



AUGUST 2022

Four (4) Unit Multi Dwelling Housing
Development & Five (5) Lot Community Title
Subdivision

45 Shailer Terrace, Euston

Submitted to Balranald Shire Council
On behalf of MH2 Engineering & Architectural Services Pty Ltd

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1. Introduction

1.1. Overview

This Statement of Environmental Effects (SEE) has been prepared by Habitat Planning on behalf of MH2 Engineering & Architectural Services Pty Ltd and is submitted to Balranald Shire Council in support of a Development Application (DA) for a four (4) unit multi dwelling housing development and five (5) lot community title subdivision at land described as Lot 2 in DP510845 and addressed as 45 Shailer Terrace, Euston.

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

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

1.2. Pre-Lodgement Meeting

The applicant sought and undertook two pre-lodgement meetings with Council staff prior to the preparation of the DA. Two key factors that were identified during this process included:

- a) the parcel to be subdivided must have a building or part of a building within its boundaries; and*
- b) complete and finalised house plans must be submitted as part of the DA for approval.*

The applicant has acknowledged these key issues and have designed their development and prepared plans accordingly. In addition, Council could not confidently state whether the proposed development would be compliant with the RU5 Village Zone nor how the specified State Environmental Planning Policies would impact the proposed development and/or how they co-exist with local planning provisions.

1.3. Supporting Plans and Documentation

This application is accompanied by:

- Title Details
- Architectural Plans, prepared by MH2 Engineering & Architectural Services
- Proposed Plan of Subdivision, prepared by MH2 Engineering & Architectural Services
- BASIX Certificates

2. Site Analysis

2.1. Site Location and Context

The subject site is described as Lot 2 in DP510845 and addressed as 45 Shailer Terrace, Euston. It is located within the urban environs of the riverside settlement of Euston, approximately 300 metres west of the CBD and 60 metres south of the Sturt Highway.

The locational context of the site is indicated in the following figure.

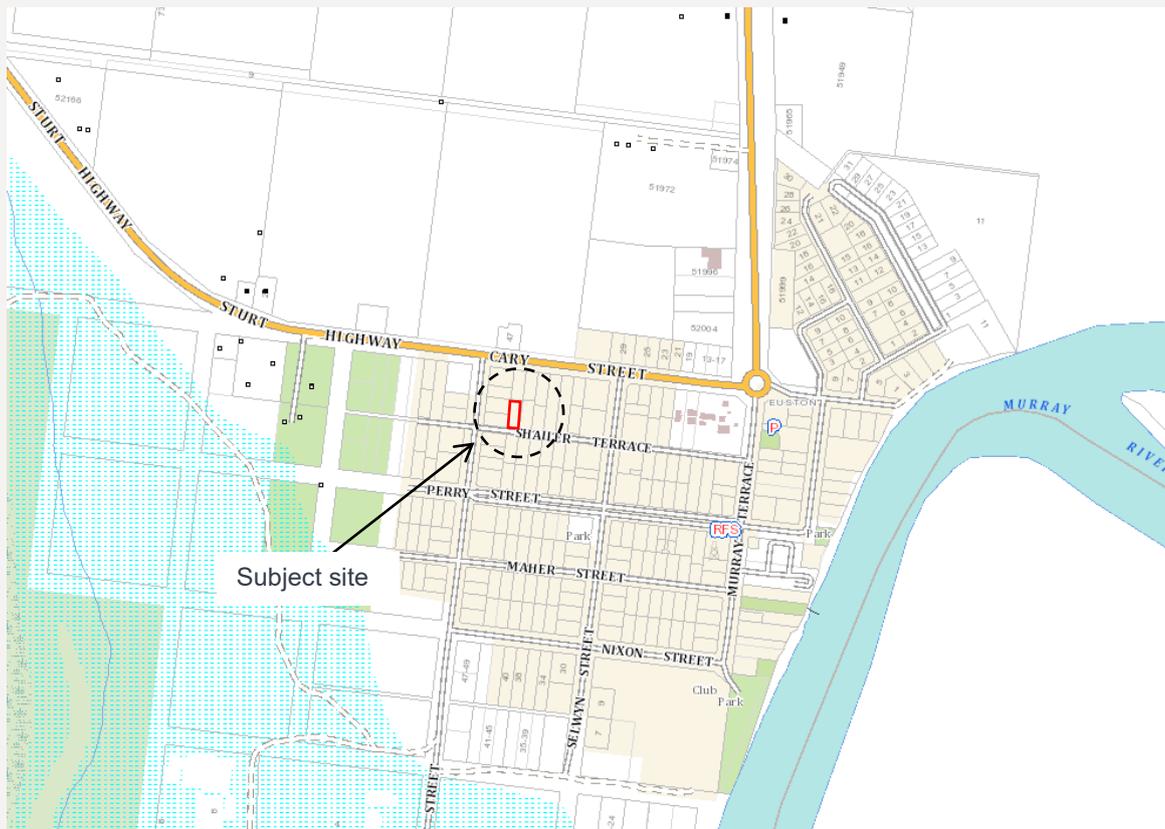


Figure 1 – Context or Site Map

2.2. Site Description

The site forms a rectangular parcel with a width of 20.12 metres and a depth of 50.29 metres and a total area of 1011.7m². The site is located in a modified urban environment that was recently subject to the demolition of a single dwelling and outbuilding. This site has access to all essential services including reticulated water and sewer, electricity, gas and telecommunications. Access is provided from a sealed driveway and crossover from Shailer Terrace.

The site is flat without significant change in elevation across its profile. It is clear of native vegetation and is landscaped with exotic trees and managed lawn. Stormwater is directed to the site frontage to the established curb and gutter drainage located along Shailer Terrace.

A site aerial of the subject land is provided below.



Figure 2 – Site aerial and immediate surrounds



Figure 3 – View across the site from Shailer Terrace

2.3. Surrounding Development

The subject land is located within the rural township of Euston, and surrounding development comprises a range of urban and rural land uses.

Land to the north comprises single dwelling and multi dwelling development at the corner of Carey Street and Cowper Street. Land beyond Carey Street consists of rural agricultural land used for vineyards. Lower density dwellings also front Carey Street among these vineyards.

Land to the west includes single dwelling residential development followed by the nearby Euston Recreation Reserve. Land further west is undeveloped, comprising of expansive area of native woodland.

Land to the east comprises of residential development extending into the CBD of Euston. The CBD includes a range of development types including commercial development, the Euston Public School, cafes and accommodation uses. Beyond these is more residential development, which backs onto the nearby Murray River bank.

Land to the south includes the remainder of the urban development of Euston. Development is mostly limited to single dwelling residential development which extends to the woodland environs that extend from the meandering Murray River.

3. Description of Proposal

3.1. Overview

The proposal to which this application relates, seeks to establish a new four (4) unit multi dwelling housing development on the subject and to subdivide these dwellings onto their own individual allotments via a five (5) lot community title scheme.

A detailed description of the proposal is included in the following sections.

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

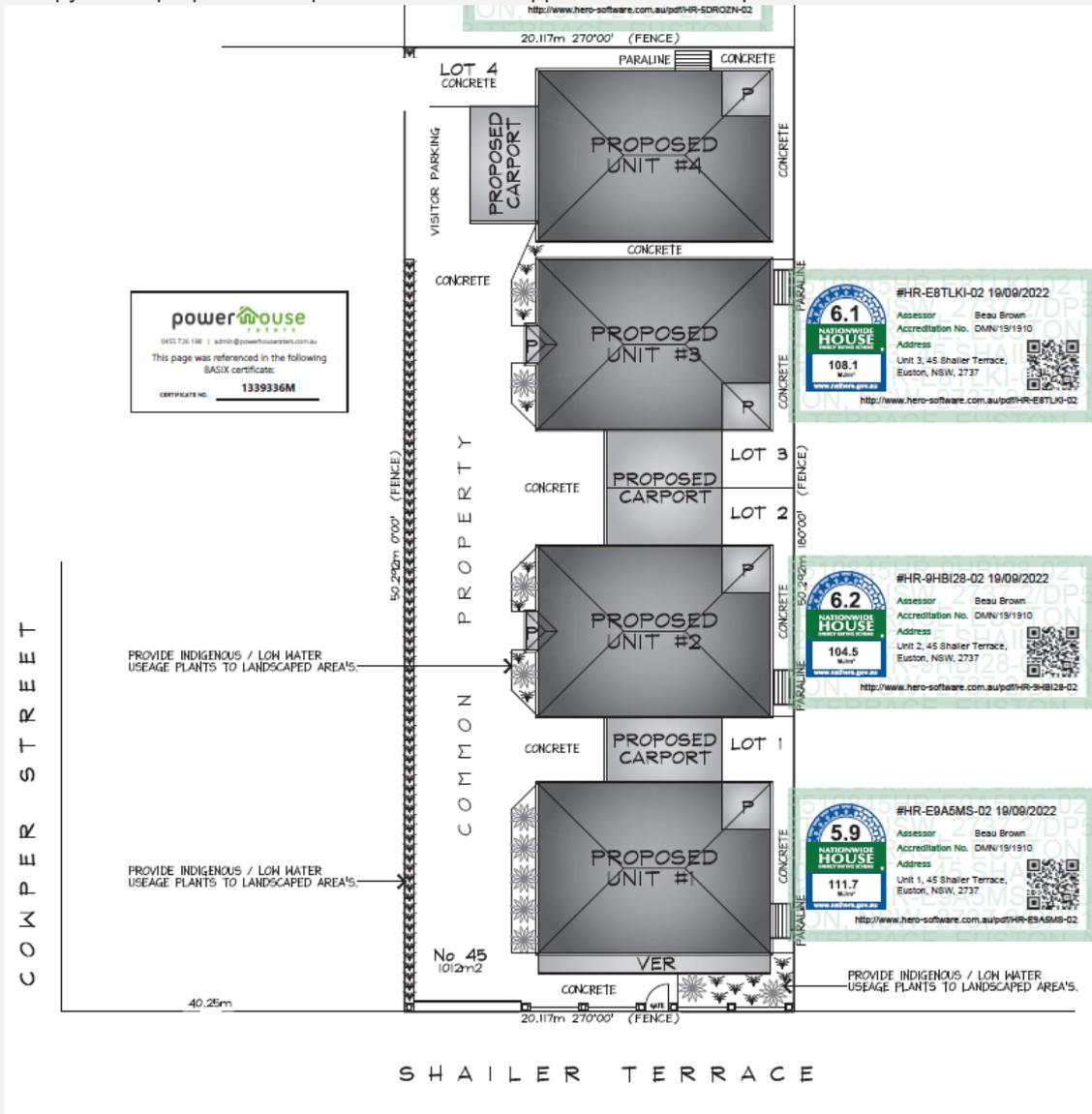


Figure 4 – Proposed site plan

3.2. Residential Dwellings

The proposal seeks consent for the construction of four (4) detached residential dwellings. The dwellings will all be two-bedrooms and will be single storey in height. All dwellings will be provided with a carport for off-street car parking, and a private open space area and patio.

Internally, all dwellings will comprise two bedrooms, including a master with an ensuite and walk in robe, bathroom, laundry and open plan kitchen, living and dining area.

Externally, the dwellings will be constructed of clay face brickwork, with duragal posts and will be roofed with a corrugated Colorbond sheet roofing material at a 22.5 degree pitch.

All dwellings will be provided with aluminium sliding windows. Proposed unit 1 is designed to address the Shailer Terrace frontage, with large front facing south windows, and verandah. The west elevation of Unit 1 and the remaining units will address the new internal driveway.

The proposed architectural plans are provided at **Appendix B** and are reproduced below

Unit 1

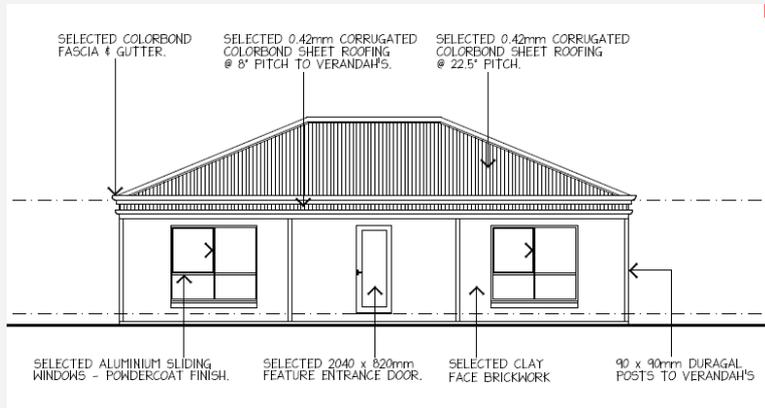


Figure 5 – Unit 1: South elevation (fronting Euston Street)

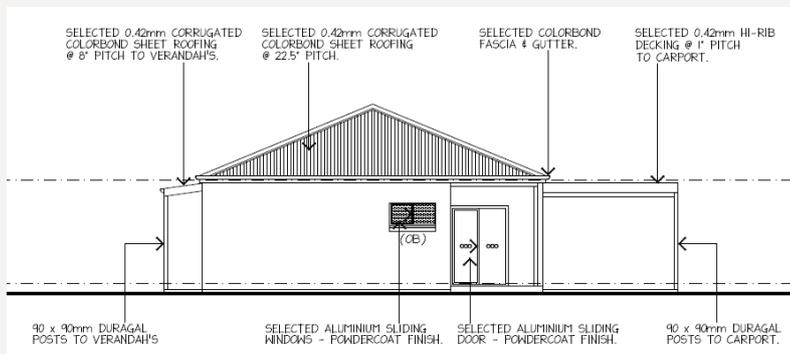


Figure 6 – Unit 1: East elevation

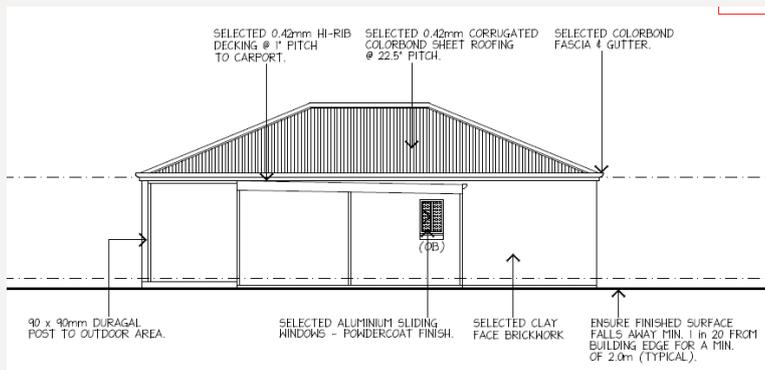


Figure 7 – Unit 1: North elevation

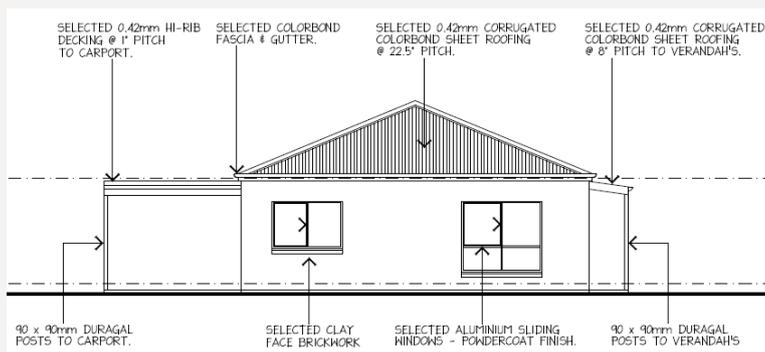


Figure 8 – Unit 1: West elevation

Unit 2

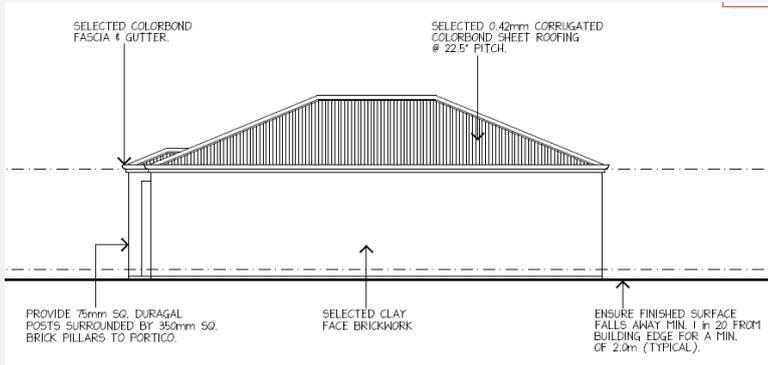


Figure 9 – Unit 2: South elevation

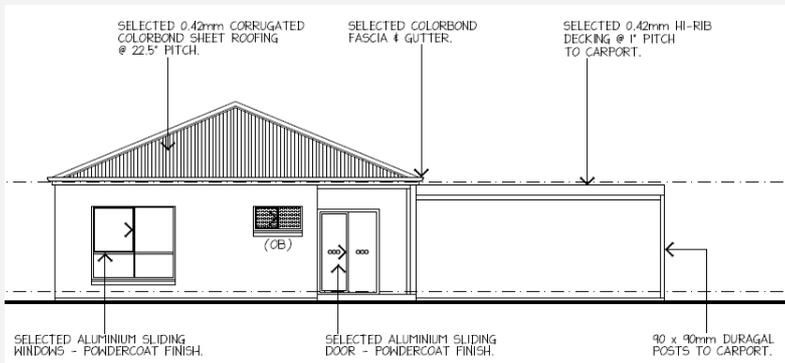


Figure 10 – Unit 2: East elevation

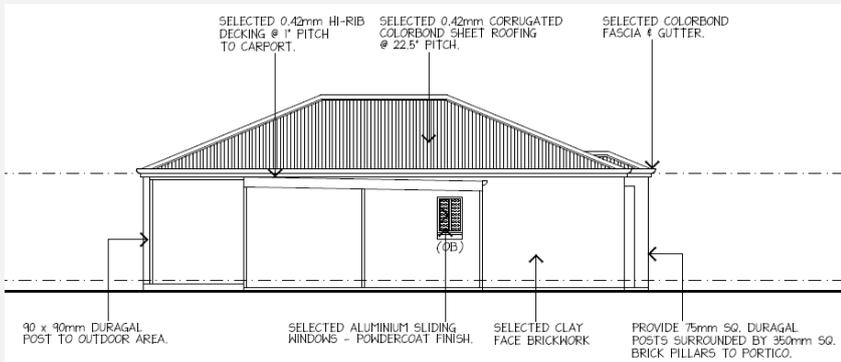


Figure 11 – Unit 2: North elevation

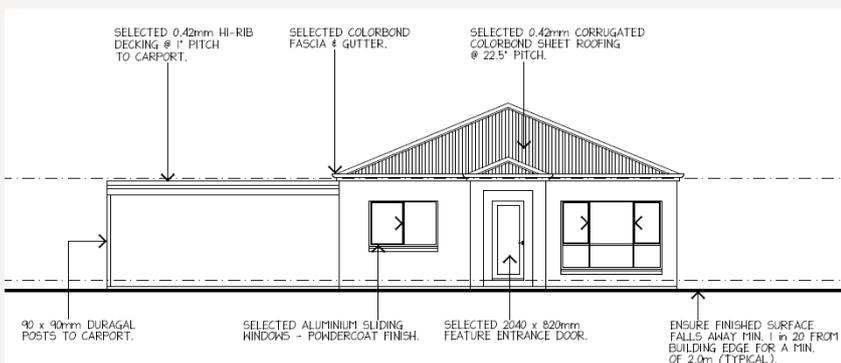


Figure 12 – Unit 2: West elevation

Unit 3

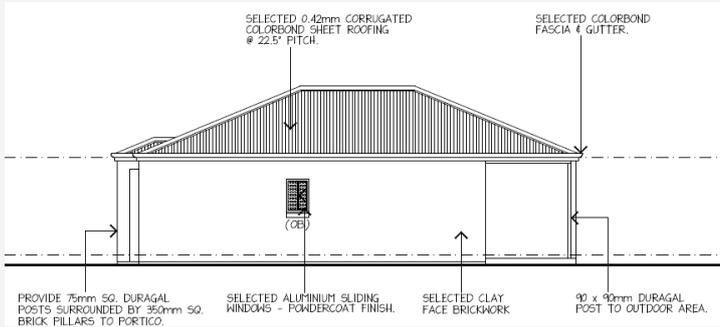


Figure 13 – Unit 3: South elevation

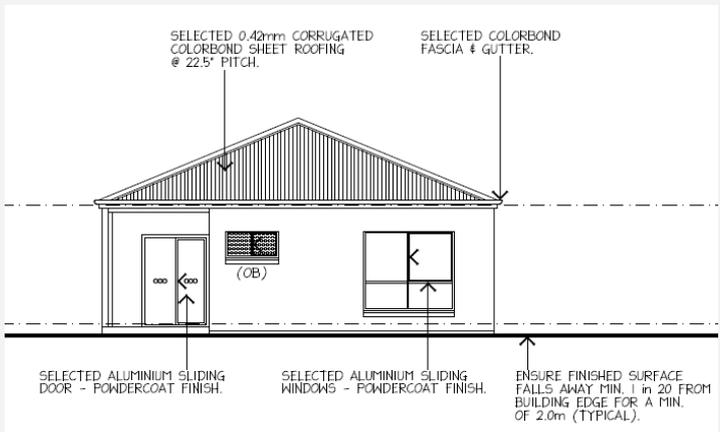


Figure 14 – Unit 3: East elevation

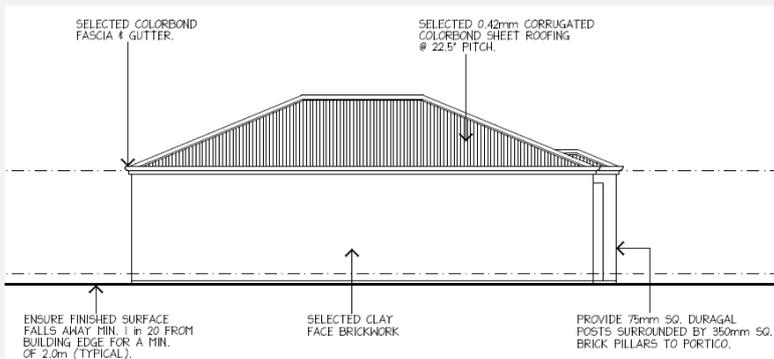


Figure 15 – Unit 3: North elevation

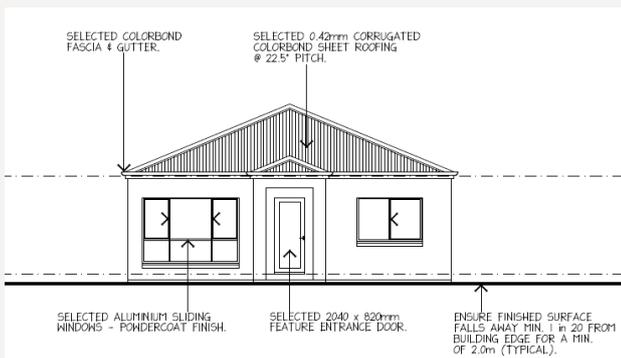


Figure 16 – Unit 3: West elevation

Unit 4

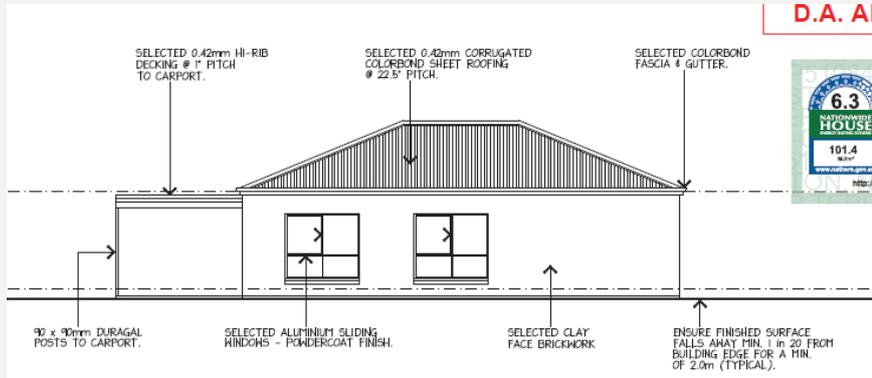


Figure 17 – Unit 4: South elevation



Figure 18 – Unit 4: East elevation

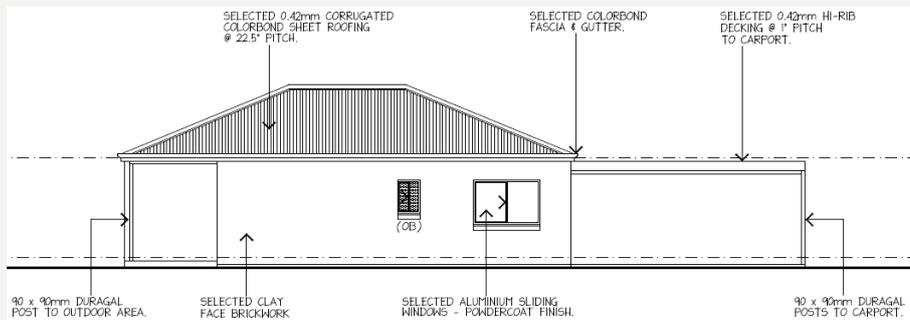


Figure 19 – Unit 4: North elevation

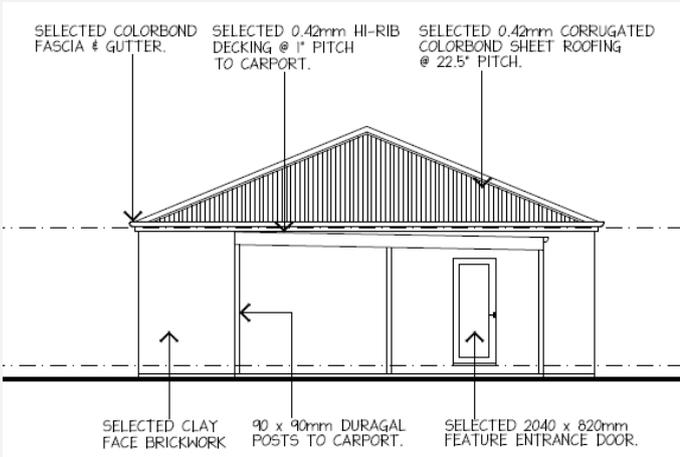


Figure 20 – Unit 4: West elevation

3.3. Community title subdivision

The proposal also seeks approval for a five (5) lot community title subdivision, including one community lot to be used as a common accessway and visitor space, as well as four individual lots each containing a new detached dwelling.

Each development lot will be generally rectangular with lot sizes ranging from 155m² to 196m². The community driveway lot will be rectangular in shape with widened portions intended to support driveway access to the proposed carports.

The proposed plan of subdivision is provided with this report at **Appendix C**.

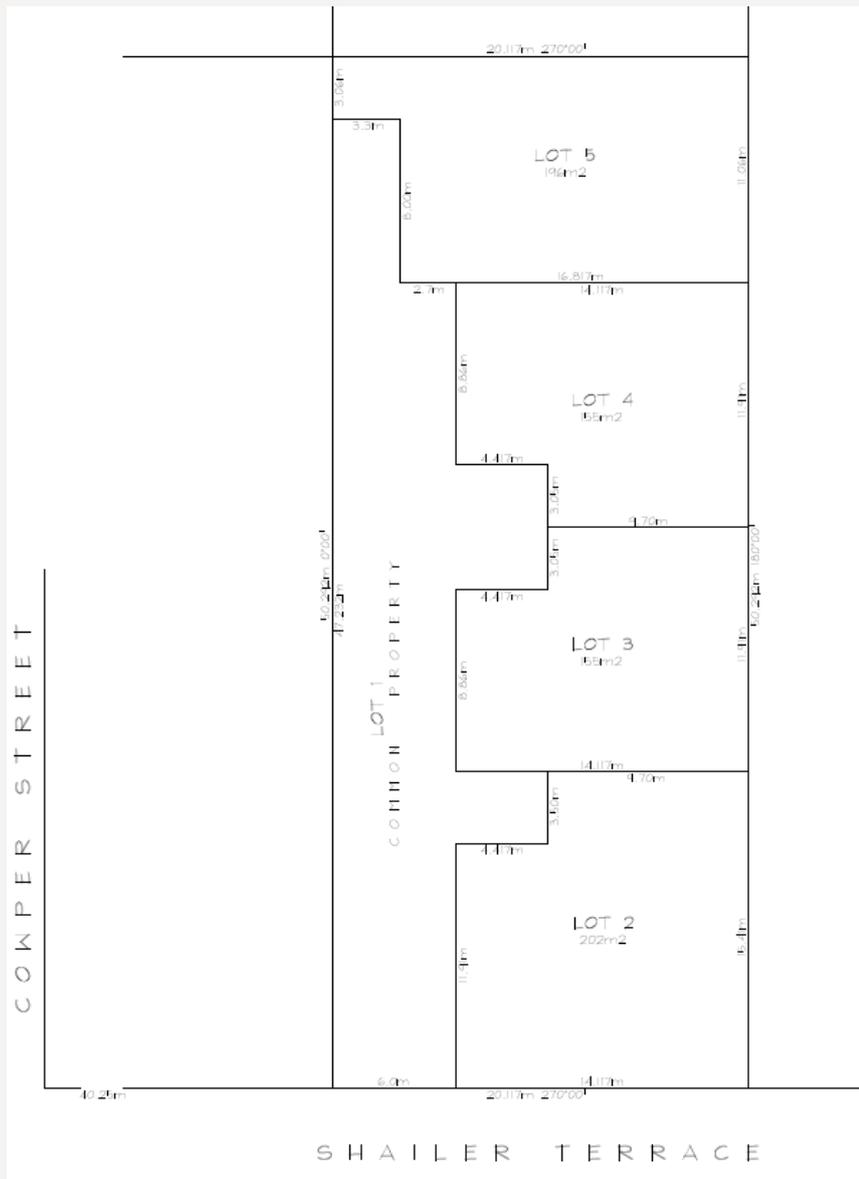


Figure 21 – Proposed Plan of Subdivision

3.4. Development Staging

In order to achieve maximum flexibility and to allow for the staging of works or the sale of individual lots as part of a house and land package, the proponent seeks approval to allow for the creation of the

subdivision prior to the completion of the individual dwellings. The applicant is willing to accept a condition of development consent *'prior to the issue of a subdivision certificate'* that allows for the following (or something similarly worded):

In the event that the subdivision precedes construction of buildings on any of the lots, Council will require the lodgement of a Section 88B Instrument to ensure that development proceeds in accordance with the conditions of this Development Consent. The restriction shall contain a provision that it may not be extinguished or altered except with the consent of Council.

3.5. Fencing and Landscaping

Approval is also sought for the construction of a 1.8 metre high brick and pier front fence with an associated automatic sliding gate. Internal fencing within the site between individual dwellings will consist of 1.8 metre high solid colorbond.

In order to soften the overall appearance of the development, landscaping works are proposed for each individual dwelling lot. Such landscaping will include drought tolerant, low-water use species.

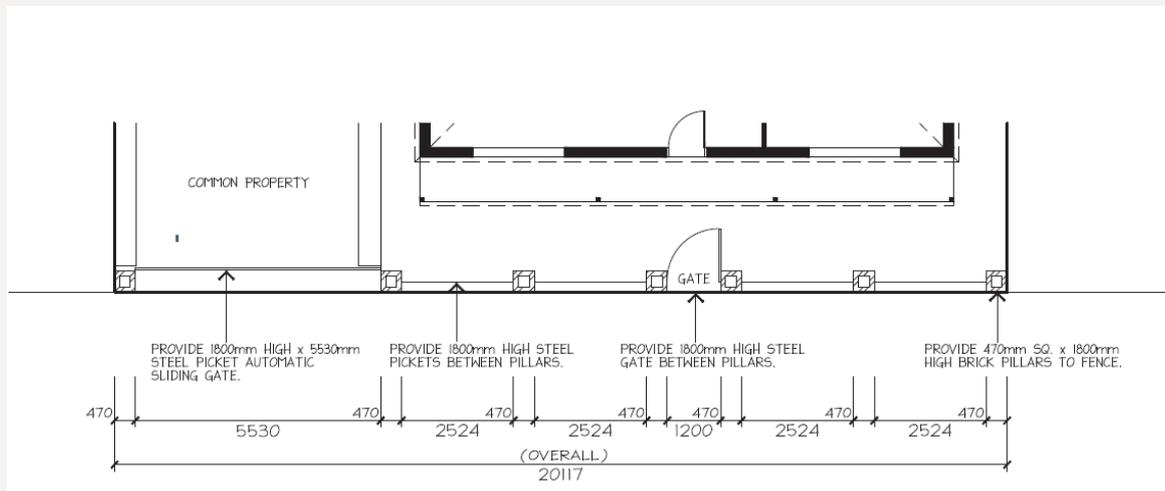


Figure 22 – Fence Layout Plan

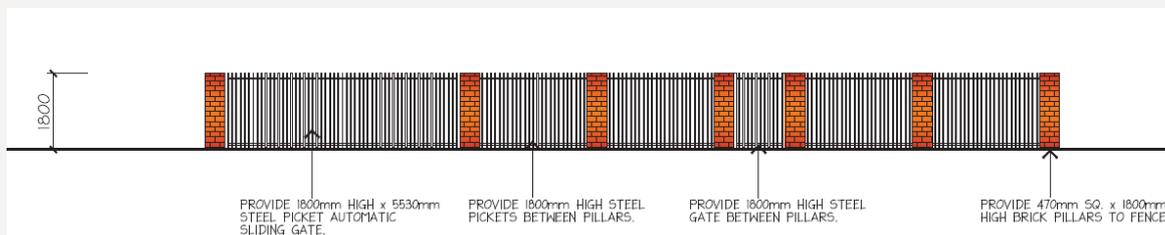


Figure 23 – Fence Elevation

3.6. Access and parking

All dwellings will derive access from a new internal accessway which is to be established within the community lot. This driveway will provide all-weather sealed access that will provide all new dwellings with suitable manoeuvrability. The existing crossover which provides access to the existing dwelling will be utilised and upgraded to Council’s standards as required. Shailer Terrace is a well-constructed urban road of Euston and provides appropriate sightlines to allow for safe egress for all residential vehicles.

Parking will be provided for each dwelling within the carport spaces. All dwellings will be provided with a single car parking space, with Dwellings 2 and 3 will share a double carport. A visitor car parking space will be reserved in the northwest corner adjacent to the Unit 4 carport.

3.7. Services and Infrastructure

As the subject site is located within an established urban area, all essential services are available. These include reticulated water, sewer, and gas, as well as electrical and telecommunications. Minor works will be required to extend connections to each of the new dwellings, of which will be undertaken at construction of each dwelling as required.

Stormwater drainage will be collected from new non-permeable surfaces, including the new roof area and concrete driveways and will be predominantly conveyed to the existing curb and gutter drainage infrastructure established along Shailer Terrace via new drainage to be incorporated into the construction of the new community driveway. A portion of the stormwater from the new rooves, will also be collected by new rainwater tanks which will be provided at the rear of each dwelling. A description of the water tanks and their capacity is included in the relevant BASIX certificate attached with this application.

4. Planning Assessment

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

4.1. Applicable Environmental Planning Policies, Instruments and Controls

- Environmental Planning and Assessment Act 1979
- State Environmental Planning Policies
- Balranald Local Environmental Plan 2010
- Strategic Plans and Policies

Compliance with the applicable legislation and policies is discussed below.

4.2. Environmental Planning and Assessment Act 1979

Section 4.15 of the EP&A Act 1979 sets out the statutory matters for consideration against which the proposed development is to be evaluated. The matters for consideration under Section 4.15 are as follows:

(1) *Matters for consideration—general*

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

(a) the provisions of:

(i) any environmental planning instrument, and

(ii) any proposed instrument that is or has been the subject of public consultation under this Act and that has been notified to the consent authority (unless the Secretary has notified the consent authority that the making of the proposed instrument has been deferred indefinitely or has not been approved), and

(iii) any development control plan, and

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

(iv) the regulations (to the extent that they prescribe matters for the purposes of this paragraph), and

(v) any coastal zone management plan (within the meaning of the Coastal Protection Act 1979), that apply to the land to which the development application relates,

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

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

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

(e) the public interest.”

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

The proposal is not identified as “designated development”, pursuant to section 4.10 of the EP&A Act. or “integrated development”, pursuant to section 4.46 of the EP&A Act.

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

4.3.1. Chapter 4 – Remediation of Land

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

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

The subject land has been highly modified and is currently used for a single residential dwelling, and is not known to be contaminated, nor is it expected to be at risk of contamination given its historical use and surrounding context. The land also does not display any signs of land contamination and the property is not listed on Council’s or the EPA’s contaminated land register. Consequently, the land is considered fit for use for its intended purposes and therefore the relevant considerations of this chapter are satisfied by the current proposal.

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

State Environmental Planning Policy (Building Sustainability Index: BASIX) 2004 seeks to ensure consistency in the implementation of the BASIX scheme throughout the State and stipulates when a BASIX Certificate is required for residential development that involves the erection of a ‘BASIX-affected building’ as defined in the EP&A Act.

As the development involves the construction of new residential dwellings, BASIX Certificates is required. A copy of the BASIX Certificates is included as **Appendix D** to this report.

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

4.5.1. Chapter 2 – Infrastructure

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

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

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

Table 1 – Matters for consideration

Matter for consideration	Response
<p>Clause 2.48 – Determination of development applications – other development</p>	<p>This clause applies to a development application (or an application for modification of a consent) for development comprising or involving any of the following—</p> <ul style="list-style-type: none"> (a) <i>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,</i> (b) <i>development carried out—</i> <ul style="list-style-type: none"> (i) <i>within or immediately adjacent to an easement for electricity purposes (whether or not the electricity infrastructure exists), or</i> (ii) <i>immediately adjacent to an electricity substation, or</i> (iii) <i>within 5m of an exposed overhead electricity power line,</i> (c) <i>installation of a swimming pool any part of which is—</i> <ul style="list-style-type: none"> (i) <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</i> (ii) <i>within 5m of an overhead electricity power line, measured vertically upwards from the top of the pool,</i> (d) <i>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.</i> <p>Comment:</p> <p>Referral under Clause 2.48 will be required to the relevant electricity supply authority due to the proximity of the exposed overhead powerline located on Shailer Terrace.</p>

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

4.6.1. Chapter 5 – River Murray Lands

The subject site falls within the area to which the former Murray Regional Environmental Plan No 2 – Riverine Land (“MREP”) applies. The provisions of the MREP have been relocated to Chapter 5 of the State Environmental Planning Policy (Biodiversity and Conservation) 2021. The aims of the MREP are to conserve and enhance the riverine environment of the River Murray for the benefit of all users.

The objectives of the MREP are:

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

MREP2 requires Council to take into account a number of general and specific principles when considering development proposals to which the plan applies. These controls generally relate to the protection of the River Murray. In this instance, the subject site is located within an established urban area and is for residential development only. There are not anticipated impacts on the River Murray and further consideration is not deemed necessary.

4.7. Balranald Local Environmental Plan 2010

The Balranald Local Environmental Plan 2010 (“the LEP”) is the principal planning instrument that guides development within the LGA. The below provides an overview of consistency and compliance of the proposal against the relevant provisions.

4.7.1. Land Use and Permissibility

The subject land is within the RU5 Village Zone (“RU5 zone”) for which the objectives are:

- *To provide for a range of land uses, services and facilities that are associated with a rural village.*
- *To define the town boundaries of Balranald, Euston and Kyalite.*
- *To encourage and provide opportunities for population and local employment growth.*
- *To ensure development maintains and contributes to the character of the zone.*
- *To protect the amenity of residents.*
- *To ensure that development does not create unreasonable or uneconomic demands for the provision or extension of services.*
- *To retain and facilitate expansion and redevelopment of the existing central business districts of the townships of Balranald and Euston and to further strengthen the core retail functions of those areas.*

The proposed development meets the objectives of the zone because:

- It provides a new housing opportunities and diversity which will encourage population growth.
- It maintains the character of the area through retaining a similar setback with adjoining properties to the east and west and has orientated the frontmost dwelling to appropriately address the street.
- It will protect the amenity of residents as there will be no overshadowing or overlooking impacts due to the single storey nature of the development. Similarly, the development is well-designed to present to the streetscape including the provision of a covered verandah.
- The site is located within an established urban area and all essential service infrastructure can efficiently service the development.

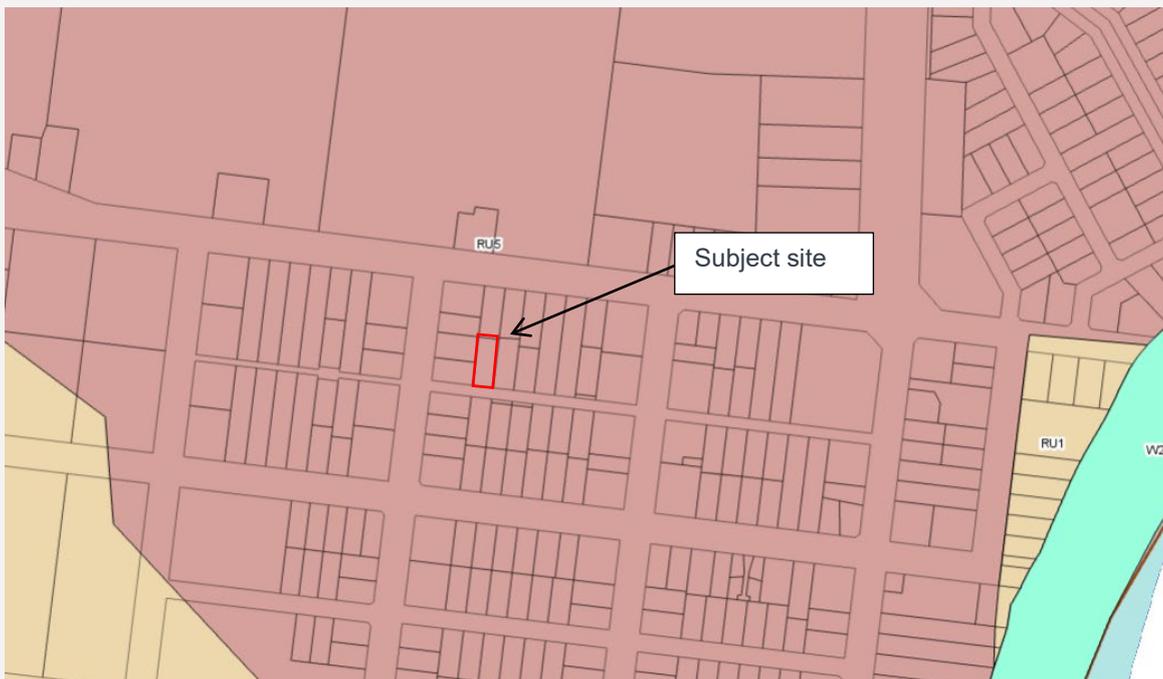


Figure 24 – Land zoning map

4.7.2. Clause 2.6 – Subdivision requires development consent

Clause 2.6 of the LEP requires development consent for the subdivision of land where the works are not identified as exempt or complying development in *State Environmental Planning Policy (Exempt and Complying Development Codes) 2008*.

The proposed works are not classified as exempt or complying and therefore consent for subdivision is sought by this application.

4.7.3. Clause 4.1 – Subdivision

Clause 4.1 of the LEP relates to minimum lot size (MLS) for subdivision and requires that the size of any lot resulting from a subdivision of land is not to be less than the minimum lot size shown on the Lot Size Map of the LEP. In this instance a 600m² minimum lot size applies to the land.

Notwithstanding the above, in accordance with subclause 4.1(4)(b), the MLS requirement does not apply to a subdivision under the *Community Land Development Act 1989*. Consequently, no MLS applies to lots proposed in a Community Title subdivision.

4.7.4. Clause 5.10 – Heritage Conservation

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

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

Similarly, matters regarding Aboriginal Cultural Heritage have also been investigated. A review of the Aboriginal Heritage Information Management System (AHIMS) database was undertaken and it is confirmed that there are no recorded items of Aboriginal cultural significance within 200 metres of the subject site.

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

4.7.5. Clause 6.1 – Biodiversity

The site is partially mapped ‘environmentally sensitive land’ on the Terrestrial Biodiversity Map (Figure 25) and therefore the provisions of this clause apply.

Notwithstanding the fact that the property is identified on the Terrestrial Biodiversity Map, the site is located in a long established urban environment that contains limited to no native vegetation. More specifically, the subject land only contains planted vegetation.

The erratic nature of the map in Euston suggests that the map was not ground-truthed to confirm, what if any, environmental features exist in this area. It is further understood that Council is currently in the process of amending the Terrestrial Biodiversity Map to rectify the anomalies currently contained on this map.

For this reason, no further assessment of this clause has been undertaken.

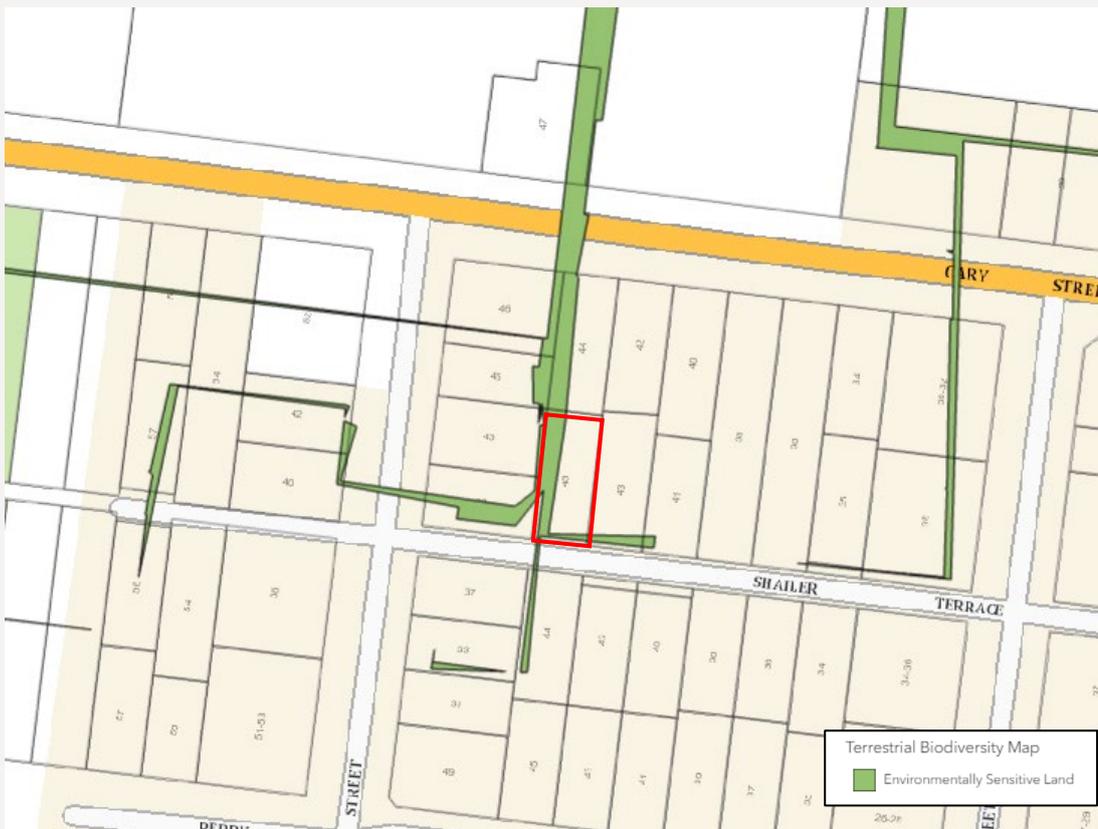


Figure 25 – Terrestrial Biodiversity Map

4.7.6. Clause 6.3 – Public utility infrastructure availability in RU5 Village

Clause 6.3 of the LEP refers to public utility infrastructure for developments in the RU5 zone and requires that consent must not be granted to development unless the consent authority is satisfied that the following services essential for the proposed development are available or that adequate arrangements have been made to make them available when required:

- (a) *the supply of water,*
- (b) *the supply of electricity,*
- (c) *the disposal and management of sewage,*
- (d) *suitable road access*

Existing reticulated water and electrical connections are available to the existing dwelling (to be demolished) and can be reconfigured and extended to each new dwelling as required. Direct road access will be retained from Shailer Terrace via a new constructed community title accessway within proposed Lot 1.

4.7.7. Clause 6.7 – Earthworks

Clause 6.7 applies to earthworks and seeks to achieve the following objectives:

- (a) *to ensure that earthworks for which development consent is required will not have a detrimental impact on environmental functions and processes, neighbouring uses, cultural or heritage items or features of the surrounding land,*
- (b) *to allow earthworks of a minor nature without separate development consent.*

The proposal will require minor earthworks for the establishment of building pads and civil infrastructure and due consideration of this clause is given. Pursuant to subclause (2), development consent is required for earthworks unless:

- (a) *the work does not alter the ground level (existing) by more than 600 millimetres, or*
- (b) *the work is exempt development under this Plan or another applicable environmental planning instrument, or*
- (c) *the work is ancillary to other development for which development consent has been given.*

The earthworks required to undertake the proposed works will not alter the existing ground level by more than 600mm. Consequently, development consent is not required for the proposed earthworks. Regardless, an assessment of potential impacts regarding earthworks has been provided in Section 5 of this report.

4.8. Development Control Plan

Following a review of Council’s relevant planning policies and documents, it is noted that no Development Control Plan currently applies to the shire and hence no development controls could therefore be identified.

Consequently, a merit-based assessment is relied on and is provided at Section 5 of this report.

4.9. Strategic Planning Policies

4.9.1. Balranald Local Strategic Planning Statement 2021

The *Balranald Local Strategic Planning Statement 2021* (“the LSPS”) is the relevant strategic planning statement of for the shire. The vision for the Balranald Shire is as follows:

- *Strengthen the capacity and opportunities for the economy*
- *Make Balranald Shire the best possible place to live, work and invest*
- *Achieve outstanding results in managing, enhancing and improving our natural and built environment*

The strategic intention for Euston is discussed in the section for ‘Our Society – Sustainable Settlements’. This section acknowledges that:

Balranald Shire’s continuing economic development will require a better and broader commitment to improving housing. Council has an influential but not solo role in achieving this. Housing diversity will be achieved gradually with the benefit of a sound planning strategy.

One of the challenges of Euston is that there is a considerable influx of population during picking seasons, ‘*which is estimated to add an extra 3,000 people into the region to fulfil horticulture, agriculture and manufacturing shortfalls during peak times*’. The LSPS acknowledges this and states the following:

A lack of seasonal accommodation is seen as a risk to the availability of workers. Currently large numbers of people are sharing single houses and seasonal workers often do not have their own transport nor hold a local driver’s licence. Workforce housing issues are identified as:

- *Shortage of low-cost accommodation;*
- *Shortage of high-quality short-term accommodation suitable for professionals (other than motels);*
- *Shortage of temporary accommodation to suit more transient workforce populations;*
- *Styles of suitable accommodation to meet the needs of diverse groups; and*
- *Accommodation for specific industry workforce.*

The proposal seeks to appropriately contribute to the diversity of housing through creating a multi-unit residential development within an area overabundant with detached single-dwelling development. This type of housing better suits the needs of the seasonal workforce and represents a more efficient use of land and affordable housing options for permanent residents and seasonal staff alike.

Furthermore, the subject site is appropriately located within a ‘residential’ area as identified on the Euston Land Use Map (**Figure 26**). Overall, the type of the development directly aligns with the critical strategic issues and matches the intentions of Euston in accordance with the LSPS.

5. Assessment of Environmental Impacts

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

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

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

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

5.1. Context and Setting

The proposed development will have a generally positive impact on the local area through the redevelopment of a currently under-utilised urban parcel of land for an efficient higher-density detached development in an RU5 zone. The proposal is site responsive and has been designed to ensure the appropriate provision of private open space and solar access. The development aims to provide new high-quality housing with efficient lot areas which promote good design and amenity. It is also located at a highly accessible location along Shailer Terrace.

As identified and discussed in Section 4.9.1, the LSPS identifies a need to increase housing diversity. Specifically, to Euston, it was identified that there was a housing diversity issue with regard to accommodating workers:

Euston's horticultural area is highly productive with a high number of seasonal and itinerant workers. Council will use the planning system in Euston to accommodate this workforce through a variety of housing.

The development will support this critical issue through providing for an infill development that will increase the type and availability of such housing, as well as contribute to a higher density built form that is more suitable for worker accommodation. While it is acknowledged that the subject site and immediately adjoining parcels are of a low density, single dwelling arrangement, it is anticipated that the character will eventually reflect the intentions of the LSPS.

The proposal is not considered to be out of context with the surrounding area, in terms of height or density, but rather makes efficient use of existing residential land. The development has also been designed to maintain a consistent visual appearance to the street and ensure continued visual interest and passive surveillance to Shailer Terrace as the front dwelling addresses the street and proposes a covered verandah similar to other developments in the area.

The development will have a positive impact through the provision of a greater range and type of housing. This will have direct benefits to the township and the shire, through providing a housing type that is in short supply.

5.2. Suitability of the site for development

As the Balranald Shire does not have an associated Development Control Plan, the suitability of the site is considered on merit. The front setback to the wall (excluding the verandah) is 3.05 metres, while the rear and eastern side setbacks are 1.2 metres. The proposed dwellings are sufficiently setback from the dwellings on adjoining properties to the north and the east. Consequently, these dwellings will not reduce the amenity of solar access currently enjoyed by these properties.

Furthermore, the proposed development suitably accommodates dwellings while maintaining appropriate access, presentation to the streetscape and visual amenity through appealing design.

5.3. Access & Traffic

The subject land is located within an urban setting within the rural settlement of Euston and currently has vehicle and pedestrian access from Shailer Terrace. The proposal will upgrade the existing crossover, which will directly integrate with the new internal shared driveway. While the proposal will increase the number of dwellings on the site, there will not be an increase in the total number of access points.

Each new dwelling will be accessible from the new proposed internal driveway, which will comprise a sealed construction that can provide all-weather access. The driveway and carport spaces have been arranged to enable convenient access for vehicles is sufficiently wide allowing for two-way vehicle movement and manoeuvring. Vehicles are able to enter the site, negotiate access to all parking spaces and subsequently leave the site in a forward direction as per the enclosed vehicle turning plans.

Given the nature of the proposal being only for detached residential development, traffic is not anticipated to be significant. Notwithstanding, Shailer Terrace is a well-constructed urban-type road which is considered to have adequate capacity for the slight increase in traffic. As a result, it is considered that there is sufficient capacity in the road network to accommodate the movements expected from the property as a result of the new dwellings.

The proposal will not likely result in any significant or unreasonable increase in traffic during construction. Construction works, and the delivery of building supplies, may temporarily increase traffic and parking requirements, but will only be short term and can primarily be accommodated on site

5.4. Parking

The proposed development provides off street car parking beneath a range of carports. Each dwelling will be provided with one (1) allocated parking space. In addition, a designated visitor space will be provided within the carport associated with proposed unit 4. All proposed dwellings comprise two bedrooms, and the provisions of a single car parking space is deemed suitable in this instance.

Furthermore, the proposed development will create a total of four dwellings and the provision of a single visitor space is typical of development standards across most other Development Control Plans. As such, the provision of the single parking space is considered suitable.

5.5. Infrastructure

The subject land is occupied by an existing Development is to be serviced by existing water and sewer services at the property. Electrical services, telecommunications will similarly be provided from existing services. Stormwater drainage can be suitably accommodated within existing curb and gutter infrastructure at Shailer Terrace.

5.6. Heritage

The subject site or immediate surrounds does not contain any items described in Schedule 5 of the LEP, or the NSW State Heritage Register. Consequently, there is no heritage implications associated with the proposed development.

5.7. Cultural Heritage

Some minor site establishment earthworks will be required to facilitate the siting of new dwellings in response to the existing topography of the land, as well as to establish the new accessway and services. The subject site is located in a long-established urban environment, and it is very unlikely to contain items of Aboriginal Cultural Heritage due to the highly disturbed nature of the site

In the event an item of archaeological significance is disturbed during construction then the appropriate protection measures will be implemented in accordance with legislation and best practice ('unexpected finds protocol').

5.8. Soils & Erosion

The proposed works will include site disturbance from site establishment and civil works. These works will be appropriately secured and managed by the appointed contractors to avoid any significant impact on drainage infrastructure. The development will also involve minor excavation works to allow for the construction of the dwelling.

The proposal will require earthworks to establish suitable levels and placement of buildings within the land and to facilitate the construction of new internal driveway accesses. These earthworks will be undertaken in accordance with a Soil and Water Management Plan consistent with Council's guidelines prior to commencing construction works on site.

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

Site stabilisation measures will be incorporated into the construction works to prevent soil and sediment movement from the property. The perimeters of the property will also be secured to ensure sediment transfer does not occur to surrounding properties, and erosion within the subject land is minimised.

Following completion of construction, surface water drainage will be collected by new constructed drainage and conveyed to a suitable point of discharge. Grading of the property and landscaping with turf, groundcovers and plantings will also assist in minimising the likelihood of any erosion within the property.

The subject land has been used for residential purposes. There are no activities or storage processes recognised within the land, or known to have been established within the land, that are potentially contaminating. Consequently, there is a high degree of confidence that the land is not contaminated.

5.9. Biodiversity

The subject site has been cleared of native vegetation, with remaining vegetation limited to exotic species from the garden space. The works are not anticipated to have any impacts on biodiversity.

5.10. Natural Hazards

The subject land is not located within the NSW Bushfire Prone Land Map, is not located within the Flood Planning area and not subject to any other natural hazards.

5.11. Air & microclimate

It is likely that the greatest potential for an increase in dust as a result of the development will be during site establishment stage which will be for a short period of time.

Works will be appropriately controlled to ensure the amount of dust does not unreasonably impact upon surrounding land. Use of water and the like may be employed during works to avoid the generation of dust as much as possible.

The proposed dwellings within the development have been subject to energy and thermal comfort assessment and have been determined to be compliant with relevant BASIX targets. As such the proposal is considered to represent an energy efficient development.

5.12. Social & Economic Impacts

The development will have an overall positive social impact as it will increase the variety and choice of housing within the local residential market and is consistent with the context and setting of the area in terms of building heights, materials and setbacks.

Positive flow-on effects to the local economy including trades and services during construction, and additional demand for retail activities and services from additional permanent population.

The proposed development represents continued investment in residential development in the Balranald Shire, and further expands the choice and availability of housing.

5.13. The Public Interest

The public interest is a broad consideration relating to many issues and is not limited to any one particular issue. Taking into account the full range of matters for consideration under Section 4.15C of the Environmental Planning and Assessment 1979 (as discussed within this report), it is considered that approval of the application is consistent with the public interest.

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

6. Conclusion

The Development Application seeks consent for a four (4) unit multi dwelling housing development and five (5) lot community title subdivision on land described as Lot 2 in DP510845 and addressed as 45 Shailer Terrace, Euston.

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

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

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

- it is consistent with the relevant environmental planning instruments;
- it is consistent with the intentions of Euston to provide for more housing diversity as per the Local Strategic Planning Statement;
- it will provide for a development which is responsive to its context and setting, being a growing residential area;
- it will increase the variety of housing types and densities available to the market in an area that is well serviced and centrally located;
- it will provide a high standard of amenity and not adversely affect that of adjoining properties;
- it will not create any adverse environmental or social impacts;
- it encourages continued future investment in residential development in Euston and the Balranald Shire generally; and
- it will have no detrimental impact upon the function of existing services or essential infrastructure.

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

Appendix A: Title details

Appendix B: Proposed Architectural Plans

Appendix C: Proposed Plan of Subdivision

Appendix D: BASIX Certificates
