

Our Reference 322500-007

28 March 2025

Planning Department
Snowy Valleys Council

Lodgement via NSW Planning Portal

Dear Sir/Madam,

**Development Application for a Dwelling House
Statement of Environmental Effects
17 Byatt Street, Khancoban**

1. INTRODUCTION

Spiire Australia has been engaged by Expandable Container Homes Pty Ltd to seek consent for the construction of a dwelling home on land at 17 Byatt Street, Khancoban.

The following forms part of the Development Application to Snowy Valleys Council, the determining authority. The purpose of this document is to provide background information about the subject site and surrounding environs, a detailed description of the proposal and an assessment against the relevant planning instruments and a Statement of Environmental Effects.

This document should be read in conjunction with the following documents:

- ▶ Proposed Dwelling Plans, prepared by Expandable Container Homes
- ▶ Proposed Colour Scheme, prepared by 6 Homes
- ▶ Copy of Title
- ▶ Bushfire Assessment Report, prepared by Hunter Bushfire Services
- ▶ BASIX Certificate prepared by Green Salt Pty Ltd

2. SITE DESCRIPTION AND CONTEXT

2.1 The Site

The subject site is located approximately 450m northeast of Khancoban town centre. Formally known as Lot 39 in Deposited Plan 1104732, the site is 800.6m² in area and has a frontage of 19m to Byatt Street.

The site is irregular in shape and currently vacant of any built form and significant vegetation. Vehicle access is via an existing crossover fronting Byatt Street. The site adjoins two vacant residential lots.

A sewerage easement traverses the rear of the site and a Covenant in relation to the use of the land. Refer to the title documentation submitted for details.



Figure 1: Site Photo



Figure 2: Subject site (source: SIX Maps)

2.2 Adjoining Properties & Surrounds

The subject site abuts two vacant residential parcels of the land to the northeast (19 Byatt Street) and southwest (15 Byatt Street). To the immediate northwest is Coldwater Creek and associated environs. Further northwest is private rural bushland.

The subject site is located within an establishing residential area of Khancoban, diverse in character, comprising built form of low-rise and generally street-aligned development.

2.3 Relevant Planning Controls

The relevant statutory planning instruments and planning controls affecting the site include:

- ▶ Environmental Planning and Assessment Act 1979, as amended (EP&A)
- ▶ Tumbarumba Local Environmental Plan 2010
- ▶ Snowy Valleys Development Control Plan 2024

An assessment of the proposal against the relevant planning instruments and controls is provided in Section 4 below. A response to the matters for consideration by a consent authority listed under Section 4.15 of the EP&A Act is addressed in Section 4.

3. DEVELOPMENT PROPOSAL

This development application seeks consent for the construction of a dwelling house at 17 Byatt Street, Khancoban.

The proposed dwelling will be single storey and sited generally central to the site. The dwelling will be approximately 12.2m x 3.45m and have a floor area of approximately 42m². The dwelling will comprise two bedrooms, one bathroom, kitchen/living/dining and laundry. The dwelling will have two deck areas to the front and rear of the dwelling. The deck along the frontage will be covered to provide comfortable entry to the building.

The dwelling will be setback approximately 9m from the front boundary (Byatt Street), approximately 5.5m from northeast boundary and 5m to the southwest boundary

The dwelling will be clad in vertical cladding in shale grey cladding and roof in surf mist.

Vehicle access to the site will be via the existing crossover from Byatt Street.

Refer to the Dwelling Plans submitted with the application for further details.

The site plan shows a proposed building with a footprint of approximately 1000' x 1000'. The building is situated on a lot bounded by 10th Street to the north, 11th Street to the south, and 12th Street to the east. The plan includes a detailed layout of the building's interior, showing rooms, corridors, and a central courtyard. Surrounding the building are various parking spaces, some of which are marked with dimensions. The plan also shows the location of existing structures, including a building at 1000 West 10th Street and a building at 1000 West 11th Street. The plan is dated 10/10/2010 and includes a north arrow.

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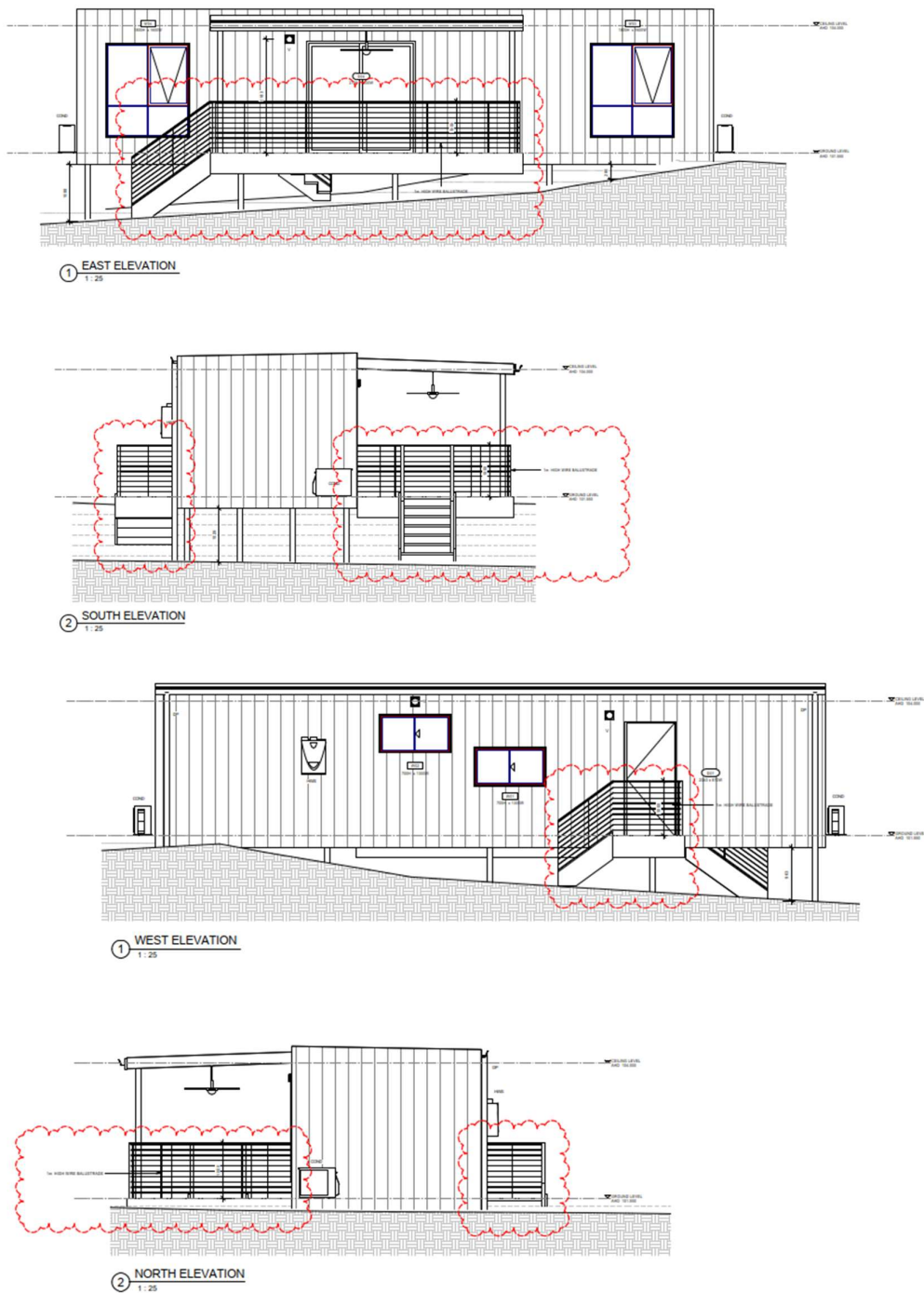


Figure 5: Proposed Elevations

4. PLANNING ASSESSMENT

4.1 Tumbarumba Local Environment Plan 2010

Under the provisions of the Snowy Valleys Council Local Environment Plan 2010 (LEP), the site is zoned RU5 -Village.

The objectives of Zone RU5 include:

- ▶ *To provide for a range of land uses, services and facilities that are associated with a rural village.*
- ▶ *To ensure development is undertaken in a manner that minimises impacts on adjoining properties.*

A dwelling house is a permitted with consent land use in the RU5 zone.

The proposed dwelling is consistent with the objectives of the zone, it will provide a new dwelling in a residential area of Khancoban. As outlined in the following sections the dwelling is appropriately setback from all boundaries and is of appropriate scale.

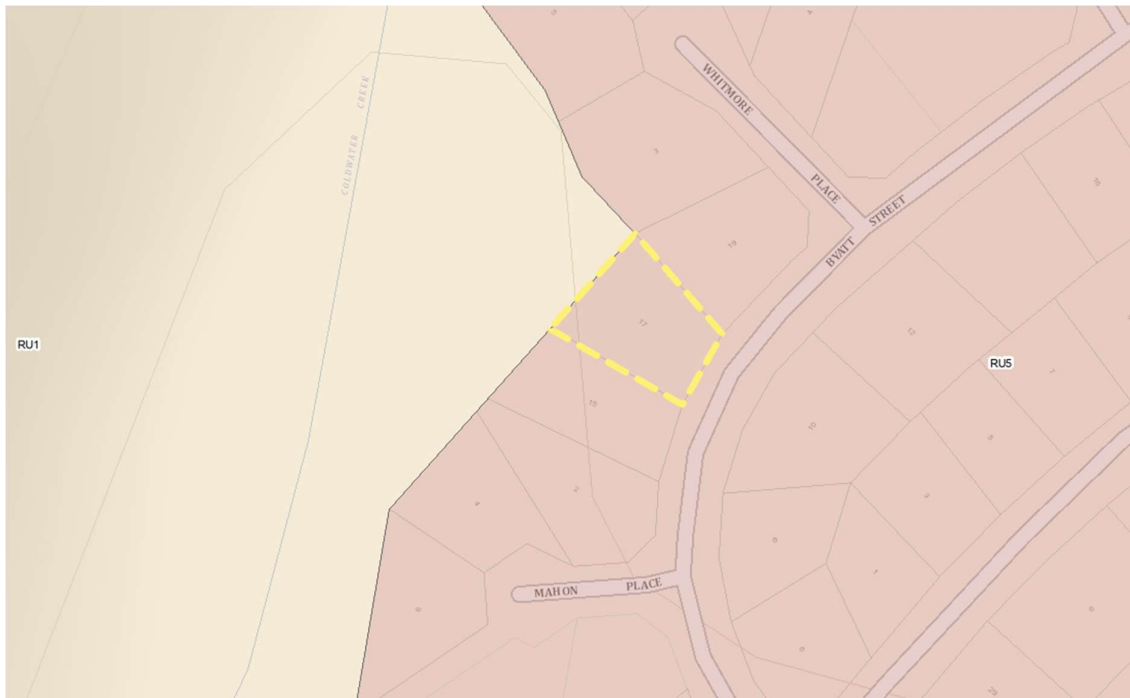


Figure 6: Zone Map (subject site indicated in yellow)

4.2 Snowy Valleys Development Control Plan 2024

Part 3 (Requirements Applying to All Types of Development) & Part 4 (Residential Development) and of the Snowy Valleys Development Plan 2024 (DCP) is relevant to this application.

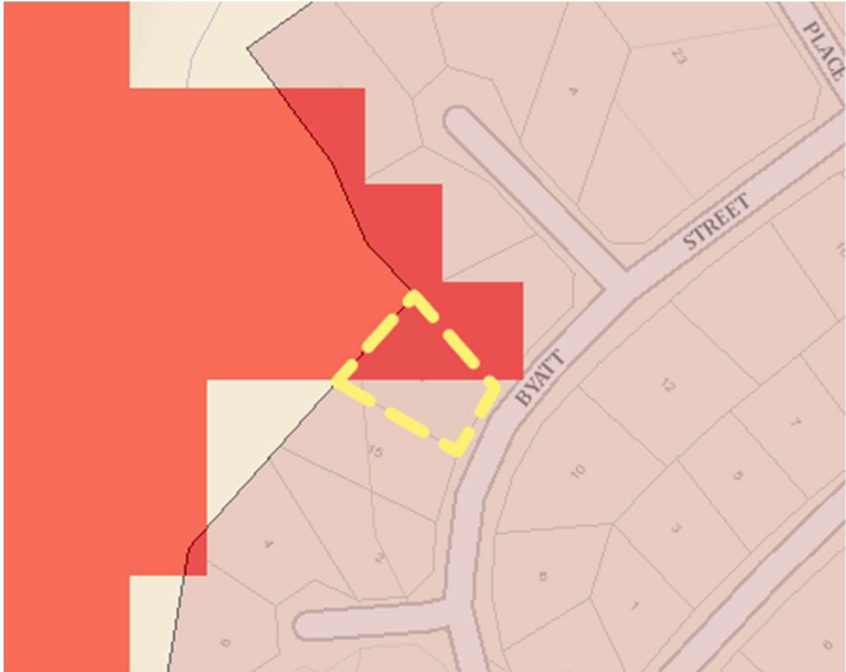
The objectives of chapter are to:

- ▶ *encourage good design and amenity in residential development, and*
- ▶ *establish local development criteria for the siting and design of residential development, privacy, noise, vehicular access, parking and open space.*

As required by Part 4.3 a BASIX Certificate has been prepared and submitted with this development application.

Part 4.5 Dwelling Houses in Residential and Village Zones provide development controls for dwellings in residential and village zones. The following tables responds to the relevant controls.

Response to Part 3.2 of DCP

Control	Response
Vehicle Access Standards	The proposed dwelling will be accessed via the existing crossover from Byatt Street.
Bushfire	 <p>A Bushfire Risk Assessment has been prepared and submitted with the application. The proposed dwelling will be constructed a BAL29 to respond to the bushfire risk.</p>
Car Parking	There is sufficient space on site to provide for more than 2 car spaces onsite.
Construction Over Council Land and Services	The proposed development will be connected into the existing drainage, sewer and water services available to the site.
Contaminated Land	There is no evidence of soil contamination.
Cut and Fill	No cut and fill is proposed.
Demolition	No demolition is required.
Development Near Electrical Easements	The proposed dwelling is not being sited adjacent to the electrical easements/infrastructure.
Erosion and Sediment Control	As the proposed dwelling will be placed on site, construction works will be minimal and unlikely to cause unacceptable erosion or sediment.

Flooding	The site is not subject to flooding.
Heritage	The site is not in a heritage conservation area.
Landscaping	Whilst a landscape design has not been prepared, the site will be landscaped with appropriate species in a residential environment.
On-site Wastewater Management	The dwelling will be connected to councils reticulated system.
Provision of Services	All services are available and will be connected to the dwelling as per Authority requirements.
Retaining Walls	No retaining walls are proposed or required.
Safer By Design	The proposed dwelling addresses the street frontage.
Stormwater/roof Water Management	The dwelling will connect into the existing drainage system as per Council requirements.

Response to Part 4.0 of DCP

Control	Response
BASIX	The proposal meets all the required BASIX and DCP sustainability requirements.
SEPP (Exempt and Complying Development Codes) 2008	N/A
Dwelling Houses in Residential and Village Zones Table 1 Height – max. 8.5m Site Coverage – 50% Landscaping – 30% Front setback – 6m Rear setback – 4.5m Side setback – 0.9m Private open space – 24² Car Parking – 2spaces	<p>The proposed dwelling complies with the residential development controls for dwelling houses based on relevant Lot sizes in village zones in table 1.</p> <ul style="list-style-type: none"> ▶ The height of the dwelling does not exceed the maximum height of 8.5m above natural ground level. ▶ The proposed dwelling does not exceed the maximum site coverage of 50% of the approximate 800m² lot. ▶ Whilst a landscape design has not been prepared, the site will be landscaped with coverage meeting the minimum 30%. ▶ As detailed in the attached Proposed Dwelling Plans, prepared by Expandable Container Homes, the single storey dwelling is in line with the front setbacks of the existing dwellings within the area. The minimum rear setback of 4.5m and the minimum side setback of 900mm is not exceeded. ▶ The minimum private open space of 24m² is achieved.

- ▶ There is sufficient space on the subject site to provide for more than 2 off road car spaces and 1 space behind the dwelling.

Building Design	The proposed dwelling provides for an individual form with the dwelling façade of raw timber colour and black detail. The materials and colours chosen will non-reflective finish. The proposed dwelling design in form and elements will complement the streetscape.
Building Setbacks - General	The proposal is within a developing area and therefore does not currently have neighbouring dwellings, however the proposed setbacks of the dwelling are consistent with the average setback of dwellings within the immediate area.
Carports and Garages	No carport or garage is proposed.
Fencing	No fencing is proposed.
Landscaping	Whilst a landscape design has not been prepared, the site will be landscaped with appropriate species in a residential environment.
Private Open Space	There is adequate open space to attain year-round, solar access for comfortable use.
Retaining Walls	No retaining walls are proposed
Privacy	The dwelling is appropriately sited and designed to ensure the private indoor and outdoor living areas of adjoining properties is not negatively impacted by overlooking.
Services	The dwelling will be connected to the available services including both the Council's reticulated water supply and sewerage system

4.3 Statement of Environmental Effects

Section 4.15 Matters for Consideration

Under the provisions of Section 4.15 of the EP&A Act 1979, in determining a development application, a consent authority must consider the following matters which are relevant to this application:

(a) *the provisions of—*

- (i) *any environmental planning instrument, and*
- (ii) *any proposed instrument that is or has been the subject of public consultation under this Act and that has been notified to the consent authority (unless the Planning Secretary has notified the consent authority that the making of the proposed instrument has been deferred indefinitely or has not been approved), and*
- (iii) *any development control plan, and*

(iia) any planning agreement that has been entered into under section 7.4, or any draft planning agreement that a developer has offered to enter into under section 7.4, and

(iv) the regulations (to the extent that they prescribe matters for the purposes of this paragraph), that apply to the land to which the development application relates,

(b) the likely impacts of that development, including environmental impacts on both the natural and built environments, and social and economic impacts in the locality,

(c) the suitability of the site for the development,

(d) any submissions made in accordance with this Act or the regulations,

(e) the public interest.

In response to the matters above, the following is provided:

- ▶ The proposed development accords with the relevant requirements of the Tumbarumba Local Environmental Plan 2010 (LEP) and the Snowy Valleys Development Control Plan (DCP) applying to the land, as outlined in section 4.1 and 4.2 below.
- ▶ There are no draft planning instruments or planning agreements that would prevent the assessment or approval of the development.
- ▶ There are no relevant matters prescribed by the regulations that apply to the land.
- ▶ The proposal is for the installation of a dwelling house on land zoned for residential purposes. The site is suitable for development of this nature. There will be no impacts from this development on both the natural and built environments.
- ▶ Residential development on appropriately zoned residential land accords with relevant strategy for the Snowy Valley area. In the interest of the public, appropriate development of a similar scale and size of the surrounding built environment is required. The proposed development achieves this.

Table 1 identifies potential impacts which may occur as a result of the proposed development and are relevant matters for the consideration of the DA under Section 4.15(1)(b) to (e) of the EP&A Act 1979.

Table 1: Assessment of Impacts

Relevant Matters	Response
Context and Setting	The proposal is for the construction of a dwelling on a residential lot in an establishing residential area.
Privacy	The proposal is not considered to impede on the existing privacy of neighbouring properties.
Traffic Access & Carparking	The proposal does not introduce any new traffic or access requirements that are considered out of character. Vehicle access will be via the existing crossover and a carport provided.
Infrastructure	Existing infrastructure is considered appropriate to service the proposed dwelling.
Heritage	There are no heritage items or heritage conservation areas in the immediate surrounds. The subject land is a highly modified site and has very little likelihood of any items of containing cultural heritage.

Relevant Matters	Response
Soils & Erosion	The proposal will not involve minimal earthworks, and existing conditions are considered adequate for the proposed development.
Flora & fauna	The proposal will not involve a significant impact to biodiversity.
Stormwater	Stormwater will flow to the legal point of discharge,
Landscaping	There is sufficient space on site for landscaping.
Natural Hazards	The land is not mapped within any natural hazards.
Safety, security & crime prevention	The proposal is not considered to change existing safety, security & crime prevention within the site or broader locality.
Construction	The installation shall occur over a short period of time and only between appropriate hours of operation.
Social & economic impacts	The proposal is considered to create a positive social & economic impact as it will provide an additional house in an establishing residential area.
Suitability of the site for development	The proposal is for a new house on existing residential lot.
The public interest	As outlined, it is considered that approval of the application is consistent with the public interest. The development of land in an orderly and economic way is in the public interest.

5. CONCLUSION

As outlined above, the proposed development is satisfactory when assessed under the matters for consideration under Section 4.15 of the *Environmental Planning and Assessment Act 1979*. No adverse environmental impacts have been identified, therefore, no measures in mitigation are proposed.

The construction of a dwelling house on land at 17 Byatt Street, Khancoban is appropriate in the context of the site and its surrounding environment and will positively contribute to the surrounding residential character.

Having regard to all relevant planning considerations, it is considered that the design, location, nature and scale of the proposal is commended to Council as one seeking to achieve the relevant strategic direction for residential development within the Snowy Valleys Shire Council.

Yours sincerely,



Casey Collins
Senior Associate - Planning