со	ntrols	Complies	Comment
7.	Buildings must be designed so that the number of windows in upper storeys directly overlooking adjacent dwellings is kept to a minimum. Where windows do face neighbouring properties, they must be opaque, have high sills (at least 1350mm) or be screened by planting.		separated from the internal driveway by a landscaped garden bed.
8.	Bedrooms should also not be within 3m of shared driveways and parking areas.		

2.7 Landscaping

0-		_		1
Ge	n	e	rai	ı

- 1. A minimum of 15% of a lot area should have a surface permeable to water.
- 2. Existing mature trees should be incorporated in the development wherever possible. Selection of species should have regard to the surrounding context and Council's preferred species list.
- 3. Wherever possible native plant species are to be utilised in landscaping with preference given to drought tolerant species.
- 4. Deciduous species of trees to be used in open space located on the northern side of living areas.
- 5. Landscaping must comply with that shown on the approved BASIX certificate for the dwelling.

Higher density

- 7. Where an access way is located adjacent to a side boundary, the access way is to be separated from the fence by a minimum one metre wide landscaping strip. This strip should be densely planted with shrubs (mature height of around 1.5m) and groundcovers.
- 8. The western side boundary, whether it is a landscape strip, courtyard area, common open space, private open space, or a dwelling setback, is to be planted with an advanced tree (minimum 1.5m high) every 5m. The tree

Complies

The proposal provides more than 15% of the lot that is permeable to water and incorporates the majority of trees into the proposal, with the exception of 3 trees.

The proposed development includes the planting of two trees (advanced species) to the west of the first transportable home and extensive shrub and ground cover landscaping along the edges of the driveway, which is approximately 1 metre from the eastern boundary fence.

The existing site conditions are such that there are already sufficient trees along the western boundary of the site to the north and south to provide shade protection in the later afternoon in the warmer months.

Co	ontrols	Complies	Comment
9.	species should be indigenous and fast growing with a mature height of around 5m and a spread of at least 3m. A Landscape Plan detailing the site features, hardstand areas, number and type of plant species and planting locations should be submitted with any application for consideration by Council.		
.8 Pri	vate Open Space		
Genera 1.	Private open space (i.e. space that is not visible at ground level from a public place or adjoining property) is to be provided at the rate of: 30m² for a one bedroom dwelling.	Complies	The private open space provided, exceeds the requirements and all spaces are in close proximity to the main living area of the dwelling.

living area of the dwelling. Higher density

4. Each dwelling is to be provided with a principal private open space area of minimum dimensions 5m x 5m. This space is to be functional and not constrained by slope or other constraints affecting its use.

2. The principal private open space is to be in close proximity to the main

• 50m² per two or more bedroom dwelling

- 5. The primary private open space area must have a northern orientation. 'Northern orientation' means open space that faces a point between Northwest and East without obstruction (within the property) apart from privacy or boundary fencing.
- 6. The primary private open space area must receive a minimum of three hours direct sunlight between 9.30am and 2.30pm at the Winter Solstice.

the main living area of the dwelling.

The space provided for POS meets the minimum dimensions required, is located to the west of the dwellings, however, has a northerly aspect and will have adequate sunlight access at the time of the Winter Solstice.

Controls	Complies Comment	
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2.9 Carparking & Access

Higher density

- 1. One on-site car parking space shall be provided for each dwelling and freely accessible at all times.
- 2. On-site designated visitor spaces at the following rates:
 - One to three dwellings: None
 - Four or more dwellings: 1 space for every 2 dwellings or part thereof.
- 3. Visitor parking is not to be located within the front building setback.
- 4. Car spaces are to have the following dimensions:
 - Garage and carport 6m x 3m, minimum internal clearance between piers.
 - Open car space and visitor space 2.7m x 5.5m.
- 5. Car parking may be provided in a double garage or carport, if it meets the required setbacks. No more than two fully enclosed garage or carports may be attached (including roofline), regardless of the dwelling(s) to which they are attached or related. The minimum separation between two garages/carport and anther single or double set is to be 1m (including roofline).
- 6. All vehicle turning circles to visitor parking spaces, garages and carports are to comply (as a minimum) with the turning template for an 85th percentile design vehicle.

Complies

The proposal provides enough on site car parking per dwelling and as there is not four or more dwellings does not provide visitor car spaces.

The car spaces provided are of a sufficient size within the proposed carports, which are not within the front setback of the site.

All car spaces comply with the requirements for turning circles and allow vehicles to enter and exit the site in a forward motion.

The proposal provides an adequately formed driveway of an impervious surface with drainage with a pump to convey water to the legal point of discharge.

The existing driveway is suitably located away from intersections and only one crossing to the street is proposed.

The driveway, being longer than 20 metres provides passing bays and incorporate minor deviations in alignment, so as not to be linear.

Co	ntrols	Complies	Comment
7.	All accessways, visitor parking spaces and individual dwelling driveway areas (the common vehicular areas) are to be formed and drained to a discharge point approved by Council.		
8.	Driveways and vehicle crossings are to be located at least six metres from road intersection points.		
9.	Only one vehicle crossing to the street is to be provided to each higher density development.		
10.	Vehicles are to be capable of entering and exiting the site in a forward direction.		
11.	All driveways and parking areas shall be provided with an impervious surface such as concrete, paving or other approved materials.		
12.	Shared driveways longer than 20m shall be a minimum 5m wide or 3m with 5m wide passing bay(s).		
13.	Shared driveways shall incorporate minor deviations in their alignment.		

2.10 Earthworks & Drainage

Average density 1. As per General Housing Code in Subdivision 6, Division 2, Part 3 of State Environmental Planning Policy (Exempt and Complying Development Codes) 2008.	Complies	As per Part 3 - Housing Code, Division 5, Clause 3.30 and 3.31 of the State Environmental Planning Policy (Exempt and Complying Development Codes) 2008: The proposed development does not exceed the depths for excavation within the boundary limitations or fill levels. There will be no retaining walls required as part of the proposed
		development.

Controls	Complies	Comment
		All stormwater will be discharged to the public drainage system as required by Council as articulated elsewhere in this report.
2.11 Ancillary development		
1. Fences will be required to the site's side boundaries (behind the building alignment) and the site's rear boundaries, and between each dwelling's private open space areas. These fences are to be a maximum of 1.8m in height (above the finished ground level of the site) and are to be constructed of approved materials such as lapped and capped timber, brick or colorbond metal, in colour complementary to the dwellings.	Complies	See plans for details of fencing, including the existing around the site's boundaries and the proposed 1.8 metre Colorbond fencing between each dwelling, which will be clad in colours complementary to the dwellings.
2.12 Outbuildings		
Higher, average & lower density 1. Outbuildings will be subject to notification in accordance with Council's	Complies, except for	The carports are deemed necessary and ancillary to the proposed dwellings to provide undercover on-site

item 9.

car parking.

Notification Policy to all potentially affected neighbours.

land.

2. Where valid objections are received to an application for an outbuilding, it will be deemed to be inconsistent with the objectives for this section.

4. Outbuildings must not be used for or associated with commercial or

industrial purposes, unless permissible and approved by Council.

Outbuildings must be necessary and ancillary to the residential use of the

The carports will be clad in complementary colours to

the proposed dwellings with low reflective surfaces,

dwelling and in line with the proposed transportable

homes. Furthermore, they are setback appropriately

from side and rear boundaries and thus it is

are appropriately located behind the main existing

Col	ntrols	Complies	Comment
5.	Outbuildings must be constructed of material matching the colour of the associated residence or be generally compatible with other development in the neighbourhood.		considered that the outbuildings do not detrimentally impact on the amenity of the area.
6.	Outbuildings shall be located behind the dwelling.		The carport outbuilding has a floor area of less than 60m ² and the maximum wall height (east fronting) of
7.	Outbuildings shall not detrimentally impact on the amenity of the surrounding area.		the carport is 3.4 metres.
8.	Outbuildings shall be set back at least 1m from the side and rear boundaries or with consideration to any other relevant constraints.		This wall height variation represents a minor non-
9.	The maximum wall height for outbuildings shall be: 2.7m for floor area less than 60m ² 3m for floor area 60m ² or more.		compliance, which is considered acceptable, as the carport meets all other requirements for an outbuilding and does not exceed the maximum roof height for
10.	The maximum roof height for outbuildings shall be 3.9m above natural ground level.		outbuildings of 3.9 metres.
11.	Outbuildings shall be constructed of material that is deemed to have a low-reflective surface by the Council's Director Environmental Services.		Furthermore, the overall building height of the structure will not create issues of overlooking and overshadowing and only adjoins an internal driveway.
12.	Outbuildings shall not be erected on vacant land unless consent for a dwelling has been approved.		overshadowing and only adjoins an internal driveway.
2.13 De	evelopment standards for particular land	•	
Average	e density		
1.	As per General Housing Code in Subdivision 9, Division 2, Part 3 of State Environmental Planning Policy (Exempt and Complying Development Codes) 2008.	Not applicable	Not applicable as the site is not bush fire prone or flood prone.

Controls	Complies	Comment
 Service metres shall not be placed on the street frontage of the building. Clothes drying facilities are to be provided within the private open space of each dwelling. The mail box design and location should be complementary to the front setback landscaping and the dwelling design. Garbage bins for each unit are to be stored within the building or private open space. If a common bin storage area is proposed, it shall be located in a screened enclosure central to the development. 	Complies	The service meters on the existing building will not change and there is adequate space for clothes drying facilities in the private open space area as indicated by the plans. Mailboxes will complement the front setback area and dwelling design providing a sense of legibility to the street, and garbage bins will be stored behind the proposed carports, out of site from the street view.

2.15 Security

	_		_		1
G	е.	n	_	ra	

- 1. The site layout is to be designed to enhance personal safety and minimise the potential for fear, crime and vandalism.
- 2. The design of dwellings enables residents to survey streets, public areas and dwelling entries to enable surveillance of the neighbourhood to take place.
- 3. Adequate lighting must be provided for all paths, access ways, parking areas and building entries.
- 4. Private open space should only be accessed from within the site i.e. not accessible directly from the street or other public space.

Higher density

5. To be provided with bollard lighting at 10m intervals along any shared vehicular access way. The lighting shall be capable of remote activation.

Complies

The site layout has been designed to enhance personal safety and minimise the potential for fear, crime, and vandalism through measures such as ensuring the dwellings address the street and assist with territorial re-enforcement and enabling passive surveillance to the street. The additional dwellings will increase activity in the area and eyes on the street and the proposed carports will be provided with access control from the driveway along with site fencing ang gates to private open spaces. Bollard driveway lighting along the eastern boundary, which will also provide a sense of additional safety and security and will assist with crime prevention.

Controls Complies Comment

2.16 Energy Efficiency

General

- 1. Buildings should be oriented to make appropriate use of solar energy, be sited and designed to ensure energy efficiency of existing dwellings is not unreasonably reduced.
- 2. Living areas and private open space should be located on the north side of development where practicable.
- 3. Developments should be designed so that solar access to north facing windows is maximised.
- 4. Buildings should be articulated with appropriate vertical and horizontal variations to ensure an appropriate year round variation of shade and sunlight according to the heating/cooling needs and shadow patterns across glazed surfaces during seasonal changes through the year.
- 5. Buildings should be constructed of materials and using designs which improve thermal mass.
- 6. Buildings should provide for natural cross-ventilation.
- 7. Buildings shall be designed to ensure living areas and private open space of adjoining residences maintain at least three hours direct sunlight between 9am and 3pm at the winter solstice. An overshadowing diagram may need to be provided to demonstrate this development standard can be achieved

Complies

The proposal seeks to orientate two new transportable homes on the site which will benefit from good orientation with living areas and habitable rooms having good solar access to the north, east and west.

The proposed development will benefit from shading from existing trees to the west in the warmer months and the proposed buildings will have good crossventilation to benefit from prevailing winds. The dwellings will also have eaves of 450mm to assist with reducing direct sunlight on walls and windows in the heat of the day in the warmer months and could be fitted with roof insulation as required to improve energy efficiency.

The private open spaces to the west of each dwelling will have appropriate periods of solar access around the winter solstice. As the development is single storey and dwellings are setback appropriately, a shadow diagram is not deemed required.

It is noted that the proposed works are not classified as a BASIX affected development for the purposes of

Controls	Complies	Comment
		State Environmental Planning Policy (Sustainable Buildings) 2022.
2.17 Subdivision		
General		
 Compliance with Council's Design Manual for the Subdivision of Land in regards to: Road layout Road pavement Sub-surface drainage Stormwater drainage Site works (e.g. cut & fill) Soil & water management (e.g. erosion) Waterfront development Cycleway & pedestrian paths Bushfire protection Water reticulation Sewerage system 	Not applicable	The proposal does not include a subdivision.
Minimum lot widths should be provided in accordance with the following table.	Not applicable	The proposal does not include a subdivision.

Co	Controls			Complies	Comment
	Allotment Type	Minimum Width (at the building line)	1		
	Non-corner lot*	15m			
	Corner lot*	15m	_		
	Battle-axe lot*	15m (within the allotment – not including the access handle)	-		
	Lots where the slope exceeds 12%*	25m			
3.	3. A minimum of 70% of allotments in a subdivision are to have favourable northern orientation as per the figure opposite.			Not applicable	The proposal does not include a subdivision.
4.	4. Allotments orientated in a north-south direction can be longer and narrower than required to allow good solar access to yards and living areas.			Not applicable	The proposal does not include a subdivision.
5.	5. Allotments orientated in east-west direction need to be wider than required to provide greater opportunity for solar access to yards and living areas.			Not applicable	The proposal does not include a subdivision.
6.	6. Battle-axe allotments are not encouraged. However, where they are necessary the minimum access handle within is to be 5m and the maximum length to the land is to be 30m. Shared access handles may be a minimum of 5m in width.			Not applicable	The proposal does not include a subdivision.

Controls		Complies	Comment
7. No more to	han two battle-axe allotments should adjoin on another or share handle.	Not applicable	The proposal does not include a subdivision.