



Planning &
Environment

REVIEW OF ENVIRONMENTAL FACTORS



Proposed Residential Development

at

**18-22 Spring Street & 21-25 North Parade,
Wagga Wagga NSW 2650
Lots 35-37 & 56-58 DP 21115**

February 2023

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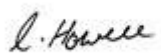
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4th Edition

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1. Executive Summary

The subject site is located at 18-22 Spring Street & 21-25 North Parade, Wagga Wagga, and is legally described as Lots 35-37 & 56-58 in Deposited Plan 21115.

The proposed residential development is described as follows:

Removal of trees and the construction of a residential flat building development comprising 24 residential units located across three buildings, including 16 x one bedroom and 8 x two bedroom units, with associated landscaping and fencing, surface parking for 16 cars, and consolidation of 6 lots into 2 lots.

The proposed activity is located in a prescribed general residential zone (R1) 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 9m in height.

Dwellings and structures previously located on the site have been demolished and the site is currently vacant, as such demolition is not required or proposed as part of this activity.

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 (REF) 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 impacts 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 Wagga Wagga City Council;
- BASIX certificate and NatHERS certificates 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.

Wagga Wagga 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 25 November 2022.

Comments on the response are provided in **Section 6.1** of this REF. No submissions were received from occupiers of adjoining land. Notification of specified authorities was not required (**Section 6.3**).

The proposed activity, if 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 REF under Part 5 of the EP&A Act is for an activity involving the removal of trees and the construction of a residential flat building development comprising 24 units located across 3 buildings, including 16 x one bedroom and 8 x two bedroom units, with associated landscaping and fencing, surface parking for 16 cars, and consolidation of 6 lots into 2 lots at 18-22 Spring Street & 21-25 North Parade, Wagga Wagga.

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

This REF has been prepared by HMR Planning on behalf of LAHC in satisfaction of the provisions of Part 5 of the EP&A Act and Part 8 of the EP&A Regulation.

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

- CK Architecture (Australia) Pty Ltd –

18-22 Spring Street, Wagga Wagga

- SK-000, Issue P4 dated 12.03.2022 – Cover Page
- SK-00A, Issue P3 dated 12.03.2022 – Development Data Tables
- SK-001, Issue P5 dated 12.03.2022 – Site Location Plan
- SK-002, Issue P5 dated 12.03.2022 – Site Analysis - Spring Street
- SK-003, Issue P1 dated 12.03.2022 – Landscape Calculations - Spring Street
- SK-110, Issue P4 dated 12.03.2022 – Spring Street Site Location Plan
- SK-111, Issue P5 dated 12.03.2022 – Overall Site Plan - Spring Street
- SK-112, Issue P7 dated 12.03.2022 – Ground Floor & Site Plan Spring Street - Spring Street
- SK-113, Issue P7 dated 12.03.2022 – Overall First Floor & Site Plan - Spring Street
- SK-114, Issue P6 dated 12.03.2022 – Overall Roof Plan & Site Plan - Spring Street
- SK-115, Issue P5 dated 12.03.2022 – Elevations - Spring Street Sheet 1
- SK-116, Issue P4 dated 12.03.2022 – Elevations - Spring Street Sheet 2
- SK-117, Issue P5 dated 12.03.2022 – Streetscape - Spring Street
- SK-118, Issue P4 dated 12.03.2022 – Sections - Spring Street
- SK-119, Issue P5 dated 12.03.2022 – Shadow Diagrams Sheet 1 - Spring Street
- SK-120, Issue P5 dated 12.03.2022 – Shadow Diagrams Sheet 2 / Sub Studies Ground
- SK-121, Issue P5 dated 12.03.2022 – Sun Studies Sheet 1 - Spring Street
- SK-122, Issue P5 dated 12.03.2022 – Sun Studies Sheet 2 - Spring Street
- SK-123, Issue P5 dated 12.03.2022 – Sun Studies Sheet 3 - Spring Street
- SK-124, Issue P5 dated 12.03.2022 – Sun Studies Sheet 4 - Spring Street

21-25 North Parade, Wagga Wagga

- SK-126A, Issue P1 dated 12.03.2022 – Landscape Calculations - North Parade
- SK-126, Issue P4 dated 12.03.2022 – North Parade Context & DDT
- SK-127, Issue P4 dated 12.03.2022 – Overall Site Plan – North Parade
- SK-128, Issue P7 dated 12.03.2022 – Overall Ground Floor & Site Plan – North Parade
- SK-129, Issue P7 dated 12.03.2022 – Overall First Floor & Site Plan – North Parade
- SK-130, Issue P6 dated 12.03.2022 – Overall Roof Plan & Site Plan – North Parade
- SK-131, Issue P5 dated 12.03.2022 – Elevations Sheet 1– North Parade
- SK-132, Issue P5 dated 12.03.2022 – Elevations Sheet 2– North Parade
- SK-133, Issue P5 dated 12.03.2022 – Streetscape - North Parade
- SK-134, Issue P4 dated 12.03.2022 – Sections - North Parade
- SK-135, Issue P5 dated 12.03.2022 – Shadow Diagrams Sheet 1 - North Parade
- SK-136, Issue P5 dated 12.03.2022 – Shadow Diagrams / Sun Studies Ground - North Parade
- SK-137, Issue P5 dated 12.03.2022 – Sun Studies Sheet 2 - North Parade
- SK-138, Issue P5 dated 12.03.2022 – Sun Studies Sheet 3 - North Parade
- SK-139, Issue P4 dated 12.03.2022 – Sun Studies Sheet 4 - North Parade
- SK-140, Issue P4 dated 12.03.2022 – Sun Studies Sheet 5 - North Parade
- SK-150, dated 12.03.2022 – Staging Plan

Landscape Drawings

- Cardno (NSW/ATC) Pty Ltd, landscape consultant –
 - LS-00, Issue 4 dated 08.11.2022 – Landscape Cover Sheet, Key Plan and Drawing List
 - LS-10, Issue 4 dated 08.11.2022 – Landscape Finishes and Grading Plan – Sheet 1 of 2
 - LS-11, Issue 4 dated 08.11.2022 – Landscape Finishes and Grading Plan – Sheet 2 of 2

- LS-20, Issue 4 dated 08.11.2022 – Landscape Planting Plan – Sheet 1 of 2
- LS-21, Issue 4 dated 08.11.2022 – Landscape Planting Plan – Sheet 2 of 2
- LS-30, Issue 4 dated 08.11.2022 – Landscape Planting, Hardstand and Fencing Palette
- LS-40, Issue 4 dated 08.11.2022 – Landscape Planting and Construction Details – Sheet 1 of 2
- LS-41, Issue 4 dated 08.11.2022 – Landscape Planting and Construction Details – Sheet 2 of 2

Civil Drawings

- Cardno (NSW/ACT) Pty Ltd, consulting engineers –
 - Drawing No. 50522025-DA-1000, Rev B dated August 2022 – Coversheet and Locality Plan
 - Drawing No. 50522025-DA-1001, Rev B dated 28.09.2022 – Drawing List
 - Drawing No. 50522025-DA-1003, Rev B dated 28.09.2022 – General Notes
 - Drawing No. 50522025-DA-1005, Rev B dated 28.09.2022 – Site Plan
 - Drawing No. 50522025-DA-1006, Rev B dated 28.09.2022 – Site Access Plan
 - Drawing No. 50522025-DA-1010, Rev B dated 28.09.2022 – General Arrangement Plan Sheet 1 of 2
 - Drawing No. 50522025-DA-1011, Rev B dated 28.09.2022 – General Arrangement Plan Sheet 2 of 2
 - Drawing No. 50522025-DA-1015, Rev B dated 28.09.2022 – Option 1 Stormwater Master Plan Sheet 1 of 2
 - Drawing No. 50522025-DA-1016, Rev B dated 28.09.2022 – Option 1 Stormwater Master Plan Sheet 2 of 2
 - Drawing No. 50522025-DA-1030, Rev B dated 28.09.2022 – Sewer Master Plan Sheet 1 of 2
 - Drawing No. 50522025-DA-1031, Rev B dated 28.09.2022 – Sewer Master Plan Sheet 2 of 2
 - Drawing No. 50522025-DA-1040, Rev B dated 28.09.2022 – Water Master Plan Sheet 1 of 2
 - Drawing No. 50522025-DA-1041, Rev B dated 28.09.2022 – Water Master Plan Sheet 2 of 2
 - Drawing No. 50522025-DA-1060, Rev B dated 28.09.2022 – Gas Master Plan Sheet 1 of 2
 - Drawing No. 50522025-DA-1061, Rev B dated 28.09.2022 – Gas Master Plan Sheet 2 of 2
 - Drawing No. 50522025-DA-1070, Rev B dated 28.09.2022 – Telecommunications Master Plan Sheet 1 of 2
 - Drawing No. 50522025-DA-1071, Rev B dated 28.09.2022 – Telecommunications Master Plan Sheet 2 of 2
 - Drawing No. 50522025-DA-1080, Rev B dated 28.09.2022 – Tree Protection Plan Sheet 1 of 2
 - Drawing No. 50522025-DA-1081, Rev B dated 28.09.2022 – Tree Protection Plan Sheet 2 of 2
 - Drawing No. 50522025-DA-1090, Rev B dated 28.09.2022 – Cut/Fill
 - Drawing No. 50522025-DA-1100, Rev B dated 28.09.2022 – Erosion and Sediment Plan Sheet 1 of 2
 - Drawing No. 50522025-DA-1101, Rev B dated 28.09.2022 – Erosion and Sediment Plan Sheet 2 of 2
 - Drawing No. 50522025-DA-1110, Rev B dated 28.09.2022 – Waste Management Plan Sheet 1 of 2
 - Drawing No. 50522025-DA-1111, Rev B dated 28.09.2022 – Waste Management Plan Sheet 2 of 2
 - Drawing No. 50522025-DA-1120, Rev B dated 28.09.2022 – Lot Consolidation Plan

Survey

- Premise, consultant surveyors –
 - Drawing dated 07.11.2022, Rev B – Contour & Detail Survey of 18-22 Spring Street
 - Drawing dated 07.11.2022, Rev B – Contour & Detail Survey of 21 & 25 North Parade

BASIX / NatHERS

- Eco Engineering Group – Assessor No. DMN/12/1451 –

- BASIX Certificate No. 1304833M_04 dated 09.12.2022 for Lot no. 56-58 DP 21115, 21- 25 North Parade
- BASIX Certificate No. 1304736M_05 dated 09.12.2022 for Lot no. 35-37 DP 21115, 18-22 Spring Street
- Gradwell Consulting – Assessor No. DMN/12/1451 –
 - NatHERS Certificate No. 0007839710 dated 28.09.2022 for 21-25 North Parade, Wagga Wagga
 - NatHERS Certificate No. 0007840120 dated 29.08.2022 for 18-22 Spring Street, Wagga Wagga

Specialist reports

- Cardno (NSW/ATC) Pty Ltd, Traffic consultant –
 - Traffic and Parking Impact Assessment, dated 8 November 2022
- Wade Ryan Contracting, consultant Arborist –
 - Arboricultural Impact Assessment for 2022 Development at 18-22 Spring Street, Wagga Wagga NSW 2650, dated 3 August 2022
 - Arboricultural Impact Assessment for 2022 Development at 21-25 North Parade, Wagga Wagga NSW 2650, dated 3 August 2022
- Morris Goding Access Consulting, Access consultant –
 - Access Review – DA Final v2 - Duke of Kent Housing Project (Spring Street & North Parade Wagga Wagga NSW) - LAHC Residential Flat Building, dated 11 October 2022
- Code Conduit, Building Code consultant –
 - BCA Assessment Report - Duke of Kent Housing Project, 18-22 Spring Street & 21-25 North Parade, Wagga Wagga dated 14 September 2022
- Cardno (NSW/ATC) Pty Ltd, consulting engineers –
 - Waste Management Plan, Version 3 - 18-22 Spring Street & 21-25 North Parade, dated 13 December 2022
 - Flood Impact Assessment – 18-22 Spring Street & 21-25 North Parade, dated 11 November 2022
- STS Geotechnics Pty Ltd, geotechnical consultant –
 - Geotechnical Investigation – 18-22 Spring Street, Wagga Wagga NSW, dated October 2021
 - Geotechnical Investigation – 21-25 North Parade, Wagga Wagga NSW, dated October 2021
- Eco Engineering Group Pty Ltd, engineering consultant –
 - BASIX Assessment Report, Rev 1.4 – 18-22 Spring Street, Wagga Wagga NSW, dated 9 December 2022
 - BASIX Assessment Report, Rev 1.4 – 21-25 North Parade, Wagga Wagga NSW, dated 9 December 2022

Design compliance and checklists

- Seniors Living Policy: Urban Design Guidelines for Infill Development Checklist, dated 15.09.2022
- Architect's Certificate of Building Design Compliance, dated 15.09.2022
- Engineer's Certificate of Design Compliance, dated 05.12.2022
- Landscape Architect's Certificate of Design Compliance, dated 8.11.2022

Supporting Information

- Wagga Wagga City Council –
 - Section 10.7(2)(5) Planning Certificate No. ePL2022/0529 – 21 North Parade, Wagga Wagga, NSW 2650, Lot 56 DP 21115, dated 25.08.2022
 - Section 10.7(2)(5) Planning Certificate No. ePL2022/0528 – 23 North Parade, Wagga Wagga, NSW 2650, Lot 57 DP 21115, dated 25.08.2022
 - Section 10.7(2)(5) Planning Certificate No. ePL2022/0527 – 25 North Parade, Wagga Wagga, NSW 2650, Lot 58 DP 21115, dated 25.08.2022
 - Section 10.7(2)(5) Planning Certificate No. ePL2022/0526 – 10 Spring Street, Wagga Wagga, NSW 2650, Lot 37 DP 21115, dated 25.08.2022
 - Section 10.7(2)(5) Planning Certificate No. ePL2022/0525 – 20 Spring Street, Wagga Wagga, NSW 2650, Lot 36 DP 21115, dated 25.08.2022
 - Section 10.7(2)(5) Planning Certificate No. ePL2022/0524 – 22 Spring Street, Wagga Wagga, NSW 2650, Lot 35 DP 21115, dated 25.08.2022
- Title search and Deposited Plans –
 - Certificate of Title Folio 35/21115, search date 18.01.2023
 - Certificate of Title Folio 36/21115, search date 18.01.2023
 - Certificate of Title Folio 37/21115, search date 18.01.2023
 - Certificate of Title Folio 56/21115, search date 18.01.2023
 - Certificate of Title Folio 57/21115, search date 18.01.2023
 - Certificate of Title Folio 58/21115, search date 18.01.2023
 - Deposited Plan 21115
- Certificates of Completion – Demolition, Issued by LAHC, Sydney City Civil Australia (21 North Pde only) and AMJ Demolition & Excavation
 - LAHC Ref. LAHC 2021/274, 21 North Parade, Wagga Wagga NSW 2650, dated 09.07.2021
 - Job No. BGYYP, 23 North Parade, Wagga Wagga NSW 2650, dated 31.08.2022
 - Job No. BGYYP, 25 North Parade, Wagga Wagga NSW 2650, dated 08.09.2022
 - Job No. BGYYN, 18, 20 & 22 Spring Street, Wagga Wagga NSW 2650, dated 08.09.2022
- EnviroScience Solutions, consultant –
- 21 North Parade, Wagga Wagga 2650, Phase 3 Asbestos Clearance & Soil Testing LaHRC 2021-158, Ref CLR24751R01, dated 21.06.2021

- 23 North Parade, Wagga Wagga 2650, Phase 3 Asbestos Clearance & Soil Testing LaHRC 2022-024, Ref CLR26944-R1, dated 26.08.2022
- 25 North Parade, Wagga Wagga 2650, Phase 3 Asbestos Clearance & Soil Testing LaHRC 2022-024, Ref CLR26943-R1, dated 07.09.2022
- 18 Spring Street, Wagga Wagga 2650, Phase 3 Asbestos Clearance & Soil Testing LaHRC 2022-024, Ref CLR26950-R1, dated 07.09.2022
- 20 Spring Street, Wagga Wagga 2650, Phase 3 Asbestos Clearance & Soil Testing LaHRC 2022-024, Ref CLR26951-R1, dated 31.08.2022
- 22 Spring Street, Wagga Wagga 2650, Phase 3 Asbestos Clearance & Soil Testing LaHRC 2022-024, Ref CLR26952-R1, dated 08.09.2022

2.2 Demolition

The entire site is currently vacant, with all buildings and structures previously demolished. All existing trees onsite have also been removed, except for 4 remaining trees, due to them becoming unstable during demolition works (refer to **Section 2.3** below for discussion on tree removal).

2.3 Removal of Trees

18-22 Spring Street, Wagga Wagga – known as Stage 1 on the “Staging Plan” in Appendix E

Of the 14 trees assessed 11 are located within the site. During demolition of the existing dwellings and structures, 9 trees were removed due to the trees becoming unstable and unsafe. These trees included Tree Nos. 3 & 5-12, all of which have been confirmed by the Arborist as exempt under *Part B, Section 5 Natural Resource and Landscape Management 5.2 Preservation of trees* of the Wagga Wagga Development Control Plan 2010 (WWDCP2010), as they are listed as an undesirable plant species or less than 8 metres in height.

The 2 trees that remain onsite (Tree Nos. 2 & 14) are proposed to be removed. Tree No. 14 is identified as ‘*Remove Priority*’ in the Arboricultural Impact Assessment (refer **Appendix F**) as it will be impacted by the development and is a weed species. Tree No. 2 is identified as ‘*Retain if Possible*’ in the report and is the only tree within the site that meets the criteria of tree preservation under the WWDCP2010. The tree removal within the site boundaries is recommended primarily to accommodate the proposed development.

Of the 3 street trees located on Spring Street (Tree Nos. 1, 4 & 13), all are proposed to be retained. The proposed driveway will impact on the tree protection zone (TPZ) of Tree No. 4, with an encroachment of 27%, which is considered to be a major encroachment into the TPZ. Recommended tree protection measures are provided in the Arboricultural Impact Assessment (refer **Appendix F**) to manage impacts to the retained trees during construction of the development.

It should be noted that tree permits will be required from Wagga Wagga City Council for any pruning of street trees prior to construction.

In order to compensate for the loss of existing trees on the site, and in accordance with the recommendations of the Arboricultural Impact Assessment report, more appropriate tree plantings are proposed as part of a comprehensive site wide landscaping plan. In total 16 trees are proposed, including 8 trees capable of reaching a mature height of 8-10m and 8 capable of reaching a height of 4-5m in addition a further 13 shrubs that are capable of reaching a height of 4m are also proposed, (refer to submitted Landscape Plan in **Appendix E**).

21-25 North Parade, Wagga Wagga – known as Stage 2 on the “Staging Plan” in Appendix E

Of the 29 trees assessed, 26 are located within the site. During demolition of the existing dwellings and structures, 24 trees were removed due to the trees becoming unstable and unsafe. These trees included Tree Nos. 2-6, 8-24 & 28-29. All of the removed trees, except for Tree Nos. 6, 24 & 29, have been confirmed by the Arborist as exempt under *Part B, Section 5 Natural Resource and Landscape Management 5.2 Preservation of trees* of the Wagga Wagga City Council Development Control Plan 2010 (WWDCP2010), as they are listed as an undesirable plant species or less than 8 metres in height. The 3 trees that were not exempt however were recommended for ‘removal’ or ‘removal priority’ in the Arboricultural Impact Assessment and were noted to have either ‘poor’ or ‘very poor’ retention value.

The 2 trees that remain onsite (Tree Nos. 26 & 27) are proposed to be removed. Tree No. 26 is identified as ‘Remove’ in the Arboricultural Impact Assessment (refer **Appendix F**) as it will be impacted by the development and is in poor condition. Tree No. 27, which is also proposed to be removed, is identified as ‘Remove Priority’ as it is less than 8 metres in height.

Of the 3 street trees located on North Parade (Tree Nos. 1, 7 & 25), all are proposed to be retained. Recommended tree protection measures are provided in the Arboricultural Impact Assessment report (refer **Appendix F**) to manage impacts to the retained trees during construction of the development.

In order to compensate for the loss of existing trees on the site, and in accordance with the recommendations of the Arboricultural Impact Assessment report, more appropriate tree plantings are proposed as part of a comprehensive site wide landscaping scheme. In total 8 trees are proposed, including 7 trees capable of reaching a mature height of 8-10m and 1 tree capable of reaching a height of 5m, in addition a further 3 shrubs that are capable of reaching a height of 4m and 27 shrubs that are capable of reaching a mature height of 2.5m are also proposed, (refer to submitted Landscape Plan in **Appendix E**).

2.4 Proposed Dwellings

18-22 Spring Street, Wagga Wagga – known as Stage 1 on the “Staging Plan” in Appendix E

The proposed Spring Street development comprises 12 residential units, including 8 x one bedroom units and 4 x two bedroom units, located across 2 x two storey residential flat buildings (Blocks 1 & 2). A driveway providing access to a communal car parking court at the rear of the site separates the 2 buildings.

Of the 12 dwellings, all have been designed as Silver Level Livable and 2 ground floor units (Units 1 & 6) have been designed as Adaptable in accordance with AS 4299, 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. The use of face brick and cladding for external walls and Colorbond metal roofing is consistent with the developing character of the surrounding area. 8 of the 12 proposed units will address the street (Units 1, 2, 4 & 6 on the ground floor and Units 7, 8, 10 & 12 on the first floor) with living areas and living area windows facing the street for passive surveillance.

Minor cut and fill is proposed to provide a level building platform. Minimal excavation is proposed, with fill ranging from <100mm to 800mm. This level of cut and fill is within Council’s DCP standards and is mainly contained within the building footprint and the proposed car parking area (refer to **Appendix E**).

A comprehensive landscaping plan is proposed for the site and includes a variety of new native trees, shrubs and groundcovers. The proposed landscaping will offset the proposed tree removal, enhance the appearance of the site in the streetscape, enhance internal site amenity for residents and provide landscaped buffers to adjoining properties to assist in maintaining adjoining property amenity.

Each unit will be provided with its own enclosed private open space (POS) area in the form of a courtyard or balcony. All these spaces are directly accessible from the living areas.

A total of 8 surface car parking spaces will be provided on the site, including 2 accessible spaces. Six car parking spaces are provided in a centralised communal carpark toward the rear of the site, accessed from a driveway located between the 2 buildings, and the 2 accessible spaces are provided as private parking spaces, with their own driveways, for Adaptable Units 1 & 6.

The site is affected by the 1 in 100-year ARI storm event. To mitigate flooding impacts, an orifice plate and on-site detention (OSD) storage has been incorporated into the internal stormwater network of the development. Stormwater will be collected via a series of stormwater pits and gutters on the site connected to 3.1m³ of OSD, provided via grading of the carpark area to create surface detention ponding. When the volume of water exceeds the storage space, stormwater will overflow to the north onto the driveway where it will be directed towards Spring Street and connect into an existing stormwater pit. The orifice plate will be used to control the peak flows discharging from the site to the existing downstream drainage network, for all events up to and including the 1 in 100-year storm to the pre-development peak flow. The orifice plate will be installed on the outlet of the pit prior to stormwater leaving the site.

An existing easement for the drainage of stormwater is listed on the Title documents (refer to **Appendix O**) and shown to traverse 20-22 Spring Street (Lots 35 & 35) (refer to **Figure 8**). The stormwater easements have been incorporated into the design of the proposed development, with realignments proposed as necessary (refer to **Appendix E**).

New 1.8m high Stratco Good Neighbour® fencing is proposed along the side and rear boundaries. Standard timber paling fencing and brick privacy screen walls are proposed within the site to delineate private open space areas. A combination of face brick work and slatted metal fencing between brick piers will be provided along the perimeter of private open spaces located at the front of the development orientated to Spring Street. The slatted metal fencing between brick piers will run parallel along Spring St and have a maximum height of 1.2m whilst courtyard fencing returning from the site frontage to the building wall will be solid brick to a maximum height of 1.5m. Internally the POS areas will be screened and separated by 1.8m high timber paling fencing.

21-25 North Parade, Wagga Wagga – known as Stage 2 on the “Staging Plan” in Appendix E

The proposed North Parade development comprises 12 residential units, including 8 x one bedroom units and 4 x two bedroom units. A driveway at the western end of the site provides access to a communal car parking court at the rear of the site.

Of the 12 residential units, all have been designed as Silver Level Livable and 2 ground floor units, (Units 3 & 4), have been designed as Adaptable in accordance with AS 4299, 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. The use of face brick and cladding for external walls, Colorbond metal roofing and architectural roof features is consistent with the developing character of the surrounding area. 8 of the 12 proposed units will address the street (Units 2, 3, 5 & 6) on the ground floor and Units 8, 9, 11 & 12 on the first floor) with living areas and living area and bedroom windows facing the street for passive surveillance.

Minor levels of fill, ranging from <100mm to 800mm, is proposed to provide a level building platform. No excavation is proposed. This level of fill is within Council's DCP standards and is mainly contained within the building footprint and the proposed car parking area (refer to **Appendix E**).

A comprehensive landscaping plan is proposed for the site and includes variety of new native trees, shrubs and groundcovers. The proposed landscaping will offset the proposed tree removal, enhance the appearance of the site in the streetscape, enhance internal site amenity for residents and provide landscaped buffers to adjoining properties to assist in maintaining adjoining property amenity.

Each unit will be provided with its own enclosed private open space area in the form of a courtyard or balcony. All these spaces are directly accessible from the living areas.

A total of 8 surface car parking spaces will be provided on the site, including 2 accessible spaces. All parking is provided in a communal carpark located toward the north western corner of the site.

The site is affected by the 1 in 100-year ARI storm event. As such, an orifice plate and OSD storage has been incorporated into the internal stormwater network of the development. Stormwater will be collected via a series of stormwater pits and gutters on the site connected to 4.1m³ of OSD, provided via grading of the carpark area to create surface detention ponding over the grated pit in the carpark. When the volume of water exceeds the storage space, stormwater will overflow to the north where it will be directed towards Spring Street via 2m-2.5m wide drainage easements that traverses the adjoining Spring Street property. The orifice plate will be installed on the outlet of the pit prior to stormwater leaving the site and used to control the peak flows for all events up to and including the 1 in 100-year storm. The existing drainage lines within the site, servicing the adjacent blocks, will be relocated to the rear of the block, alongside the existing sewer line and a new 2.5m wide drainage and sewer easement will be created.

An existing easement for the drainage of stormwater is listed on the Title documents (refer to **Appendix O**) and shown to traverse 18-22 North Parade (Lots 56-58) (refer to **Figure 8**). A sewer easement also traverses the rear of the North Parade properties in an east to west direction. The stormwater and sewerage easements have been incorporated into the design of the proposed development, with realignments proposed as necessary (refer to **Appendix E**).

New 1.8m high Stratco Good Neighbour® fencing is proposed along the side and rear boundaries. Standard timber paling fencing and brick privacy screen walls are proposed within the site to delineate private open space areas. A combination of face brick work and slatted metal fencing between brick piers will be provided along the perimeter of private open spaces located at the front of the development orientated to North Parade. The slatted metal fencing between brick piers will run parallel along North Parade and have a maximum height of 1.2m whilst courtyard fencing returning from the site frontage to the building wall will be solid brick to a maximum height of 1.5m. Internally the POS areas will be screened and separated by 1.8m high timber paling fencing.

3. Existing Site & Locality

3.1 Existing Site and Immediately Adjoining Development

The site is located in the City of Wagga Wagga local government area (LGA) and comprises six residential allotments. The site has dual frontage with 3 of the lots having frontage to the southern side of Spring Street and 3 lots having frontage to the northern side of North Parade, (refer to **Figure 1**).

The site is located approximately 1.7km north west of Wagga Wagga Train station and 1.5km west of Wagga Wagga town centre.

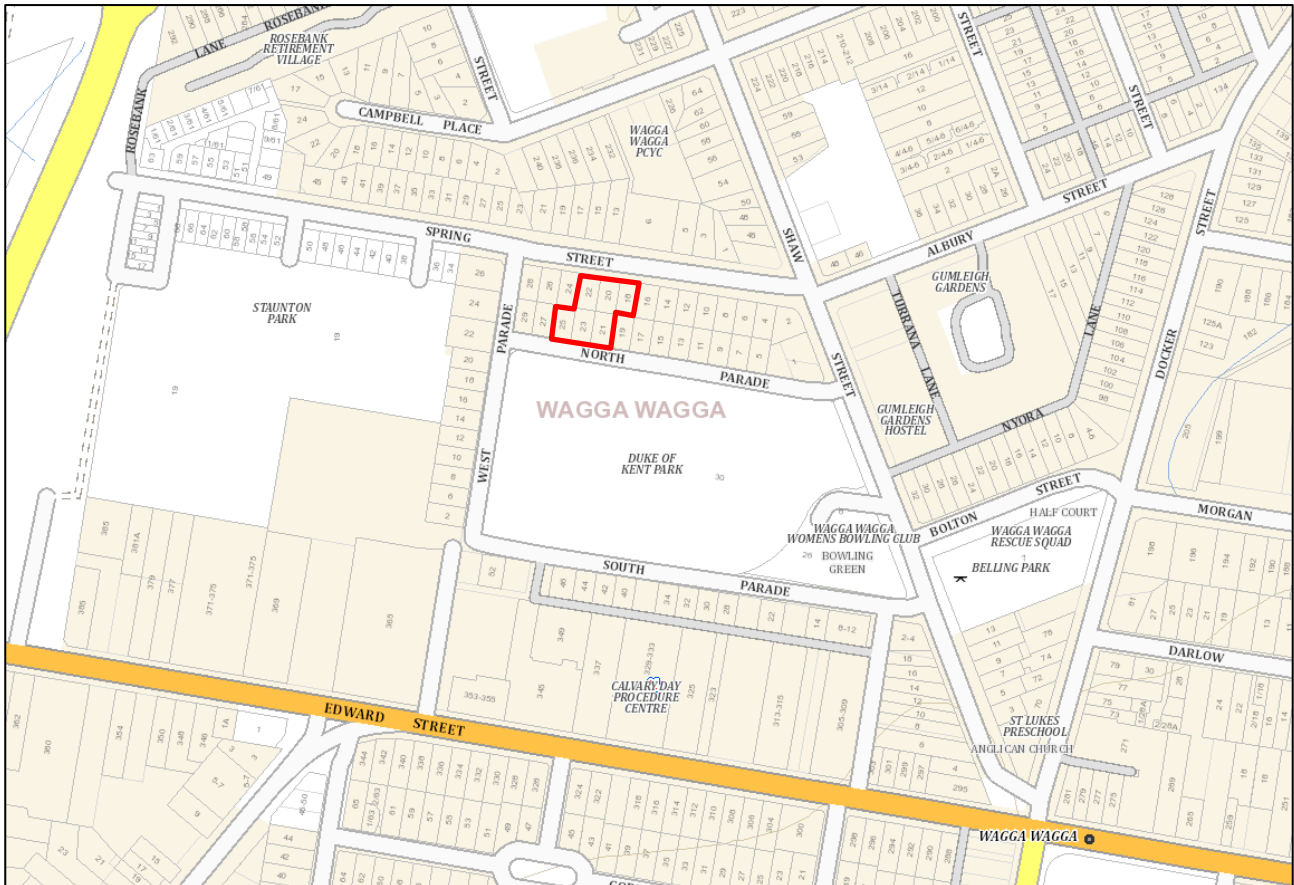


Figure 1: Location Plan

(Source: SIX Maps)

The site is currently vacant, all dwellings and structures that previously occupied the site have been demolished (refer to photographs at **Figures 2 & 3**).



Figure 2: Development site – 18-22 Spring Street



Figure 3: Development site – 21-25 North Parade

Spring Street frontage lots:

The property immediately to the east, 16 Spring Street is a recently constructed two storey RFB development, comprising 4 dwellings and 2 under croft car parking spaces, of face brick with Colourbond metal roofing (refer photograph at **Figure 4**). The property immediately to the west, 24 Spring Street contains a detached single storey older style brick dwelling house with metal roof (refer to photograph at **Figure 5**).



Figure 4: Adjoining LAHC development – 16 Spring Street
(Source: LAHC)



Figure 5: Adjoining development – 24 Spring Street
(Source: Google Maps Street View: Image capture November 2020)

North Parade frontage lots:

The property immediately to the east, 19 North Parade, contains a detached single storey older style weather board and brick dwelling house with metal roof (refer photograph at **Figure 6**). The property immediately to the west, 27 North Parade, contains a detached single storey older style brick dwelling house with metal roof (refer to photograph at **Figure 7**).



Figure 6: Adjoining development – 19 North Parade
(Source: Google Maps Street View: Image capture November 2020)



Figure 7: Adjoining development – 27 North Parade
(Source: Google Maps Street View: Image capture November 2020)

3.2 Site Description

The site is located between the southern side of Spring Street and the northern side of North Parade and comprises of 6 Torrens Title allotments, legally described as Lots 35-37 and Lots 56-58 in DP 21115, (refer to Certificates of Title and Deposited Plan in **Appendix O**).

The Spring Street property has a total site area of 1,589.1m², with a frontage to Spring Street of 52.14m, side boundaries of 30.48m and a rear boundary of 52.14m. The North Parade property also has a total

site area of 1,589.1m², with a frontage to North Parade of 52.14m, side boundaries of 30.48m and a rear boundary of 52.14m (refer to the submitted Contour and Detail Plan in **Appendix E**). The combined total site area is 3,178.2m².

The site is relatively flat with a very slight fall at less than 0.3m from the south along the North Parade frontage to the north along the Spring Street frontage. An existing easement for the drainage of stormwater is listed on the Title documents (refer to **Appendix O**) and shown to traverse 18-22 North Parade (Lots 56-58) and 20-22 Spring Street (Lots 35 & 36) (refer to **Figure 8**). A sewer easement also traverses the rear of the North Parade properties in an east to west direction. The stormwater and sewerage easements have been incorporated into the design of the developments, with realignments proposed as necessary.

Overall, there are 4 remaining trees located within the site boundaries (4 located at 18-22 Spring Street and 2 located at 21-25 North Parade). Three street trees are located within each of the Spring Street and North Parade road reserves.

Copies of the Section 10.7(2) & (5) Planning Certificates (Nos. ePL2022/0524, ePL2022/0525, ePL2022/0526, ePL2022/0527, ePL2022/0528, ePL2022/0529) dated 25.08.2022 are provided in **Appendix A**. The Section 10.7 certificates indicate that the land is affected by a Major Overland Flow Flood of 1:100 (1%), an extreme rainfall event. Council considers the land to be within the Major Overland Flow Flood Study 2021 flood planning area (MOFFS FPA) and therefore flood related development controls apply.

Water, electricity, gas, sewer and telephone facilities are available to the site (refer to the submitted Contour and Detail Survey for the location of available services at **Appendix E**). All services are located along the street alignments apart from sewer, which runs parallel to the rear (northern) property boundary of 21-25 North Parade.

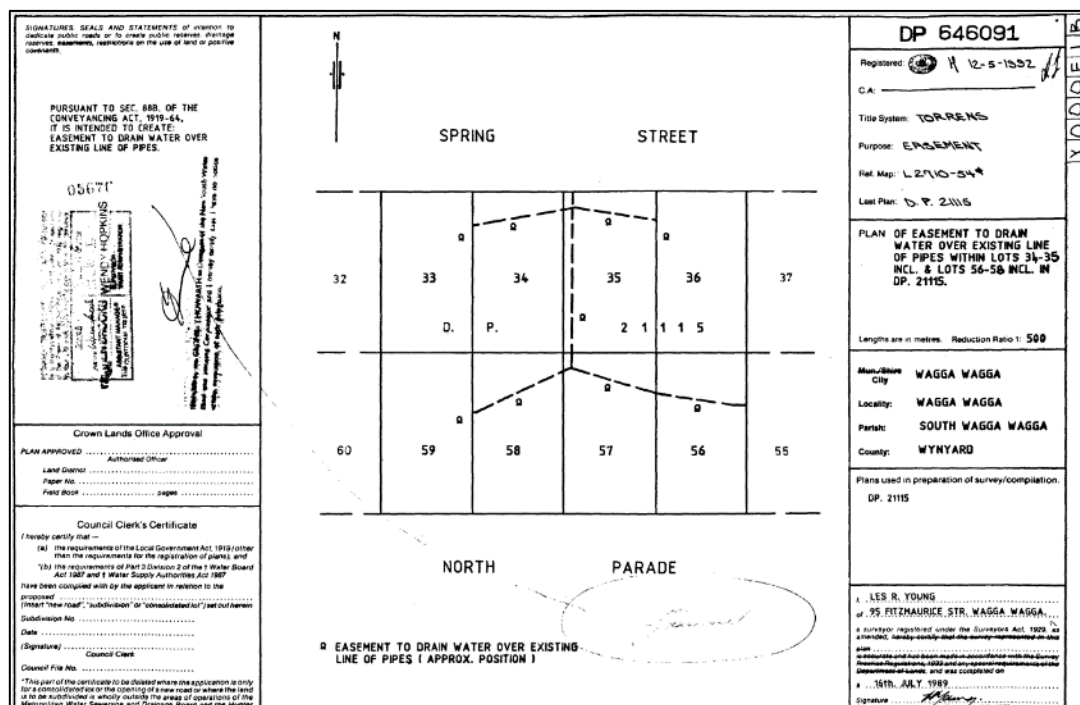


Figure 8: Plan of Easement to drain water

3.3 Neighbouring Development and Locality

The site is well located in proximity to open space, commercial and retail outlets, educational establishments, medical services, and transport connections. Located to the south of the site, on the

opposite side of North Parade, is the Duke of Kent Park, a multi-purpose public recreation area comprising multiple soccer fields and 2 synthetic cricket pitches. Located approximately 620m to the south east of the site is the Wagga Wagga Base Hospital, providing emergency, maternity, aged care, mental health, rehabilitation and a range of other medical services. South Wagga Wagga Public School and Wagga Wagga High School are located 1.4kms and 1.6kms to the south east of the site, respectively.

Located 1.5kms to the east of the site is the Wagga Wagga Town Centre, which accommodates a range of retail and commercial premises, including grocery stores, restaurants, cafés and Wagga Wagga Marketplace shopping centre, as well as medical centres, open space areas, educational establishments and Wagga Wagga City Library.

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 or metal roofs.

The emergence of new developments in the surrounding area suggests the area is beginning to transition from low density older style dwellings to more contemporary developments with higher densities. As such, there are increasing examples of more contemporary developments being constructed in the surrounding area, including the approved development at 16 Spring Street (refer photograph at **Figure 4**) and the recently constructed residential flat building comprising 10 units at 8-12 South Parade, located to the south east of the site on the opposite side of Duke of Kent Park (refer to photomontage at **Figure 9**).



Figure 9: More recent approved development at 8-12 South Parade (to the south east of the site)

Approximately 150m to the west of the site along Spring Street are new residential subdivisions where contemporary one and 2 storey dwellings are being or have recently been developed (refer to **Figures 10-12**).



Figure 10: Recent subdivision and contemporary dwellings along Spring Street (to the west of the site)
(Source: NearMaps: Image capture October 2022)



Figure 11: 48 & 61 Spring St - Examples of new contemporary single storey dwellings being developed in locality
(Source: Realestate.com.au)



Figure 12: 40 & 50 Spring St - Examples of new contemporary 2 storey dwellings being developed in locality
(Source: Realestate.com.au)

A development application (DA) was lodged with City of Wagga Wagga City Council on 11 October 2022 for a residential subdivision at 19 Staunton Parkway, Wagga Wagga [DA22/0621] located approximately 100m to the west of the site (refer **Figure 13**). The DA proposes a 133 lot subdivision, with lots ranging in size from 250m² to 313m². The site is zoned R3 Medium Density Residential and the Statement of Environmental Effects accompanying the DA describes future development as comprising a mix of single dwellings, dual occupancy/attached dwellings, and multi-dwelling housing. The DA has been notified, however is not yet determined.



Figure 13: 19 Staunton Parkway [DA22/0621] – Proposed 133 lot residential subdivision (to the west of the site)
(Source: City of Wagga Wagga Council Online Services)

There is a bus stop located on the northern side of Albury Street, approximately 250m walking from the Spring Street frontage and approximately 400m walking distance from the North Parade frontage (refer to the Site Access Plan provided at **Appendix E**). This stop is serviced by Busabout Route 966 which is a circular route providing services to Wagga Wagga town centre and Estella. Wagga Wagga Train Station is located approximately 1.6 kilometres to the south east of the site.

3.4 Strategic Plans and Desired Future Character

On 16 December 2019, at the Ordinary Council Meeting Wagga Wagga Council adopted the proposed Wagga Wagga Health and Knowledge Precinct Master Plan, which outlines the 25-30 year vision for the area around Wagga Wagga's two major hospitals to develop a central activity hub to enhance current and new health services in Wagga Wagga and the Riverina area, and to support local employment in this key industry.

The adopted master plan will explore integrating complementary uses such as:

- Higher density accommodation
- Allied health
- Aged Care
- Commercial Spaces
- Green Spaces
- Healthy Living
- Smart Spaces
- Education

The Wagga Wagga Health and Knowledge Structure Plan shows the land on the opposite side of Duke of Kent Park, approximately 200m to the south, as identified as 'Medium Density Health + Accommodation' (refer **Figure 14**) and is currently zoned R1 General Residential and R3 Medium Density Residential.

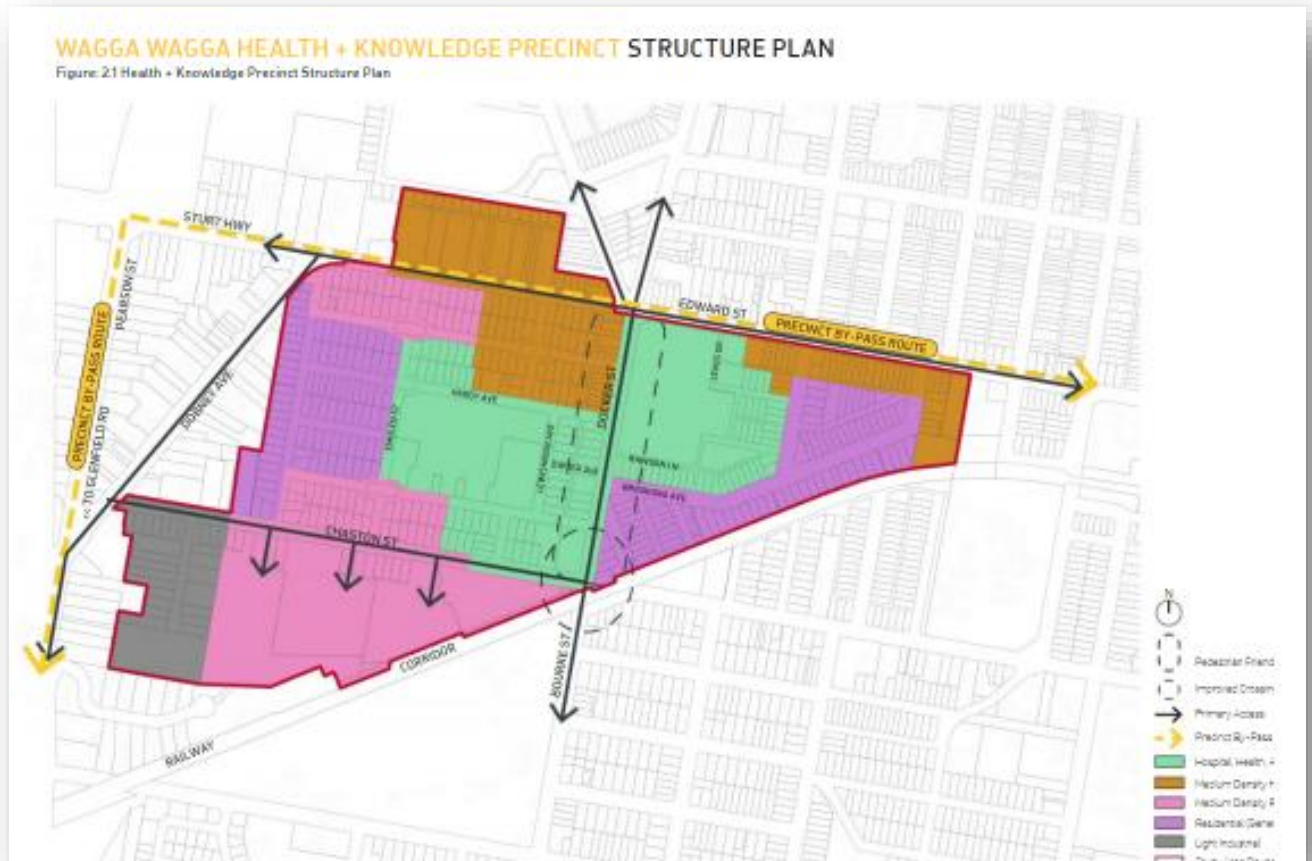


Figure 14: Health and Knowledge Precinct, Wagga Wagga (south of the site)

As a result the character of the surrounding area is proposed to change in line with the Heath and Knowledge Precinct master plan. Whilst, the site falls outside of the Health and Knowledge Precinct a medium density housing contemporary building design has been adopted to reflect the changing character of the broader area and to support the expected growth in population.

4. Zoning and Permissibility

The site is zoned R1 General Residential under *Wagga Wagga Local Environmental Plan 2010* (WWLEP2010). The proposed development is defined as a '*residential flat building*' under the provisions of WWLEP2010 and is permissible with consent in the R1 zone.

A *residential flat building* is permitted in the R1 zone under WWLEP2010 and therefore, is permitted on the subject land with consent under the provisions of the HSEPP pursuant to section 42.

The relevant objectives of the R1 zone, as set out in WWLEP2010 is:

- *To provide for the housing needs of the community.*
- *To provide for a variety of housing types and densities.*

The proposed development provides housing that meets the identified needs of the community and improves housing diversity by delivering one and two bedroom units in an area predominately characterised by detached houses, consistent with the above objectives.

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 affected 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, it is considered that 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 is not known to contain threatened species, endangered ecological communities or constitute habitat of threatened species or an ecological 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.

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 **Tables 2 & 2a** 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.	Nil /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. [Note 1]	x			
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. [Note 2]	x			

Table 2a: Factors to be taken into account concerning the impact of an activity on the environment.				
If there are no environmental factors guidelines in force have the following been taken into account:	Impact Assessment			
	Yes/ NA	Temporary	Minor	Significant [Note 1]
(a) environmental impact on the community;	Yes	x	x	
(b) transformation of a locality;	Yes		x	
(c) environmental impact on the ecosystems of the locality;	NA			
(d) reduction of the aesthetic, recreational, scientific or other environmental quality or value of a locality;	Yes	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;	Yes		x	
(i) degradation of the quality of the environment;	Yes	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;	Yes	x	x	
(m) environmental problems associated with the disposal of waste;	Yes		x	
(n) increased demands on resources (natural or otherwise) that are, or are likely to become, in short supply;	Yes		x	
(o) cumulative environmental effect with other existing or likely future activities.	Yes		x	
(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,	Yes, refer to Section 5.15			

(r) other relevant environmental factors.	NA			
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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 social benefits of providing affordable housing that meets the needs of the community.

5.1.5 Strategic Planning Framework

Riverina Murray Regional Plan 2041

The Riverina Murray Regional Plan 2041 (regional plan) was adopted in January 2023 and is a 20-year land use plan with a targeted delivery focus on the next 5 years. The regional plan applies to the local government areas (LGAs) of Albury, Berrigan, Bland, Carrathool, Coolamon, Cootamundra-Gundagai, Edward River, Federation, Greater Hume, Griffith, Hay, Junee, Leeton, Lockhart, Murray River, Murrumbidgee, Narrandera, Snowy Valleys, Temora and Wagga Wagga. The regional plan covers all facets of land use planning, including the natural environment, future hazards, housing and related infrastructure, industry, employment areas and town centres.

A vision for the region in 2041 is “a *diversified economy founded on Australia’s food bowl, iconic waterways and a network of vibrant connected communities.*”

The regional plan acknowledges that Wagga Wagga, Albury and Griffith provide a range of job opportunities, housing, education and health services and that these regional cities are home to more than 50% of the region’s population and provide 58% of all jobs in the region. The regional plan notes that the proposed Inland Rail, Wagga Wagga Special Activation Precinct, Albury Regional Job Precinct and other initiatives like the WR Connect industrial hub and freight terminal and the South West Renewable Energy Zone have set the foundation for the region to capitalise on the agricultural endowments and manufacturing opportunities for the State’s major production areas.

The regional plan states Albury, Griffith, Wagga Wagga and cross-border communities are expected to accommodate a large proportion of the growth over the next 20 years and will require effective strategic planning to achieve sustainable development. Currently, Wagga Wagga is NSW’s largest inland regional city with a population of 67,000 people. Wagga Wagga also provides commercial, health, education, civic and social services to a catchment of approximately 190,000 people from surrounding areas. The regional plan notes that Wagga Wagga City Council is planning for a transition to a more densely populated city of 100,000 people, with an increase in medium density developments and new housing located in urban release areas.

Wagga Wagga Local Strategic Planning Statement – Wagga Wagga 2040

The Wagga Wagga Local Strategic Planning Statement – Wagga Wagga 2040 (Wagga 2040) sets the long-term strategic framework for planning and development in the Wagga Wagga local government area over the next 20-years. Wagga 2040 acknowledges the role of the LGA as a central gateway to the broader Riverina area and seeks to recognise and value Wagga Wagga’s agricultural and rural economy, which provides valuable resources to the local, national and international markets.

Wagga Wagga is the largest inland regional city in NSW and Wagga 2040 is planning for a long-term population of 100,000 people, identifying an additional 14,000 new homes needed to support this population growth target.

The Wagga 2040 vision relies on three key themes, focused around the environment, economy and communities. Each theme has identified principles, with relevant actions. Principle 10 of the Community, Place and Identity theme is to: *Provide for a diverse range of housing that meets our needs.*

Wagga 2040 notes that urban renewal and infill development can support the delivery of housing in greenfield areas to better accommodate the needs of Wagga Wagga growing population. Further, as the population evolves and households change, housing options that respond to changing community needs are required, including smaller housing types in suitable locations close to the central business district (CBD), local centres and transport corridors.

The proposed development for 24 social housing units is not in conflict with the Wagga 2040 strategic plan and will help to deliver an increased number of dwellings and housing diversity in an area close to the CBD.

Wagga Wagga Community Strategic Plan 2040

The City of Wagga Wagga Community Strategic Plan 2040 is a 10 year plan that outlines future priorities for the city. There is one main vision, for Wagga Wagga in 2040 to be *a thriving, innovative, connected and inclusive community on the Murrumbidgee. Rich in opportunity, choice, learning and environment, Wagga Wagga is a place where paths cross and people meet.*

The Plan includes 5 strategic directions that set out the focus areas for achieving the community's vision for the future, which include the following:

- *Community leadership and collaboration*
- *Safe and healthy community*
- *Growing economy*
- *Community place and identity*
- *The environment*

The proposed development for 24 social housing dwellings is not in conflict with the Wagga Wagga Community Strategic Plan 2040 and will address the strategic directions by providing safe and affordable housing options close to areas of employment, transport and education, whilst limiting impacts on the natural environment.

5.2 Environmental Planning Instruments and Codes

5.2.1 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
<p>42 (1) This Division applies to residential development if —</p> <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 residential flat building development is permissible under WWLEP2010.</p> <p>The maximum building height is 8.347m for the North Parade site and 7.207m for the Spring Street site.</p> <p>The development is for 24 dwellings on a single site*. *Note: the definition of site in the Housing SEPP states: site area or site means the area of land on which development is or will be carried out and may include the whole or part of 1 lot, or more than 1 lot if the lots are contiguous to each other, but does not include land on which development is not permitted to be carried out under this Policy.</p> <p>Not applicable, the land is not in an accessible area.</p> <p>The development is located on land that is not in an accessible area and provides 16 car parking spaces.</p> <p><u>18-22 Spring Street</u> 8 x one-bedroom units = 4 spaces required 4 x two-bedroom units = 4 spaces required Total spaces required = 8 spaces</p> <p><u>21-25 North Parade</u> 8 x one-bedroom units = 4 spaces required 4 x two-bedroom units = 4 spaces required Total spaces required = 8 spaces</p> <p>Total spaces provided = 16 spaces</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>Note— Section 32 prohibits the subdivision of a boarding house.</p>	<p>The site is vacant and therefore demolition is not proposed. NA NA</p> <p>No subdivision proposed however consolidation of the site into two lots, one lot with a frontage to North Parade and one lot with a frontage to Spring Street, is proposed.</p>
(3) This Division does not apply to—	Noted

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
(a) development to which this Part, Division 5 applies, or (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.	
(5) State Environmental Planning Policy (Transport and Infrastructure) 2021, sections 2.15 and 2.17 apply to the development and, in the application of the sections— (a) a reference in section 2.15 to "this Chapter" is taken to be a reference to this section, and (b) a reference in the sections to a public authority is taken to be a reference to the relevant authority.	Not applicable. The development is not on land specified in Section 2.15 of the SEPP and does not comprise a fixed or floating structure in navigable waters, and will not increase the amount of artificial light in the night sky within the dark sky region map.
(6) In this section— former section 75P means the Act, section 75P, as in force immediately before its repeal by the Environmental Planning and Assessment Amendment (Part 3A Repeal) Act 2011. residential development has the same meaning as in the Housing Act 2001, section 8.	Noted.
43 Requirements for carrying out residential development (1) Before carrying out development under this Division, a relevant authority must— (a) request the council nominate a person or persons who must, in the council's opinion, be notified of the development, and (b) give written notice of the intention to carry out the development to— (i) the council, and (ii) the person or persons nominated by the council, and (iii) the occupiers of adjoining land, and (c) take into account the responses to the notice that are received within 21 days after the notice is given, and (d) take into account the relevant provisions of the Seniors Living Policy: Urban Design Guidelines for Infill Development, published by the Department in March 2004, and	<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 11/01/2022. Council provided a response requesting additional properties be included in the notification. Subsequent notification was made in accordance with this request.</p> <p>A letter notifying Wagga Wagga City Council of the proposed development activity was sent by LAHC on 25/10/2022. Letters notifying occupiers of adjoining and surrounding land of the proposed development activity were sent by LAHC on the same date.</p> <p>Council responded to LAHC's notification by letter dated 25/11/2022. Response to Council's comments are provided in Section 6.1 of this REF. No submissions were received from occupiers of adjoining or surrounding properties.</p> <p>Refer to checklist in Appendix D and Subsections 5.2.2 & Section 7 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> with the exception of the minor variations discussed in Subsection 5.2.2 of this report. In these cases, suitable alternatives are proposed which are necessary due to site specific constraints site and locality characteristics and specific LAHC design requirements and policies.</p> <p>Not applicable.</p>

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
(e) if the relevant authority is the Aboriginal Housing Office—consider the relevant provisions of the Aboriginal Housing Design Guidelines, published by the Aboriginal Housing Office in January 2020, and	
(f) if the relevant authority is the Land and Housing Corporation—consider the relevant provisions of—	
(i) Good Design for Social Housing, published by the Land and Housing Corporation in September 2020, and	Refer to Section 5.2.3 and the Architect's Statement and Certificate of Building Design Compliance in Appendix P which indicate that the design requirements have been considered.
(ii) Land and Housing Corporation Dwelling Requirements, published by the Land and Housing Corporation in September 2020, and	Refer to 5.2.4 and the Architect's Statement and Certificate of Building Design Compliance in Appendix P which indicate that the dwelling requirements have been considered.
(g) if the development is for the purposes of manor houses or multi dwelling housing (terraces)—consider the relevant provisions of the Codes SEPP, Part 3B.	Not applicable.
(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.	Noted.

5.2.2 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
2.05 Have parts of the developments more modest in scale towards the rear of the site to limit impacts on adjoining properties?	<p>The proposed development is 2 storeys in height only. Whilst, the entire development is 2 storeys careful building design and siting has been able to mitigate amenity impacts on adjoining properties without the need to further reduce the scale of development towards the rear of the site. Design mitigation measures employed to limit impacts to surrounding dwellings include privacy screening to upper level windows and balconies, highlight windows, obscure glazing, considered window placement and balcony orientation, appropriate setbacks, articulation along side and rear walls and a comprehensive landscaping scheme include tree planting throughout the site and screen planting to site boundaries.</p> <p>The Spring Street development is separated into 2 separate buildings, which reduces the perceived bulk and scale from adjoining dwellings and seeks to replicate the scale and building pattern of surrounding properties.</p>

	<p>Unit 11 of Spring Street is orientated towards the rear of an adjoining private property, 19 North Parade. This unit is setback a minimum of 5.42m to the balcony and 6m to the rear building line. Privacy screening is proposed along the southern side of the balcony to reduce the potential for overlooking of the adjoining property. Shadow diagrams (SK-119 and SK120) indicate some additional overshadowing to the rear yard of 19 North Parade. Notwithstanding the majority of the private open space area will receive direct sunlight throughout the morning and afternoon periods during the winter solstice.</p> <p>Units 7 & 9 of Spring Street are located at the first floor level of Block 1 and overlook the rear of the site. However, any overlooking will mainly occur to the carparking area located to the north west of the North Parade site.</p> <p>The North Parade development is generally concentrated towards the front of site with carparking located at the rear, seeking to replicate the building pattern of surrounding properties. The development adopts a minimum 6m rear building line, ensuring adequate building separation with adjoining properties. There is a landscape buffer proposed between the buildings and the rear boundary to further assist with mitigation of privacy and acoustic impacts.</p> <p>Units 10 & 12 of North Parade are located at the first floor level and are oriented toward the rear, however any overlooking will mainly occur to the centralised carparking area of the Spring Street site. Unit 9 of North Parade is located at the first floor level, with the living and private open space areas oriented toward the west, overlooking the car parking area, reducing any potential for privacy impact for the dwellings to the north. Privacy screening is provided on balconies to limit any overlooking of the adjoining properties.</p>
<p>2.08 – Retain trees and planting at the rear of the lot to minimise the impact of new development on neighbours and maintain the pattern of mid-block deep soil planting.</p>	<p>The existing trees on the site are not proposed to be retained due to either, the impacts on them arising from the development e.g. proposed building footprint, hard paving areas and stormwater infrastructure, or because they are unsuitable species, or are of poor health and do not warrant retention.</p> <p>All trees on surrounding sites and along the sites road reserve frontages are proposed to be retained. A comprehensive landscaping scheme for the site has been proposed which includes tree and shrub plantings and generous deep soil areas along the rear of the Spring Street development which will assist in maintaining a mid-block vegetation pattern whilst proposed new plantings (some of which are mature or advanced specimens) in side and front setbacks will further minimise the impact of the development on adjoining properties.</p>
<p>2.09 – Retain large or otherwise significant trees on other parts of the site through sensitive site planning.</p>	<p>The existing trees on the site are not proposed to be retained due to either, the impacts on them arising from the development e.g. proposed building footprint, hard paving areas and stormwater infrastructure, or because they are unsuitable species, or are of poor health and do not warrant retention.</p> <p>Further, the guidelines stipulate that where it is not possible or desirable to retain existing trees that these should be replaced with new mature or semi mature trees. Consistent with this, the proposal includes new tree planting, including 24 established trees across the overall</p>

	<p>site in 45 litre pot sizes. Details of the proposed tree species are detailed below.</p> <table><tr><th>No.</th><th>Name</th><th>Pot Size</th><th>Mature Height</th><th>Mature Spread</th></tr><tr><td>4</td><td>Kings Park Bottlebrush</td><td>45L</td><td>4m</td><td>2m</td></tr><tr><td>5</td><td>Native Frangipani</td><td>45L</td><td>8m</td><td>4m</td></tr><tr><td>5</td><td>Flowering Plumb</td><td>45L</td><td>5m</td><td>4m</td></tr><tr><td>5</td><td>Manchurian Pear</td><td>45L</td><td>8m</td><td>6m</td></tr><tr><td>3</td><td>Water Gum</td><td>45L</td><td>10m</td><td>6m</td></tr><tr><td>2</td><td>Snow in Summer</td><td>45L</td><td>8m</td><td>6m</td></tr></table>	No.	Name	Pot Size	Mature Height	Mature Spread	4	Kings Park Bottlebrush	45L	4m	2m	5	Native Frangipani	45L	8m	4m	5	Flowering Plumb	45L	5m	4m	5	Manchurian Pear	45L	8m	6m	3	Water Gum	45L	10m	6m	2	Snow in Summer	45L	8m	6m
No.	Name	Pot Size	Mature Height	Mature Spread																																
4	Kings Park Bottlebrush	45L	4m	2m																																
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5	Flowering Plumb	45L	5m	4m																																
5	Manchurian Pear	45L	8m	6m																																
3	Water Gum	45L	10m	6m																																
2	Snow in Summer	45L	8m	6m																																
2.11 – Increase the width of the landscaped areas between driveways and boundary fences and between driveways and new dwellings.	<p>Additional increases to the width of landscaping between driveways and boundary fences is not considered necessary in this instance, as careful consideration has been given to the design of landscaping along both site frontages to ensure the development enhances the landscaped character of the Spring Street and North Parade streetscapes. Landscaping is proposed along the front, side and rear of both sites between the site boundaries and proposed new dwellings.</p> <p>Landscaping is proposed around both car parking areas, including deep soil zones to support the growth of new trees and screen planting.</p> <p>Landscaping along the driveway providing access to the rear carparking area of the North Parade development comprises two new trees, garden beds and screen planting reducing visual and acoustic impacts to future occupants. Shrub and screen planting is proposed along the western side boundary to limit amenity impacts to the neighbouring property.</p> <p>Landscaping along the driveway providing access to the rear car parking area of the Spring Street development comprises 3 new trees, garden beds and shrub screen plantings, proposed to soften the appearance of the hardstand areas. Shrub and screen planting is provided along side and rear boundaries to limit amenity impacts to neighbouring properties.</p>																																			
2.15 Provide communal open space	<p>No communal open space (COS) is provided, however generous private open space (POS) is provided for each dwelling, with the majority of dwellings exceeding the minimum POS requirements, which compensates for the lack of COS.</p> <p>For ease of maintenance and management, COS opted to provide generous POS.</p> <p>Landscaping and green relief is provided throughout each site to lessen the quantity of hard surfaces and improve outlook and amenity for occupants.</p>																																			
2.20 - Use semi-pervious materials for driveways, paths and other paved areas	<p>Semi-pervious areas have not been provided for driveways and other paved areas as they may not be suitable as a long term stable / durable surface as required by LAHC’s maintenance and durability standards and not conducive to wheelchair access. Substantial areas of landscaping have been provided in addition to on-site detention of stormwater, which will reduce peak-flows of stormwater.</p>																																			

<p>3.06 - Set back upper levels behind the front building façade</p>	<p>Although the upper floor has not been setback behind the front building facade, increases to the first floor setback were not considered necessary to reduce visual bulk further as the proposal is only two storeys in height and compliance with front setback of the Wagga Wagga DCP has been achieved. The visual bulk of the development has been minimised by breaking the development into two separate buildings for the Spring Street development, providing a well-considered landscaping scheme and through the inclusion of architectural design elements such the provision of balconies that provide relief to the front façade.</p> <p>A mixture of materials and finishes are provided for the front façade, including use of articulation which makes a positive contribution to the streetscape and provides the variety needed to fit within the locality. The design, materials and use of articulation reduces the visual bulk of the development from the streetscape and, therefore, the stepping of the first floor is not considered desirable or appropriate for the scale of the building.</p>
<p>3.07 - Where it is common practice in the streetscape, locating second storeys within the roof space and using dormer windows to match the appearance of existing dwelling houses?</p>	<p>Dormer windows are not proposed as this style of architecture is not common within surrounding developments.</p>
<p>3.22 – Vary the alignment of driveways to avoid a “gun barrel” effect</p>	<p>Straight driveways have been adopted for both developments due to the configuration of the sites and the need to optimise the number of dwellings which are oriented to the street and the amenity of the units. Instead of varying the driveway alignments several design measures have been adopted to reduce their visual dominance, including curvature of the central driveway providing access to the Spring Street carpark to accommodate an existing street tree along the site frontage; reduced length of private driveways; changes in path and driveway materials throughout the sites; and shrub and tree planting along the site frontages and boundaries to further soften the appearance of the hardstand areas particularly when viewed from the street.</p> <p>Further, it is considered that the inclusion of landscaping along both sides of all proposed driveways and at the rear of the parking areas serves to reduce the ‘gun barrel’ effect.</p>
<p>3.29 – Provide gates at the head of the driveways to minimise visual ‘pull’ of the driveway.</p>	<p>Following review of the site and surrounding developments, it was considered that gates were not consistent with the locality. High quality landscaping is proposed to soften the appearance of the driveway. Furthermore driveway gates are not supported, for maintenance reasons, by LAHC.</p>
<p>3.36 – Locate or screen parking to minimise visibility from the street.</p>	<p>Parking is generally located to the rear of dwellings to reduce visual conflict with the streetscape and landscaping will be provided along all driveways to further mitigate visual impact.</p> <p>Minimum width driveways and landscaping have been used to further mitigate this issue.</p> <p>Three private car parking spaces are proposed for Units 1 & 6 of Spring Street and Unit 6 of North Parade. These spaces are designed as covered car ports, located behind the front building lines and integrated into the design of the building reducing visibility from the street.</p>

3.37 – Vary the driveway material to break it up into a series of smaller spaces	The proposed driveways will be concreted to allow for the safe movement of vehicles within the site. Landscaping is proposed on either side of all proposed driveways and surrounding the central car parking areas and coloured concrete is proposed on adjacent footpaths to break up the sites and soften the appearance of the developments.
4.03 – Set upper storeys back behind the side or rear building line	The development is limited to two storeys and the design is consistent with required setbacks. Whilst the upper storeys have not been setback it will not result in adverse impacts to privacy or overshadowing of surrounding development.
4.05 – Incorporate second storeys within the roof space and provide dormer windows	Dormer windows are not proposed as this style of architecture is not common in surrounding developments or consistent with the character of the locality.
4.16 - Design dwellings around internal courtyards	No internal courtyards are proposed. Each dwelling is provided with its own useable, landscaped private open space, which has been designed and located to minimise negative impacts on adjoining dwellings. Dwellings are not designed around internal courtyards, instead the negative impact on neighbours from new private open space areas has been minimised by positioning the private open space areas in locations not adjacent to quiet neighbouring uses, such as bedrooms. Dense vegetation together with a 1.8m high boundary fence ensures that private open space areas are adequately screened from neighbours.
4.19 - Provide planting and trees between driveways and side fences to screen noise and reduce visual impacts	Landscaped areas have been incorporated along each side of the main driveways with tree planting in locations with sufficient space, and as much as practical landscaped buffers are provided along the narrower driveways servicing individual parking spaces. The main driveway on North Parade has been located to be adjacent to the driveway of the adjacent dwelling (27 North Parade) whilst the main driveway on Spring Street has been located in the centre of the frontage, both of which will maximise separation and minimise noise transmission to the adjoining dwellings.
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	No communal open space is provided within the development to reduce ongoing maintenance costs and management issues. Gardens and landscaping are provided throughout the site and along all site boundaries to improve the outlook from dwellings.

5.2.3 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 P**.

Table 5: Good Design for Social Housing – Relevant Goals & Principles

Goals	Principles	Comment - Discussion on how the design responds to the principles:
Wellbeing	<ul style="list-style-type: none"> • Healthy environments • Good for tenants 	<ul style="list-style-type: none"> • Safe access is provided from the car park to entries of each building.

Table 5: Good Design for Social Housing – Relevant Goals & Principles

Goals	Principles	Comment - Discussion on how the design responds to the principles:
	<ul style="list-style-type: none"> Quality homes 	<ul style="list-style-type: none"> The units have been designed to ensure residents have privacy and feel safe. The development is compliant with BASIX requirements (Appendix H). Eaves on buildings provides weather protection and sun shading to the dwellings. The proposal includes high quality landscaping and outdoor areas to enhance the site amenity for residents and the streetscape. The site is located within close proximity to open space and recreation areas including Duke of Kent Park to the south. The development incorporates dwellings with a Silver Level Livable Housing rating and Adaptable dwellings. This will enable a range of tenant needs to be accommodated and will allow adaptation of dwellings to suit aging persons or persons with a disability should the need arise in the future allowing them to age in place.
Belonging	<ul style="list-style-type: none"> Mixed tenure Good shared and public spaces Contribute to local character 	<ul style="list-style-type: none"> Different unit sizes will allow for a variety of tenants to be accommodated. Easily identified front entrances. Attractively designed landscaping along street frontage. The development is generally small in scale which minimises the resident density. The building design and landscaping integrates with the surrounding residential neighbourhood.
Value	<ul style="list-style-type: none"> Whole of lifecycle approach Sustainability and resilience Make every dollar count 	<ul style="list-style-type: none"> Low maintenance landscape species. Durable building materials. The orientation of each dwelling and private open space areas have been designed to optimise natural light to these areas.
Collaboration	<ul style="list-style-type: none"> A good partner Place Making Continuous improvement 	<ul style="list-style-type: none"> Collaboration and consultation with key stakeholders, including Wagga Wagga City Council and surrounding properties, was incorporated at critical design milestones. The proposal is of a scale and character that assists with place making, by ensuring integration with the surrounding development. The development demonstrates continuous improvement by providing contemporary designed development that provides a high level of amenity to residents and neighbours, delivering fit for purpose social housing in a location where there is high demand.

5.2.4 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 P**. Further detail will be incorporated in the construction documentation.

5.2.5 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 Appendix H).
SEPP (Transport and Infrastructure) 2021	The site is not located in close proximity to a State Classified Road or Rail line nor is it defined as traffic generating development under the SEPP. There are no other triggers for the development to be referred to other agencies under the SEPP.
SEPP (Biodiversity and Conservation) 2021	Tree removal is proposed within the site and this has been discussed previously. Tree permits will be required to be issued by Wagga Wagga City Council for pruning of street trees.
SEPP (Resilience and Hazards) 2021	The site is located within a developed residential area of Wagga Wagga and has a history of residential uses. LAHC historical layout plan No. L11460 (Appendix O) indicates that the area was being developed for residential purposes from as early as 1947. Given the long-term continuous use of the land for residential purposes, the highly disturbed nature of the site, and given that the Section 10.7 Planning Certificates (Appendix A) indicate the site is not affected by any of the prescribed Contaminated Land Management Act matters, it is unlikely that the subject land is affected by contamination. A standard recommended Identified Requirement (No. 18) requires implementation of management measures in the event of contamination being discovered during construction works.

5.3 Local Planning Controls

5.3.1 Wagga Wagga Local Environmental Plan 2010 (WWLEP2010)

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

Table 7: Wagga Wagga Local Environmental Plan 2010 Relevant Provisions / Development Standards for Residential Flat Building development			
Clause	Provision / Development Standard	Required	Provided
4.3	Height of Buildings	Not to exceed LEP HOB map	No mapped height limit for site.
4.4	Floor Space Ratio	Not to exceed LEP FSR map	No mapped FSR limit for site.
5.21	Flood planning	(2) Development consent must not be granted to development on land the consent authority considers to be within the flood planning area unless the consent authority is satisfied the development— (a) is compatible with the flood function and behaviour on the land, and	The Section 10.7 certificates indicate that the land is affected by a Major Overland Flow Flood of 1:100 (1%), an extreme rainfall event. Council considers the land to be within the Major Overland Flow Flood Study 2021 flood planning area (MOFFS FPA). The Stormwater Management Memo provided at Appendix M , details that a review of data from the MOFFS has

Table 7: Wagga Wagga Local Environmental Plan 2010 Relevant Provisions / Development Standards for Residential Flat Building development			
Clause	Provision / Development Standard	Required	Provided
		<p>(b) will not adversely affect flood behaviour in a way that results in detrimental increases in the potential flood affectation of other development or properties, and</p> <p>(c) will not adversely affect the safe occupation and efficient evacuation of people or exceed the capacity of existing evacuation routes for the surrounding area in the event of a flood, and</p> <p>(d) incorporates appropriate measures to manage risk to life in the event of a flood, and</p> <p>(e) will not adversely affect the environment or cause avoidable erosion, siltation, destruction of riparian vegetation or a reduction in the stability of river banks or watercourses.</p>	<p>identified that the 1 in 100-year flood height is AHD 178.14 for the Spring Street site and 178.15 for the North Parade site. The Rational Method was used to calculate the pre and post-development stormwater runoff volumes for the sites during a 1 in 10-year storm event and 1 in 100-year storm event. The internal stormwater network for each development has been sized based on the 1 in 10-year site outflows and calculated using the Manning Equation. The proposed OSD for each development has been designed for a 1 in 100 ARI storm event. Wagga Wagga City Council confirmed in an email, dated 26 May 2022, that it supports the proposed stormwater strategy for Spring Street and North Parade sites in principle.</p> <p>Further, A Flood Impact Assessment (FIA) prepared by Cardno (now Santec) and provided at Appendix M, confirms that the Finished Floor Level (FFL) of the proposed development has been designed to be 300mm above the maximum MOFFS level across each of the sites, in accordance with Council's Engineering Guidelines. The FIA notes that these proposed FFL will provide safe refuge for occupants of the development and ensures adequate room for any increases in the 1% AEP level due to climate change or other climate related events. Council confirmed in its submission (<i>refer Section 6.1</i>) the FFL requirement of 300mm freeboard from 1% AEP water level for the development and that the proposed stormwater concept is supported.</p> <p>In order to ensure that the proposed development does not result in any significant flooding impacts downstream of the site, the building footprints of the proposed developments were designed to be approximately equal to the combined footprint of the previous buildings within the site. The proposed development would result in a building footprint with a net increase of 25m² above the footprint of the previous dwellings, which the FIA finds to be minor and not expected to result in significant impacts on the infrastructure downstream of the development.</p> <p>The FIA notes that the hydraulic hazard classification of the site ranges from H1 – No constraints to H2 – Unsafe for small vehicles and concludes that the 1% AEP overland flows are unlikely to impact the</p>

Table 7: Wagga Wagga Local Environmental Plan 2010 Relevant Provisions / Development Standards for Residential Flat Building development			
Clause	Provision / Development Standard	Required	Provided
			safety of the building, nor is it likely to prevent the occupants of the building from evacuating the area safely if desired. The FIA identifies the Duke of Kent Park to the south and Shaw Street to the east as providing safe evacuation points near to the site.
7.1	Earthworks	<p>(3) Before granting development consent for earthworks, the consent authority must consider the following matters—</p> <p>(a) the likely disruption of, or any detrimental effect on, existing drainage patterns and soil stability in the locality,</p> <p>(b) the effect of the proposed development on the likely future use or redevelopment of the land,</p> <p>(c) the quality of the fill or the soil to be excavated, or both,</p> <p>(d) the effect of the proposed development on the existing and likely amenity of adjoining properties,</p> <p>(e) the source of any fill material and the destination of any excavated material,</p> <p>(f) the likelihood of disturbing relics,</p>	<p>A Site Investigation Report (Appendix J) was undertaken for the site and informed the design of the proposed development. The proposed development has been designed to ensure minimal disruption/ detrimental effect on the existing drainage patterns or soil stability in the locality. The Stormwater Management Memo provided at Appendix M, confirms that the internal stormwater network for each development has been sized based on the 1 in 10-year site outflows and the proposed OSD for each development has been designed for a 1 in 100 ARI storm event. Wagga Wagga City Council confirmed in an email, dated 26 May 2022, that it supports the proposed stormwater strategy for Spring Street and North Parade sites in principle.</p> <p>The amount of proposed cut and fill will create a level building platform that will facilitate the residential use of the land.</p> <p>Minor cut and fill is proposed to provide a level building platform across both sites. Minimal excavation is proposed, with fill ranging from <100mm to 800mm. Any fill will be virgin excavated natural matter, as required by Standard Identified Requirement No.36. The soil to be excavated is not known to be contaminated.</p> <p>It is considered that the proposed level changes will not adversely impact the existing and likely amenity of adjoining properties.</p> <p>All fill will be virgin excavated natural material. Any excess excavated material will be transported to an appropriate facility in accordance with a final waste management plan.</p> <p>An identified requirement has been applied to cover the potential disturbance of any relics found on the site during demolition/ construction (refer to Identified Requirement No 44).</p> <p>The development has been designed in accordance with the relevant stormwater management and drainage requirements (Appendix E) and</p>

Table 7: Wagga Wagga Local Environmental Plan 2010 Relevant Provisions / Development Standards for Residential Flat Building development			
Clause	Provision / Development Standard	Required	Provided
		(g) the proximity to and potential for adverse impacts on any watercourse, drinking water catchment or environmentally sensitive area.	includes on-site detention and trash screens to outlet pipes to reduce any potential impacts on waterways and Council's drainage system. In addition, soil erosion and sedimentation measures will be implemented during works to ensure that there are no adverse impacts on any waterway, drinking water catchment or environmentally sensitive area.

5.3.2 Wagga Wagga Development Control Plan 2011 (WWDCP 2010)

Compliance with the key applicable requirements of WWDCP 2010 (excluding those already addressed elsewhere in this report) are listed in **Table 8** below.

Table 8 Wagga Wagga Development Control Plan 2010 Compliance with controls for residential flat buildings		
Clause	Requirement	Proposed
9.2.1 Site layout	C1 Use site characteristics such as trees, changes in level or rock outcrops as features within the site layout.	The entire site is currently vacant and relatively flat. All existing trees onsite have been removed, except for 4 remaining trees within the site and 5 street trees located within the road reserve along both site frontages. The tree removal is proposed for trees located within the site boundaries 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. Street trees along the site frontages will be retained and have been incorporated into the design of the development. The site does not contain any other unique features, such as rock outcrops.
	C2 Integrate access, landscaping and services in the site layout, avoiding underutilised spaces.	Proposed vehicular accesses and a comprehensive landscaping scheme are integrated into the design of the development. An existing easement for the drainage of stormwater traverses both sites, existing via the Spring Street frontage. A sewer easement also traverses the rear of the North Parade properties in an east to west direction. The stormwater and sewerage easements have been incorporated into the design of the proposed development, with realignments proposed as necessary. All services, infrastructure and areas of the site have been adequately considered, avoiding the existence of underutilised spaces.
	C3 Orient living spaces to maximise solar access.	Living areas of 20 of the proposed 24 dwellings (83.3%) receive at least 3 hours direct solar access on June 21, in accordance with <i>Seniors Living Policy</i> :

Table 8 Wagga Wagga Development Control Plan 2010 Compliance with controls for residential flat buildings		
Clause	Requirement	Proposed
	C4 Facilitate natural cross ventilation within dwellings through the location of windows and doors.	<p><i>Urban Design Guidelines for Infill Development</i> (refer Appendix D and Subsections 5.2.2 & Section 7 of this REF).</p> <p>The design seeks to facilitate natural cross ventilation, with 20 of the proposed 24 dwellings (83.3%) achieving dual orientation for good cross ventilation.</p>
9.2.2 Streetscape	<p>C1 Provide a street address and front elevation that is consistent with the predominant scale, rhythm and form of the street.</p> <p>C2 Front fence height forward of the building line is not to exceed 1200mm. However, a side boundary fence forward of the building line may be permitted to taper from the maximum permitted height (1.8 metres) at the building line down to the 1200mm maximum permitted height at the front boundary.</p> <p>C3 Fence height at and behind the building line is not to exceed 1800mm in height.</p> <p>C4 The majority of windows in dwelling wall which face the street should be windows of habitable rooms.</p>	<p>The area is undergoing a transition from low density residential to medium-high density residential and the proposed development has been designed in accordance with the emerging character of the area.</p> <p>Proposed fencing to POS areas along the Spring Street and North Parade frontages has a maximum height of 1.2m. Along the side perimeters of these private open space areas brick walls of 1.5m in height are proposed to provide acoustic and visual privacy for occupiers from use of the adjoining driveways. Side boundary fencing does not exceed 1.8m forward of the front building line along either frontage.</p> <p>The maximum fence height behind the building line is 1.8m.</p> <p>All windows facing the Spring Street frontage are to living rooms, kitchens, and bedrooms. The majority of windows that face the North Parade frontage are to either living rooms, kitchens and bedrooms, with only 2 bathroom windows facing the street.</p>
9.3.1 Site area per dwelling	<p>C1 The minimum area of any site in an R1 Zone on which development is carried out is to be in accordance with Table 9.3.1a.</p> <p>Residential flat building in R1 zone – minimum 375m² per dwelling</p>	<p>The proposed development comprises 24 dwellings. In accordance with control 9.3.1 this would require a site area of 9,000m² for an RFB development. The site is a total of 3,178m², which falls short of the requirement by around 64%.</p> <p>Notwithstanding, the proposed development provides sufficient private open space for each dwelling and ample landscaped area throughout the site to support planting of trees and shrubs. Further, the development has been designed with regard to the transitioning nature of the area and the desired future character of the area (refer to section 3.4)</p> <p>As such, despite the numerical non-compliance, the proposed development meets the objectives of the site area control: ensuring adequate area available to provide sufficient building separation, landscaping and private</p>

Table 8 Wagga Wagga Development Control Plan 2010 Compliance with controls for residential flat buildings		
Clause	Requirement	Proposed
		open space; and aligns with the transitioning character of the surrounding area.
9.3.2 Site cover	C1 Maximum site cover is to be in accordance with Table 9.3.2a Residential flat building in R1 zone – 40%	According to the FIA the overall building footprint of the proposed development is 900m ² (480m ² North Parade and 420m ² Spring Street). The site coverage is therefore approx. 28%, which meets the maximum requirement of 40% site coverage in the DCP.
9.3.4 Solar access	<p>C1 Locate garages, laundries and bathrooms to provide insulation from western sun.</p> <p>C2 Locate living areas and private open space to ensure orientation to the north and north east where possible.</p> <p>C3 Building design and site layout is to ensure adequate sunlight access to the internal living spaces and private open space of the proposed development.</p> <p>C4 Variations can be considered to C1, C2 and C3 where it can be demonstrated that site constraints, existing built form and good design practices limit the ability of the proposal to comply with these controls.</p> <p>C5 Residential Flat developments are to comply with the solar controls of SEPP 65 and associated documents as amended.</p> <p>C6 For any adjacent dwellings that have north facing living areas, maintain 3 hours sunlight access to the windows of the living areas between 9am and 3pm in mid-winter (June 22).</p> <p>C7 Variations to C6 above can be considered where it can be demonstrated that any form of reasonable development</p>	<p>The development adopts a north south orientation. A carport is proposed along the western side of Unit 1 of the Spring Street development to insulate from the western sun. Eaves are proposed to further limit solar access to living and bedroom areas during the summer months. Covered patios and balconies are proposed along the western elevation of the North Parade development, providing adequate protection from summer sun.</p> <p>Living areas and private open space are orientated toward the front and rear of the sites to reduce privacy impacts neighbouring properties and enable passive surveillance to the streets. Living areas and private open space are located along the eastern side of the development where appropriate and adequately screened.</p> <p>Living and private open space areas of 20 of the proposed 24 dwellings (83.3%) receive at least 3 hours direct solar access on June 21. 16% of dwellings do not receive more than 3 hours, however two of these units receive at least 1 hour of direct solar access.</p> <p>Detailed consideration has been given to the design of the development to ensure maximum solar access is achieved.</p> <p>83.3% of dwellings received more than 3 hours direct sunlight as required under the ADG, in accordance with <i>Seniors Living Policy: Urban Design Guidelines for Infill Development</i> (refer Appendix D and Subsections 5.2.2 & Section 7 of this REF).</p> <p>All adjoining properties receive a minimum of 3 hours direct sunlight into living areas, with sufficient solar access maintained to adjoining private open space areas.</p>

Table 8 Wagga Wagga Development Control Plan 2010 Compliance with controls for residential flat buildings		
Clause	Requirement	Proposed
	<p>on the lot would cause non-compliance with C6. In this instance the impacts are to be minimised where possible.</p> <p>C8 Proposed development design should take into account the location of any adjacent private open space and avoid excess overshadowing of that space.</p>	<p>Not applicable.</p> <p>Adjacent private open space areas have been taken into consideration and any overshadowing impacts are limited.</p>
9.3.5 Private open space	<p>C1 At least 24m² of private open space is required per dwelling. The private open space is to be directly accessible to the main living area and have a minimum dimension of 4m.</p> <p>C2 Enclosure of approved private open space will be permitted, however at least one side of the approved private open space is to remain open. Roofing of approved private open space is permitted provided that BASIX requirements are not compromised.</p> <p>C3 Use screening where necessary to ensure the privacy of private open space areas.</p> <p>C4 For residential flat developments and shop top housing, each unit without direct access to ground level must have a balcony with a minimum area of 8m² and minimum dimension of 2m that is directly accessible from the main living area.</p>	<p>Generous POS is provided for each dwelling, with the majority of dwellings exceeding the minimum POS requirements under the <i>Seniors Living Policy: Urban Design Guidelines for Infill Development</i> (refer Appendix D and Subsections 5.2.2 & Section 7 of this REF) and the LAHC Dwelling requirements.</p> <p>Enclosure of POS areas is not proposed. Proposed roofing to POS areas does not compromise BASIX requirements.</p> <p>Privacy screening and landscaping is proposed along POS areas to ensure privacy is maintained.</p> <p>Dwellings on the first floor level are provided with POS directly accessible from internal living areas, of at least 8m² for one bedroom dwellings and at least 10m² for 2 bedroom dwellings. All POS areas have a minimum dimension of 2m in width.</p>
9.3.6 Front setbacks	<p>C1 Minimum front setbacks for residential development (site area smaller than 2000m²):</p> <p>Primary street frontage - 6m</p>	<p>The area of each site is 1,589m² and the proposed front setbacks are 6m.</p>
9.4.6 Changing the landform – cut and fill	<p>C1 Excavation is not to exceed a maximum depth measured from ground level (existing) as follows:</p> <p>(a) If located no more than 1m from boundary – 1.5m, and</p> <p>(b) If located more than 1m but not more than 1.5m from any boundary – 2m, and</p> <p>(c) If located more than 1.5m from any boundary – 3m</p> <p>C2 Fill is not to exceed:</p> <p>(a) 1.5m above ground level (existing), and</p> <p>(b) Must be contained by either:</p>	<p>Minor cut and fill is proposed for the Spring Street development to provide a level building platform. Minimal excavation is proposed (less than 0.1m), with fill ranging from <100mm to 800mm. This level of cut and fill is within Council's DCP standards and is mainly contained within the building footprint and the proposed car parking area (refer to Appendix E).</p> <p>Minor levels of fill, ranging from 300mm to 800mm, is proposed for the North Parade development to provide a level building platform. No excavation is proposed. This level of fill is within Council's DCP standards and is mainly contained within the building footprint</p>

Table 8 Wagga Wagga Development Control Plan 2010
Compliance with controls for residential flat buildings

Clause	Requirement	Proposed
	<p>(i) A retaining wall or other form of structural support that does not extend more than 1.5m from the closest external wall of the dwelling house, or</p> <p>(ii) An unprotected sloping embankment or batter that does not extend from the dwelling house by more than 3m, in which case the toe of the embankment or batter must be more than 1m away from a side or rear boundary.</p>	and the proposed car parking area (refer to Appendix E).

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, Wagga Wagga City Council was notified of the development by letter dated 25/10/2022 (refer to **Appendix B**). The notification response period formally closed on 18/11/2022 and Council responded to the notification by letter dated 25/11/2022, 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>Access to private open space</u></p> <ul style="list-style-type: none"> The main private open space for most of the ground floor units face out towards Spring Street (G1, G2, G4 and G6) and fronting North Parade (G2, G3, G5 and G6). Whilst high/solid fencing is not encouraged in Spring Street or North Parade (see comment below), careful attention should be given to how privacy to these areas will be maximised. It is noted that the upper units may be provided with what appears to be operable screens to assist with improving privacy to the outdoor balcony areas. 	<p>Appropriate fencing is proposed along the perimeter of the private open space areas fronting Spring Street and North Parade, consistent with the character of the surrounding area. This coupled with sufficient front setbacks, tree planting and hedging of Blue Gem Hebe with a mature height of 1.5m is considered to provide sufficient privacy to open space areas for ground floor dwellings.</p> <p>As indicated in Council's submission privacy screening is proposed to upper level balconies to improve privacy for occupants.</p>
<p><u>Fencing</u></p> <ul style="list-style-type: none"> Solid fences and screens are not characteristic within the front setback of dwellings within this part of Spring Street or North Parade. Fencing should be low and open. Where privacy is required, other forms of treatment such as landscaping should be considered. Fencing detail is limited to the perspective images provided. These images appear to depict low open fencing however this is not entirely clear. 	<p>Proposed fencing to private open space areas along the Spring Street and North Parade frontages, comprises low masonry walls and pillars with open palisade metal fencing up to 1.2m in height, consistent with the character of the surrounding area, solid fencing is not proposed to face the street. Along the side perimeters of these private open space areas brick walls of 1.5m in height are proposed to provide acoustic and visual privacy for occupiers from use of the adjoining driveways.</p> <p>Fencing details are shown on plans and are replicated on images.</p> <p>Tree and shrub planting is proposed along site frontages and around the private open space areas to soften the appearance of the development, improve the landscape setting of the site, and ensure privacy is maintained for future occupants.</p>
<p><u>Privacy to adjoining lots</u></p> <ul style="list-style-type: none"> Privacy impact on surrounding properties should be carefully considered. Careful attention should be given to the placement and treatment of upper floor balconies and living area windows to limit overlooking of private open space areas to the rear of adjacent properties 	<p>The visual and acoustic privacy of adjoining dwellings is maintained through provision of sufficient setbacks, well considered design and layout of buildings and the employment of mitigation measures where appropriate.</p> <p>The North Parade development is setback a minimum of 4m from side boundaries and 13.6m from the part of the rear boundary that adjoins the private property to the north, 24 Spring Street.</p> <p>The side facing First Floor level balconies are setback approx. 9.6m from the western side boundary of the North Parade development and will be fitted with sliding privacy screens to limit privacy impacts to 27</p>

Table 9 Issues raised in Council submission

Issues raised	Response
	<p>North Parade. The windows to rooms on the first floor eastern elevation are designed as either high-level windows or fitted with privacy screening to reduce the potential for overlooking to 19 North Parade.</p> <p>The Spring Street development is setback a minimum of 3.05m from the side boundaries and 5.42m to the balcony and 6m to the building from the part of the rear boundary that adjoins the private property to the south, 19 North Parade. Privacy screening is proposed to the southern side of the balcony (Unit 11) and narrow windows are proposed to the southern facing bedroom 1 (Unit 12) to limit overlooking to the adjoining dwelling. Unit 9 is orientated to overlook to car parking area and designed with bedroom windows only at rear (no living room windows).</p> <p>The windows to rooms on the First Floor eastern elevation of Block 2 are designed as either high-level windows or fitted with privacy screening to reduce the potential for overlooking to 16 Spring Street. The windows to rooms on the First Floor along the western elevation of Block 1 are designed as either high-level windows, or fitted with privacy screening to reduce the potential for overlooking to 24 Spring Street.</p> <p>The proposed North Parade and Spring Street developments adopt a building separation of at least 12m.</p> <p>New fencing, landscaping and screen planting is proposed along all site boundaries to further improve privacy and outlook for neighbouring properties and reduce acoustic impacts from vehicles.</p>
<p><u>Maintenance of landscaping</u></p> <ul style="list-style-type: none"> <i>Ongoing maintenance of high-quality landscaping depicted in the design, including ongoing maintenance of communal areas and bin storage areas must be ensured.</i> 	<p>Identified Requirement (No. 19) requires landscaping to be carried out substantially in accordance with the approved landscape plans and maintained for a period of 12 months.</p> <p>In relation to ongoing maintenance of LAHCs Asset Management Team are responsible for ensuring that the property is maintained while it is in LAHC ownership. Any issues in regards to maintenance should be referred to this team for investigation.</p>
<p><u>Stormwater concept plans</u></p> <ul style="list-style-type: none"> <i>The stormwater concept is supported. OSD is proposed to limit discharge to the existing Council stormwater system.</i> 	<p>Noted</p>
<p><u>Lot consolidation</u></p> <ul style="list-style-type: none"> <i>It would be preferable if the lots over which each development is located on are consolidated into a single lot and each development site serviced by a single sewer spur. The sewer spur would need to be upgraded to a 150mm diameter spur in accordance Council and Water Services Association of Australia (WSAA) guidelines. If the existing lot configuration is to remain then the internal sewer lines for each lot will need to drain directly to a sewer connection point located on that line. Internal sewer lines cannot be permitted to traverse adjoining lots or accept flows from adjoining lots. Similarly for stormwater.</i> 	<p>Noted – Consolidation of the lots from six lots into two lots is proposed (refer to Lot Consolidation Plan, Rev B, 50522025-DA-1120 in Appendix D).</p> <p>A Proposed Sewer plan was submitted to Council as part of the documentation package (refer to Sewer Master Plans, Rev B, 50522025-DA-1030/1031 in Appendix D). An updated Plan has been provided to clearly show a 150mm diameter sewer spur is proposed refer to Appendix E.</p>

Table 9 Issues raised in Council submission	
Issues raised	Response
<u>Sewer mains easement</u> <ul style="list-style-type: none"> Creation of any new sewer and/or stormwater mains will require an easement to be created over this infrastructure in favour of Wagga Wagga City Council 	<p>Noted – The proposed easements are identified the stormwater management plans prepared by Cardno (refer to Option 1 Stormwater Master Plans, Rev B, 50522025-DA-1015/1016 in Appendix D).</p> <p>An Identified Requirement (No. 65) is recommended in response to Wagga Wagga City Council's requirement regarding creation of an easement over any new sewer and/or stormwater mains infrastructure in favour of Council.</p>
<u>Council's stormwater system</u> <ul style="list-style-type: none"> All works to Council's stormwater system will require an Activity Approval under Section 68 of the Local Government act 1993 for these works. 	<p>Not agreed - Pursuant to Section 69 of the Local Government Act 1993, Section 68 does not require the Crown to obtain the approval of a Council to do anything that is incidental to the erection or demolition of a building.</p>
<u>Dilapidation report</u> <ul style="list-style-type: none"> A dilapidation report shall be prepared for the frontage of the site to document the condition of Council infrastructure prior to works commencing. Report to be submitted to Council. 	<p>Noted – An Identified Requirement (No. 66) is recommended in response to Wagga Wagga City Council's requirements regarding the preparation of a dilapidation survey and report by a suitably qualified person, which is to be submitted to Council prior to commencement of work.</p>
<u>Works in road reserve</u> <ul style="list-style-type: none"> All works proposed within the road reserve will require a Section 138 Permit. 	<p>Not agreed - Clause 5 of Schedule 2 of the savings, transitional and other provisions of the Roads Act 1993 provides that a Public Authority, such as LAHC, does not require consent from a Road Authority to exercise its functions in respect of an unclassified road that is not a Crown road.</p>
<u>Driveway crossovers</u> <ul style="list-style-type: none"> and any redundant driveway laybacks to be removed and kerb reinstated. 	<p>Noted – Identified Requirement No. 12 requires any obsolete gutter layback(s) to be constructed as kerb in accordance with the Council's standards.</p>
<u>Car parking area</u> <ul style="list-style-type: none"> Design of car parking area, aisle widths, driveway widths, manoeuvring areas, sight distances, ramp grades, headroom, etc to conform to relevant Council documents, TfNSW Guides and manuals, Austroads Guides and Australian Standards. 	<p>Noted – Refer to section 7.1 of this REF, which outlines the findings of the Traffic Impact Assessment (refer to Appendix L) regarding the design and layout of the proposed driveways and carparking areas in accordance with relevant guidelines and Australian Standards.</p>
<u>Flood planning area</u> <ul style="list-style-type: none"> 18-22 Spring St & 21-25 North Parade are both identified as being within the FPA (Flood Planning Area MOFFS 2021) for overland flow. The MOFFS 2021 report recommends a 300mm freeboard from 1% AEP water level to Finished Floor Level. 	<p>Noted – The FIA provided at Appendix M, confirms that the FFL of the proposed development has been designed to be 300mm above the maximum MOFFS level across each of the sites, in accordance with Council's Engineering Guidelines.</p>

6.2 Notification of Occupiers of Adjoining Land and Other Persons

Under section 43 (1) (a) 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 11/01/2022. Council provided an email response on 12/01/2022 requesting amendments to the notification map. The map and scope of notification was subsequently revised in accordance with **Figure 10**.

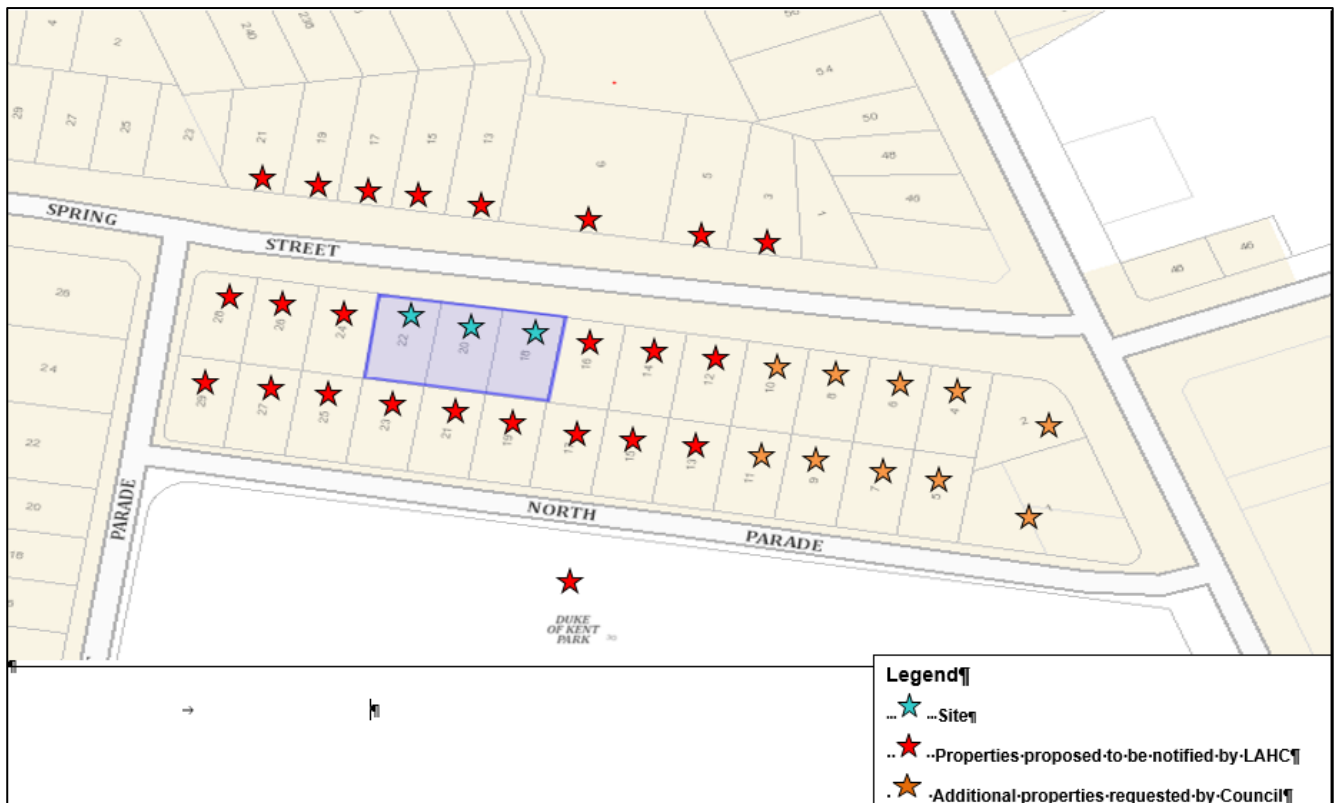


Figure 10 – Map of Properties Notified of the Proposed Development
Source: LAHC

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 25/10/2022. Copies of the notification letters are provided at **Appendix B**.

The notification response period formally closed on 18/11/2022 and no submissions were received.

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 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 5.1.4** 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 which is characterised by older style single storey detached dwelling houses of brick, fibrous and lightweight weatherboard construction with tiled or metal roofs. Single storey detached dwelling houses, similar to those on the subject site, adjoin the North Parade site to the east and west, whilst directly opposite the development is a public recreation area known as Duke of Kent Park. A single storey detached dwelling house adjoins the Spring Street site to the west and a newly constructed, contemporary development is located to the east, whilst directly opposite the development are single storey weatherboard dwellings with tiled roofs and open space.

The wider surrounding locality is generally comprised of single storey, and some two-storey, dwelling houses. The emergence of new developments in the surrounding area suggests the area is beginning to a transition from low density older style dwellings to more contemporary developments with higher residential densities. As such, there are increasing examples of more contemporary developments being constructed in the surrounding area.

The proposed development is consistent with the emerging character of the neighbourhood. The proposed Spring Street development has been divided into 2 buildings in an effort to reduce mass. The North Parade development is generally concentrated to front of site with carparking located at the rear, seeking to replicate the building pattern of surrounding properties. Further, the development complies with the Housing SEPP height control and meets the objectives of the Wagga Wagga DCP siting and design controls, the development provides a front garden setting and perimeter plantings to deliver a built form outcome that is consistent with the general character of the locality, and makes a positive contribution to the streetscape.

Mitigation Measures

No mitigation measures are required.

7.2 Bulk and Density

The proposed development is compatible with the bulk and scale emerging in the surrounding area as more contemporary two storey developments are constructed and the area transitions from lower to a higher residential density. The proposal satisfies the Housing SEPP control for height and the Wagga Wagga DCP controls for siting and design, relevant to residential flat buildings.

Furthermore, the 2 storey development is compatible with the existing adjoining dwellings, which are mainly single storey, through the provision of side setbacks in excess of minimum requirements, the positioning of carports and driveways between the buildings and boundaries, the juxtaposition of solid and void elements through the use and location of balconies and use of a variety of external finishes and materials which will reduce visual bulk and add interest to the building design and streetscape. The apparent bulk of the Spring Street development has been further reduced by separating the development into 2 separate buildings, between which is the communal car parking area and driveway. The North Parade development is generally concentrated to front of site with carparking located at the rear, seeking to replicate the building pattern of surrounding properties. A comprehensive landscaping scheme is proposed with shrub and tree planting throughout the site and along both the site frontages, further softening the appearance of the development from the streetscapes.

Mitigation Measures

No mitigation measures are required.

7.3 Streetscape

The proposed development activity will make a positive contribution to the streetscape of Spring Street and North Parade, by virtue of the following:

- The proposed development will replace ageing housing stock that has reached the end of its economic life with a new contemporary, architecturally designed residential development.
- Living rooms and balconies address and provide an active frontage to both streets.
- The front façades are modulated by projecting and recessed elements and further articulated through the use of different materials and textures.
- Significant landscaping is being provided throughout the development, which will benefit the streetscape interactions, including 15 trees capable of reaching 8-10m in height, 9 trees capable of reaching 5m in height, 342 shrubs, 495 grasses and ground covers.

Mitigation Measures

No mitigation measures are required.

7.4 Visual Impact

The proposed development will have a short-term visual impact on the surrounding area during construction, with an altered 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 align with the emerging neighbourhood character. New landscape plantings within the setbacks and along the boundaries of the site will add to the long-term visual amenity of the surroundings.

Mitigation Measures

No mitigation measures are required.

7.5 Privacy

A reasonable level of privacy will be maintained by the proposed development, by virtue of the following:

- The balconies of Units 8 and 11 of the North Parade site are oriented towards the street, with side fitted privacy screens to prevent any overlooking of the properties adjoining and other dwellings within the site.
- The balconies of Units 7, 8, 10 and 12 of the of the Spring Street site are oriented towards the street, with side fitted privacy screens to prevent any overlooking of the properties adjoining and other dwellings within the site.
- The balconies of Unit 9 and 11 of Spring Street overlook the internal car park, with the southern elevation facing the rear boundary, with a setback of approximately 5.42m and fitted with privacy screens to reduce overlooking. In addition to the separation distances, privacy will be provided through boundary plantings, between the balconies and rear boundaries. This includes 4 Kings Park Bottlebrush capable of growing to 4m and 2 Manchurian Pear capable of growing to 8m, planted immediately south of the balconies.
- The balcony of Unit 9 of North Parade overlooks the internal car park, whilst the balconies to Units 10 and 12 are orientated towards the rear of the North Parade site. These balconies have a northern elevation facing the rear boundary, with a setback of approximately 6.03m and fitted with privacy screens to reduce overlooking. In addition to the separation distances, privacy will be provided through the location of the proposed internal car parking area and the boundary plantings within the Spring Street site to the north, along with additional shrub planting of dwarf bottlebrush, along the rear boundary of the North Parade site.
- The first-floor windows on the eastern and western side elevations of both developments are set back a minimum 3m from the side boundaries.
- Ground floor windows facing the side boundaries are adequately set back a minimum of 3m for both developments and boarded by 1.8m high boundary fencing and perimeter landscaping.
- All windows and balconies between units in the Spring Street site are adequately separated to prevent privacy issues, with a minimum separation distance of approximately 6.15m between the balconies of Units 8 & 10, which are separated by the communal driveway, and approximately 18.95m between Units 9 & 11, which are separated by the communal car park. In addition to building separation, the balconies to Units 8 & 10 are orientated toward the Spring Street frontage and will be fitted with sliding privacy screens to the internal facing side to prevent overlooking.

Mitigation Measures

No mitigation measures are required.

7.6 Solar Access

Living areas and POS areas of 20 of the proposed 24 dwellings (83.3%) receive at least 3 hours direct solar access on June 21, which complies with the minimum of 70% stipulated in the LAHC Dwelling Requirements (which refer to the Apartment Design Guide, ADG, requirements) and the Seniors Living Policy: Urban Design Guidelines for Infill (SLUDG). Four units (16%) do not achieve 3 hours direct solar access to living areas and POS. Two of the 4 units gain satisfactory solar access, as they receive 1 hour midwinter sunlight to the living room and POS areas. The other 2 dwellings (Units 5 & 11 of the North Parade site) receive no direct sunlight to living areas and POS areas in midwinter. This complies with the ADG requirement of at least 70% of dwellings receiving a minimum of 3 hours direct sunlight and no more than 15% of dwellings receiving no direct sunlight. The level of solar access provided by the development also complies with the Wagga Wagga DCP, which requires that building design and site layout is to ensure adequate sunlight access to the internal living spaces and POS of the proposed development. No minimum numerical standard prescribed.

Mitigation Measures

No mitigation measures are required.

7.7 Overshadowing

The shadow diagrams in **Appendix E** indicate that the adjoining dwellings will continue to receive a minimum 3 hours of midwinter solar access to primary living and open space areas, that is:

- The west-adjoining dwelling at 24 Spring Street will be impacted by shadows from the proposed development during midwinter morning, with the shadows generally falling onto the rear POS area and receding by 10am; and
- The east-adjoining multi-unit dwelling at 16 Spring Street will be impacted in midwinter after 1pm, with the majority of shadows falling on the side facing POS area and within the rear setback of the site; and
- The east-adjoining dwelling at 19 North Parade will be impacted by the North Parade development after 1pm and the Spring Street development from 10am onwards. Shadows will fall along the side boundary, within the front setback and toward the rear of the site. Notwithstanding, shadow diagrams [refer to **Appendix E**, Drawing Nos. SK-19, SK-20, SK-135 & SK136] demonstrate that direct solar access is maintained to the majority of POS area and living areas throughout the day during midwinter.

Mitigation Measures

No mitigation measures are required.

7.8 Traffic & Parking

18-22 Spring Street

A total of 8 surface car parking spaces for residents, including 2 accessible spaces, will be available on the site to serve the proposed Spring Street development. 6 communal car parking spaces are provided in a centralised communal carpark toward the rear of the site and the two accessible spaces are dedicated to Unit 1 and Unit 6. The level of provision of on-site car parking will satisfy the parking requirements set out in the Housing SEPP for developments carried out by LAHC. Unrestricted street parking is available on Spring Street directly adjacent to the site to accommodate any overflow parking demand generated by the proposed development.

The Traffic and Parking Assessment Report (**Appendix L**) 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 Impact Assessment examined the adequacy of the proposed 5.5m wide internal driveway to the central parking area and confirmed the proposed design is suitable and designed in accordance with drawing EDS 02.08 from the *Wagga Wagga City Council Engineering Guidelines for Subdivisions and Development Standards (Council Standards)*. Vehicles using the main carpark will be able to access and egress from the site in a forward manner.

The Traffic and Parking Assessment Report also considered the two x 3m wide driveways located along the eastern and western boundaries of the site, providing access for single car parking spaces to Units 1 and 6 and confirms that these are also designed in accordance with Council Standards. These driveways will require a single reversing manoeuvre when entering or exiting the parking space. The Assessment found this to be an acceptable arrangement that is commonplace for low order driveways that service 4 or less dwellings.

21-25 North Parade

A total of 8 surface car parking spaces for residents, including 2 accessible spaces, will be available on the site to serve the proposed North Parade development. Communal car parking is available for 7 vehicles in the carpark located toward the north western rear corner of the site, including 2 accessible spaces. One private car parking space is dedicated to Unit 6. The level of provision of on-site car parking will satisfy the parking requirements set out in the Housing SEPP for developments carried out by LAHC. Unrestricted street parking is available on North Parade directly adjacent to the site to accommodate any overflow parking demand generated by the proposed development.

The Traffic and Parking Assessment Report (**Appendix L**) 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 Impact Assessment examined the adequacy of the proposed 4.7m wide internal driveway to the rear parking area and confirmed the proposed design is suitable and designed in accordance with Council Standards. Vehicles using the main carpark will be able to access and egress from the site in a forward manner.

The Traffic and Parking Assessment Report also considered the 3m wide driveway located along the eastern boundary of the site, providing access for the single car parking space to Unit 6 and confirms that this has been designed in accordance with Council Standards. This driveway will require a single reversing manoeuvre when entering or exiting the parking space. The Assessment found this to be an acceptable arrangement that is commonplace for low order driveways that service four or less dwellings.

Mitigation measures

An identified requirement (No. 63) is applied requiring the installation of convex mirrors at both ends of the central driveway for each development together with suitable signage advising drivers to 'give way to entering vehicles'.

7.9 Flora and Fauna

18-22 Spring Street

An Arboricultural Impact Assessment has been prepared for the site by Wade Ryan Contracting (**Appendix F**). The report considers 14 trees, 11 of which are located within the subject site while the remaining 3 are street trees are located within the Spring Street road reserve.

During demolition of the existing dwellings and structures, 9 trees were removed due to the trees becoming unstable and unsafe. All removed trees were identified as exempt under WWDCP2010. The trees were recommended for removal as they were either located within the proposed development footprint, or would be impacted by an unavoidable major encroachment within the TPZ or that are not appropriate for retention as they are weed species or considered to be small, insignificant, and/or in poor condition with short life expectancy.

The 2 trees that remain onsite (Tree Nos. 2 & 14) are proposed to be removed. Tree No. 14 is identified as '*Remove Priority*' in the Arboricultural Impact Assessment as it will be impacted by the development and is a weed species. Tree No. 2, which is also proposed to be removed, is identified as '*Retain if Possible*' in the report and is the only tree within the site that meets the criteria of tree preservation under the WWDCP2010. Tree No. 2 is a Claret Ash tree (exotic species) and is located near street frontage of 18 Spring Street. The Arboricultural Impact Assessment notes the tree should be retained if possible for its positive amenity value, however concludes that this will not be possible as the building footprint is in direct conflict with the tree and it will have to be removed.

All tree removals proposed within the site boundaries have been recommended by the Arborist either 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. (refer to submitted Arboricultural Impact Assessment in **Appendix F**). Of the 11 trees to be removed 10 are identified as '*Remove Priority*' or '*Remove*', with Tree No. 2 identified as '*Retain if Possible*' and its reason for removal detailed above. The impact of removal of these trees is considered negligible and the loss of vegetation cover easily replaced and improved with a sound landscaping plan.

The Arboricultural Impact Assessment recommends retention of three existing trees (Tree Nos. 1, 4 & 13) within the road reserve. The proposed driveway will impact on the TPZ of Tree No. 4, with an encroachment of 27%, which is considered to be a major encroachment into the TPZ. Recommended tree protection measures are provided in the Arboricultural Impact Assessment (refer **Appendix F**) to manage impacts to the retained trees during demolition and construction of the development.

In order to compensate for the loss of existing trees on the site, and in accordance with the recommendations of the Arborist report, more appropriate tree plantings are proposed as part of a comprehensive site wide landscaping scheme. In total 16 trees are proposed, including 8 trees capable of reaching a mature height of 8-10m and 8 capable of reaching a height of 4-5m in addition a further 13 shrubs that are capable of reaching a height of 4m are also proposed, (refer to submitted Landscape Plan in **Appendix E**).

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

21-25 North Parade

An Arboricultural Impact Assessment has been prepared for the site by Wade Ryan Contracting (**Appendix F**). The report considers 29 trees, 26 of which are located within the subject site while the remaining 3 are street trees located within the North Parade road reserve.

During demolition of the existing dwellings and structures, 24 trees were removed due to the trees becoming unstable and unsafe. All the removed trees, except for Tree Nos. 6, 24 & 29, were identified as exempt under the WWDCP2010. All of these trees were recommended for removal in the Arborist Report as they were either located within the proposed development footprint, or would be impacted by an unavoidable major encroachment within the tree protection zone or that are not appropriate for retention as they are weed species or considered to be small, insignificant, and/or in poor condition with short life expectancy. The 3 trees that were not exempt however were recommended for '*Removal*' or '*Removal Priority*' in the Arboricultural Impact Assessment and were noted to have either '*poor*' or '*very poor*' retention value.

The two trees that remain onsite (Tree Nos. 26 & 27) are proposed to be removed. Tree No. 26 is identified as '*Remove*' in the Arboricultural Impact Assessment as it will be impacted by the

development and is in poor condition. Tree No. 27, which is also proposed to be removed, is identified as '*Remove Priority*' as it is less than 8 metres in height.

The Arboricultural Impact Assessment notes that whilst the canopy coverage loss is notable the species composition is mostly weeds that have established on site and need to be removed for environmental reasons and recommends retention of 3 existing trees (Tree Nos. 1, 7 & 25) within the road reserve, only.

In order to compensate for the loss of existing trees on the site, and in accordance with the recommendations of the Arborist report, more appropriate tree plantings are proposed as part of a comprehensive site wide landscaping scheme. In total 8 trees are proposed, including 7 trees capable of reaching a mature height of 8-10m and 1 capable of reaching a height of 5m in addition a further 3 shrubs that are capable of reaching a height of 4m and 27 shrubs that are capable of reaching a mature height of 2.5m are also proposed (refer to submitted Landscape Plan in **Appendix E**).

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, in particular for Tree No. 14 in Spring Street road reserve and Tree Nos. 1 & 25 in North Parade road reserve, 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. Any excavations must also be supervised and certified by the Project Arborist in accordance with AS4970 (2009)

Retained trees are to be protected in accordance with the Tree Protection Measures contained within the Arboricultural Impact Assessment (refer **Appendix F**). Identified Requirement No. 64 is recommended to mitigate any impacts.

7.10 Heritage (European / Indigenous)

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

Aboriginal Heritage

An Aboriginal Heritage Information Management System (AHIMS) search, dated 23 October 2022 (**Appendix M**) did not find any record of Aboriginal Sites or Places on the sites 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 Wagga Wagga 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 sites during excavation / construction.

7.11 Soils / Contamination / Acid Sulfate Soils / Salinity

Geotechnical

The Site Investigation Reports, for each site, prepared by STS Geotechnics and indicate the following:

- The subsurface conditions for the Spring Street site consist of fill and silty clays overlying weathered rock. In BH2 fill materials were encountered from the surface to a depth of 0.2m. In the remaining boreholes and below the fill in BH2, firm, stiff and very stiff silty clays were encountered from the surface to depths of 1.5m to 3.0m. In boreholes BH3, BH4 and BH4, weathered rock was encountered below the silty clays to the depth of auger refusal, 1.8 to 2.5m.
- The subsurface conditions for the North Parade site generally consist of silty clays from the surface to the depth of drilling. The clays were firm becoming stiff and very stiff with depth.
- No groundwater was observed in the boreholes during drilling works.

Mitigation Measures

An Identified Requirement (No. 14) 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* (4th edition, Landcom, 2004).

Contamination

The site is located within a developed residential area of Wagga Wagga, which has a history of residential uses. LAHC historical layout plan No. L11460 (**Appendix O**) indicates that the area was being developed for residential purposes from as early as 1947. Given the long-term continuous use of the land for residential purposes, the highly disturbed nature of the site, and given that the Section 10.7 Planning Certificates (**Appendix A**) indicate the site is not affected by any of the prescribed Contaminated Land Management Act matters, it is unlikely that the subject land is affected by contamination however a standard recommended Identified Requirement (No. 18) requires implementation of management measures in the event of contamination being discovered during construction works.

Mitigation Measures

A standard Identified Requirement (No. 18) has been recommended to cover the possibility of discovering site contamination during demolition / construction works.

Acid Sulfate Soils

According to Council's Section 10.7(2) & (5) Planning Certificates, the land is not identified as being affected by Acid Sulfate Soils.

Mitigation Measures

No mitigation measures are required.

Salinity

The Geotechnical Investigation Reports, prepared by STS Geotechnics, consulting geotechnical engineers (*Appendix J*), indicates “*Reference to DLWC (2002) “Site Investigations for Urban Salinity” indicates that E_{Ce} values of 0.2 to 0.6 dS/m are consistent with the presence of non-saline soils.*”

Mitigation Measures

No mitigation measures are required.

7.12 Drainage / Flood Prone Land / Hydrology/ Water Quality

18-22 Spring Street

Stormwater drainage for the proposed development has been designed in accordance with Council’s requirements.

As the site is affected by the 1 in 100-year ARI storm event an orifice plate and OSD storage has been incorporated into the proposed internal stormwater network. Stormwater will be collected via a series of stormwater pits and gutters on the site connected to 3.1m³ of OSD, provided via grading of the carpark area to create surface detention ponding. When the volume of water exceeds the storage space, stormwater will overflow to the north onto the driveway where it will be directed towards Spring Street and connect into an existing stormwater pit. The orifice plate will be used to control the peak flows discharging from the site to the existing downstream drainage network, for all events up to and including the 1 in 100-year storm to the pre-development peak flow. The orifice plate will be installed on the outlet of the pit prior to stormwater leaving the site.

21-25 North Parade

Stormwater drainage for the proposed development has been designed in accordance with Council’s requirements.

As the site is affected by the 1 in 100-year ARI storm event, an orifice plate and OSD storage has been incorporated into the proposed internal stormwater network. Stormwater will be collected via a series of stormwater pits and gutters on the site connected to 4.1m³ of OSD, provided via grading of the carpark area to create surface detention ponding over the grated pit in the carpark. When the volume of water exceeds the storage space, stormwater will overflow to the north where it will be directed towards Spring Street via 2m-2.5m wide drainage easements that traverses the adjoining Spring Street property. The orifice plate will be installed on the outlet of the pit prior to stormwater leaving the site and used to control the peak flows for all events up to and including the 1 in 100-year storm.

The Section 10.7(2) & (5) Planning Certificates issued by Council for the subject sites indicate that the land is 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 as detailed in the Flooding Impact Assessment provided at **Appendix M** and discussed in **Table 7** of this REF.

Mitigation Measures

Identified Requirements (Nos. 7-10, 14, 32-33, 61, 65 & 66) have been recommended to ensure that stormwater drainage is managed in accordance with legislative requirements.

7.13 Bushfire Prone Land

The Section 10.7(2) & (5) Planning Certificates issued by Wagga Wagga 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 NSW Environment Protection Authority (EPA) 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.

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 & 49) have been applied to ensure compliance with the above mitigation measures.

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. 53 & 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:

- timber materials will be recycled, where practical, at appropriate local recycling facility; and
- metal materials will be recycled, where practical, at appropriate local recycling facility.

During Occupation

It is proposed that each development will be provided with the following waste receptacles:

- 8 x 240L Red lid general waste bin
- 8 x 240L Yellow lid recycling bin
- 2 x 240L Green lid food organics and garden organics bin

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 a contracted site manager 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 a contracted site manager for collection by Council's waste services.

Mitigation Measures

Standard Identified Requirements (Nos. 37b) 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 discernible 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 the 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

No mitigation measures are required.

7.18 Community / Social Effects

The proposed development will generate a number of positive community and social effects, including:

- assist LAHC in meeting its significant, long-standing and continually-growing demand for social housing in the Wagga Wagga local government and surrounding area wherein the expected waiting time for a 1 or 2 bedroom dwelling is 2-5 years, as at 30 June 2022 (S120 Wagga Wagga Allocation Zone);
- 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.

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 Wagga Wagga 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 tradespeople 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.

Mitigation Measures

No mitigation measures are required.

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, WWLEP 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 – SITE INVESTIGATION (GEOTECHNICAL) REPORT

APPENDIX K – WASTE MANAGEMENT PLAN

APPENDIX L – TRAFFIC & PARKING ASSESSMENT

APPENDIX M – STORMWATER MANAGEMENT MEMO & FLOOD IMPACT ASSESSMENT

APPENDIX N – AHIMS SEARCH

APPENDIX O – TITLES, DP, CERTIFICATE OF COMPLETION – DEMOLITION & LAHC LAYOUT

APPENDIX P – COMPLIANCE CERTIFICATES