



**Planning,  
Industry &  
Environment**

## REVIEW OF ENVIRONMENTAL FACTORS



Construction of a 24 unit General Housing residential flat building development comprising 10 x 2-bedroom and 14 x 1-bedroom units with associated landscaping and fencing, at-grade parking for 17 cars and consolidation of 5 lots into a single lot.

at

**680-688 East Street & 165 Alexandra Street, East Albury NSW 2640**

02 September 2022

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Land & Housing Corporation  
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September 2022

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The following register documents the preparation and issue of this Part 5 Review of Environmental Factors (REF), prepared by Mecone NSW for the New South Wales Land & Housing Corporation.

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2. I do not consider I have any personal interests that would affect my professional judgement.
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## 1. Executive Summary

The subject site is located at Nos 680-688 East Street & 165 Alexandra Street, East Albury NSW 2640, and is legally described as Lots 11, 12, 13, 14 and 15 in Deposited Plan 243192.

The proposed general housing development is described as follows:

Construction of a new 24 unit General Housing residential flat building development comprising 10 x 2-bedroom and 14 x 1-bedroom units with associated landscaping and fencing, at-grade parking for 17 cars and consolidation of 5 lots into a single lot.

The proposed activity (residential flat building) is permitted on the site under the applicable local environmental planning instrument and can therefore be carried out by the NSW Land and Housing Corporation (LAHC) without consent under the provisions of Chapter 2, Part 2, Division 6 of the *State Environmental Planning Policy (Housing) 2021* (Housing SEPP) as it does not result in more than 60 dwellings on the site and does not exceed 9 metres in height.

Demolition has been sought through a separate approval.

The removal of trees on the site is covered by the definition of consent under Section 6 of Chapter 1 of the Housing SEPP. It has therefore been incorporated in this review of environmental factors under Part 5 of the *Environmental Planning and Assessment Act 1979* (EP&A Act) and Part 8 of the *Environmental Planning and Assessment Regulation 2021* (EP&A Regulation).

The REF demonstrates the following:

- from an analysis of the potential environmental impacts associated with the proposed activity, it has been concluded that the preparation of an Environmental Impact Statement is not required;
- based on a review of the potential environmental impacts resulting from the proposed activity it has been determined that, subject to implementation of mitigation measures to be incorporated as identified requirements, the activity will not have any significant adverse impact on the environment;
- the proposed activity will not have any effect on matters of national significance and its approval under the *Commonwealth Environment Protection and Biodiversity Conservation Act 1999* is not required;
- the design of the proposed activity has adequately taken into account design principles and better practices set out in the *Seniors Living Policy: Urban Design Guidelines for Infill Development* and taken into consideration *Good Design for Social Housing Guidelines* and LAHC's *Dwelling Requirements*;
- the site planning and design of the proposed activity adequately address the applicable local environmental planning and development controls of Albury City Council;
- a BASIX certificate and NatHERS certificate and stamped plans have been submitted for the proposed activity demonstrating compliance with the State Government's environmental sustainability targets; and
- there are no separate approvals, authorisations or notifications required in relation to the proposed activity prior to determination under Part 5 of the EP&A Act or under any other Acts.

Albury City Council and occupiers of adjoining land were notified of the proposed activity under the provisions of Housing SEPP. A response was received from Council dated 22/06/2022. Comments on the response are provided in Section 6.1 of this REF. 11 submissions were received from occupiers of adjoining land. Comments on the submissions are provided in Section 6.2 of this REF. Notification of specified authorities was not required (Section 6.3).

It is considered that the proposed activity, carried out in accordance with the environmental mitigation measures outlined in the REF, will not result in any significant and long-term negative impacts on the environment and can proceed subject to the implementation of the identified requirements of determination in **Appendix C**.



## 2. Introduction

This Review of Environmental Factors (REF) under Part 5 of the *Environmental Planning and Assessment Act 1979* (EP&A Act) is for an activity involving the construction of a new 24 unit General Housing residential flat building development comprising 10 x 2-bedroom and 14 x 1-bedroom units with associated landscaping and fencing, at-grade parking for 17 cars and consolidation of 5 lots into a single lot at Nos 680-688 East Street & 165 Alexandra Street, East Albury NSW 2640.

The activity\* will be carried out by, or on behalf of, NSW Land and Housing Corporation (LAHC) and is 'development without consent' under the Housing SEPP.

This REF has been prepared by Mecone on behalf of LAHC in satisfaction of the provisions of Part 5 of the *Environmental Planning & Assessment Act 1979* (EP&A Act) and Part 8 of the *Environmental Planning & Assessment Regulation 2021* (EP&A Regulations).

A Statement of Compliance accompanying this REF certifies that in accordance with the requirements of the EP&A Act, all matters affecting or likely to affect the environment by reason of the proposed activity have been taken into account to the fullest extent possible and the activity will not have a significant impact on the environment.

**\*Note:** *The proposed development is permitted without consent and is therefore subject to environmental impact assessment as an 'activity' under Part 5 of the Environmental Planning and Assessment Act 1979.*

## **2.1 Summary of Proposed Activity**

The proposal is detailed in the following plans, drawings and specialist reports and supporting information:

### **Architectural Drawings**

- Brewster Murray Pty Ltd, architects –
  - DA00, Rev 8 dated 07.03.2022 – Cover Sheet
  - DA01, Rev 5 dated 07.03.2022 – Block Analysis
  - DA02, Rev 6 dated 07.03.2022 – Site Analysis
  - DA03, Rev 5 dated 07.03.2022 – Demolition Plan
  - DA04, Rev 10 dated 07.03.2022 – Site Plan
  - DA05, Rev 8 dated 07.03.2022 – Ground Floor Plan
  - DA06, Rev 8 dated 07.03.2022 – First Floor Plan
  - DA07, Rev 8 dated 07.03.2022 – Roof Plan
  - DA08, Rev 10 dated 07.03.2022 – Elevations 1
  - DA09, Rev 9 dated 07.03.2022 – Elevations 2 & Finishes
  - DA10, Rev 9 dated 07.03.2022 – Elevations 3
  - DA11, Rev 6 dated 07.03.2022 – Sections
  - DA12, Rev 6 dated 07.03.2022 – Cut & Fill Plan
  - DA13, Rev 6 dated 07.03.2022 – Shadow Diagrams
  - DA14, Rev 5 dated 07.03.2022 – View from Sun Diagrams
  - DA15, Rev 4 dated 07.03.2022 – Schedule of Exterior Finishes

### **Landscape**

- Precinct Landscapes, landscape architects –
  - LA01, Rev D dated 14.03.2022 – Landscape Plan
  - LA02, Rev B dated 14.03.2022 – Landscape Details

### **Soil and water management**

- Greenview Consulting Pty Ltd, consulting engineers –
  - Drawing No C01, Rev 5 dated 26.11.2021 – Notes and Legends
  - Drawing No C02, Rev 5 dated 26.11.2021 – Ground Floor Drainage Plan
  - Drawing No C03, Rev 5, dated 26.11.2021 – Site Stormwater Details (Sheet 1)
  - Drawing No ESM1, Rev 3 dated 26.11.2021 – Notes and Legend
  - Drawing No ESM2, Rev 3 dated 26.11.2021 – Environmental Site Management Plan

### **Survey**

- Premise, surveyors –
  - DS01, Rev A dated 21.03.2021 – Contour and Detail Survey
  - DS02, Rev A dated 21.03.2021 – Contour and Detail Survey
  - DS03, Rev A dated 21.03.2021 – Contour and Detail Survey

### **BASIX / NatHERS**

- Greenview Consulting Pty Ltd, consulting engineers -

- BASIX Certificate No 1222974M\_04 dated 29.03.2022
- NatHERS Certificate No 0006623370 dated 02.11.2021

### **Specialist reports**

- Transport and Traffic Planning Associates, traffic consultant –
  - Traffic and Parking Assessment Report, dated April 2022
- Wade Ryan Contracting, consultant arborist –
  - Arboricultural Impact Assessment and Tree Management Plan, dated 05 April 2022
- Accessible Building Solutions, access consultant –
  - Statement of Compliance Access for People with a Disability, dated 28 March 2022
- Code Conduit, BCA consultant –
  - BCA Assessment Report, dated 13 April 2022
- Brewster Murray, architectural consultant –
  - Safety in Design Report, dated 9 November 2021
- Brewster Murray, architectural consultant –
  - Waste Management Plan, dated 15 September 2021
- STS Geotechnics Pty Ltd, geotechnical consultant –
  - Site Investigation Report, dated March 2021
- SLR Consulting, acoustic consultant –
  - AS 2021 Aircraft Noise Intrusion Assessment, dated April 2022

### **Design compliance and checklists**

- Seniors Living Policy: Urban Design Guidelines for Infill Development Checklist, dated 01.04.22
- Architect's Certificate of Building Design Compliance, dated 01.04.2022
- Engineer's Certificate of Design Compliance, dated 04.04.2022
- Landscape Architect's Certificate of Design Compliance, dated 29.03.2022

### **Supporting Information**

- Albury City Council –
  - Section 10.7(2) & (5) Planning Certificate No PC2022/35301 – No 165 Alexandra Street EAST ALBURY NSW 2640, Lot 11 DP 243192, dated 28.04.2022
  - Section 10.7(2) & (5) Planning Certificate No PC2022/35302 – No 688 East Street EAST ALBURY NSW 2640, Lot 12 DP 243192, dated 28.04.2022
  - Section 10.7(2) & (5) Planning Certificate No PC2022/35303 – No 684 East Street EAST ALBURY NSW 2640, Lot 13 DP 243192, dated 28.04.2022
  - Section 10.7(2) & (5) Planning Certificate No PC2022/35304 – No 682 East Street EAST ALBURY NSW 2640, Lot 14 DP 243192, dated 28.04.2022
  - Section 10.7(2) & (5) Planning Certificate No PC2022/35305 – No 680 East Street EAST ALBURY NSW 2640, Lot 15 DP 243192, dated 28.04.2022
- Title search and Deposited Plans –

- Certificate of Title Folio 11/243192, search date 18.11.2020
  - Certificate of Title Folio 12/243192, search date 18.11.2020
  - Certificate of Title Folio 13/243192, search date 18.11.2020
  - Certificate of Title Folio 14/243192, search date 18.11.2020
  - Certificate of Title Folio 15/243192, search date 18.11.2020
  - Deposited Plan 243192
- Aboriginal Heritage Information -
    - AHIMS result, search date 27.04.2022

## 2.2 Demolition

The proposed activity does not include demolition. Demolition has been sought through a separate approval. Notwithstanding, a Demolition Plan has been prepared to demonstrate the existing dwellings and associated structures to be removed on site (refer to **Appendix E**).

## 2.3 Removal of Trees

Of the 17 trees located within and adjacent to the site, the proposal is for the removal of 13 trees/shrubs. This includes 1 council street tree located on 165 Alexander Street which is proposed for removal.

Of the 13 trees for removal, 8 of these trees (2, 3, 6, 7, 8, 9, 12, 16) are considered as exempt species as they are under the height of 4.5m in accordance with Albury City Council Tree Preservation Policy. There are 4 other trees and shrubs protected under ACC Tree Preservation policy (4, 5, 14, 15) that are identified for removal to accommodate the development. However, none of these are significant and the proposed planting in the Landscape plan will offset the loss of these trees and shrubs. As the street tree (15) is in poor condition and will be impacted by the proposed driveway and footpath, Council has provided in-principle agreement for its removal (refer **Appendix B/F**).

Tree 13 is the only tree on site identified as significant and is to be retained and protected as part of the development. Trees 1, 10 and 17 sit within the adjoining properties and will be retained and protected. Tree protection plans apply for these trees.

It should be noted that tree permits will be required from Albury City Council for the removal of the street trees prior to construction. However, in principle agreement for the removal of the street tree has been provided by Council (refer to correspondence in **Appendix B/F**).

The tree removal within the site boundaries is recommended primarily to accommodate the proposed development or the individual species are recommended for removal as they are not considered to be significant or worthy of retention and can easily be offset by the Landscape plan (refer to submitted Arboricultural Impact Assessment in **Appendix F**).

More appropriate tree plantings, including trees capable of reaching a mature height of 13 - 15m, will be provided as part of the proposed landscaping plan to compensate for the loss of these trees as well as improve the current canopy coverage (refer to submitted Landscape Plan in **Appendix E**).

## 2.4 Proposed Dwellings

Of the 24 residential units, 9 units at ground floor have been designed as 'silver level' liveable units which are capable of being adapted to suit persons with a disability should the need arise in the future.

The proposed housing represents a contemporary, high-quality design, which will be an improvement on the existing dwellings. The use of face brick for external walls and metal roofing is consistent with the existing and developing character of the East Albury suburb. 18 of the 24 proposed units will address the street (Units 1, 2, 3, 4, 5, 6, 8, 10 & 12 on the ground floor and Units 13, 14, 15, 16, 17, 18, 20, 22 & 24 on the first floor) with living areas and living area windows facing the street for passive surveillance.

The existing site is relatively flat and cut and fill has been limited to provide a level building platform. The proposal includes minor fill on the southern portion of the site under units 5-12. All proposed fill is less than 300mm. The proposal includes minor cutting at the rear of units 7, 9 and 11 and along the northern portion of the site and car park areas. The maximum cut proposed is 425mm within the car park area. All proposed cut and fill falls within Council's DCP standards (600mm). Refer to **Appendix E** for architectural and landscaping plans.

A variety of new landscape plantings are proposed to offset the proposed tree removal and enhance the appearance of the site. New plantings will consist of a mixture of new trees, shrubs and groundcovers, which will enhance landscaped setbacks and contribute to the streetscape.

Each unit will be provided with its own enclosed private open space area. All these spaces are directly accessible from the living areas.

A total of 17 surface car parking spaces will be provided on the site with vehicle access from Alexandra Street, including a total of 3 adaptable spaces (dedicated to Units 1, 6 & 12), with one of the dedicated car spaces accessed via East Street for Unit 12.

Stormwater will be collected via a series of stormwater pits and pipes on the site connected to an underground rainwater tank, located under the proposed car park. Roof water will be collected from downpipes and connected to the underground rainwater tank for recycling, with overflow directed to proposed kerb inlet pits connecting to existing pipes in East Street and Alexandra Street.

A new 1.8m high metal fence is proposed along the side and rear boundaries of both East Street and Alexandra Street. New 1.2m high horizontal slat fencing with black masonry piers is proposed along the front of the development on both East Street and Alexandra Street.

### 3. Existing Site & Locality

#### 3.1 Existing Site and Immediately Adjoining Development

The site is located in the Albury local government area (LGA) and comprises 5 residential allotments. A location plan is provided at **Figure 1**.

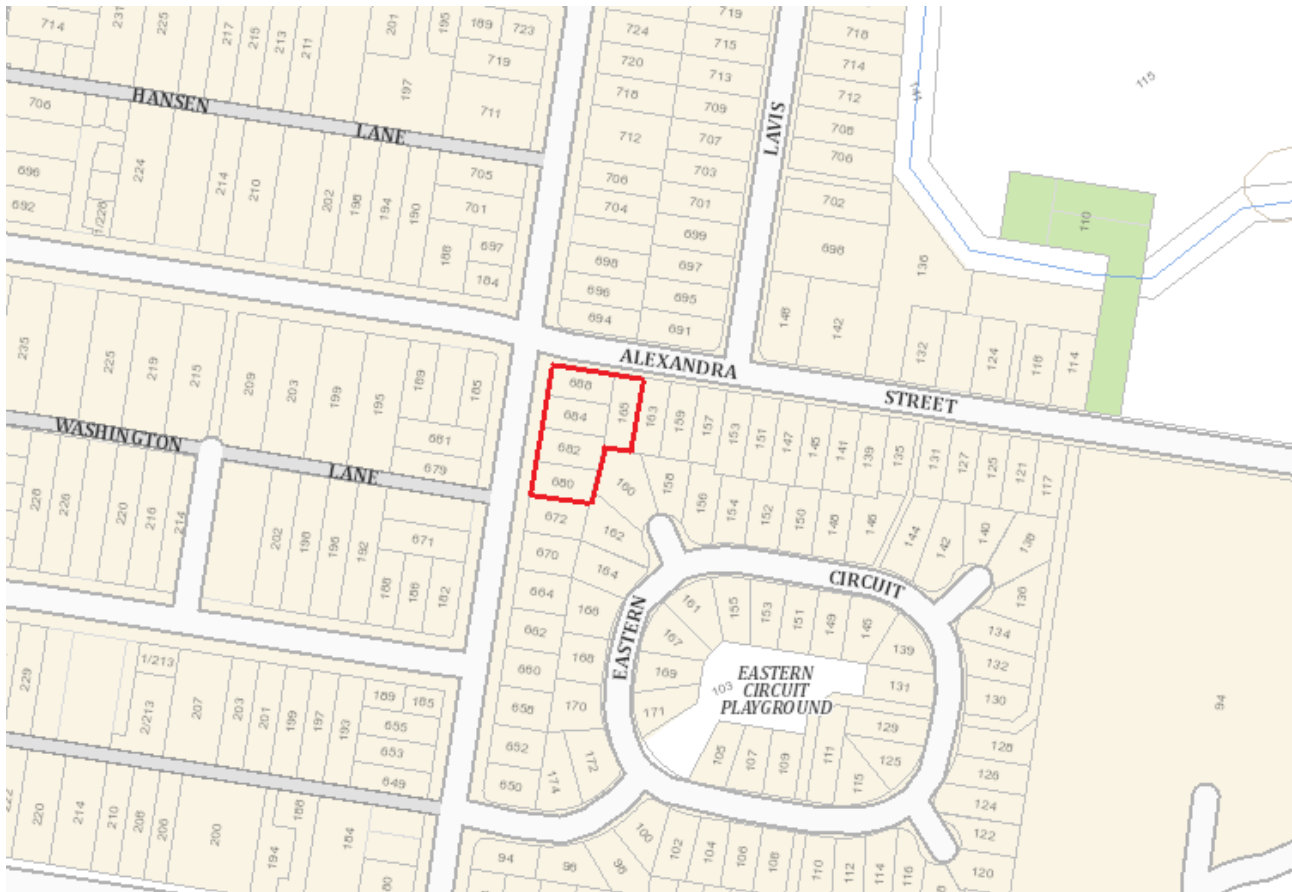
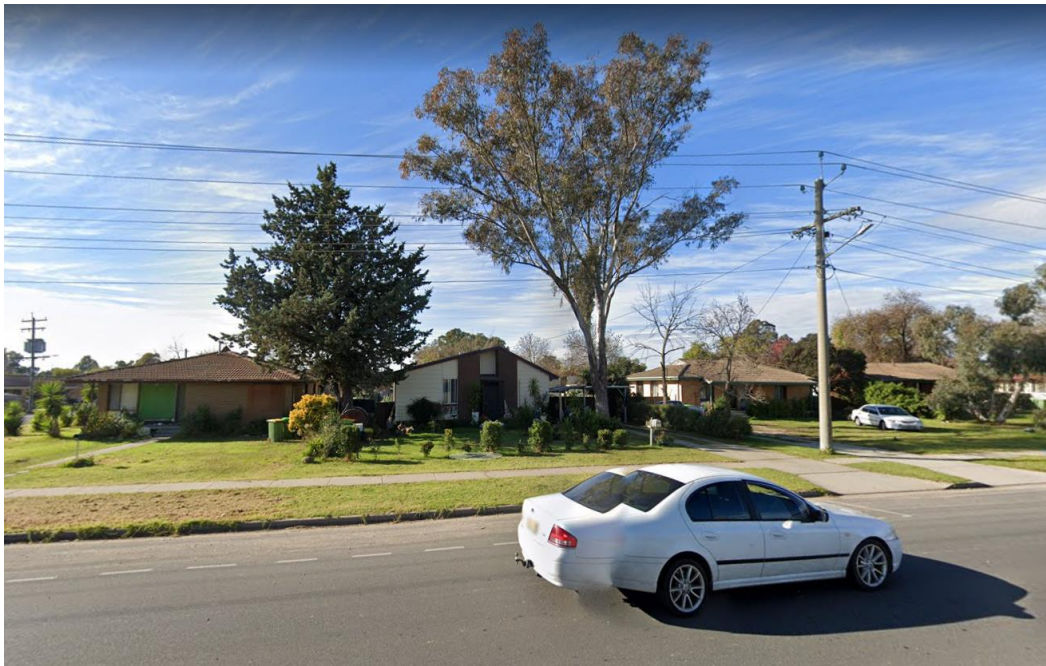


Figure 1: Location Plan  
(Source: SIX Maps)

The site is currently occupied by 4 detached single storey brick dwellings and 1 detached single storey weatherboard dwelling with tiled roofs (refer to photographs at **Figures 2 & 3**).



**Figure 2: Development site – No 165 Alexandra Street, East Albury**  
(Source: Google streetview)



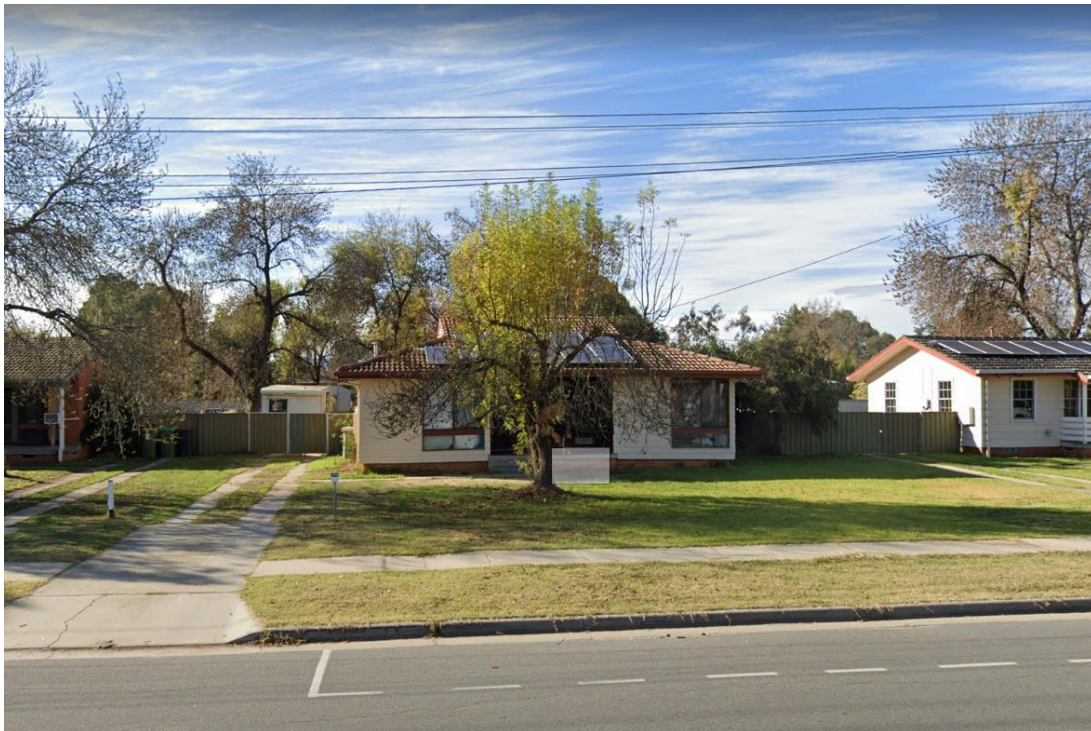
**Figure 3: Development site – No 680-688 East Street, East Albury**  
(Source: Google streetview)

The property immediately to the east (No 163 Alexandra Street) contains a detached single storey fibro dwelling (refer photograph at **Figure 4**). This dwelling has recently been fire damaged and is planned to be demolished. The adjoining property to the south (No 672 East Street) contains a detached single storey cladded dwelling (refer to photograph at **Figure 5**).





**Figure 4: Adjoining Site – No 163 Alexandra Street, East Albury**  
(Source: Google streetview)



**Figure 5: Adjoining Site – No 672 East Street, East Albury**  
(Source: Google streetview)



## 3.2 Site Description

Copies of the Section 10.7(2) & (5) Planning Certificates (PC2022/35301, PC2022/35302, PC2022/35303, PC2022/35304, PC2022/35305) dated 28.04.2022 are provided in **Appendix A**.

The site has a total area of 3,377.7m<sup>2</sup> with street frontages to East Street (69m) and Alexandra Street (46.48m) with a splay corner measuring 3.155m x 3.155m. The site's southern side boundary adjoining No 672 East Street is 33.915m and rear boundary adjoining No 160 Eastern Circuit is 27.565m. The eastern side boundary adjoining No 163 Alexandra Street is 42.67m and the rear boundary, again adjoining No 160 Eastern Circuit is 16m (refer to the submitted Contour and Detail Survey Plan in **Appendix P**).

The site is relatively flat with a gentle fall from west to east. The high point is located at the rear of 165 Alexandra Street (RL163.56) and the low point at the front of 682 East Street (RL 163.09).

There are 17 trees within the subject site and surrounds, generally located within the front and rear yards. There are street trees located on Alexandra Street.

Water, electricity, sewer and telephone facilities are available to the site (refer to the submitted Contour and Detail Survey Plan for the location of available services at **Appendix P**). All services are located along the street alignment apart from sewer, which runs parallel to East Street at the rear (southern and eastern) property boundary through to Alexandra Street.

There are no encumbrances noted on title, section 10.7 certificates or indicated on the submitted Contour and Detail Survey Plan.

## 3.3 Neighbouring Development and Locality

The site is located within an established residential area which is characterised by older style single storey detached dwelling houses of brick, fibrous and lightweight weatherboard construction with tiled roofs. There are some examples of larger allotments with low rise, attached townhouses, such as those pictured at No 142 Alexandra Street, north of the project site (refer to photographs at **Figure 6**).



**Figure 6: Attached housing development at No 142 Alexandra Street (north of the site)**  
(Source: Google streetview)

There is a bus stop located on the same side of East St, located to the south of the site and is approximately 60m walking distance (refer to **Figure 7** below). The 902 bus route connects the site to Albury and East Albury via this bus stop.



**Figure 7: Bus shelter nearest to 664 East Street**  
(Source: Google streetview)

## 4. Zoning and Permissibility

The site is zoned R1 General Residential under *Albury Local Environmental Plan 2010* (ALEP2010). The proposed development is defined as 'residential flat building' under the provisions of ALEP2010 and is permissible with Council's consent in the R1 zone.

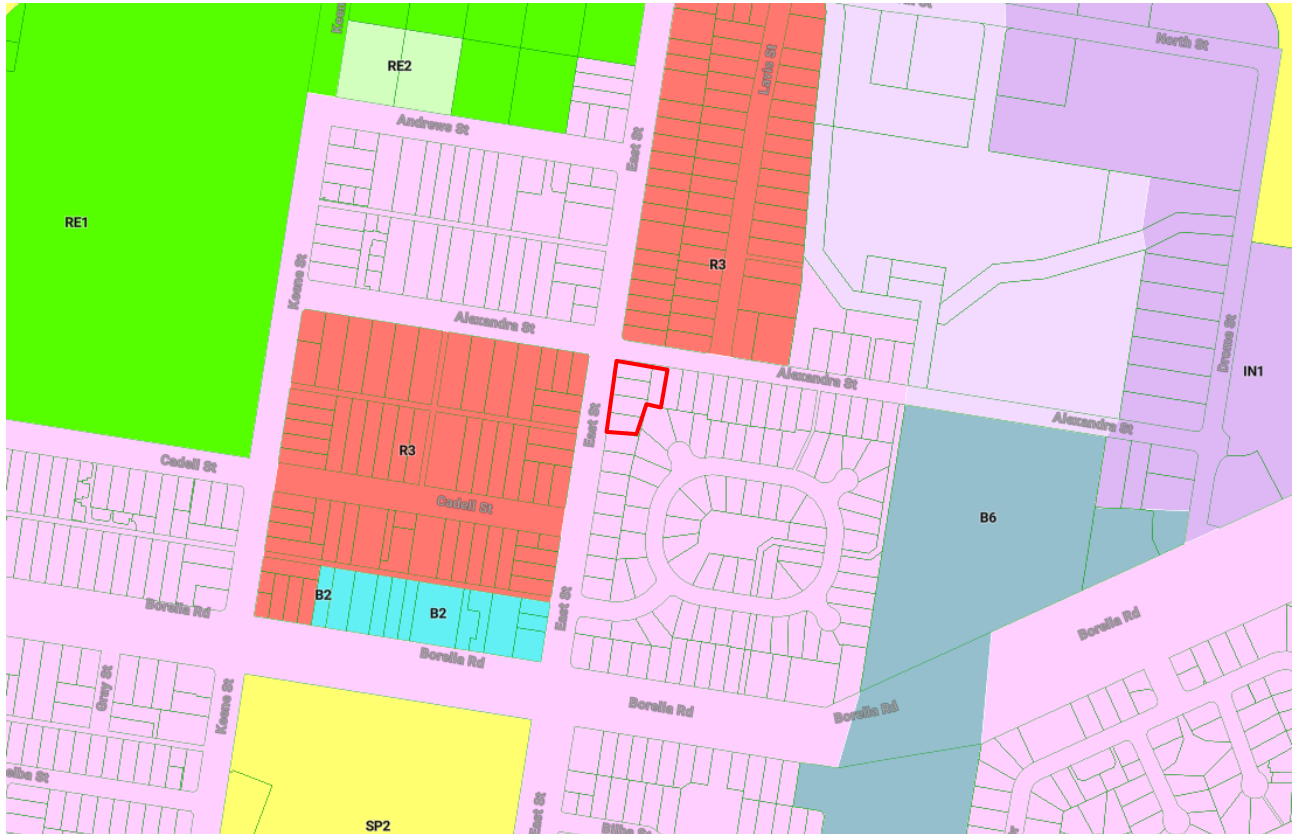


Figure 8: Zoning Map  
(Source: Mecone Mosaic)

As residential flat buildings are permitted, with consent, in the R1 zone under ALEP2010 they are therefore permitted as development without consent under the provisions of the HSEPP pursuant to section 42.

The relevant objectives of the R1 zone, as set out in ALEP2010 are as follows:

- *To provide for the housing needs of the community.*
- *To provide for a variety of housing types and densities.*
- *To encourage affordable housing.*
- *To encourage medium density housing that is designed to achieve a high standard of amenity.*

The development is consistent with the objectives of the R1 zone. The proposed development provides additional housing for residents, replacing existing housing stock and meeting the needs of the community. Smaller unit sizes with low maintenance courtyards and private open space provides variety in an otherwise generally low-density neighbourhood. The housing will be owned and operated by LAHC as affordable housing. The proposed building form is of a medium density scale that provides a high-quality design and landscape response.

Section 42 of the Housing SEPP permits residential development that may be carried out 'with consent' to be carried out by LAHC as 'development without consent' subject to the provisions set

out under that clause. **Table 3** in subsection 5.2.1 of this REF demonstrates compliance with the relevant provisions of section 42 of the SEPP.

## 5. Planning and Design Framework

### 5.1 State Legislation

#### 5.1.1 Environmental Planning and Assessment Act 1979

##### Duty to consider environmental impact [Section 5.5]

Section 5.5 (1) states that, for the purpose of attaining the objects of the EP&A Act relating to the protection and enhancement of the environment, a determining authority in its consideration of an activity shall, notwithstanding any other provisions of the Act or the provisions of any other Act or of any instrument made under the EP&A Act or any other Act, examine and take into account to the fullest extent possible all matters affecting or likely to affect the environment by reason of that activity.

**Table 1** below demonstrates the effect of the proposed development activity on the matters listed for consideration in subsection 3 of Section 5.5.

Table 1: Matters for consideration under sub-section 3 of Section 5.5 of the EP&A Act	
Matter for consideration	Effect of Activity
<i>Sub-section 3</i> Without limiting subsection (1), a determining authority shall consider the effect of an activity on any wilderness area (within the meaning of the <i>Wilderness Act 1987</i> ) in the locality in which the activity is intended to be carried on.	No effect, as the site and surrounding areas are not within a wilderness area (within the meaning of the <i>Wilderness Act 1987</i> ).

#### 5.1.2 Biodiversity Conservation Act 2016 (BC Act)

Part 7 of the BC Act sets out the test for determining whether a proposed development or activity is likely to significantly affect threatened species, ecological communities or their habitats. For the purposes of Part 5 of the EP&A Act, an activity is to be regarded as an activity likely to significantly affect the environment if it is likely to significantly affect threatened species.

Based on the criteria set out in Section 7.3 of the BC Act, the proposed activity is unlikely to affect threatened species, ecological communities or their habitats and therefore no further assessment is necessary. This is because the land does not contain threatened species, endangered ecological communities or constitute habitat of threatened species or ecologic community. The proposed activity will neither be a key threatening process and the land is not part of or in the vicinity of any declared area of outstanding biodiversity value.

The planning certificates provided at **Appendix A** confirm that the land is biodiversity certified under Part 8 of the BC Act. The Minister of Climate Change and the Environment has by Order Conferring biodiversity certification on the Albury Local Environmental Plan 2010 (except where amended by Biodiversity Certification of Environmental Planning Instruments Order 2017 dated 21 November 2017) conferred Biodiversity Certification on the subject land on 16 February 2011. Biodiversity Certification takes effect from the date of publication of this Order in the Government Gazette, being 25 February 2011, and shall remain in force for a period of 10 years from that date. It is understood that the biodiversity certification for Albury LGA been extended and still applies.

### 5.1.3 Other Acts

No other State and Commonwealth Acts are applicable to the proposed activity.

### 5.1.4 Environmental Planning and Assessment Regulation 2021

#### Factors that must be taken into account concerning the impact of an activity on the environment [Section 171]

For the purposes of Part 5 of the EP&A Act, the factors in **table 2** below have been taken into account in considering the likely impact of the proposed activity on the environment. The table and comments made in this section of the REF are not mutually exclusive and are to be read in conjunction with the other sections of the REF dealing with the environmental impacts of the proposed development activity.

Table 2: Factors to be taken into account concerning the impact of an activity on the environment				
	Relevant?	Impact		
	Yes/ NA	Temporary	Minor	Significant [Note 1]
Is the activity of a kind for which specific guidelines are in force? If so the factors to be taken into account when considering the likely impact of the activity on the environment are those referred to in the guidelines. <b>[Note 1]</b>	NA			
Is the activity of any other kind for which general guidelines are in force? If so the factors to be taken into account when considering the likely impact of the activity on the environment are those referred to in those guidelines. <b>[Note 2]</b>	NA			

If no guidelines are in force, have the following been taken into account and any likely impact considered:

Table 2: Factors to be taken into account concerning the impact of an activity on the environment				
	Relevant?	Impact		
	Yes/ NA	Temporary	Minor	Significant [Note 1]
(a) environmental impact on the community	Y	x	x	
(b) transformation of a locality;	Y		x	
(c) environmental impact on the ecosystems of the locality;	Y		x	
(d) reduction of the aesthetic, recreational, scientific or other environmental quality or value of a locality;	Y	x	x	
(e) effect on a locality, place or building having aesthetic, anthropological, architectural, cultural, historical, scientific or social significance or other special value for present or future generations;	NA			
(f) impact on the habitat of protected animals (within the meaning of Biodiversity Conservation Act 2016);	NA			
(g) endangering of any species of animal, plant or other form of life, whether living on land, in water or in the air;	NA			
(h) long-term effects on the environment;	NA			

Table 2: Factors to be taken into account concerning the impact of an activity on the environment				
	Relevant?	Impact		
	Yes/ NA	Temporary	Minor	Significant [Note 1]
(i) degradation of the quality of the environment;	Y	x	x	
(j) risk to the safety of the environment;	NA			
(k) reduction in the range of beneficial uses of the environment;	NA			
(l) pollution of the environment;	Y	x	x	
(m) environmental problems associated with the disposal of waste;	Y		x	
(n) increased demands on resources (natural or otherwise) that are, or are likely to become, in short supply;	NA			
(o) cumulative environmental effect with other existing or likely future activities.	NA			
(p) impact on coastal processes and coastal hazards, including those under projected climate change conditions. [Note 3]	NA			
(q) applicable local strategic planning statements, regional strategic plans or district strategic plans made under the Act, Division 3.1,	Y			
(r) other relevant environmental factors.	Y			

**Note 1:** A significant impact triggers the preparation of an Environmental Impact Statement.

**Note 2:** This means guidelines in force under Section 171, not guidelines such as the *Seniors Living Urban Design Guidelines*, that are in force under other legislation or instruments.

**Note 3:** The *NSW Coastal Planning Guideline: Adapting to Sea Level Rise* provides guidance on considering projected climate change conditions such as sea level rise.

The proposed housing development is not expected to generate any significant or long- term impacts on the environment. The short-term impacts, during construction, will be offset by positive social outcomes in the long-term and social benefits of providing affordable housing that meets the needs of the community. (q) is addressed in detail in section 5.2, below.

## 5.2 Environmental Planning Instruments and Codes

### 5.2.1 Strategic Planning Framework

#### Riverina Murray Regional Plan 2036

*The Riverina Murray Regional Plan 2036* (The Plan) was prepared by the NSW Government and released in 2017. The Plan sets a 20-year strategic vision for the Riverina Murray region by setting out the special characteristics which contribute to the region's local identity, the shared community values to be maintained and enhanced, and how growth and change will be managed into the future.

The Plan identifies a goal of developing strong, connected and healthy communities. The proposed development is replacing ageing housing stock at the end of its economic lifespan and that are no longer fit-for-purpose and fit for demand with a contemporary designed 24 unit development sympathetic to the surrounding residential context. The proposal will diversify the housing choice in the East Albury area, will contribute to meeting the demand of 1 and 2 bedroom dwellings and achieve a high-quality urban design outcome.

The proposed development aligns with the strategic vision for land use set by the *Riverina Murray Regional Plan 2036*.

#### Albury Local Strategic Planning Statement

The *Albury Local Strategic Planning Statement* was endorsed by Albury City Council on 14 August 2020 and identifies that "Diverse, well designed and affordable housing" is a planning priority for the Albury LGA. This priority aims to establish an action plan for increasing affordable housing opportunities through the implementation of an Affordable Housing Strategy.

The proposed development will be contributing 24 units to the affordable housing supply in the Albury LGA. It is diversifying the residential uses in East Albury by introducing a medium density housing built form that will be revitalising the existing urban area in a well located area, close to key services and facilities.

The proposed development, of 24 social housing dwellings, clearly contributes to the objectives of the *Albury Local Strategic Planning Statement*.

### 5.2.2 State Environmental Planning Policy (Housing) 2021

#### Development without Consent

Section 42 of the HSEPP permits certain development that may be carried out 'with consent' to be carried out by LAHC as 'development without consent' subject to the provisions set out under that section. **Table 3** below demonstrates compliance with the relevant provisions of section 42 of the HSEPP.

Table 3: Compliance with relevant provisions under sections Chapter 2, Part 2, Division 6 of the SEPP for 'residential development without consent' carried out by LAHC	
Provision	Compliance
42 (1) This Division applies to residential development if —	Complies



<p>(a) the development is permitted with consent on the land under another environmental planning instrument, and</p> <p>(b) all buildings will have a height of not more than 9m, and</p> <p>(c) the development will result in 60 dwellings or less on a single site, and</p> <p>(d) for development on land in an accessible area—the development will result in at least the following parking spaces—</p> <p>(i) for each dwelling containing 1 bedroom—0.4 parking spaces,</p> <p>(ii) for each dwelling containing 2 bedrooms—0.5 parking spaces,</p> <p>(iii) for each dwelling containing at least 3 bedrooms—1 parking space, and</p> <p>(e) for development on land that is not in an accessible area—the development will result in at least the following parking spaces—</p> <p>(i) for each dwelling containing 1 bedroom—0.5 parking spaces,</p> <p>(ii) for each dwelling containing 2 bedrooms—1 parking space,</p> <p>(iii) for each dwelling containing at least 3 bedrooms—1.5 parking spaces.</p>	<p>The development is permissible with consent under ALEP2010.</p> <p>The maximum building height proposed is 8.1m.</p> <p>The development is for 24 dwellings.</p> <p>The development is located in a non-accessible area and provides 17 car parking spaces.</p> <p>14 x 1 bed x 0.5 = 7 10 x 2 bed x 1.0 = 10 Total = 17</p>
<p>(2) This Division applies to the following development if the development is permitted on the land under another environmental planning instrument—</p> <p>(a) the demolition of buildings and associated structures if the building or structure is on land—</p> <p>(i) that is non-heritage land, and</p> <p>(ii) that is not identified in an environmental planning instrument as being within a heritage conservation area,</p> <p>(b) the subdivision of land and subdivision works.</p> <p><b>Note—</b> Section 32 prohibits the subdivision of a boarding house.</p>	<p><b>N/A</b> - Demolition has been sought through a separate approval.</p> <p>The site does not contain a heritage item identified in any environmental planning instrument or an interim heritage order or on the State Heritage Register.</p> <p>The site is not identified in an environmental planning instrument as being within a heritage conservation area.</p> <p>Consolidation of the site into a single lot is proposed.</p>
<p>(3) This Division does not apply to—</p> <p>(a) development to which this Part, Division 5 applies, or</p> <p>(b) development that is part of a project, or part of a stage of a project, that the Minister determined under the Act, former section 75P to be subject to the Act, Part 4.</p>	<p>Noted</p>

<p>(5) State Environmental Planning Policy (Transport and Infrastructure) 2021, clauses 2.15 and 2.17 apply to the development and, in the application of the clauses—</p> <p>(a) a reference in clause 16 to “this Policy” is taken to be a reference to this section, and</p> <p>(b) a reference in the clauses to a public authority is taken to be a reference to the Land and Housing Corporation.</p>	<p><b>N/A</b> – the development is not specified development under the Transport and Infrastructure SEPP.</p>
<p>(6) In this section—</p> <p><b>former section 75P</b> means the Act, section 75P, as in force immediately before its repeal by the Environmental Planning and Assessment Amendment (Part 3A Repeal) Act 2011.</p> <p><b>residential development</b> has the same meaning as in the Housing Act 2001, section 8.</p>	<p>Noted</p>
<p><b>43 Requirements for carrying out residential development</b></p> <p>(1) Before carrying out development under this Division, the Land and Housing Corporation must—</p> <p>(a) request the council nominate a person or persons who must, in the council’s opinion, be notified of the development, and</p> <p>(b) give written notice of the intention to carry out the development to—</p> <p>(i) the council, and</p> <p>(ii) the person or persons nominated by the council, and</p> <p>(iii) the occupiers of adjoining land, and</p> <p>(c) take into account the responses to the notice that are received within 21 days after the notice is given, and</p> <p>(d) take into account the Seniors Living Policy: Urban Design Guidelines for Infill Development, March 2004, published on the Department’s website, to the extent to which it is not inconsistent with this Division, and</p> <p>(e) consider the Good Design for Social Housing and the Land and Housing Corporation Dwelling Requirements, September 2020, published on the website of the Land and Housing Corporation,</p>	<p><b>Complies</b></p> <p>Advice was sought from Council regarding additional persons or properties that should be notified of the development via an email sent to Council on 10/03/2022. Council provided a response requesting amendments to the neighbour notification map which was subsequently revised and forwarded to surrounding development.</p> <p>A letter notifying Albury City Council of the proposed development activity was sent by LAHC on 18/05/2022. Letters notifying occupiers of adjoining land of the proposed development activity were sent by LAHC on the same date.</p> <p>The notification response period formally closed on 10/06/2022, however was extended until 22/06/2022 to accommodate a community drop-in session on 14/06/2022 and address any additional feedback from this session.</p> <p>Council responded to LAHC’s notification by letter dated 22/06/2022. Comments on the response are provided in <b>Section 6.1</b> of this REF. 11 submissions were received from adjoining occupiers. Comments on the submissions are provided in <b>Section 6.2</b> of this REF.</p> <p>Refer to checklist in <b>Appendix D</b> and subsection 5.2.1 of this REF. These conclude that the development complies with all relevant development standards relating to the <i>Seniors Living Policy: Urban Design Guidelines for Infill Development</i>.</p> <p>Refer to subsection 5.2.2 of this report and the Architect’s Design Compliance Certificates in <b>Appendix Q</b> which indicate that the design and dwelling requirements have been considered.</p>

<p>to the extent to which it is not inconsistent with this Division, and</p> <p>(f) if the development is for the purposes of manor houses or multi dwelling housing (terraces)—consider the provisions of the Codes SEPP, Part 3B, to the extent to which the provisions apply to the development.</p> <p>(2) In this section, a reference to the council is a reference to the council for the land on which the development is proposed to be located.</p>	<p>Consideration of these principles is discussed in <b>Table 4</b>.</p> <p>Noted.</p>
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### 5.2.3 Seniors Living Policy: Urban Design Guidelines for Infill Development

An assessment of the design of the activity against the *Seniors Living Policy: Urban Design Guidelines for Infill Development* is provided at **Appendix D**. The design has followed the Guidelines, except in relation to the following justifiable departures as discussed in **Table 4**, below:

Table 4: Design Alternatives	
Guideline Requirement	Response
2.23 Maintain, where possible, existing crossings and driveway locations on the street.	New crossings to be provided at similar location to existing at the southern boundary, and new main driveway at the northeast corner near boundary to follow existing pattern in street. Overall, the number of vehicle crossings has been reduced from 5 to 2.
3.02 Provide a front setback that relates to adjoining development.	The front setback to both streets meets the DCP requirements, and aligns with existing neighbours at 672 East St, and similar to the existing buildings (being demolished) on the corner of Alexandra St.
3.09 Use a roof pitch sympathetic to that of existing buildings in the street.	The low-pitched roofs reflect the future emerging character of the area and help to reduce the overall height of the two-storey building forms and comply with the building height limit.
3.22 Vary the alignment of driveways to avoid a 'gun barrel' effect.	The main driveway is articulated with a passing bay at the front to a single width driveway to the parking area, including wide landscaping areas along the sides and at the end of the parking area to reduce the 'gun barrel' effect.
3.27 Vary the driveway surface material to break it up into a series of smaller spaces (e.g., to delineate individual dwellings).	Not considered for the main driveway as there is a single shared parking area. The driveway colour is differentiated from the pedestrian path colour. Parking is located to suit client requirements.
3.29 Provide gates at the head of driveways to minimise visual 'pull' of the driveway.	No gates provided as they are not a prominent feature of surrounding development and the existing street character and are not desirable by LAHC for maintenance purposes.
5.29 Provide private open space areas that use pervious pavers where private open space is predominantly hard surfaced to allow for water percolation and reduced run-off?	Generally, LAHC's preference is not to have pavers to minimise uneven settlement /trip hazards in the future. The size of hard paved areas is balanced against soft planting areas.
5.30 Provide communal open space that is clearly and easily accessible to all residents and easy to maintain and includes shared facilities, such as seating and barbeques to permit resident interaction.	A communal area is provided in the form of landscaping around the existing large tree at the front of site and along the rear of site. These areas are easily accessible from the common pathways and provide a pleasant outlook.

### 5.2.4 Good Design for Social Housing

An assessment of the proposed development against the *Good Design for Social Housing* document, published in September 2020, indicates that the proposed development has adequately considered the goals and principles as outlined in **Table 5** below. Refer to Certificate of Compliance from the Architect in **Appendix O**.

<b>Table 5: Good Design for Social Housing – Relevant Goals &amp; Principles</b>		
<b>Goals</b>	<b>Principles</b>	<b>Comment - Discussion on how the design responds to the principles:</b>
<b>Wellbeing</b>	<ul style="list-style-type: none"> <li>• Healthy environments</li> <li>• Good for tenants</li> <li>• Quality homes</li> </ul>	<ul style="list-style-type: none"> <li>• Safe access is provided from the car park to entries of the building.</li> <li>• The units have been designed to ensure residents have privacy and feel safe.</li> <li>• Development compliant with BASIX requirements (<b>Appendix H</b>).</li> <li>• The proposal includes high quality landscaping and outdoor areas to enhance the site amenity for residents and the streetscape.</li> <li>• The site is located within close proximity to open space and recreation areas including Alexandra Park and playing fields.</li> </ul>
<b>Belonging</b>	<ul style="list-style-type: none"> <li>• Mixed tenure</li> <li>• Good shared and public spaces</li> <li>• Contribute to local character</li> </ul>	<ul style="list-style-type: none"> <li>• Easily identified front entrances.</li> <li>• Attractively designed landscaping along street frontage.</li> <li>• The development is generally small in scale which minimises the resident density.</li> <li>• The building design and landscaping integrates with the surrounding residential neighbourhood.</li> </ul>
<b>Value</b>	<ul style="list-style-type: none"> <li>• Whole of lifecycle approach</li> <li>• Sustainability and resilience</li> <li>• Make every dollar count</li> </ul>	<ul style="list-style-type: none"> <li>• Low maintenance landscape species.</li> <li>• Durable building materials.</li> <li>• The orientation of each dwelling and private open space areas have been designed to optimise natural light to these areas.</li> <li>• Rainwater tanks are provided for the development to assist with sustainability and on-site water retention. Collaboration and consultation with key stakeholders was incorporated at critical design milestones.</li> </ul>

### 5.2.5 Land and Housing Corporation Dwelling Requirements

An assessment of the proposed development against the *Land and Housing Corporation Dwelling Requirements* document has been undertaken and deemed to achieve compliance, refer to Certificate of Compliance from the Architect in **Appendix O**. Further detail will be incorporated in the construction documentation.

### 5.2.6 Other State Environmental Planning Policies

**Table 6** below outlines applicability of, and compliance with, other State and Environmental Planning Policies (SEPPs).

Table 6: Compliance with other applicable State and Environmental Planning Policies	
State Environmental Planning Policy	Applicability
SEPP (Building Sustainability Index: BASIX) 2004	A BASIX Certificate has been obtained for the development proposal, as required under the SEPP (refer to <b>Appendix H</b> ).
SEPP (Transport and Infrastructure) 2021	The site is not located in close proximity to a State Classified Road, nor is it defined as traffic generating development.
SEPP (Biodiversity and Conservation) 2021	Tree removal is proposed, and tree permits will be required to be issued by Albury Council for the street tree identified for removal. Refer to in-principle agreement from Council at <b>Appendix B/F</b> .
SEPP (Resilience and Hazards) 2021	The site is located within an established residential area. The s10.7 planning certificates have not identified the sites as potentially contaminated. A geotechnical report undertaken for the development has not identified any areas of potential contamination. Notwithstanding, standard recommended identified requirements (Nos. 17 & 52) require implementation of management measures in the event of contamination during construction works.

## 5.3 Local Planning Controls

### 5.3.1 Albury Local Environmental Plan 2010 (ALEP2010)

Compliance with the relevant provisions /development standards set out in the ALEP is demonstrated in **table 7** below.

Table 7: Albury Local Environmental Plan 2010 Relevant Provisions / Development Standards			
Clause	Provision / Development Standard	Required	Provided
2.1	Land Use Zone	R1 General Residential	The proposed use (residential flat building) is permissible with consent.
4.3	Height of Buildings	NA	Maximum building height (measured in accordance with the LEP definition) is 8.1m.
4.4	Floor Space Ratio	NA	Proposed FSR is 0.50:1 (calculated in accordance with the LEP definition).
7.1	Earthworks	Development consent is required for cut and fill in excess of 600mm. The consent authority must consider the environmental impacts associated with earthworks.	The existing site is relatively flat, and the proposal has limited cut and fill. No cut and fill in excess of 600mm is proposed.
7.9	Development in Areas Subject to Airport Noise	Consideration must be given for the impact of aircraft noise.	An AS 2021 Aircraft Noise Intrusion Assessment has been prepared by SLR Consulting which confirms that the site is outside the 20 ANEF contour which would indicate that the site is acceptable for residential use as defined in AS 2021. Notwithstanding, glazing to habitable rooms is recommended to ensure the maximum sound insulation performance for habitable occupancies is achieved. Refer to the site specific identified requirement (No. 64) & <b>Appendix J</b> .

### 5.3.2 Albury Development Control Plan 2010 (ADCP 2010)

The general controls for all development set out in ADCP 2010 have generally been addressed in the various sections of this REF that address compliance with the provisions of the Housing SEPP.

Table 8 Albury Development Control Plan 2010 Compliance with setback controls for residential flat buildings		
Residential flat buildings SEPP 65 does not apply		
Clause	Requirement	Proposed
<b>Part 10, Division F, Clause 3</b>	<p><u>Front setbacks</u> Primary frontage: Average setback of the two buildings closest to the lot, in the same street and on the same side of the street. 6m when averaging as set out above is impractical.</p> <p><u>Secondary frontage</u> 50% of the primary street setback.</p> <p><u>Side setbacks</u> 1.5m.</p> <p><u>Rear setbacks</u> 3m, when building height closest to the boundary does not exceed 4.5m. 6m, when building height closest to the boundary exceeds 4.5m.</p>	<p><u>Front setbacks</u> 8.4m front setback provided to East Street (primary frontage). <b>Complies.</b></p> <p><u>Secondary frontage</u> 5.42m setback provided to Alexandra Street (secondary frontage). <b>Complies.</b></p> <p><u>Side setbacks</u> 4.795m is provided to the southern boundary nearest to No 672 East Street. 6.11m is provided to the eastern boundary nearest to No 163 Alexandra Street. <b>Complies.</b></p> <p><u>Rear setbacks</u> Rear setbacks exceed 6m in all instances. <b>Complies.</b></p>

## 6. Notification, Consultation and Consideration of Responses

Copies of the notification letters sent to the local council and to the adjoining occupiers are provided in **Appendix B**, together with copies of all responses received and a record of any verbal responses.

### 6.1 Council Notification

In accordance with section 43 of the Housing SEPP, Albury City Council was notified of the development by letter dated 18/05/2022 (refer to **Appendix B**). The notification response period formally closed on 10/06/2022, however was extended until 22/06/2022 to accommodate a community drop-in session on 14/06/2022 and address any additional feedback from this session. Council responded to the notification by letter dated 22/06/2022, which has been extracted below. A response is provided in relation to the comments and matters raised in Council's letter and where appropriate, these matters have been addressed in the identified requirements in **Appendix C**.

Table 9 Issues raised in Council submission	
Issues raised	Response
<p><u>Lighting</u> Part 10, Division F, Cl. 3, f. i. of ADCP requires entries and paths from the street to be suitably lit at night. No lighting is shown in the provided documentation, presumably this will be provided.</p>	<p>Adequate lighting will be provided to entry paths to ensure safe vehicle and pedestrian entry at night.</p>
<p><u>Parking</u> Part 10, Division F, Cl. 3, f. ii. requires the minimum number of car parking spaces to be provided as per Part 17 of Albury DCP, whereby the car parking rate for a residential flat building is as follows:</p> <ul style="list-style-type: none"> <li>1 car space per 1 or 2 bedroom dwelling.</li> <li>More than 8 dwellings - 3 designated visitor spaces plus 1 visitor space for every 3 or part thereof additional dwellings.</li> </ul> <p>Based on the proposed development comprising 24 (one (1) and two (2) bedroom) dwellings, Albury DCP requires a total of 33 spaces. The proposal allows for 17 spaces, resulting in a carparking shortfall of 16 spaces.</p> <p>Part 17.2.3 requires disabled car parking to be designed in accordance with the relevant current Australian Standards. Disabled bays (Carparks 9, 10 and 17) do not comply. Ramps are also not clearly shown on plans provided.</p> <p>To provide safer access to carparks, installation of a footpath to deter pedestrian activity through the carpark should be considered.</p> <p>Part 17.3.3 ADCP requires bicycle racks and motorcycle parking spaces to be provided for developments with 30 or more car spaces. As 33 car spaces are required by the development, the proposal generates a two (2) motorcycle spaces and three (3) bicycle space requirement. Given the significant shortfall in car parking, it is strongly recommended that the inclusion of secure bike parking/storage (above the minimum as set out in the Albury DCP) be provided. Motorcycle parking should also be provided onsite.</p>	<p>The rates for non-accessible areas as set out in the Housing SEPP are as follows:</p> <ul style="list-style-type: none"> <li>0.5 spaces per 1 bedroom dwelling</li> <li>1 space per 2 bedroom dwelling</li> </ul> <p>The level of provision of 17 on-site car parking will satisfy the parking requirements set out in the Housing SEPP for developments carried out by LAHC.</p> <p>Unrestricted street parking is available on both Alexandra Street and East Street directly adjacent north to the site to accommodate any overflow parking demand generated by the proposed development.</p> <p>The Access Consultant and Architect have provided further advice on the suitability of the proposed adaptable spaces (refer <b>Appendix G</b>) in relation to AS4299. Notwithstanding, it is acknowledged that parking space No. 10 does not comply and is therefore recommended to be redesigned to satisfy the requirements under AS4299 (refer identified requirement No. 62). This redesign will be further assessed by a suitably qualified Access Consultant</p> <p>Concrete pedestrian pathways have been provided from both street frontages and can be accessed via the car park.</p> <p>The Housing SEPP does not specify parking requirements for motorbike or bicycle parking. However, it is noted that all ground floor units have courtyards that could store a bicycle and first floor units could utilise alternative storage.</p>

**Table 9 Issues raised in Council submission**

Issues raised	Response
<p><u>Tree Removal and Replacement Planting</u> Council accepts the proposed tree removal including the street tree in Alexandra Street, (at the Developer's expense).</p> <p>Council supports the principals of the landscape design concept and the associated plant list, however, notes the opportunity to increase tree planting on both public and private land, with the follow comments noted:</p> <ul style="list-style-type: none"> <li>Six (6) street trees are to be planted, three (3) in Alexandra Street and three (3) in East Street. The planting is carried out by Albury City Council and paid for by the developer prior to commencement of works.</li> <li>Additional planting of trees within driveway with a focus on planting trees at the North-West corner of the car park to provide summer shade. The Native Frangipani (<i>Hymenosporum flavum</i>) is suggested to be interspersed with the existing proposed understorey.</li> <li>It is critical that the establishment of the Tree Protection Zone of the retained Blakely's Red Gum (No. 13 - <i>Eucalyptus blakelyi</i>) occurs prior to commencement of works and is monitored throughout the construction phase by Albury City's qualified staff.</li> </ul>	<p>Noted.</p> <p>6 new street trees will be planted by Albury City Council and will be paid for by the developer prior to the commencement of work as an additional identified requirement (No. 66). Prior to removing the Council Street Tree (Claret Ash <i>Fraxinus Oxycarpus</i> 'Raywoodii' – Asset ID 18247), the developer is to pay a fee of \$560 per tree to Albury City for the purchase, planting and establishment of 6 advanced replacement street trees (\$3,360 total), White Ash (<i>Fraxinus americana</i>). Refer to identified requirements Nos 18 and 19 for further information on landscaping.</p> <p>The Native Frangipani (<i>Hymenosporum flavum</i>) is considered an incompatible species for the north-west corner of the car park due to the location of the existing sewer infrastructure and depth of landscaped area. Another species, of a smaller maturity size, is recommended as an alternative for shading. As such, an additional identified requirement (No 67) has been recommended for the species, planting quantities and location to be confirmed with the landscape architect in consultation with the relevant council officer to ensure adequate summer shade can be achieved without conflicting with sewer infrastructure.</p> <p>TPZs will be established prior to the commencement of work in accordance with the recommendations of the Tree Management Plan prepared by Wade Ryan Contracting and Identified Requirement No. 42.</p>
<p><u>Water Management</u> The potential for additional rainwater harvesting onsite with an increased rain water tank size/underground tank should be explored.</p> <p>The location of stormwater pits over sewer line may require further investigation. Relevant Council staff will be able to assist if further information is required.</p>	<p>A 4000L below ground rainwater tank has been provided in accordance with BASIX commitments.</p> <p>LAHC will liaise with Albury City Council engineers during the detail design stage, if required.</p>
<p><u>Façade</u> Fenestration arrangements and/or façade on the South Elevation (Driveway from East Street) does not present clear residential queues in appearance. Consider extension of FB-3 to ground the floating windows or addition of another element/s to achieve this objective in a similar manner to East Elevation (Driveway from Alexandra Street).</p>	<p>The specified windows have been sized appropriately for wet areas and cannot practically be re-arranged or amended without alterations to internal layouts. Notwithstanding, an identified requirement (No. 68) is recommended to add the same FB-3 brickwork to the South Elevation (Driveway from East St) as the brickwork on the East Elevation (Driveway from Alexandra Street).</p>

## 6.2 Notification of Occupiers of Adjoining Land and Other Persons

Under section 43(1)(b) of the Housing SEPP, the Council for the area was requested to nominate any other persons who should, in the Council's opinion, be notified of the development.



Advice was sought from Council regarding additional persons or property that should be notified of the development via an email dated 10/03/2022. Council provided an email response on 15/03/2022 confirming the notification requirements. The map of notified properties is provided below in **Figure 10**.



Figure 10 – Map of Properties Notified of the Proposed Development  
Source: LAHC

Under section 43(1)(b) of Housing SEPP, occupiers of adjoining land, as identified in the above map, were notified of the proposed development activity by letter dated 18/05/2022. Copies of the notification letters are provided at **Appendix B**.

The notification response period formally closed on 10/06/2022 however was extended until 22/06/2022 to accommodate a community drop-in session on 14/06/2022 and to address any additional feedback from this session. A total of 11 submissions were received by community members via a combination of comments made at the drop-in session, written submissions and phone calls. One written submission was in favour of the proposal with no other concerns or feedback. One submission related to tendering and did not raise concerns or feedback regarding the development. The Submissions are discussed in **Table 10**.

Table 10: Issues raised by adjoining owners / neighbours	
Issues raised	LAHC Response
Parking	<p>The rates for non-accessible areas as set out in the Housing SEPP are as follows:</p> <ul style="list-style-type: none"><li>• 0.5 spaces per 1 bedroom dwelling</li><li>• 1 space per 2 bedroom dwelling</li></ul> <p>17 Spaces are required to comply with HSEPP parking rates as outlined above. The level of provision of 17 on-site car parking will satisfy the parking requirements set out in the Housing SEPP for developments carried out by LAHC.</p>

**Table 10: Issues raised by adjoining owners / neighbours**

Issues raised	LAHC Response
	Unrestricted street parking is available on both Alexandra Street and East Street directly adjacent north to the site to accommodate any overflow parking demand generated by the proposed development.
Anti-social behaviour and safety	<p>The vast majority of social housing tenants are good neighbours and law-abiding people, and increasingly being of senior age.</p> <p>DCJ has an established Antisocial Behaviour Policy in social housing properties across NSW, to better protect tenants and the wider community. This policy ensures tenants engaging in anti-social behaviour are held accountable. The policy has the following key features:</p> <ul style="list-style-type: none"> <li>• A 'one strike' policy where serious breaches of a tenancy agreement will result in direct application to the NSW Civil and Administrative tribunal for termination of a tenancy;</li> <li>• A 'three strike' policy that could result in termination if three strikes are validly issued to a tenant within a 12-month period; and</li> <li>• Acceptance of the Neighbourhood Impact Statement by the NSW Civil and Administrative Tribunal to give the community and neighbours a voice in the Tribunal process.</li> </ul> <p>As a result of the implementation of the policy, we have observed an improvement in the behaviour of some of our tenants.</p>
Local Police notification and feedback	LAHC has been in consultation with DCJ Housing and Albury Police and were invited to the community drop-in session held on the 14/06/22. No feedback has been provided by Albury Police.
Impact on adjoining property values	There is no evidence to suggest that a decrease in property values would occur as a result of the proposed development.
Operational matters – lawn maintenance, washing on balconies, rubbish and waste collection	DCJ will manage the property. Most of the routine maintenance and management of the unit properties such as mowing lawns, gardening and rubbish removal is undertaken by local tradespersons and local disability providers, as well as Aboriginal-owned businesses, who play an important role in the delivery of property maintenance and garden services. LAHC also finds that senior citizen tenants take a proactive approach to looking after their common garden areas, which is important for this first project in East Albury.

## 6.3 Notification of Specified Public Authorities

The activity is “residential development” under section 42 of the Housing SEPP. As required by section 42(5) of the Housing SEPP, consideration has been given to the need to notify the “specified public authorities” identified in clauses 16 and 17 of *SEPP (Infrastructure) 2007* (now section 2.10 of the Transport and Infrastructure SEPP). The development is not located in an area that triggers the requirement to notify other public authorities other than Council.

## **7. Review of Environmental Factors**

Environmental factors associated with the proposed activity have been considered in accordance with the provisions of the Housing SEPP and discussed in Section 5.2.1 of this REF. A review of other environmental factors associated with the proposed activity, and the measures required to mitigate any adverse impacts to the environment, are provided below.

### **7.1 Neighbourhood Character**

The site is located within an established residential area generally supporting single and 2-storey detached dwelling houses. Within the local area there is also single storey multi dwelling housing developments of brick or weatherboard construction with tiled roofs and associated structures, such as pergolas, garages and carports. The East Albury locality primarily consists of single storey detached housing. Currently there is a low level of transition from low density housing to medium density development despite this form of development being permissible within the zone. It is anticipated that the proposed development may act as a catalyst for more contemporary medium density development in this region of Albury.

The bulk and scale of the proposed development will be compatible with the existing character of the neighbourhood and will deliver a built form outcome consistent with the planning controls for the locality and character statement. The 2-storey design, siting, layout and landscape setting of the proposed development aligns with that of emerging development in the locality.

No mitigation measures are required, as the design of the proposed development is sympathetic to the neighbourhood character, providing setbacks to neighbouring development that are consistent with surrounding dwelling houses. Suitable design treatments, including fencing, landscaping and a considered planting mix ensure the proposal will generate benefits to neighbourhood character.

### **7.2 Bulk and Density**

The proposed development is consistent with the bulk and scale of surrounding development in the locality of East Albury. The 2-storey buildings incorporate appropriate setbacks distinguished by a variety of articulation features, external finishes and materials to reduce the visual bulk of the development. The development is split into 2 separate buildings with stepped setbacks from East Street and designed with suitable façade articulation and roof form to minimise bulk and scale.

The proposal incorporates a floor space ratio of 0.5:1 and a maximum height of 8.1m which is generally consistent with a low-density residential area. The FSR and 2-storey built form is sympathetic to the surrounding context and is an appropriate response to the desired future character envisaged for the R1 General Residential zone, which encourages a variety of housing types and densities. Although the development is classified as a residential flat building, the overall built form is similar to that of a terrace house or manor house and is therefore considered consistent with the objective of the ALEP 2010 that encourages medium density housing.

The reasonable floor space ratio in conjunction with generous setbacks and landscaped deep soil areas confirms the proposal does not constitute an overdevelopment of the site. The proposal will suitably increase housing density which is consistent with State and regional strategies and the development controls applying to the site. As such, no mitigation measures are required.

## 7.3 Streetscape

The architectural style of the proposed development activity is compatible with the form of medium density development emerging in the surrounding locality. The street façade is divided into a number of distinct elements, separated with substantial landscaping resulting in a finer grained streetscape appearance, consistent with existing dwellings in the area. In addition, the hard stand car parking area will be generally obscured from street view, resulting in a built form that has been designed with consideration of the dwellings surrounding.

In conjunction with strong articulation and modulation along the front façades and improved landscaping proposed within the street setback areas, the proposed development will make a positive contribution to the streetscapes of East Street and Alexandra Street. The proposed development will replace ageing housing stock that has reached the end of its economic life with a new contemporary residential development.

The built form has been designed to address the street frontages through incorporation of street facing windows and doors, as well as courtyards and balconies within the front setback, improving casual surveillance of the street.

### Mitigation measures

For further enhancement of the streetscape, Council has requested the additional planting of 6 advanced White Ash (*Fraxinus americana*) street trees along both East Street and Alexandra Street frontages. Refer to Identified Requirement No. 66.

## 7.4 Visual Impact

The proposed development will generate some short-term visual impact on the surrounding area during construction, with a long-term positive visual impact associated with the establishment of new dwellings in an existing urban residential context.

The proposed development will make a positive contribution to the residential streetscape through construction of new contemporary dwellings that respond to the site context and neighbourhood character. Articulation, diverse mix of materials and a neutral colour palette will assist with the overall aesthetic of the site.

The East Street front setback retains a significant Red Gum (*Eucalyptus blakelyi*) tree with a height of approximately 20m. Additionally, new landscaping proposed within the front setback will incorporate the planting of 3 x Mugga Ironbark (*Eucalyptus sideroxylon* "Rosea") trees to a mature height of 13m and various shrubs to mature heights of 1-3m. Considered tree and shrub planting along the side and rear boundaries of the site will add to the long-term visual amenity of the surrounding properties and improve the appearance of the site from the street. As such, no mitigation measures are required.

## 7.5 Privacy

A high level of internal and external privacy is maintained by the proposed development activity through a range of measures including careful and considered site landscaping, new 1.2-1.8m high fencing, adequate site setbacks and strategic placement of windows so as to avoid direct overlooking of neighbours. In particular:

- Balconies associated with Units 5, 6, 8, 10 & 12 are orientated toward East Street with landscaping, including trees and shrubs, proposed within the front setback to improve streetscape amenity and privacy for future residents. Window openings have been minimised within south elevations of Units 11, 12, 23 & 24 to ensure that overlooking is mitigated to adjacent development at No. 672 East Street. No balconies are provided within these south elevations.
- Units 1–4 and 13–16 balconies are orientated toward the Alexandra Street frontage with adequate secondary street setbacks and the integration of additional buffer planting to a mature height of 1–3m along the fence line to maximise privacy. Further, the proposed building separation between Units 1 & 13 and the adjacent dwelling at No 163 Alexandra Street is 6m with minimal window openings demonstrating that the development is adequately sited to generate no impacts to surrounding development. Living rooms have also been orientated to the street to reduce overlooking from high use areas.
- Balconies for Units 19, 21 & 23 facing east incorporate privacy screening and are setback between 6-8.5m from the rear boundary. This allows for adequate deep soil areas to accommodate planting of larger trees that reach a mature height of 8m (3 x Blueberry Ash - *Elaeocarpus reticulotis*) to ensure the privacy for adjacent developments in Eastern Circuit is maintained and overlooking potential is minimised.
- Further screening between the proposed development and adjoining neighbours is achieved through the retention of significant existing trees along common boundaries.
- Proposed 1.8m Colorbond fencing will mitigate unacceptable overlooking from ground level units into properties to the south and east.
- Patios within the development have been appropriately separated by location or fencing and/or landscape treatments.

## 7.6 Solar Access

The design and siting of the proposed development will provide adequate daylight access to the proposed dwellings living areas, private open spaces and the private open space areas of neighbouring properties in accordance with the *Seniors Living Policy: Urban Design Guidelines for Infill Development*. The submitted Architectural Plans indicate that 71% of dwellings receive at least 3 hours direct solar access to the living and POS areas on June 21, which meets the requirement for 70% of dwellings to achieve 3 hours of direct solar access to the living and POS areas on June 21.

Shadow diagrams also confirm the proposed development will facilitate sunlight to living areas and private open space of the dwellings on adjoining sites.

Proposed living and open space areas have been carefully sited to maximise solar access and the proposal is consistent with the Housing SEPP requirements.

## 7.7 Overshadowing

The shadow diagrams confirm the development has been designed to minimise overshadowing of surrounding development. Shadow diagrams in **Appendix E** confirm the proposed development will not generate unacceptable shadow impacts to living areas and private open space of dwellings on adjoining sites. At 9am, shadows generated by the proposed development are generally contained within the site, out to East Street road reserve and within the front setback of the

property to the south, No. 672 East Street. At 12pm, shadows are contained within the subject site with minor impacts to the side setback area of adjacent development at No. 672 East Street. At 3pm, shadows are cast to the south-east within the site and adjacent POS areas at No. 672 East Street, and No. 160 and No. 162 Eastern Circuit. These properties shall receive not less than 3 hours of sunlight at the mid-winter solstice between 9.00 am and 3.00 pm.

The shadow diagrams and view from sun diagrams demonstrate the north-west facing windows within the existing dwelling to the south at No. 672 East Street will achieve no less than 3 hours of sunlight per day between 9:00 am and 3:00 pm. The diagrams confirm that existing north-west facing windows within this development will retain sunlight in the afternoon period approximately between 12:00 pm and 3:00 pm. The proposed development will however shadow the north-west elevation in the morning which has been assessed and deemed supportable for the following reasons:

- The primary POS to the east of the dwelling will retain well in excess of 3 hours sunlight; and
- Any part of the living area orientated to the east of the dwelling will remain generally unaffected by the shadows cast by the proposed development between 9:00 am and 3:00 pm.

The adjoining properties will therefore maintain a minimum 3 hours of sunlight to living and principal private open space areas between 9.00am and 3.00pm at the mid-winter solstice.

## 7.8 Traffic & Parking

A total of 17 surface car parking spaces for residents will be available on site to serve the proposed development. The provision of on-site car parking will satisfy the parking requirements set out in the Housing SEPP for developments carried out by LAHC in a non-accessible area. Unrestricted street parking is available on both Alexandra Street and East Street directly adjacent north and west of the site to accommodate any overflow parking demand generated by the proposed development.

It is noted that the proposed accessible/adaptable car spaces (space No. 9, 10 & 17) have not been designed to the relevant standards, as highlighted by the Traffic and Parking Impact Assessment (**Appendix M**) and Albury City Council. In response, the Access Consultant has provided further advice on the suitability of their design, and how the requirements under AS4299 are considered to be satisfied (refer to supporting letter by Accessible Building Solutions and Brewster Murray at **Appendix G**). In addition to this advice, an additional identified requirement (No. 62) has been recommended requiring the redesign of parking space No. 10 to satisfy the requirements of AS4299 and to ensure consistency with the other adaptable parking spaces.

Proposed on-site parking provision (17 spaces) satisfies the Housing SEPP requirement of 17 spaces as a minimum.

The Traffic and Parking Assessment Report (**Appendix M**) indicates that the projected nett increase in traffic as a consequence of the proposed development is acceptable and any increase can be accommodated within the capacity of the existing local street network.

The Traffic and Parking Assessment examined the adequacy of 2 new accesses on each street of the proposed development. On Alexandra Street, a 5.8m wide combined driveway with provision for opposing vehicles to pass, and on East Street, a 3m wide driveway serving one dwelling (Unit 12) which is consistent with a domestic driveway design. The proposed development is only expected to generate 7 peak hour vehicle trips (less at other times). The width of the driveway on Alexandra

allows for smooth flow of traffic in the event that 2 cars are entering and exiting the site at the same moment in time.

All vehicles requiring access to the carpark will be able to enter and exit in a forward manner. The single driveway on East Street will involve 1 reverse manoeuvre when entering/exiting the car space, comparable to surrounding low density land uses.

### **Mitigation measures**

Ensure that parking space No. 10 is designed to AS4299. Revised design to be confirmed by a suitably qualified access consultant (refer to Additional Identified Requirement No. 62).

## **7.9 Flora and Fauna**

An Arboricultural Impact Assessment has been prepared for the site by Wade Ryan Contracting (**Appendix F**). The report considers 17 trees, 16 of which are located within the subject site and surrounds, while the remaining tree is a street tree in front of No 165 Alexandra Street.

### **Tree Removal**

The report recommends the removal of a total of 13 existing trees, comprising the following:

- Removal of trees 2, 3, 6, 7, 8, 9, 12, 16 to accommodate the development. All 8 are small trees and exempt species under ACC Tree Preservation Policy. The loss of vegetation can easily be offset by the Landscape Plan.
- Removal of trees 4, 5, 14, 15 and shrubs that are protected under ACC Tree Preservation policy. None of the trees are significant. The Landscape plan will offset the loss of these trees and shrubs,
- Removal of 1 street tree (tree 15), which although is protected under ACC Tree Preservation policy, is in poor condition. In-principle approval from ACC has been obtained to remove the tree and replace it.

### **Tree Protection**

Tree 13 is the only tree identified within the site as significant and is to be retained and protected. 3 trees are identified in adjoining properties and are to be retained and protected, including trees 1, 10 and 17. Tree protection will occur in accordance with the Tree Protection Plan, prepared by Wade Ryan Consulting.

More appropriate replacement planting of tree species is proposed, as indicated on the Landscape Plan and details. The new plantings have the opportunity to improve the current canopy coverage on the site and increase the variety of species, including flowering trees, which will provide additional habitat for fauna in the long-term.

There will be no significant impact on native fauna as a result of the proposed development, given that compensatory planting is proposed.

### **Mitigation measures**

Works within the Tree Protection Zone of retained trees on the site are to be undertaken using tree sensitive excavation and construction techniques such as pier and beam construction with suspended sections to reduce any impact on their stability, with piers to be dug by hand using non-motorised machinery to further assist in their protection. Retained trees are to be protected in

accordance with the Tree Protection Plan contained within the Arboricultural Impact Assessment (refer **Appendix F**).

If associated infrastructure (pipe works) are to be installed within the Tree Protection Zone of any retained specimen, they are to be installed by hand with non-motorised machinery. If structural roots are found within the trench, they are to be left intact and dug around retaining this specimen's structural integrity with works to be undertaken in consultation with the project arborist.

Any excavations must be supervised and certified by the Project Arborist in accordance with AS4970 (2009) (refer to Identified Requirement No. 42).

The council's preference is to carry out the replacement planting of street trees. Prior to removing the Council Street Tree (Claret Ash *Fraxinus Oxycarpus* 'Raywoodii' – Asset ID 18247), the Developer is to pay a fee of \$560 per tree to Albury City for the purchase, planting and establishment of 6 advanced replacement street trees (\$3,360 total), White Ash (*Fraxinus americana*) (refer to Identified Requirement No. 66).

## 7.10 Heritage (European / Indigenous)

No heritage items are identified in Albury City Council's Section 10.7(2) & (5) Planning Certificates located on or in the vicinity of the site.

### Aboriginal Heritage

An Aboriginal Heritage Information Management System (AHIMS) search dated 27 April 2022 (**Appendix N**) did not find any record of Aboriginal Sites or Places on the site or in the surrounding locality and the site is considered to be disturbed land. Consideration of the *Due Diligence Code of Practice for the Protection of Aboriginal Objects in New South Wales*, determined that no additional investigation was warranted. Discovery of cultural material during development activities cannot be ruled out, however, an identified requirement has been applied should any Aboriginal relics be discovered on the site during excavation/construction.

### Other Cultural Heritage

No cultural heritage items have been identified in Albury City Council's Section 10.7(2) & (5) Planning Certificates and the likelihood of any heritage relics being discovered during excavation / construction is considered to be minimal.

### Mitigation Measures

A standard identified requirement (No. 44) has been applied should any cultural heritage relics be discovered on the site during excavation / construction.

## 7.11 Soils / Contamination / Acid Sulfate Soils / Salinity

### Geotechnical

A Site Investigation Report, prepared by STS GeoEnvironmental (**Appendix L**) indicates the following:



- The subsurface conditions generally consist of topsoil overlying natural silty clays. Topsoil was encountered in all boreholes to approximate depths of 0.2 to 0.3 metres. Natural silty clays underlie the topsoil to the depth of drilling, 4.0 metres. The consistency of the clays ranges between firm to stiff becoming very stiff with depth.
- No groundwater was observed in the boreholes during the fieldwork.
- Because there are trees and dwellings present, abnormal moisture conditions (AMC) prevail at the site. The site is classified a problem site (P) as per AS2870. However, based on the subsurface conditions observed, the site may be reclassified Highly Reactive (H1), provided the recommendations given below are adopted and the footings are founded in natural soils below any topsoil or fill (see mitigation measures).

### **Mitigation Measures**

An identified requirement (No. 13) recommends that sediment control measures be implemented during construction in accordance with Council requirements and/or the guidelines contained in the Blue Book *Managing Urban Stormwater: Soils and Construction* (4<sup>th</sup> edition, Landcom, 2004).

Additional identified requirement (No. 63) requires footings to be founded in natural soils below any topsoil or fill, in accordance with the recommendations and requirements set out in the Geotechnical Investigation Report 21/0682 prepared by STS GeoEnvironmental dated March 2021.

### **Contamination**

According to Council's Section 10.7(2) & (5) Planning Certificates, the land is not affected by a policy restriction relating to contaminated land. The site has a history of residential uses and there are no indicators of widespread contamination on site.

### **Mitigation Measures**

Standard identified requirements (No. 17 and 52) have been recommended to cover the possibility of discovering site contamination during construction works.

### **Acid Sulfate Soils**

According to Council's Section 10.7(2) & (5) Planning Certificates indicate that the site is not affected by acid sulfate soil.

### **Mitigation Measures**

No mitigation measures are required.

### **Salinity**

Council's Section 10.7(2) & (5) Planning Certificates indicate that the site is not affected by salinity.

### **Mitigation Measures**

No mitigation measures are required.

## **7.12 Drainage / Flood Prone Land / Hydrology/ Water Quality**

Stormwater drainage for the proposed development has been designed in accordance with Council's requirements. Stormwater will be collected via a series of stormwater pits and pipes on the site

connected to a 4000L underground rainwater tank, located under the proposed car park. Roof water will be collected from downpipes and connected to the underground rainwater tank for recycling, with overflow directed to proposed kerb inlet pits connecting to existing pipes on East Street and Alexandra Street.

The Section 10.7(2) & (5) Planning Certificates issued by Council for the subject site indicate that the land is not subject to flood related development controls.

The proposed development has been designed to have no adverse impact on the hydrology or water quality within the local area.

### **Mitigation Measures**

Identified requirements (Nos. 6-9, 14, 32 & 61) have been recommended to ensure that stormwater drainage is managed in accordance with legislative requirements.

An additional identified requirement (No. 65) has been included to require amended stormwater drainage plans to be prepared prior to construction to confirm the invert levels and outlet pipe details of the proposed rainwater storage tank.

## **7.13 Bushfire Prone Land**

The Section 10.7(2) & (5) Planning Certificates issued by Albury City Council for the subject site advise that the land is not bushfire prone.

### **Mitigation Measures**

No mitigation measures are required.

## **7.14 Noise and Vibration**

### **During Construction**

During construction typical noise levels associated with building works will be generated within the hours prescribed under Department of Environment, Energy and Science guidelines and/or in accordance with the local council requirements.

### **During Occupation**

Noise generated when the proposed buildings are completed and occupied will be entirely in keeping with their residential surroundings. No major plant or equipment, which would generate unacceptable noise during occupation, will be installed in the proposed development.

Buildings will be constructed to comply with the deemed-to-comply provisions of *the Building Code of Australia* with respect to noise transmission.

### **Aircraft Noise**

The land is subject to Clause 7.9 of the Albury Local Environmental Plan (ALEP 2010) and the Albury City Council (ACC) "Development Control Plan 2015" (the DCP), which require consideration of the development with regard to Australian Standard 2021:2015 "Acoustics – Aircraft Noise Intrusion – Building Siting and Construction" (AS 2021).

An AS 2021 Aircraft Noise Intrusion Assessment (**Appendix J**) has been prepared by SLR Consulting which confirms that the site is outside the 20 ANEF contour which would indicate that the site is acceptable for residential use as defined in AS 2021. The Assessment concludes the following:

*“The maximum level of aircraft noise expected at the proposed residence is 74 dBA. Glazing or external entry doors will control aircraft noise intrusion into the dwelling.*

*Based on the AS 2021 methodology and the proposed building design/constructions, the maximum required sound insulation performance for habitable occupancies (ie bedrooms and living/dining/kitchen areas) is Rw 24 dB. Glazing no less than 6 mm thick in standard proprietary systems would achieve that performance. Many other proprietary systems would also achieve the required sound insulation performance.*

*Therefore, specific acoustic measures are not required to be included into the dwelling design other than glazing to habitable areas. The required sound insulation performance is not onerous and likely to be achieved by standard proprietary glazing systems.*

*Adequate sound insulation performance of the selected glazing system as specified in this report must be confirmed during the detailed design, with the correct installation (ie type and location as recommended in this report) certified by the builder during construction.”*

## **Mitigation Measures**

Construction noise will be controlled to within acceptable limits by sound attenuation measures and undertaking construction activities within EPA/local council requirements.

Buildings will be constructed to comply with the deemed-to-comply provisions of the *Building Code of Australia* and EPA criteria with respect to noise transmission.

Appropriate standard identified requirements (Nos. 2 and 47) have been applied to ensure compliance with the above mitigation measures.

Adequate glazing systems which meet the acoustic requirements as recommended in the SLR Consulting Report *AS 2021 Aircraft Noise Intrusion Assessment* dated April 2022 are required to be confirmed during the detailed design phase and correctly installed and certified by the builder during construction (additional identified requirement No. 64).

## **7.15 Air Quality**

Temporary and localised air quality impacts including dust, smoke, grit, odours, and fumes might be generated during the clearing and excavation of the site and construction of the proposed development.

### **Mitigation Measures**

Appropriate standard identified requirements (Nos. 49-54) have been applied that will satisfactorily mitigate any potential or adverse impacts on air quality.

## **7.16 Waste Minimisation**

The following waste minimisation and management measures have been identified and are to be considered in conjunction with the specific details, including the estimated quantities of waste, provided in the final waste management plan to be prepared by the building contractor.

### **During Construction**

Construction materials must be stored wholly within the site prior to removal for recycling or disposal. Construction materials waste must be removed from the site to an approved waste management facility or shall be recycled as follows:

- bricks shall be crushed and reused for filling, levelling or temporary road base;
- concrete shall be crushed and reused for filling, levelling or temporary road base;
- tiles shall be crushed and reused for filling, levelling or temporary road base;
- timber shall be re-used on site, where possible, or mulched or sent to second hand suppliers;
- plasterboard shall be returned to the supplier for recycling; and
- metal offcuts from gutter and downpipes, etc. shall be recycled wherever possible.

### **During Occupation**

General and non-recyclable waste will be disposed of in Council's standard waste storage bins located in the garbage storage enclosures and placed on the street kerb by residents for collection by Council's waste services.

Paper / metal / glass will be disposed of in Council's standard waste recycling bins to be located in the garbage storage enclosures and placed on the street kerb by residents for collection by Council's waste services.

### **Mitigation Measures**

Standard identified requirements (Nos. 37b, 43, 50 and 55) are recommended to ensure construction waste is appropriately managed and disposed of.

A standard identified requirement (No. 43) is recommended to require the preparation of a final waste management plan for the construction and occupation phases of the development.

## **7.17 Resource Use & Availability**

The proposed activity will not result in any discernable depletion or degradation of natural resources. The proposal has been designed to meet water and energy efficiency targets as demonstrated by the BASIX certificate for the proposal.

The recycling and reuse of materials during construction and on-going occupation of the proposed development will reduce the consumption of natural resources.

The proposed development is for replacement of existing housing that has reached the end of its economic lifespan. The proposed development will provide contemporary housing that will satisfy current State Government environmental sustainability requirements, particularly through improved energy and water efficiency. These factors will ensure reduced depletion and degradation of natural resources in the long term.

### **Mitigation Measures**

Standard identified requirement (No. 3) requires the development to be undertaken in accordance with the commitments listed in the BASIX certificate and stamped plans.

## **7.18 Community / Social Effects**

It is considered that the proposed development will generate a number of positive community and social effects.

The proposed development will:

- assist LAHC in meeting its significant, long-standing and continually-growing demand for social housing in the Albury local government and surrounding area;
- assist LAHC in improving the amenity of accommodation for its tenants, by providing new, more appropriate housing aligning with demand for social housing;
- improve the environmental sustainability of housing on the site, particularly through improved energy and water efficiency; and
- provide more accessible housing on the site.

### **Mitigation Measures**

No mitigation measures are required.

## **7.19 Economic Impact**

The proposed development is likely to contribute to a range of economic benefits in the Albury local government and surrounding areas through:

- more efficient use of land resources, existing infrastructure and existing services;
- local sourcing of construction materials;
- the local sourcing of tradesmen and other construction-related professionals;
- on-going consumption from new/ additional households;
- the reduced maintenance costs of the newer housing; and
- savings associated with improved energy and water efficiency.

### **Mitigation Measures**

No mitigation measures are required

## **7.20 Cumulative Impact Assessment**

The proposed activity is not likely to have singular or cumulative environmental impacts which would result in unacceptable adverse effects for the following reasons:

- The proposed activity will not result in any adverse cumulative impact when considered in conjunction with any other proposals or developments in the area;
- there will be no synergistic effects of individual project impacts from the proposed activity when considered in combination; and
- there are no known environmental stresses in the area of the proposed activity that would be increased.

## 8. Conclusion

### 8.1 Summary of Key Issues Raised in Assessment

The proposed activity, given its scale, location and design, will be sympathetic with its residential environment. Following a review of the site constraints, it has been determined that the subject land does not contain any significant environmental hazards and that there are no key issues that have been identified that require further assessment.

The proposed activity has been considered in terms of the provisions of Section 5.5 of the EP&A Act and Section 171 of the EP&A Regulation. In this regard, it should be noted that following an analysis of the potential impacts associated with the proposed activity it was determined that an environmental impact statement is not required.

As demonstrated in this REF, the proposed activity is considered to be consistent with the relevant objectives and standards set out in the Housing SEPP, ALEP 2010, and the design principles and better practices set out in the relevant guidelines.

In addition, and as demonstrated by the environmental impact analysis and assessment undertaken in this REF, the proposed activity will have environmental impacts that can be mitigated to an acceptable level in accordance with current applicable standards, will have a number of positive environmental effects in terms of the built environment and will deliver a range of social and economic benefits.

The proposed development will enable LAHC to meet the increasing demand for one and two bedroom dwellings in the local area. Therefore, the proposed development is considered to be clearly in the public interest.

### 8.2 Recommendation

Given the above review of environmental factors, it is recommended that LAHC proceed with the proposed activity subject to the implementation of the Identified Requirements listed in **Appendix C** of this REF.

**APPENDIX A – SECTION 10.7(2) & (5) PLANNING CERTIFICATES**

## **APPENDIX B – NOTIFICATION & CONSULTATION**



## **APPENDIX C – IDENTIFIED REQUIREMENTS**

**APPENDIX D – SENIORS LIVING POLICY: URBAN DESIGN GUIDELINES FOR INFILL DEVELOPMENT**

## **APPENDIX E – DEVELOPMENT PLANS**

## **APPENDIX F – ARBORICULTURAL IMPACT ASSESSMENT**

## **APPENDIX G – ACCESS REPORT**

## **APPENDIX H – BASIX & NATHERS CERTIFICATES**

## **APPENDIX I – BUILDING CODE OF AUSTRALIA COMPLIANCE ASSESSMENT REPORT**

## **APPENDIX J – AS 2021 AIRCRAFT NOISE INTRUSION ASSESSMENT**



## **APPENDIX K – SITE INVESTIGATION (GEOTECHNICAL) REPORT**

## **APPENDIX L – WASTE MANAGEMENT PLAN**

## **APPENDIX M – TRAFFIC & PARKING ASSESSMENT**

## **APPENDIX N – AHIMS SEARCH**

## **APPENDIX O – TITLES & DP**

## **APPENDIX P – SURVEY**

## **APPENDIX Q – DESIGN COMPLIANCE CERTIFICATES**

## **APPENDIX R – SAFETY IN DESIGN REPORT**