

28 ADDISON NOMINEES PTY LTD

Multi Dwelling Housing

STATEMENT OF ENVIRONMENTAL EFFECTS

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Premise

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1. INTRODUCTION

Premise has been commissioned by 28 Addison Nominees Pty Ltd to prepare a Statement of Environmental Effects (SEE) to accompany a Development Application (DA) for Multi-Dwelling housing development consisting of three detached two storey dwelling houses, associated parking and driveway access on the subject site Lot 3 Sec 55 DP 758468 -28 Addison Street, Goulburn.

A pre-lodgement meeting was held with Goulburn Mulwaree Council on the 1 December 2022 (Ref: FWA/0030/2223) a copy of the prelodgement meeting minutes is separately attached.

This SEE has been prepared pursuant to the Environmental Planning and Assessment Regulation 2021 and is provided in the following format.

Section 2 of this report provides a description of the subject site and its locality.

Section 3 outlines the proposed development.

Section 4 details the planning framework applicable to the subject site and proposed development.

Section 5 identifies the impacts of the proposed development.

Section 6 provides a conclusion to the SEE.

2. THE SITE & ITS LOCALITY

2.1 The Site

The site consists of Lot 3 Sec 55 DP 758468, 28 Addison Street, Goulburn as shown on the aerial photograph on pages 5 and 6. The site has a rectangular shape, a frontage to Addison Street of 20.11m and a total site area of 2,094.5m² (refer Figure 1). Existing on the site is a two storey residential building and ancillary infrastructure.

2.2 The Locality

The existing development on surrounding properties that adjoin the site to the north, east and south are low density residential dwellings with detached outbuildings and garages. Development to the west contains a mutli unit development. The site sits within an established urban area approximately 1km west of the Goulburn town centre and near the South Goulburn Primary School and Goulburn High School. The site is not listed as a heritage item but is contained within a mapped heritage conservation area.

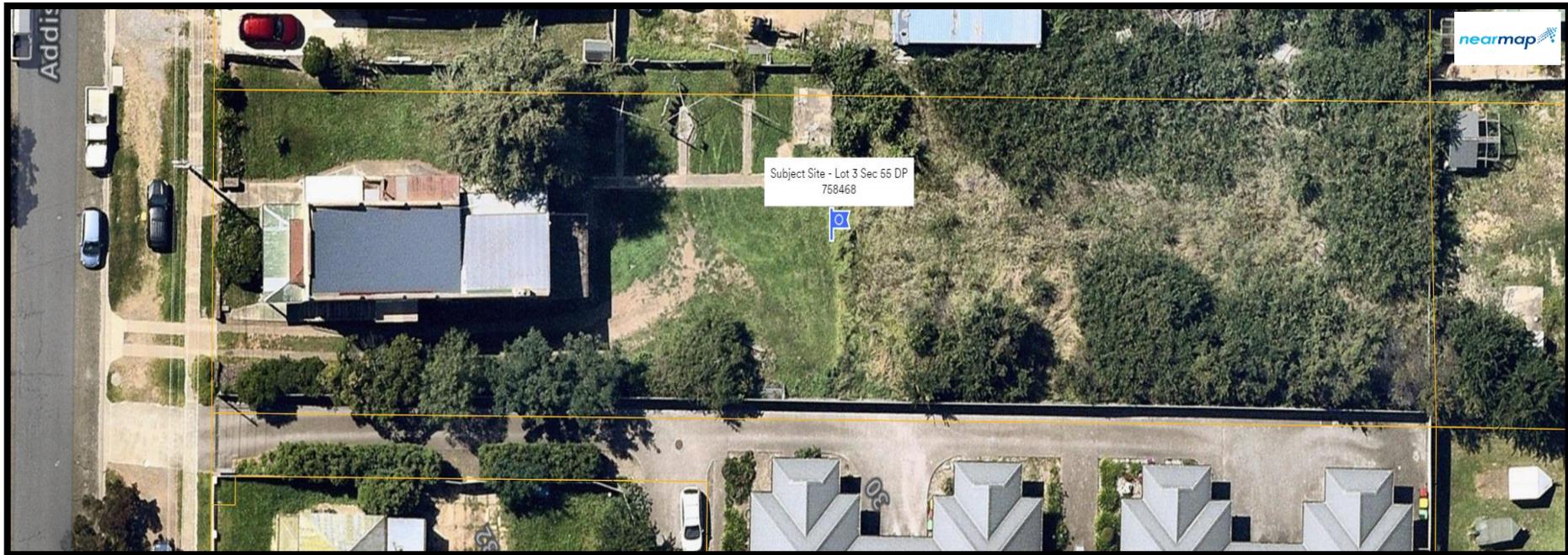


Figure 1 – The Subject Site

Map Source: Nearmap



Figure 2 – The Site Locality
Map Source: Nearmap

3. THE DEVELOPMENT

3.1 Development Description

The development application proposes a multi-dwelling housing development consisting of three detached two storey dwelling houses, associated parking and driveway access on the subject site (Lot 3 Sec 55 DP 758468 -28 Addison Street, Goulburn).

It is proposed to retain the existing two storey residential building on the site.

Details of the proposal are contained within the plans prepared by Paul Meyer Design Pty Ltd submitted in support of the DA. In summary the DA proposes the following:

- Site works and construction of three new detached dwellings comprising four bedrooms, bathrooms, laundry, kitchen, gallery, meals, lounge room, a covered outdoor area (identified as Alfresco).
- Construction of concrete driveways and hardstand areas to provide car parking to Council standards including visitor's carparks.
- Provision of utility services.
- Construction of a new internal fences between the dwellings.
- Landscaping.

3.1.1 MATERIALS AND FINISHES

The proposed new dwellings will utilise a selection of external finishes and roof designs compatible with the surrounding character of the established neighbourhood. The proposed dwellings incorporate a mix of external materials and colours as indicated on the colours and materials chart separately attached, see Appendix I. The colours and materials proposed are considered conducive to the heritage conservation zone and have been included in the separately attached Heritage Impact Statement, see Appendix F.

3.1.2 CAR PARKING AND ACCESS

Vehicular access to the proposed parking areas to the dwellings will be provided via a single driveway located towards the western side of Addison Street site frontage. Constructed driveways will provide for car parking for each of the proposed new dwellings, with visitor car parks to be constructed at the rear of the existing residential building. A full copy of the Traffic and Parking Assessment report is separately attached as Appendix E. A variation is sought to the DCP and is further discussed in Section 4.5.5.2.

3.1.3 WASTE MANAGEMENT

Building contractors will be responsible for the management, storage and disposal of all building waste at a licensed waste facility. Building waste will be recycled on or off-site where practicable.

Sediment control fences will be installed prior to earthworks commencing on the site to minimise soil run off into the catchment. All waste procedures will be in accordance with Council requirements.

Upon occupation of the dwellings, waste and recycling bins will be stored within the boundaries of each dwelling lot.

3.1.4 STORMWATER MANAGEMENT

SEEC have undertaken an assessment of the likely impacts of stormwater runoff and the necessary Water Sensitive Urban Design (WSUD) requirements, as well as NorBE. See Appendix D.

3.1.5 HYDRAULIC DESIGN

Marline have undertaken a hydraulic design for fire hydrant coverage and a full copy of the report is separately attached as Appendix G.

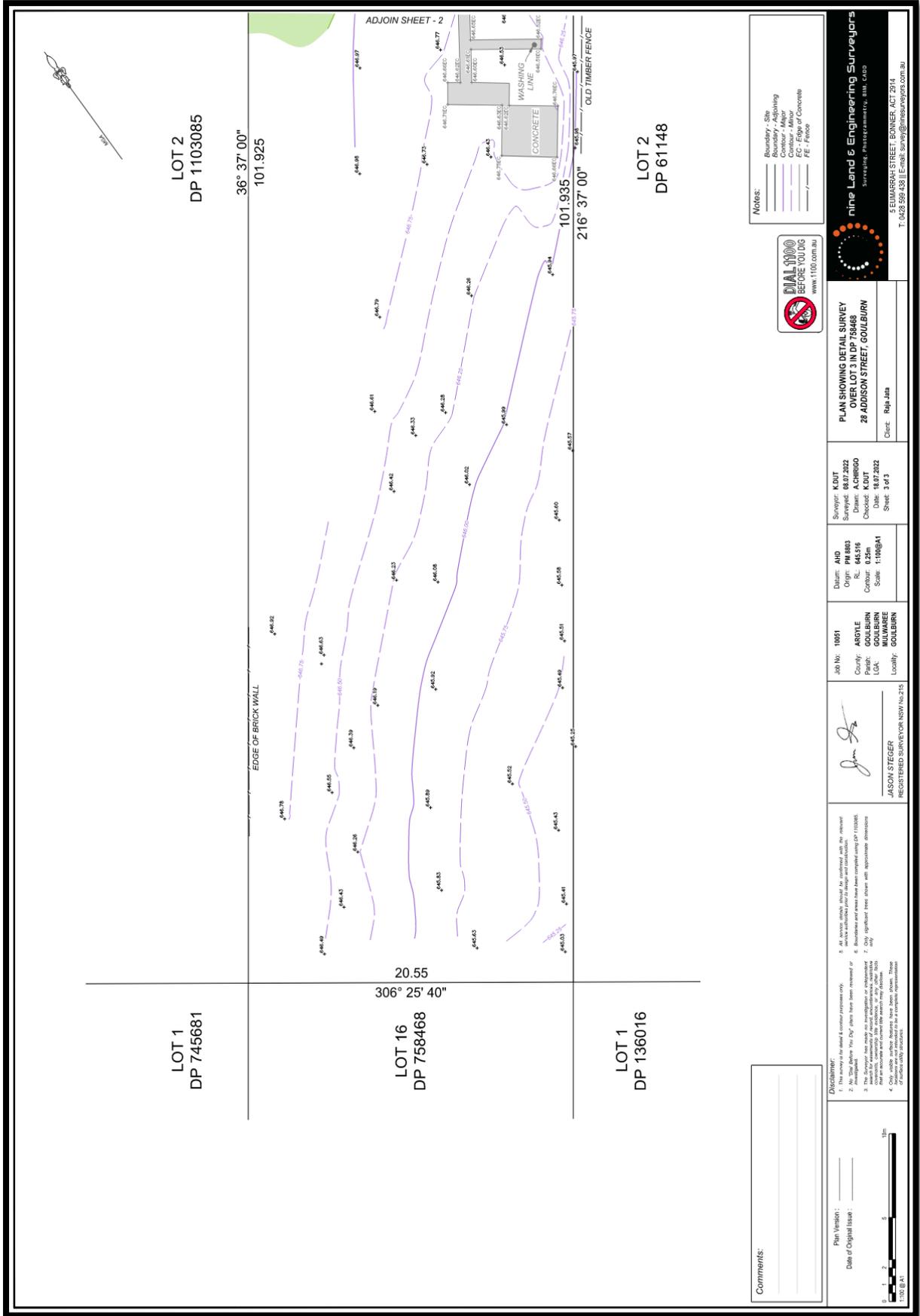
3.1.6 BCA COMPLIANCE

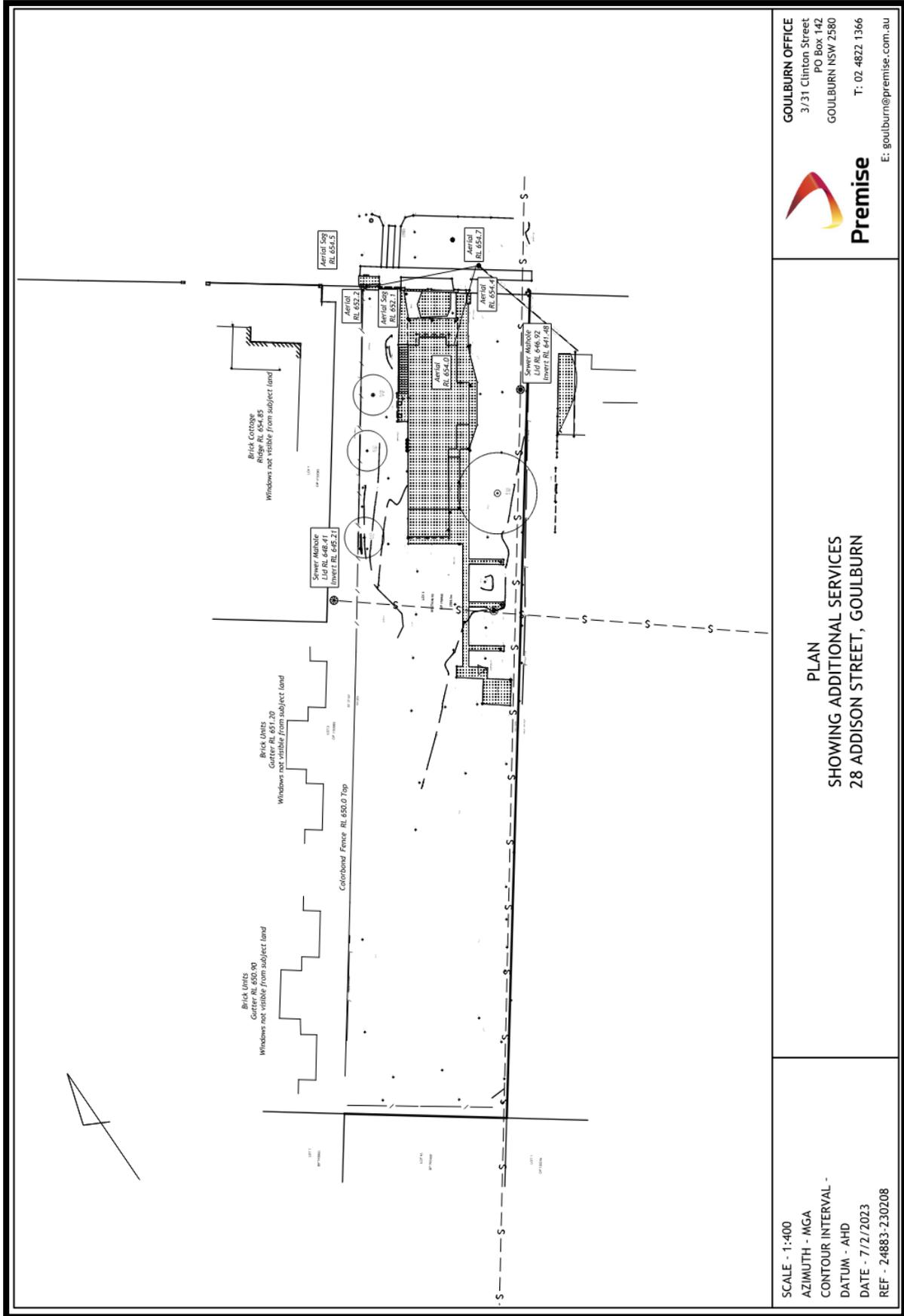
A BCA Assessment Report has been prepared by Certatude – Appendix L. The report provides an overview of the relevant provisions of the BCA for assistance only and proposes that deviations from the Deemed-to-Satisfy provisions of the BCA may be required or demonstrated compliance with the Performance Requirements of the BCA. It is proposed that items relating to the existing residential building will be provided as Construction Certificate stage.

3.1.7 KEY SUMMARY

Key development detail summary of proposed dwellings:

CALCULATION TABLES								
Lot No	GFA m ²	FFA m ²	Garage m ²	Sit-out m ²	Porch m ²	Total floor area (m ²)	No of Bedroom	
Lot 1	124	62	38	16	3.5	243.5	4	
Lot 2	124	62	38	16	3.5	243.5	4	
Lot 3	138	70	38	16	3.5	265.5	4	
Total	386	194	114			752.5		
Site Area	2094.5m ²							
Visitor Parking Lots								2





4. STATUTORY PLANNING FRAMEWORK

4.1 Object of the EP&A Act

In New South Wales (NSW), the relevant planning legislation is the *Environmental Planning and Assessment Act 1979* (EP&A Act). The EP&A Act instituted a system of environmental planning and assessment in NSW and is administered by the Department of Planning, Industry & Environment (DPIE). In 2017, the Act was amended to provide a range of updated objects. The objects of the EP&A Act are:

- (a) *To promote the social and economic welfare of the community and a better environment by the proper management, development and conservation of the State's natural and other resources,*
- (b) *To facilitate ecologically sustainable development by integrating relevant economic, environmental and social considerations in decision-making about environmental planning and assessment,*
- (c) *To promote the orderly and economic use and development of land,*
- (d) *To promote the delivery and maintenance of affordable housing,*
- (e) *To protect the environment, including the conservation of threatened and other species of native animals and plants, ecological communities and their habitats,*
- (f) *To promote the sustainable management of built and cultural heritage (including Aboriginal cultural heritage),*
- (g) *To promote good design and amenity of the built environment,*
- (h) *To promote the proper construction and maintenance of buildings, including the protection of the health and safety of their occupants,*
- (i) *To promote the sharing of the responsibility for environmental planning and assessment between the different levels of government in the State,*
- (j) *To provide increased opportunity for community participation in environmental planning and assessment.*

The proposed development is conducive to the above objects.

4.2 Section 1.7

Section 1.7 of the EP&A Act requires consideration of Part 7 of the *Biodiversity Conservation Act 2016* (BC Act). Part 7 of the BC Act relates to an obligation to determine whether a proposal is likely

to significantly affect threatened species. A development is considered to result in a significant impact in the following assessed circumstances.

Table 1 – Section 1.7

Test	Assessment
1. it is likely to significantly affect threatened species or ecological communities, or their habitats, according to the test in section 7.3, or	No
2. the development exceeds the biodiversity offsets scheme threshold if the biodiversity offsets scheme applies to the impacts of the development on biodiversity values, or	No
3. it is carried out in a declared area of outstanding biodiversity value.	No

Source: Environmental Planning and Assessment Act 1979

4.3 Subordinate Legislation

The EP&A Act facilitates the preparation of subordinate legislation, consisting of:

- Environmental Planning Instruments (EPIs) (including State Environmental Planning Policies (SEPP), Local Environmental Plans (LEP), and deemed EPIs; and
- Development Control Plans (DCP).

In relation to the proposed development, the relevant subordinate legislation includes:

- Goulburn Mulwaree Local Environmental Plan 2009
- State Environmental Planning Policy (Biodiversity and Conservation) 2021
- State Environmental Planning Policy (Building Sustainability Index: BASIX) 2004
- State Environmental Planning Policy (Transport and Infrastructure) 2021
- State Environmental Planning Policy (Resilience and Hazards) 2021
- Goulburn Mulwaree Development Control Plan 2009

The requirements of these are discussed in **section 4.5** of this Statement.

4.4 Integrated Development

Section 4.46 of the EP&A Act states that development requiring consent and another activity approval is defined as Integrated Development. The proposed development is not classified as Integrated Development.

4.5 Planning Instruments

4.5.1 LOCAL ENVIRONMENTAL PLAN

4.5.1.1 Introduction

The *Goulburn Mulwaree Local Environmental Plan 2009 (LEP)* is the applicable local planning instrument applying to the land. The aims of the LEP are:

- (aa) to protect and promote the use and development of land for arts and cultural activity, including music and other performance arts,
- (a) to promote and coordinate the orderly and economic use and development of the land in the area,
- (b) to provide a framework for the Council to carry out its responsibility for environmental planning provisions and facilitate the achievement of the objectives of this Plan,
- (c) to encourage sustainable management, development and conservation of natural resources,
- (d) to promote the use of rural resources for agriculture and primary production and related processing service and value adding industries,
- (e) to protect and conserve the environmental and cultural heritage of Goulburn Mulwaree,
- (f) to enhance and provide a range of housing opportunities in, and the residential and service functions of, the main towns and villages in Goulburn Mulwaree,
- (g) to establish a framework for the timing and staging of development on certain land in Goulburn and Marulan,
- (h) to provide a range of housing opportunities, including large lot residential development in the vicinity of the villages,
- (i) to allow development only if it occurs in a manner that minimises risks due to environmental hazards, and minimises risks to important elements of the physical environment, including water quality,
- (j) to provide direction and guidance as to the manner in which growth and change are to be managed in Goulburn Mulwaree,
- (k) to protect and enhance watercourses, riparian habitats, wetlands and water quality within the Goulburn Mulwaree and Sydney drinking water catchments so as to enable the achievement of the water quality objectives.

The proposed development is conducive to the aims of the plan.

4.5.1.2 Mapping

A review mapping via the NSW Planning Portal identifies the following applicable mapped constraints:

Table 2 – NSW Planning Portal – Property Report

Constraint	Applicability	Section addressed
Land Zoning Map	Applicable	4.5.1.3
Lot Size Map	Applicable	4.5.1.4 and 4.5.1.5
Floor Space Ratio Map	Not Applicable	
Height of Buildings Map	Not Applicable	4.5.1.6
Land Reservation Acquisition Map	Not Applicable	
Heritage Conservation Zone Map	Applicable	4.5.1.7
Natural Resources Sensitivity Land Map	Not Applicable	
Scenic and Landscape Values Map	Not Applicable	
Key Sites Map	Not Applicable	
Urban Release Area Map	Not Applicable	
Additional Permitted Uses Map	Not Applicable	
Active Street Frontages Map	Not Applicable	
Flood Planning Land Map	Not Applicable	
Drinking Water Catchment	Applicable	4.5.2.1

The above matters, together with other relevant LEP clauses, are discussed in the following sections.

4.5.1.3 Land Use Zoning

The site is within the R1 General Residential zone under the Goulburn Mulwaree Local Environmental Plan 2009. The proposed development is permissible development under the zone subject to compliance with various clauses detailed in this Statement.



Source: NSW Planning Portal

4.5.1.4 4.1B Minimum Lot Size for Multi Dwelling Housing and Residential Flat Buildings

- (1) The objectives of this clause is to achieve planned residential density in certain zones.
- (2) Development consent may be granted to development on a lot in a zone shown in Colum 2 of the Table to this clause for a purpose shown in Column 1 of the Table opposite that zone, if the area of the lot is equal to or greater than the area specified for that purpose and shown in Column 3 of the Table.
- (3) This clause does not apply to land on which a heritage item is located.

Column 1	Column 2	Column 3
Multi dwelling housing	Zone R1 General Residential	1,050 square metres
Multi dwelling housing	Zone R2 Low Density Residential	1,050 square metres
Residential flat building	Zone R1 General Residential	1,050 square metres

Response:

The proposal incorporates a multi dwelling housing development on an allotment zoned R1 General Residential having an area of 2,094.5m² (that contains an existing residential flat building). The density area is deficient by 5.5m², therefore, a request for a variation to the development standard is formally requested below and formally addressed in Appendix C.

4.5.1.5 4.6 Variation to development standards

- (1) The objectives of this clause are as follows—
 - (a) to provide an appropriate degree of flexibility in applying certain development standards to particular development,
 - (b) to achieve better outcomes for and from development by allowing flexibility in particular circumstances.
- (2) Development consent may, subject to this clause, be granted for development even though the development would contravene a development standard imposed by this or any other environmental planning instrument. However, this clause does not apply to a development standard that is expressly excluded from the operation of this clause.
- (3) Development consent must not be granted for development that contravenes a development standard unless the consent authority has considered a written request from the applicant that seeks to justify the contravention of the development standard by demonstrating—
 - (a) that compliance with the development standard is unreasonable or unnecessary in the circumstances of the case, and
 - (b) that there are sufficient environmental planning grounds to justify contravening the development standard.

- (4) Development consent must not be granted for development that contravenes a development standard unless—
 - (a) the consent authority is satisfied that—
 - (i) the applicant's written request has adequately addressed the matters required to be demonstrated by subclause (3), and
 - (ii) the proposed development will be in the public interest because it is consistent with the objectives of the particular standard and the objectives for development within the zone in which the development is proposed to be carried out, and
 - (b) the concurrence of the Planning Secretary has been obtained.
 - (5) In deciding whether to grant concurrence, the Planning Secretary must consider—
 - (a) whether contravention of the development standard raises any matter of significance for State or regional environmental planning, and
 - (b) the public benefit of maintaining the development standard, and
 - (c) any other matters required to be taken into consideration by the Planning Secretary before granting concurrence.
 - (6) Development consent must not be granted under this clause for a subdivision of land in Zone RU1 Primary Production, Zone RU2 Rural Landscape, Zone RU3 Forestry, Zone RU4 Primary Production Small Lots, Zone RU6 Transition, Zone R5 Large Lot Residential, Zone C2 Environmental Conservation, Zone C3 Environmental Management or Zone C4 Environmental Living if—
 - (a) the subdivision will result in 2 or more lots of less than the minimum area specified for such lots by a development standard, or
 - (b) the subdivision will result in at least one lot that is less than 90% of the minimum area specified for such a lot by a development standard.
- Note** - When this Plan was made it did not include Zone RU4 Primary Production Small Lots.
- (7) After determining a development application made pursuant to this clause, the consent authority must keep a record of its assessment of the factors required to be addressed in the applicant's written request referred to in subclause (3).
 - (8) This clause does not allow development consent to be granted for development that would contravene any of the following—
 - (a) a development standard for complying development,
 - (b) a development standard that arises, under the regulations under the Act, in connection with a commitment set out in a BASIX certificate for a building to which *State Environmental Planning Policy (Building Sustainability Index: BASIX) 2004* applies or for the land on which such a building is situated,
 - (c) clause 5.4,

- (caa) clause 5.5,
- (ca) clause 4.1C or 7.6.

Response:

A formal written request is provided in Appendix C as per the Department of Planning and Environment Guide to Varying Development Standards – November 2023.

4.5.1.6 4.3 Height of Buildings

- (1) The objectives of this clause are as follows—
 - (a) to ensure the height of buildings complements the streetscape or the rural character of the area in which the buildings are located,
 - (b) to protect the heritage character and significance of buildings and avoid an adverse effect on the integrity of heritage items,
 - (c) to ensure the height of buildings protects the amenity of neighbouring properties in terms of visual bulk, access to sunlight, privacy and views.
- (2) The height of a building on any land is not to exceed the maximum height shown for the land on the Height of Buildings Map.

Response:

The proposal has been designed to integrate the proposed dwellings with the streetscape and heritage significance of the area. The proposed dwellings are no greater in height than the 8m height restriction.

4.5.1.7 5.10 Heritage Conservation

- (1) The objectives of this clause are as follows—
 - (a) to conserve the environmental heritage of Goulburn Mulwaree,
 - (b) to conserve the heritage significance of heritage items and heritage conservation areas, including associated fabric, settings and views,
 - (c) to conserve archaeological sites,
 - (d) to conserve Aboriginal objects and Aboriginal places of heritage significance.



Source: NSW Planning Portal

Response:

The site is situated within the Goulburn City General Conservation Area.

The proposal will not inhibit the continued conservation of the environmental heritage of the locality and would not permanently alter and/or impact the heritage amenity, and/or any heritage items within the vicinity.

A Heritage Impact Statement has been prepared by Black Mountain Heritage and a copy is separately attached as Appendix F. It is proposed that the upgrade works associated with the existing residential flat building will be submitted at Construction Certificate stage.

4.5.2 STATE ENVIRONMENTAL PLANNING POLICY

4.5.2.1 State Environmental Planning Policy (Biodiversity and Conservation) 2021

Part 6.5 – Sydney Drinking Water Catchment

The aims of this Chapter are -

- (a) to provide for healthy water catchments that will deliver high quality water while permitting compatible development, and
- (b) to provide for development in the Sydney Drinking Water Catchment to have a neutral or beneficial effect on water quality.

Response:

A NorBE assessment and Music modelling is provided in support of the proposed stormwater design. A copy of the report is separately attached and referenced Appendix D.

4.5.2.2 State Environmental Planning Policy (Building Sustainability Index: BASIX) 2004

The aims of the policy are –

- (1) Regulations under the Act have established a scheme to encourage sustainable residential development (*the BASIX scheme*) under which:
 - (a) an application for a development consent, complying development certificate or construction certificate in relation to certain kinds of residential development must be accompanied by a list of commitments by the applicant as to the manner in which the development will be carried out, and
 - (b) the carrying out of residential development pursuant to the resulting development consent, complying development certificate or construction certificate will be subject to a condition requiring such commitments to be fulfilled.
- (2) The aim of this Policy is to ensure consistency in the implementation of the BASIX scheme throughout the State.
- (3) This Policy achieves its aim by overriding provisions of other environmental planning instruments and development control plans that would otherwise add to, subtract from or modify any obligations arising under the BASIX scheme.

Response:

BASIX Certificate have been submitted as part of this application. The Certificates confirm that the proposed development will comply with the requirements of the Policy.

4.5.2.2 State Environmental Planning Policy (Transport and Infrastructure) 2021

- (1) This section applies to a development application (or an application for modification of a consent) for development comprising or involving any of the following—
 - (a) the penetration of ground within 2m of an underground electricity power line or an electricity distribution pole or within 10m of any part of an electricity tower,
 - (b) development carried out—
 - (i) within or immediately adjacent to an easement for electricity purposes (whether the electricity infrastructure exists), or
 - (ii) immediately adjacent to an electricity substation, or
 - (iii) within 5m of an exposed overhead electricity power line,
 - (c) installation of a swimming pool any part of which is—
 - (i) within 30m of a structure supporting an overhead electricity transmission line, measured horizontally from the top of the pool to the bottom of the structure at ground level, or

- (ii) within 5m of an overhead electricity power line, measured vertically upwards from the top of the pool,
- (d) development involving or requiring the placement of power lines underground unless an agreement with respect to the placement underground of power lines is in force between the electricity supply authority and the council for the land concerned.

Response:

The proposal will require referral to Essential Energy for consideration. Details regarding the location of the existing electrical infrastructure is shown on plan prepared by Premise "Plan Showing Additional Services" dated 7 February 2023, separately attached as Appendix K. Design will be in accordance with essential energy requirements.

4.5.2.3 State Environmental Planning Policy (Resilience and Hazards) 2021

The provisions within the repealed SEPP 55 have been transferred to Chapter 4 (Remediation of Land in the Resilience and Hazards SEPP. The SEPP consolidation does not change the legal effect of the repealed SEPPs with Section 30 of the *Interpretation Act 1987* applying to the transferred provisions. The SEPP consolidation is administrative; the intent and provisions remain largely unchanged.

Clause 4.6(1) (Contamination and remediation to be considered in determining a development application) relevantly states that a consent authority must not consent to the carrying out of any development on land unless:

- a) It has considered whether the land is contaminated, and
- b) If the land is contaminated, it is satisfied that the land is suitable in its contaminated state (or will be suitable, after remediation) for the purpose for which the development is proposed to be carried out, and

Response:

A site inspection was carried out in December 2022 and 2024. No obvious contamination on the land within the development was identified.

There are no known potentially contaminating activities that would have related to the prior use of the site. There is no information that the land has been subject to any notices concerning the need for remediation of the site. There is no information to indicate that the land has been subject to voluntary remediation by any prior landowner.

From this assessment there appears to be no contamination or potential contamination of the land which is the subject of the proposed development. Based on this preliminary assessment it is considered that the site is presently suitable for the proposed development.

4.5.3 DEEMED ENVIRONMENTAL PLANNING INSTRUMENTS

Not Applicable.

4.5.4 DRAFT ENVIRONMENTAL PLANNING INSTRUMENTS

Not Applicable.

4.5.5 DEVELOPMENT CONTROL PLANS

4.5.5.1 Goulburn Mulwaree Development Control Plan 2009

The Goulburn Mulwaree Development Control Plan 2009 (DCP) applies to the site. **Table 3** provides a summary of relevant matters raised via the DCP together with an assessment of project specific compliance.

As outlined at **Table 3**, the development is generally compliant with all relevant provisions of the Development Control Plan.

4.5.5.2 Variations to the Goulburn Mulwaree Development Control Plan 2009

As per the requirements of the *Environmental Planning and Assessment Act 1979* (The Act) we are requesting Council apply flexibly the DCP given the merits of the case. It should be recognised that Section 3.42 of *Environmental Planning and Assessment Act 1979* (The Act) states that the DCP is only to provide guidance and is not a statutory document with which compliance must be demonstrated. To this end, recent cases in the Land and Environment Court have made it clear that a DCP does not have the same status or weight as an LEP, and non-compliance with a provision of a DCP does not itself prevent the granting of consent.

The Act goes further, in relation to strict numerical compliance to a DCP, attention is drawn to Section 4.15(3A) of The Act which grants discretion to a consent authority to apply flexibility in the application of the provisions of a DCP in the assessment of a development application and states as follows:

“(3A) Development control plans

If a development control plan contains provisions that relate to the development that is the subject of a development application, the consent authority:

- a) If those provisions set standards with respect to an aspect of the development and the development application complies with those standards – is not to require more onerous standards with respect to that aspect of the development, and*
- b) If those provisions set standards with respect to an aspect of the development and the development application does not comply with those standards – is to be flexible in applying those provisions and allow reasonable alternative solutions that achieve the objects of those standards for dealing with that aspect of the development, and*
- c) May consider those provisions only in connection with the assessment of that development application.*

In this subsection, standards include performance criteria.”

Subclause (b) is of most relevance as it emphasises that there may be alternatives to strict numeric compliance in achieving the objectives of a DCP Control. It compels the consent authority to be flexible in the application of the DCP controls where the objectives of that control are met. To not apply the DCP flexibly is to be in contempt of The Act.

- A variation is sought to Part 3.6 Vehicular Access and Parking and Clause 4.1.12 Traffic Safety and Management.

Parking

The off -street parking requirements applicable to the development proposal are specified in Part 3.6 of the *GMDCP 2009*, with Mutli dwelling housing requiring 2 spaces per dwelling unit, plus 0.25 spaces per dwelling unit (visitor spaces).

Application of the above parking requirements to the proposed 3 x 4 bedroom dwellings outlined in the development proposal and the existing residential building yields an off-street parking requirement of 8 spaces and 2 visitor spaces.

The proposal makes provision for a total of 8 off-street parking spaces, thereby there is a shortfall of 2 visitor parking spaces in accordance with Part 3.6 of GMDCP 2009. The shortfall of 2 visitor car parking spaces is considered to be acceptable due to:

- Visitor parking occurs on a short-term, intermittent basis only.
- There are 2 on-street parking spaces located directly in front of the site which could be used by visitors.
- Ample on-street kerbside parking is readily available elsewhere in Addison Street and throughout the local area.

Driveway Width and Landscaping

Clause 4.1.12 Traffic Safety and Management requirements applicable the development proposal requests a driveway width of 5.5m after 40m in length and the requirement for 0.5m of landscaping to be provided along the driveway.

The proposal provides a driveway width of 4m wide incorporating the 0.5m of landscaping. This will require the reduction of the DCP control from a width of 5.5m after 40m in length.

Proposed vehicular access to the site will continue to be provided via the existing single lane driveway. The proposed 4m wide driveway allows for emergency services and compliance with the Fire and Rescue NSW – Fire hydrants for minor residential development guideline, the driveway will also provide vehicular access to only 4 pairs of parking spaces and is similar in configuration to the adjacent development located immediately to the north-west of the subject site. Traffic activity generated at the site is expected to be minimal and can be satisfactorily accommodated by retention of the existing single lane driveway.

In addition, it is noted that the 2 parking spaces proposed at the rear of the existing building can function as a passing bay approximately 40m from the street should the need ever arise, as indicated by the swept turning path diagrams (B99 and B85) provided in the Traffic and Parking Report – Appendix E.

The full report further demonstrates the request for variation to the clause.

4.5.6 DEVELOPMENT CONTRIBUTIONS PLANS

Goulburn Mulwaree Local Infrastructure Contributions Plan 2021 is the applicable plan for the proposal.

4.5.7 GMC LOCAL STRATEGIC PLANNING STATEMENT

Planning Priority 4: Housing

Local Strategic Planning Statement 2020 - 2040 Planning Priority and 2040 Vision	The Tablelands Regional Community Strategic Plan 2016 - 2036	South East and Tablelands Regional Plan 2036
<p>4. Housing</p> <p>Vision 2040 - A range and diversity in housing type, which is contextual and affordable is primarily centred on Goulburn and Marulan.</p>	<p>Strategy C01 - facilitate and encourage equitable access to community infrastructure and service, such as health care, education and transport</p> <p>Strategy C05 - maintain our rural lifestyle</p>	<p>Direction 24: deliver greater housing supply and choice</p> <p>Direction 25: focus housing growth in locations that maximises infrastructure and services</p> <p>Direction 27: deliver more opportunities for affordable housing</p> <p>Direction 28: manage rural lifestyles</p>

(Source: LSPS Planning Priority 4: Housing)

Response: The proposal satisfies the planning priorities by providing a development that will deliver a greater housing supply along with a choice of dwellings which has been identified as being in high demand within Goulburn, particularly proximity to the schools, recreational facilities, health services and CBD.

5. IMPACTS, SITE SUITABILITY & THE PUBLIC INTEREST

Pursuant to Division 1 of the EP&A Regulation, this section of the report provides and evaluation of the proposed development against the provisions of sec 4.15 of the EP&A Act.

5.1 4.15(1)(a)(i) The provision of any environmental planning instrument

The development proposal has been assessed against the relevant provisions of the following environmental planning instruments:

- State Environmental Planning Policy (Biodiversity and Conservation) 2021
- State Environmental Planning Policy (Building Sustainability Index: BASIX) 2004
- State Environmental Planning Policy (Resilience and Hazards) 2021
- State Environmental Planning Policy (Transport and Infrastructure) 2021
- Goulburn Mulwaree Local Environmental Plan 2009

The development is consistent with the provisions of these environmental planning instruments, refer to the detailed discussion in Section 4 of this SEE.

5.2 4.15(1)(a)(ii) The provisions of any proposed instrument that is or has been the subject of public consultation under the Act

The proposed development has been assessed against the provisions of the relevant draft instruments that have been the subject of public consultation under the Act.

5.3 4.15(1)(a)(iii) The provisions of any development control plan

The proposed development has been assessed against the provisions of the Goulburn Mulwaree Development Control Plan 2009. See Table 3 for further comments.

5.4 4.15(1)(a)(iiia) The provisions of any planning agreement or draft planning agreement under section 7.4

There are no executed or draft planning agreements applicable to the site.

5.5 4.15(a)(iv) The provisions of the regulations

This Development Application has been made in accordance with the Environmental Planning and Assessment Regulations 2021.

5.6 4.15(1)(b) The likely impacts of the development

Built Form, Neighbourhood Character and Visual

The proposal provides for future housing that would contain appropriate architectural design integration with the existing dwellings surrounding the site. The proposed development will provide a positive contribution to the locality by virtue of the articulation, visual interest and appropriate scale in context of this area of Goulburn.

Heritage

The proposal encourages the stabilisation of the heritage values of the existing residential building which provides a contribution to the street, noting that the building itself is not heritage listed. It is proposed that details of the stabilisation work in accordance with the heritage report will be provided at Construction Certificate stage.

The colour scheme of the proposed multi dwelling housing is reflective of the heritage values discussed within the Heritage Impact Statement. Appendix F.

BCA Compliance

A BCA Assessment Report has been prepared by Certatude – Appendix L. The report provides an overview of the relevant provisions of the BCA for assistance only and proposes that deviations from the Deemed-to-Satisfy provisions of the BCA may be required or demonstrated compliance with the Performance Requirements of the BCA. It is proposed that items relating to the existing residential building will be provided as Construction Certificate stage.

Noise

The noise impacts that could be generated by the proposal are consistent with the approved development on the site and will not result in any adverse noise impact on adjoining properties given that any potential noise generated during construction of the development will occur within the permitted hours and days consented by Council.

Views and Vistas

The proposed development will not obstruct any significant view corridors from any nearby residence or from the public domain.

Utilities

The site has essential utility services connected. The design allows and provides for upgrades and extensions of these utilities to service the proposal and will be subject to detailed design at SWC and CC stage.

Safety, Security and Crime Prevention

The proposal contributes towards a physical environment that encourages a feeling of safety through increased activity on the property. The proposal provides a design and layout that addresses community concerns with regards to community safety and crime on the basis it is a residential development for residential uses. The proposal reduces the opportunity for criminal activity on and around the site through increased human activity on the site, strong territorial reinforcement through clear private/public areas and increased passive and active surveillance.

Social and Economic Impact in the Locality

The proposed development has been designed to optimise the achievement of potential social benefits including those related to access, future housing, security and safety and community interaction. The proposal provides for future housing development that will reduce pressures on housing availability. The proposal will contribute to new job creation for the local community and will be a source of employment during the construction phase. Overall, the proposal will have a positive short and longer term economic and social benefits on the locality.

Construction Impacts

Construction impacts would be short-lived and manageable. The following standard construction management measures would be implemented to ensure impacts to the locality are minimised:

- Standard construction hours (7 am to 6 pm Monday to Friday and 8 am to 1 pm Saturday and at no times on public holidays) would be implemented.
- Avoiding dust generating activities during windy and dry conditions; and
- Maintaining all equipment in good working condition such that the construction contractor and site manager ensure the prevention of the release of smoke by construction equipment, which would be in contravention of Section 124 of the *Protection of the Environment Operations Act 1997* and Clause 16 of the *Protection of the Environment Operations (Clean Air) Regulation 2010*.

5.7 4.15(1)(c) The suitability of the site for the development

The development has been shown to have been designed in accordance with the LEP allowances and Council guidelines contained within the Development Control Plan and having full regard to the present nature of the site and controls dictated by best environmental management of existing site constraints. The development proposal as designed is considered suitable for the site and compatible within the locality.

5.8 4.15(1)(d) Any submissions made in accordance with the Act or the regulations

Public submissions regarding the development proposal have not been made at this stage but would be considered following public notification in accordance with Council policy.

5.9 4.15(1)(e) The public interest

There are no other known issues of public interest that should preclude the consent of this development application.

6. CONCLUSION

The development the subject of this SEE seeks approval to construct multi dwelling housing (three two storey dwelling houses) on the subject site identified as Lot 3 Sec 55 DP 758468 – 28 Addison Street, Goulburn.

The SEE has considered the development against the relevant considerations of the *Environmental Planning and Assessment Act 1979*, relevant State and local environmental planning instruments and the controls in the applicable development control plan. The development is permissible with consent and satisfies the provisions of the relevant legislation and policies.

Potential environmental impacts from the development have been considered by this SEE. The assessment of relevant environmental considerations has found that the development will not have unacceptable impacts, and the approval of the development is in the public interest.



APPENDIX A

PROJECT DRAWINGS

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APPENDIX B

DCP COMPLIANCE TABLE

Table 3 – Development Control Plan Matters and Assessment

Objective/requirement	Standard	Assessment	Compliance
<p>Section 1.8 Variations to Controls</p>	<p>Council acknowledges that it is not possible for this plan to account for all possible situations and development scenarios. Consequently, the development controls under this plan have been designed to be flexible.</p> <p>When circumstances warrant, Council may consent to an application which departs, to a minor extent, from the provisions of this plan. In such cases, a written submission must be lodged with the development application, outlining the variation, providing reasons why the variation is necessary or desirable, and setting out how the objectives of the particular provision are satisfied by the proposal.</p> <p>Some of the relevant factors in determining whether a departure from this plan is warranted include:</p> <ul style="list-style-type: none"> a) Whether there will be any detrimental impact on the amenity of the existing and future residents. b) Whether there will be any detrimental impact on the amenity of the area c) That nature and size of the departure d) The degree of compliance with other relevant requirements 	<p>See section 4.5.5.2</p>	<p>Variation 4.5.5.2</p>

Objective/requirement	Standard	Assessment	Compliance
	e) The circumstances of the case, including whether the particular provisions unreasonable and /or unnecessary f) Priorities identified on a site analysis of being more importance than what is being departed from. g) Whether non-compliance will prejudice the objectives of the zone and the aims of this plan.		
Section 3.1 Indigenous Heritage and Archaeology	To provide for the consideration of impacts on indigenous heritage and archaeology from proposed development within the Goulburn Mulwaree Local Government Area.	There are no known sites of Aboriginal cultural heritage significance within the subject site.	NA
Section 3.2 European (Non-Indigenous) Heritage Conservation	To conserve and enhance the heritage significance and qualities of heritage items conservation areas and archaeological remains and relics.	The subject land is located within a Heritage Conservation zone. A detailed Statement of Heritage Impact Statement is separately attached as Appendix F. Works proposed in accordance with the report for the existing building will be incorporated in the detailed Construction Certificate plans.	YES
Section 3.5 Landscaping	Development proposals over \$250,000 value are to be accompanied by landscape plans prepared by a qualified landscape architect, designer or other suitable qualified person.	The proposal includes a landscape plan and site analysis plan in support of the application and is separately attached as Appendix J.	YES

Objective/requirement	Standard	Assessment	Compliance
Section 3.5.2 Residential Development	Development of two or more dwellings require a landscape plan.	Complies. The proposal includes a landscape plan and site analysis plan in support of the application and is separately attached as Appendix J.	YES
Section 3.5.4 Streetscape (Urban)	For infill development that abuts an existing public street, the application should demonstrate how the development fits in with the existing streetscape and makes efficient use of the site.	Complies. The proposal has a height and scale that is two storey and fits within the existing established residential character.	YES
Section 3.5.5 Fences and Gates	Design fences to respect the architectural character of the house and heritage context.	Complies. Existing boundary fences will be maintained. The only new proposed fences will be the dividing fences between the proposed dwelling houses.	YES
Section 3.5.6 Setbacks	All setbacks are to be landscaped. No parking will be permitted within setback areas.	Complies. See separately attached landscape plan marked Appendix J.	YES
Section 3.6 Vehicular Access and Parking	<p>Where on-site car parking or service areas are required, ensure that the layout and design does not detract from amenity of adjoining areas.</p> <p>To ensure the design of parking and servicing areas is efficient, safe, convenient, discrete and suitably landscaped.</p> <p>Minimise nuisance caused by traffic movement, generation, and servicing.</p>	<p>Parking</p> <p>The off-street parking requirements applicable to the development proposal are specified in Part 3.6 of the <i>GMDCP 2009</i>, with Mutli dwelling housing requiring 2 spaces per dwelling unit, plus 0.25 spaces per dwelling unit (visitor spaces).</p> <p>Application of the above parking requirements to the proposed 3 x 4 bedroom dwellings outlined in the development proposal and the existing residential building</p>	Variation 4.5.5.2

Objective/requirement	Standard	Assessment	Compliance
		<p>yields an off-street parking requirement of 8 residential spaces and 2 visitor spaces.</p> <p>The proposal makes provision for a total of 8 off-street residential parking spaces, thereby there is a shortfall of 2 visitor parking spaces in accordance with Part 3.6 of GMDCP 2009. The shortfall of 2 visitor car parking spaces is considered to be acceptable due to:</p> <ul style="list-style-type: none"> • Visitor parking occurs on a short-term, intermittent basis only. • There are 2 on-street parking spaces located directly in front of the site which could be used by visitors. • Ample on-street kerbside parking is readily available elsewhere in Addison Street and throughout the local area. <p>Driveway Width</p> <p>Vehicular access to the site will continue to be provided via the existing single lane driveway. The driveway will provide vehicular access to only 4 pairs of parking spaces and is similar in configuration to the adjacent development located immediately to the north-west of the subject site. Traffic activity generated at the site is expected to be minimal and can be satisfactorily accommodated by retention of the existing single lane driveway.</p>	

Objective/requirement	Standard	Assessment	Compliance
		<p>In addition, it is noted that the opening for the 2 parking spaces proposed at the rear of the existing building can function as a passing bay approximately 40m from the street should the need ever arise, as indicated by the swept turning path diagrams reproduced in the report.</p> <p>A full Traffic and Parking Assessment Report prepared by Varga Traffic Planning Pty Ltd is separately attached as Appendix E. The full report further demonstrates the request for variation to the clause.</p>	
<p>Section 3.7 Crime Prevention through Environmental Design</p>	<p>Enhance and improve community safety within the Goulburn Mulwaree local government area.</p> <p>Create a physical environment that encourages a feeling of safety.</p> <p>Address community concerns with regard to issues of community safety and crime prevention</p> <p>Reduce the level of crime within the Goulburn Mulwaree local government area.</p> <p>Prevent the opportunity for criminal activity.</p> <p>Ensure that new development promote CPTED</p>	<p>Complies. The proposal creates the opportunity for future dwellings with resultant increased passive and active surveillance in and around the property. The proposal contributes towards a physical environment that encourages a feeling of safety through increased activity on the property. The proposal provides a design and layout that addresses community concerns with regards to community safety and crime on the basis it is a residential development that is for private residential uses. The proposal reduces the opportunity for criminal activity on and around the site through increased human activity on site, strong territorial reinforcement through clear</p>	<p>YES</p>

Objective/requirement	Standard	Assessment	Compliance
		private/public areas and increased passive and active surveillance.	
Section 3.16 Stormwater Pollution	The management of urban stormwater volumes has relied upon engineering hard pipes and channel systems. These systems are effective at removing stormwater quickly and therefore minimise the social and economic costs of flooding, however, do not address stormwater quality issues. To limit the amount of pollution entering waterways via stormwater, new development should implement such measures as: <ul style="list-style-type: none"> • Incorporate pervious portions into otherwise sealed areas, to allow water to infiltrate onto the ground. • Attempt to 'fit' development into the hydrology of the natural system. • Reduce the possibility of pollutants entering the stormwater by implementing erosion and sedimentation controls. • Provide on-site detention to control peak stormwater flows. • Where open space is part of a development, investigate its dual use for site drainage by means of 	Complies. A NorBE Assessment and Music modelling has been prepared in support of the stormwater design for the proposal and is separately attached as Appendix D.	YES

Objective/requirement	Standard	Assessment	Compliance
	infiltration and or delayed release to the stormwater system. Reference should also be made to State Environmental Planning Policy (Biodiversity and Conservation) 2021 – Part 6.5 Sydney Drinking Water Catchment.		
Section 3.18 Urban Servicing (Water and Sewer)	The objectives of the clause are to: Promote the orderly and economic use and development of the land in urban areas where water and sewer reticulation services exist. To ensure the maximisation and optimal use of public water and sewer infrastructure. To improve amenity outcomes in relation to odour and run off from on-site effluent disposal systems by connection to reticulated town sewer services. To ensure consistent water supply. To protect water quality within the Sydney drinking water catchment. To ensure better health outcomes in areas with a higher density of population.	The proposal utilises and enhances the existing reticulated network for water and sewer to service the proposal. Plans have been included which demonstrate the availability and enhancement requirements for the proposal with further detailed designs to be provided at SWC and CC stage.	YES
Section 4.1 Residential Development	This section applies to residential development, residential development in business zones and miscellaneous development in residential zones	Complies. The proposal has been designed to retain significant landscape features, remnant vegetation and identified existing constraints/easements.	YES
	4.1.1 Site planning, bulk, scale and density	Complies. The proposal provides accessibility to pedestrian, cycle and vehicle links to open space networks and provides for compatibility	YES

Objective/requirement	Standard	Assessment	Compliance
	<ul style="list-style-type: none"> • Adequate pedestrian, cycle and vehicle links to street and open space networks. • Buildings facing streets and open spaces. • Buildings, streetscape, and landscape design relating to site topography and the surrounding neighbourhood character; 	with the surrounding neighbourhood character.	
	<p>4.1.3 Raingardens Raingardens are to be located on a low spot away from any dwelling with access to sunlight.</p>	Not Applicable. See proposed stormwater design, Appendix D.	YES
	<p>4.1.4 Cut and Fill</p> <ul style="list-style-type: none"> • Earthworks shall be undertaken to a maximum of 600mm excavation or fill from the natural surface level of the property. • Council will assess proposals for excavation or fill greater than 600mm having regard to the visual impact of the proposed earthworks. • All cut and fill shall have a setback to the boundary to permit any retaining walls to be located wholly within the property boundary and to allow fencing to be installed at the boundary. 	<p>Complies. Earthworks associated with the proposed development will be undertaken in accordance with the DCP 2009.</p> <p>Earthworks will be wholly within the property boundaries.</p>	YES

Objective/requirement	Standard	Assessment	Compliance
	4.1.5 Dwelling Design Dwelling houses and each unit of a detached dual occupancy development are not to comprise of substantially the same streetscape design of any other dwelling house or unit of a detached dual occupancy development that exists or proposed as part of the same application within four lots either side of the development site and on either side of the road it is fronting.	Complies. The proposal does not have substantially the same streetscape design as what currently exists.	YES
	4.1.6 Number of Storeys Dwellings and multi dwellings are to have a maximum of 2 storeys outside the statutory mapped areas.	Complies. Proposed dwellings are two-storey.	YES
	4.1.7 Solar Access Achieve energy efficient urban housing using passive solar design that provides residents with year round comfort and reduces energy consumption.	Complies. See solar diagrams prepared by Paul Meyer Design, Appendix A.	YES
	4.1.8 Privacy Windows and balconies are not to be positioned in a location where it allows for direct views into nearby/adjoining habitable rooms.	Compiles. Given the location of proposed windows, height and surrounding boundary fencing, there will be no views into adjoining POS or internal living rooms of adjoining dwellings.	YES
	4.1.9 Private Open Space Whenever possible private open space is to be orientated to have a north easterly aspect and	Complies.	YES

Objective/requirement	Standard	Assessment	Compliance
	<p>the principal living areas are to have direct access to the private open space.</p> <p>Areas used for driveways, car parking, drying yards, service yards, rain gardens, rainwater tanks, services or the like shall not be included in private open space.</p> <p>The minimum amount of private open space required per detached, attached or semi-detached dwelling is 75m². This 75m² of private open space must be a single contiguous area with a minimum length of 6m and width of 4m.</p>		
	<p>4.1.10.1 Rear Setback</p> <p>A minimum rear setback of 6m is required for all residential development.</p>	Complies.	YES
	<p>4.1.10.2 Side Setback</p> <p>A minimum side setback of 1m is required for all residential development, which excludes all ancillary service infrastructure such as hot water services, air-conditioning units, electrical meter boxes and the like.</p>	Complies.	YES
	<p>4.1.10.3 Front Setback</p> <p>A minimum front setback of 4.5m, measured from the forward building line to the property boundary, is required for residential development. A smaller front setback distance may be considered if it is consistent with the front setback of adjacent dwellings constructing on subdivisions that predate this DCP.</p>	Complies.	YES

Objective/requirement	Standard	Assessment	Compliance
	Garages must be setback a further 1m from the front façade of the building in accordance with the controls contained within the next section.		
	4.1.11 Views To minimise, where possible, the obstruction of views from adjoining buildings or public spaces. To maximise views from living areas within the allotment.	Complies. It is anticipated that views from adjoining buildings will not be obstructed.	YES
	4.1.12 Traffic Safety and Management Ensure that garages meaningfully contribute to the parking capacity of the dwelling. Reduce the visual impact of garages, carports and parking areas on the streetscape and improve dwelling presentation. Provide sufficient and convenient parking for residents, visitors, and service vehicles.	<p>Parking</p> <p>The off -street parking requirements applicable to the development proposal are specified in Part 3.6 of the <i>GMDCP 2009</i>, with Mutli dwelling housing requiring 2 spaces per dwelling unit, plus 0.25 spaces per dwelling unit (visitor spaces).</p> <p>Application of the above parking requirements to the proposed 3 x 4 bedroom dwellings outlined in the development proposal and the existing residential building yields an off-street parking requirement of 8 residential spaces and 2 visitor spaces.</p> <p>The proposal makes provision for a total of 8 off-street residential parking spaces, thereby there is a shortfall of 2 visitor parking spaces in accordance with Part 3.6 of GMDCP 2009. The shortfall of 2 visitor car parking spaces is considered to be acceptable due to:</p>	Variation 4.5.5.2

Objective/requirement	Standard	Assessment	Compliance
		<ul style="list-style-type: none"> • Visitor parking occurs on a short-term, intermittent basis only. • There are 2 on-street parking spaces located directly in front of the site which could be used by visitors. • Ample on-street kerbside parking is readily available elsewhere in Addison Street and throughout the local area. <p>Driveway Width and landscaping Clause 4.1.12 Traffic Safety and Management requirements applicable the development proposal request a driveway width of 5.5m after 40m in length and the requirement for 0.5m of landscaping to be provided along the driveway. The proposal provides a driveway width of 4m wide. This will require the reduction of the DCP control from a width of 5.5m after 40m in length 0.5m of landscaping to be provided along the driveway.</p> <p>Vehicular access to the site will continue to be provided via the existing single lane driveway. The proposed 4m wide driveway allows for emergency services and compliance with the Fire and Rescue NSW – Fire hydrants for minor residential development guideline, the driveway will also</p>	

Objective/requirement	Standard	Assessment	Compliance
		<p>provide vehicular access to only 4 pairs of parking spaces and is similar in configuration to the adjacent development located immediately to the north-west of the subject site. Traffic activity generated at the site is expected to be minimal and can be satisfactorily accommodated by retention of the existing single lane driveway.</p> <p>In addition, it is noted that the opening for the 2 parking spaces proposed at the rear of the existing building can function as a passing bay approximately 40m from the street should the need ever arise, as indicated by the swept turning path diagrams reproduced in the report.</p> <p>A full Traffic and Parking Assessment Reports prepared by Varga Traffic Planning Pty Ltd is separately attached as Appendix E. The full report further demonstrates the request for variation to the clause.</p>	
	<p>4.1.13 Site Facilities Design to integrate adequate and convenient site facilities such as storage, recycling and collection areas into the overall development.</p>	<p>Complies.</p>	<p>YES</p>
	<p>4.1.14 Energy Efficient Siting and Layout Achieve improved energy efficiency through the siting and design of all buildings.</p>	<p>Complies.</p>	<p>YES</p>

Objective/requirement	Standard	Assessment	Compliance
	4.1.15 External Window Shading and Internal and External Lighting Integrate external window shading into the design of buildings to improve energy efficiency and comfort. Maximise natural light to buildings and reduce the non-renewable energy resources.	Complies.	YES
	4.1.16 Insulation Improve the energy efficiency and comfort of buildings by designing to make the best use of natural ventilation.	Complies.	YES
	4.1.17 Space Heating and Cooling Where thermal comfort cannot be achieved through building design elements choose energy-efficient and environmentally friendly space heating and cooling systems.	Complies.	YES
Section 7.1 Utility Services	To provide satisfactory utility services to the development site.	Essential services will be designed to service the proposal. Detailed design plans will be provided at SWC and CC stage.	YES
Section 7.3.1 and 7.3.2 Drainage and Soil and Water Management	To ensure that potential impacts of development on the water quality of the catchment can be quantified and evaluated in the context of ESD.	Complies. See separately attached NorBE assessment Appendix D.	YES
Section 7.4 Easements	Easements shall be required pursuant to section 88B of the <i>Conveyancing Act 1919</i> , as specified.	All required easements will be identified, and associated instruments provided.	YES



APPENDIX C

4.6 VARIATION REQUEST



APPENDIX D

STORMWATER MANAGEMENT REPORT AND DESIGN

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APPENDIX E

TRAFFIC AND PARKING ASSESSMENT REPORT

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APPENDIX F

HERITAGE IMPACT STATEMENT

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APPENDIX G

FIRE HYDRANT COVERAGE DESIGN

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APPENDIX H

COUNCIL PRE-LODGEMENT MEETING MINUTES – FWA/0030/2223

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APPENDIX I

MATERIALS AND COLOUR CHART



APPENDIX J

LANDSCAPE PLAN

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APPENDIX K

ADDITIONAL SERVICES PLAN

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APPENDIX L

BCA ASSESSMENT REPORT



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