



SNOWY MONARO
REGIONAL COUNCIL

ATTACHMENTS TO REPORTS

(Under Separate Cover)

Ordinary Council Meeting

15 September 2022

Part 1 of 2

**ATTACHMENTS TO REPORTS
FOR
ORDINARY COUNCIL MEETING
THURSDAY 15 SEPTEMBER 2022**

Page No.

8 PLANNING AND DEVELOPMENT APPLICATION MATTERS

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REASONS FOR REFUSAL

Development Application 10.2022.60.1 is **refused** for the following reason/s:

1. The proposed development and design does not meet the site suitability, social impact and public interest tests of 4.15 of the Environmental Planning and Assessment Act 1979.
2. The development will have an unacceptable visual impact, as the built form and scale is out of character with the existing character of the area and will have an unreasonable and undesirable effect on the surrounding area.
3. The design of the proposed development is not suitable and does not meet the objective of Zone RU5 of the Snowy River LEP 2013 being to protect and conserve the historical significance, character and scenic quality of rural village settings.
4. The design of the proposed development is not suitable and does not meet the following requirements of clause 7.2 Terrestrial Biodiversity, in the Snowy River LEP 2013, including Clauses (3)(b), (4)(a) (b) and (c).
5. The development as presented in the application does not adequately meet the development standards of the Snowy River DCP 2013, including Chapter C2 (6.1, 2.1-1, 2.1-5, 2.1-6, 2.2), Chapter C3 (5 & 6), Chapter C10, Chapter D1 (1.1-1, 1.1-4, 1.3-1, 1.4-2, 1.4-3, 1.4-4, 1.4-6, 1.4-8 & 1.6-2(b) & (d)).

Advice to Applicant: In view of the above **Refusal, NO WORK MAY BE COMMENCED.**

ADVICE TO APPLICANT

Right of appeal / review of determination: If you are dissatisfied with this decision:

- Apply to Council to review its decision under Section 8.2 of the Environmental Planning and Assessment Act 1979. Such application must be made and determined by Council within twelve (12) months from the date on which you received the original determination notice provided that an appeal under Section 8.7 of the Environmental Planning and Assessment Act 1979 has not been made against this determination
- Section 8.7 of the Environmental Planning and Assessment Act 1979 gives you the right to appeal to the Land and Environment Court within six (6) months after the date on which you receive this notice.

Advisory notes: your attention is drawn to the following:

- In view of the above **Refusal, NO WORK MAY BE COMMENCED.**
- For further information and if there is any difficulty understating any of the above information please contact the Development Assessment Section on 1300 345 345.



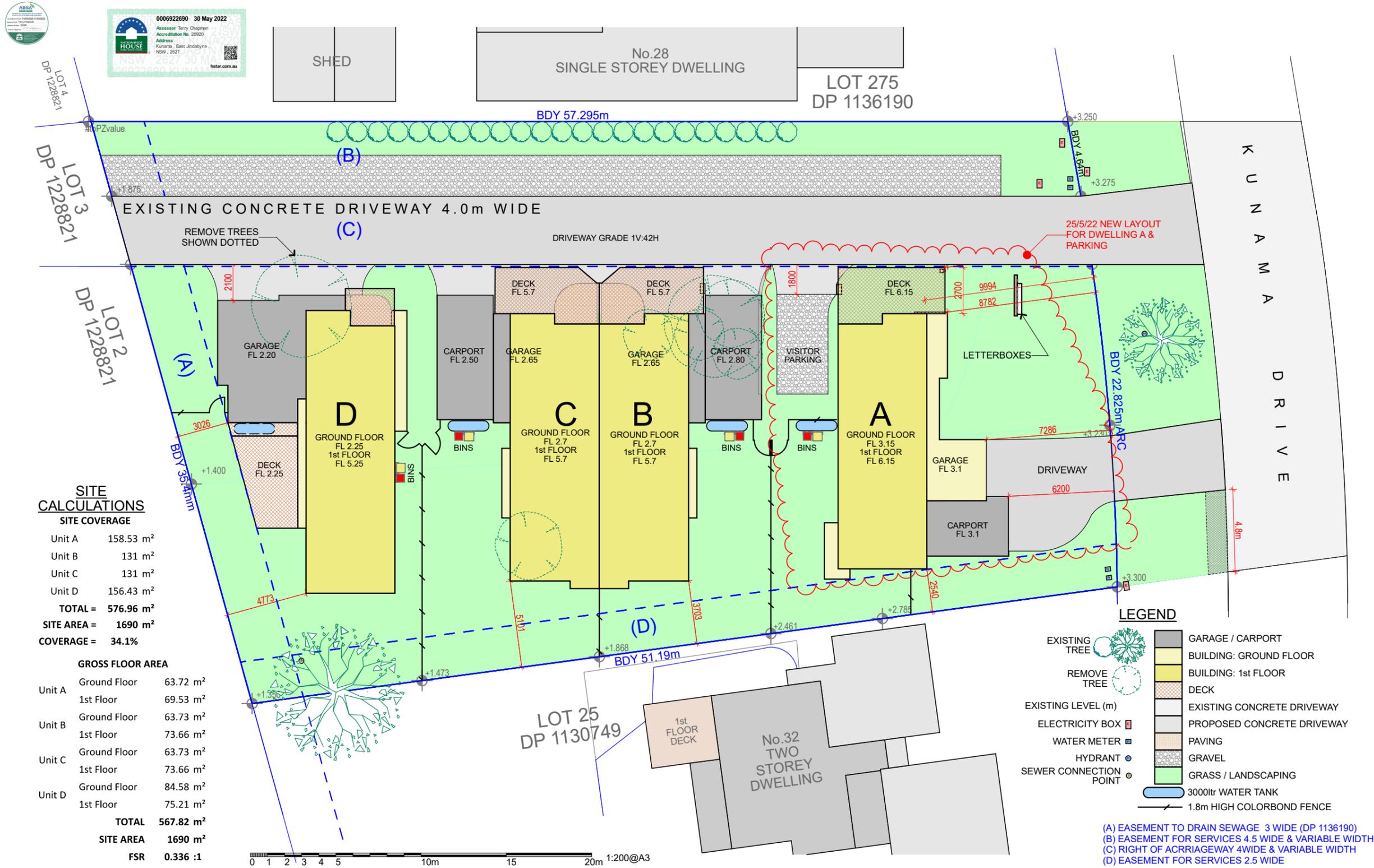
Proposed 4x3 Bedroom Townhouses

Lot 1 DP 1228821
30C Kunama Dr, East Jindabyne, 2627
for
Dovetail Constructions



	David Law B.Sc(Arch) B. Arch ABN 83 518 014 319 37 BAY VIEW AVE EAST GOSFORD NSW 2250 david@davidlaw.com.au (02) 4323 3935	DRAWING TITLE : SITE AND LOCATION LOCATION PLAN	DATE : 28/1/22
	<small>This drawing reflects a design by David Law B.Sc(Arch) B.Arch and is to be used only for work when authorised in writing. All documents here within are subject to Australian Copyright Laws.</small>	PROJECT NAME :	DRAWING NO. DACC G1

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Proposed 4x3 Bedroom Townhouses
Lot 1 DP 1228821
30C Kunama Dr
East Jindabyne
For Dovetail Constructions



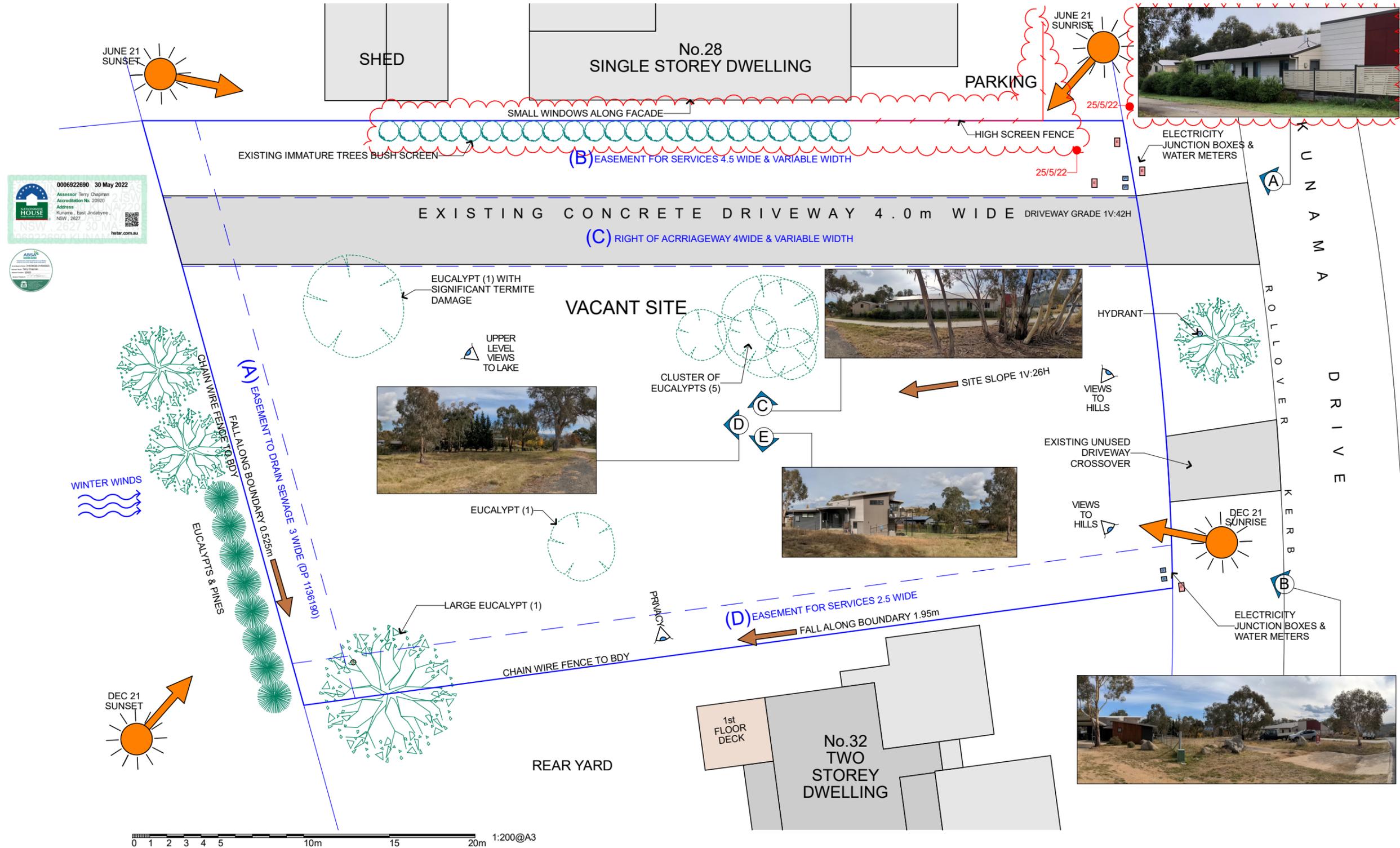
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DRAWING TITLE : SITE AND LOCATION SITE PLAN		DATE : 12/5/22
PROJECT NAME : Kronert - East Jindabyne	DRAWING NO. DACC G2	ISSUE : F



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Proposed 4x3 Bedroom Townhouses
 Lot 1 DP 1228821
 30C Kunama Dr
 East Jindabyne
 For Dovetail Constructions

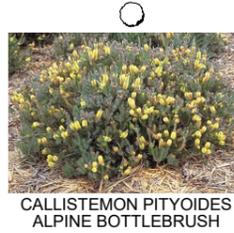
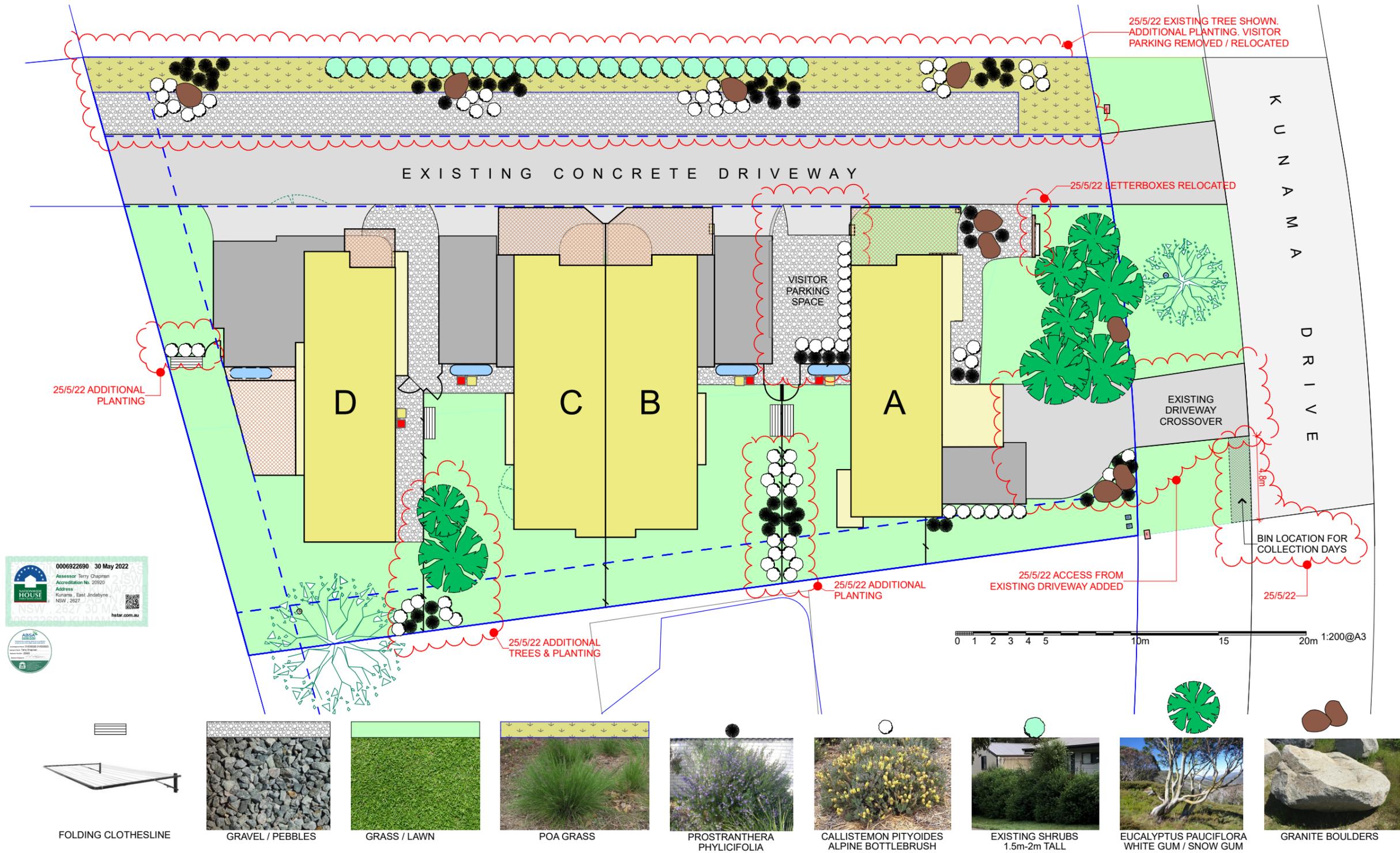


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DRAWING TITLE : SITE AND LOCATION SITE ANALYSIS PLAN		DATE : 25/5/22
PROJECT NAME : Kronert - East Jindabyne	DRAWING NO. DACC G3	ISSUE : F



Proposed 4x3 Bedroom Townhouses
 Lot 1 DP 1228821
 30C Kunama Dr
 East Jindabyne
 For Dovetail Constructions

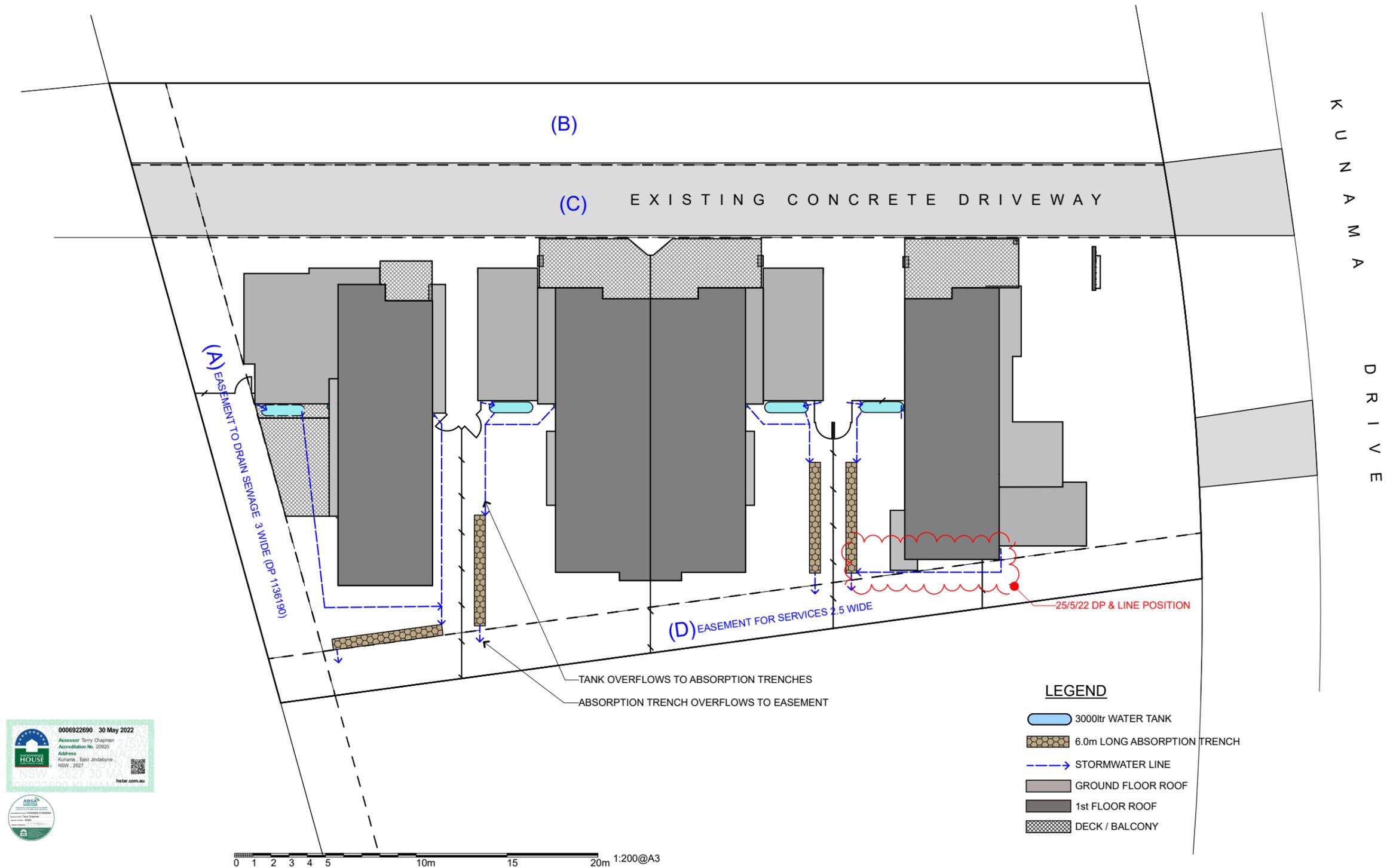


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DRAWING TITLE : SITE AND LOCATION
LANDSCAPE CONCEPT PLAN
 PROJECT NAME : **Kroenert - East Jindabyne**

DATE : 25/5/22
 ISSUE : F
 DRAWING NO. : **DACC G4**



Proposed 4x3 Bedroom Townhouses
 Lot 1 DP 1228821
 30C Kunama Dr
 East Jindabyne
 For Dovetail Constructions



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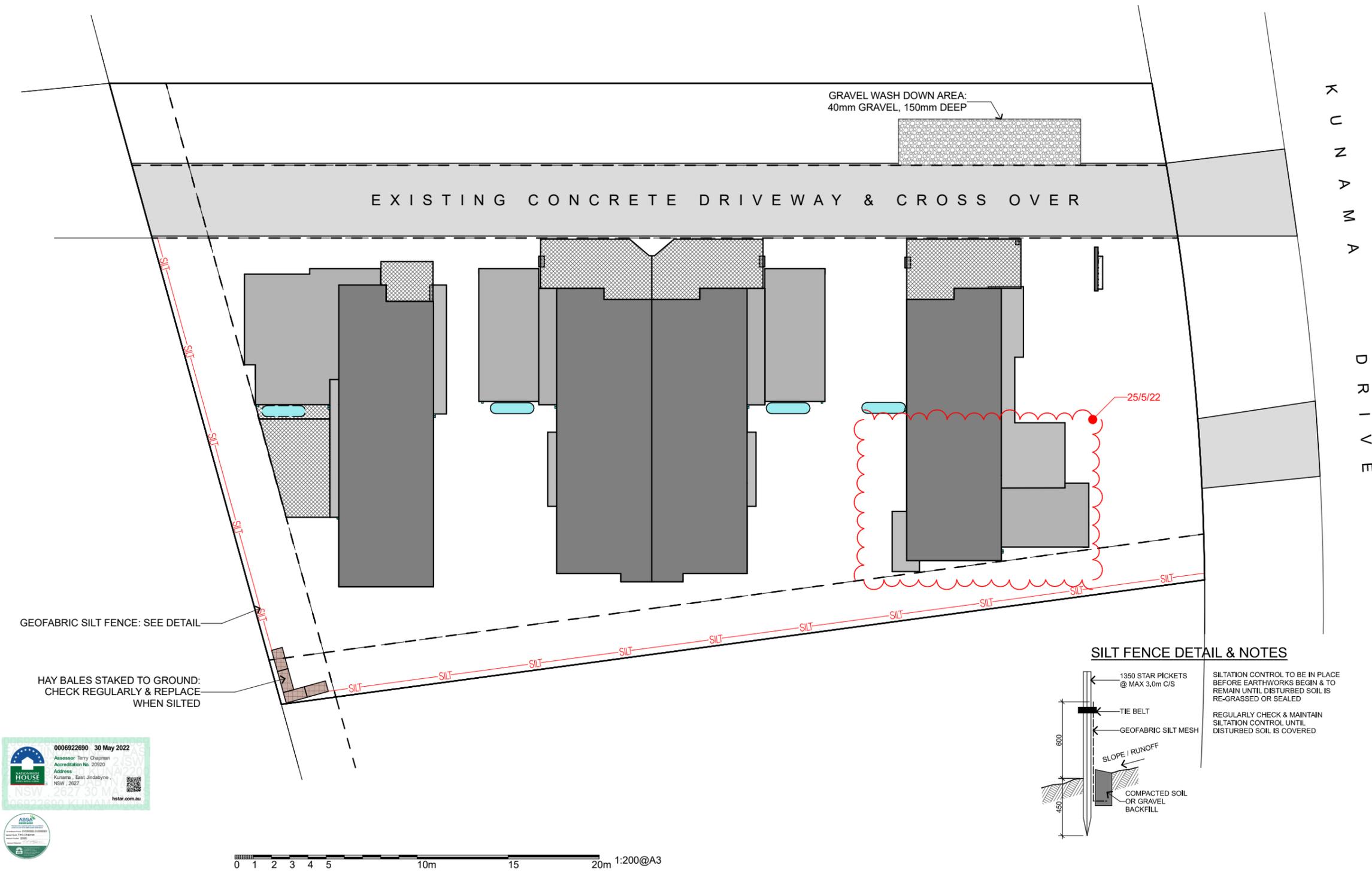
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DRAWING TITLE: SITE AND LOCATION
STORMWATER CONCEPT PLAN

PROJECT NAME: **Kroenert - East Jindabyne**

DRAWING NO. **DACC G5**

DATE: 25/5/22
 ISSUE: F



Proposed 4x3 Bedroom Townhouses
 Lot 1 DP 1228821
 30C Kunama Dr
 East Jindabyne
 For Dovetail Constructions

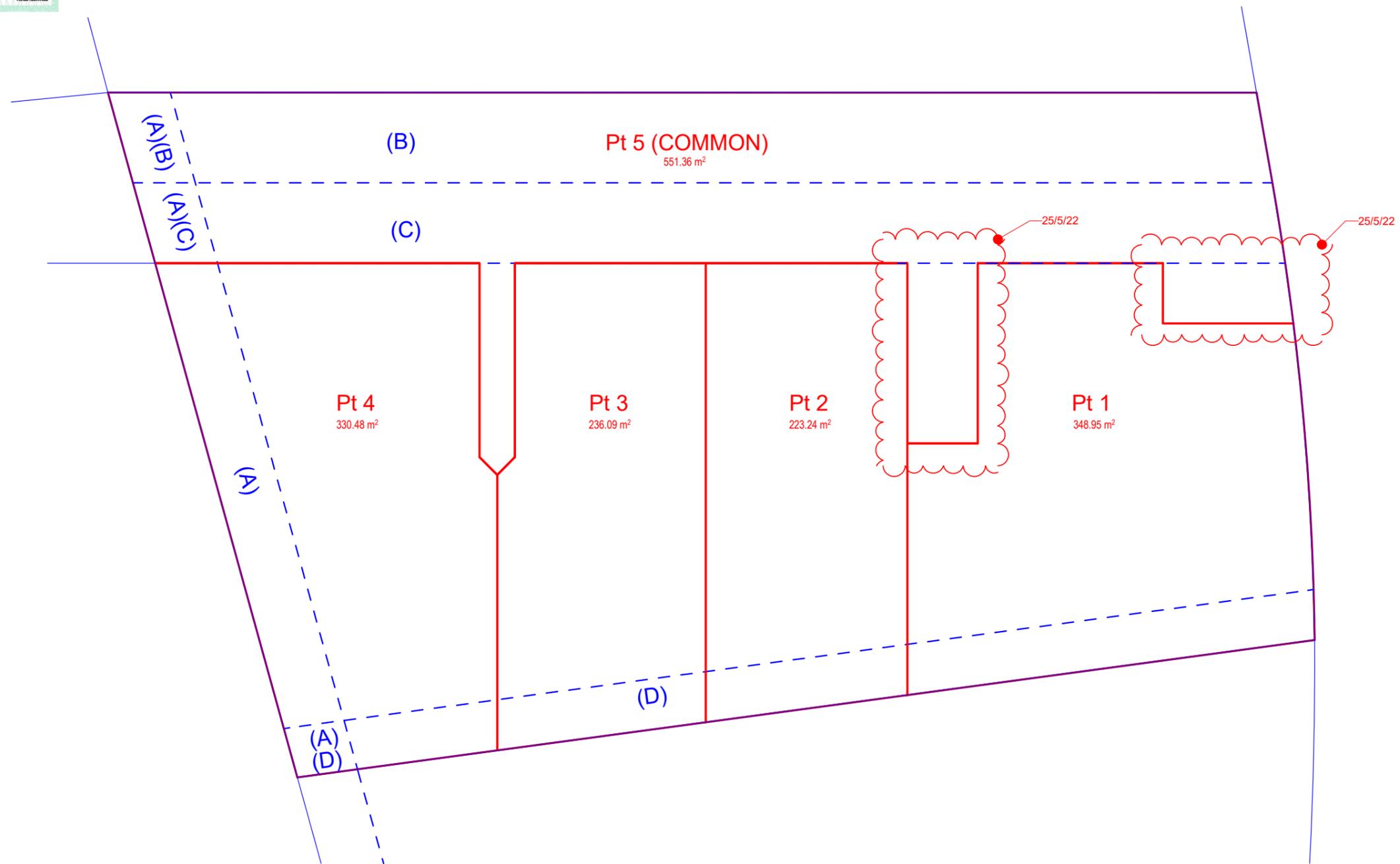


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DRAWING TITLE :
SITE AND LOCATION
SILTATION CONTROL PLAN
 PROJECT NAME :
Kroenert - East Jindabyne
 DRAWING NO. :
DACC G6

DATE :
 25/5/22
 ISSUE :
 F



(A) EASEMENT TO DRAIN SEWAGE 3 WIDE (DP 1136190)
 (B) EASEMENT FOR SERVICES 4.5 WIDE & VARIABLE WIDTH
 (C) RIGHT OF ACRRIGEWAY 4WIDE & VARIABLE WIDTH
 (D) EASEMENT FOR SERVICES 2.5 WIDE

0 1 2 3 4 5 10m 15 20m 1:200@A3

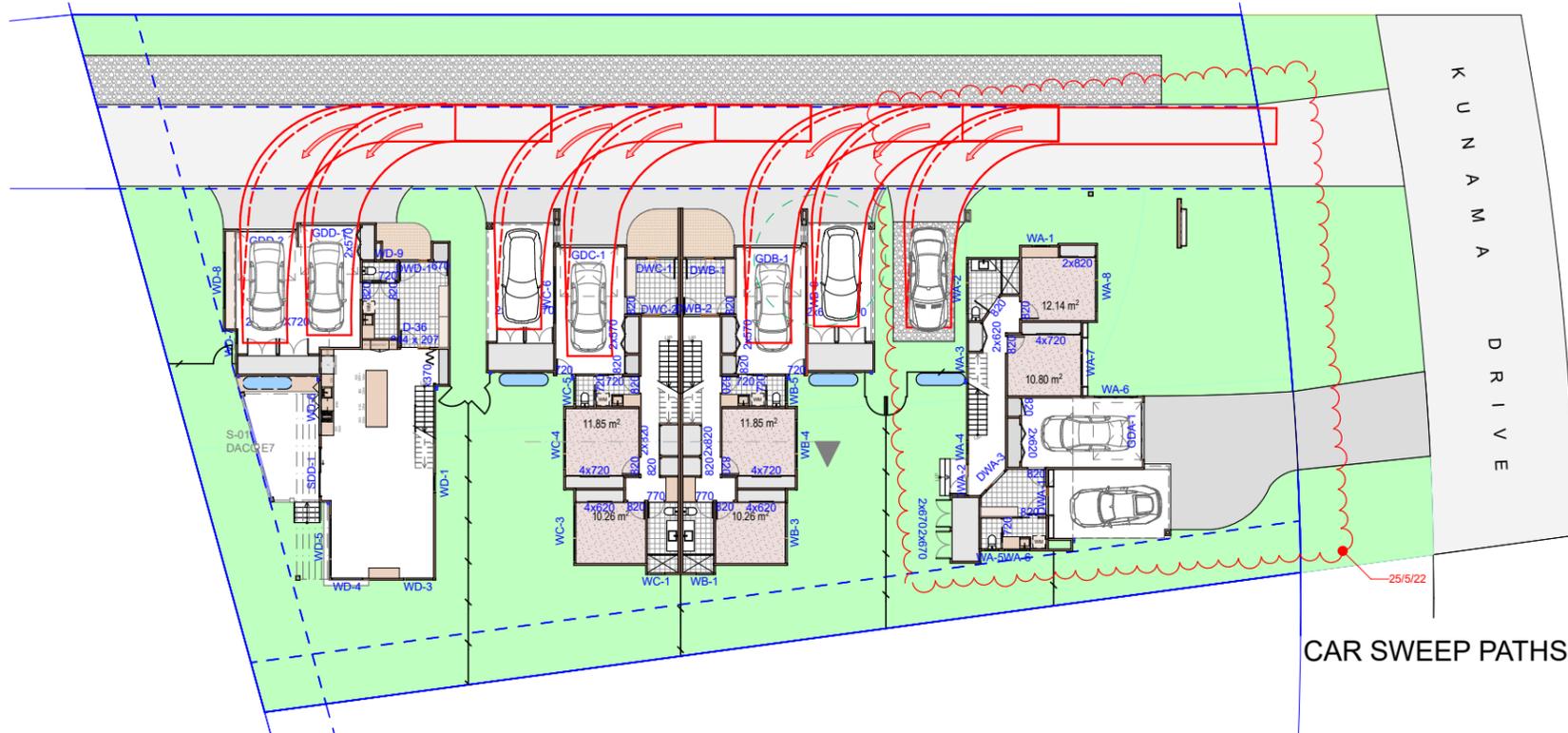
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 Lot 1 DP 1228821
 30C Kunama Dr
 East Jindabyne
 For Dovetail Constructions



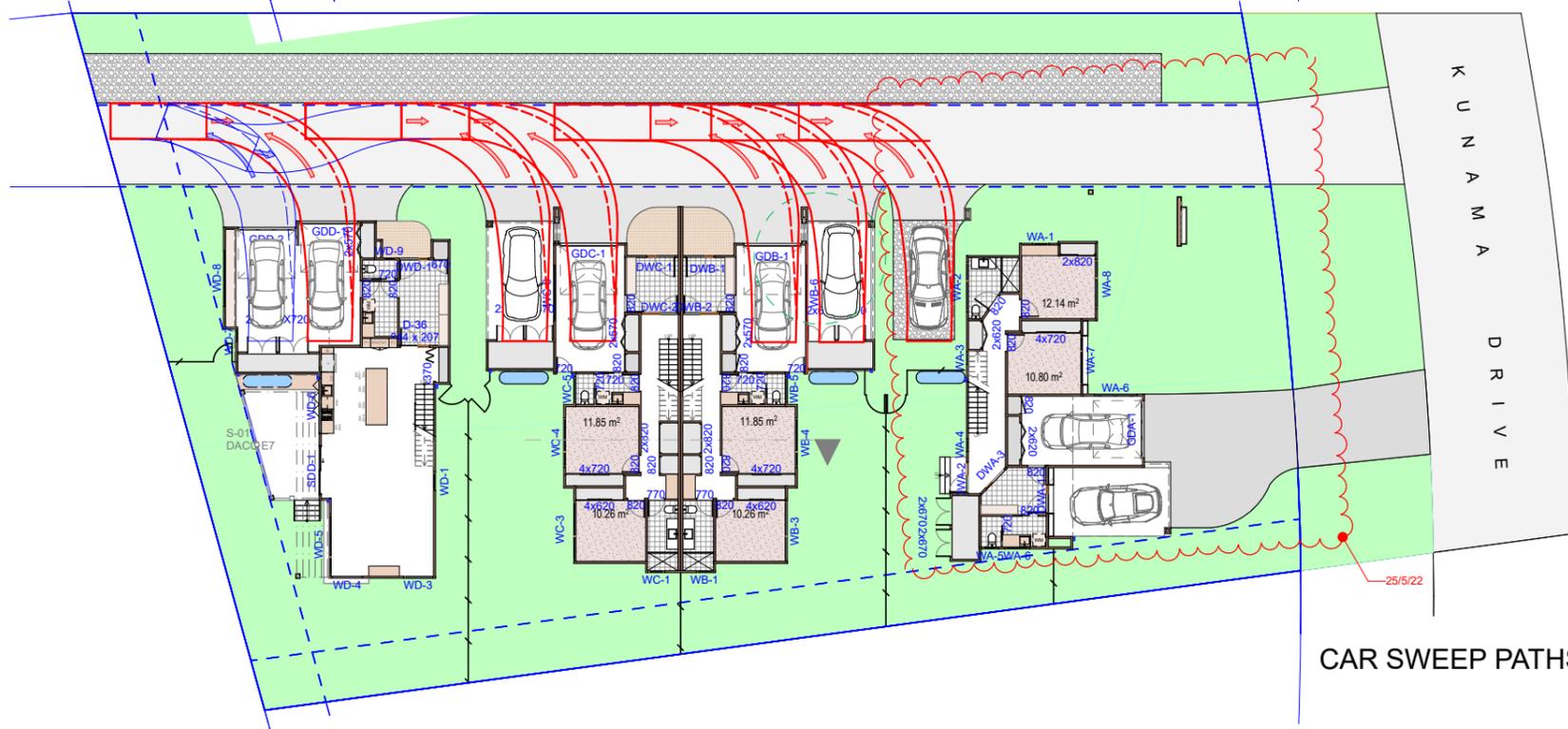
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DRAWING TITLE : SITE AND LOCATION STRATA CONCEPT PLAN		DATE : 5/3/22
PROJECT NAME : Kroenert - East Jindabyne	DRAWING NO. DACC G7	ISSUE : D



CAR SWEEP PATHS - ENTRY



CAR SWEEP PATHS - EXIT

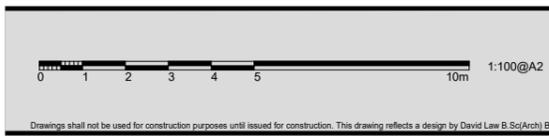
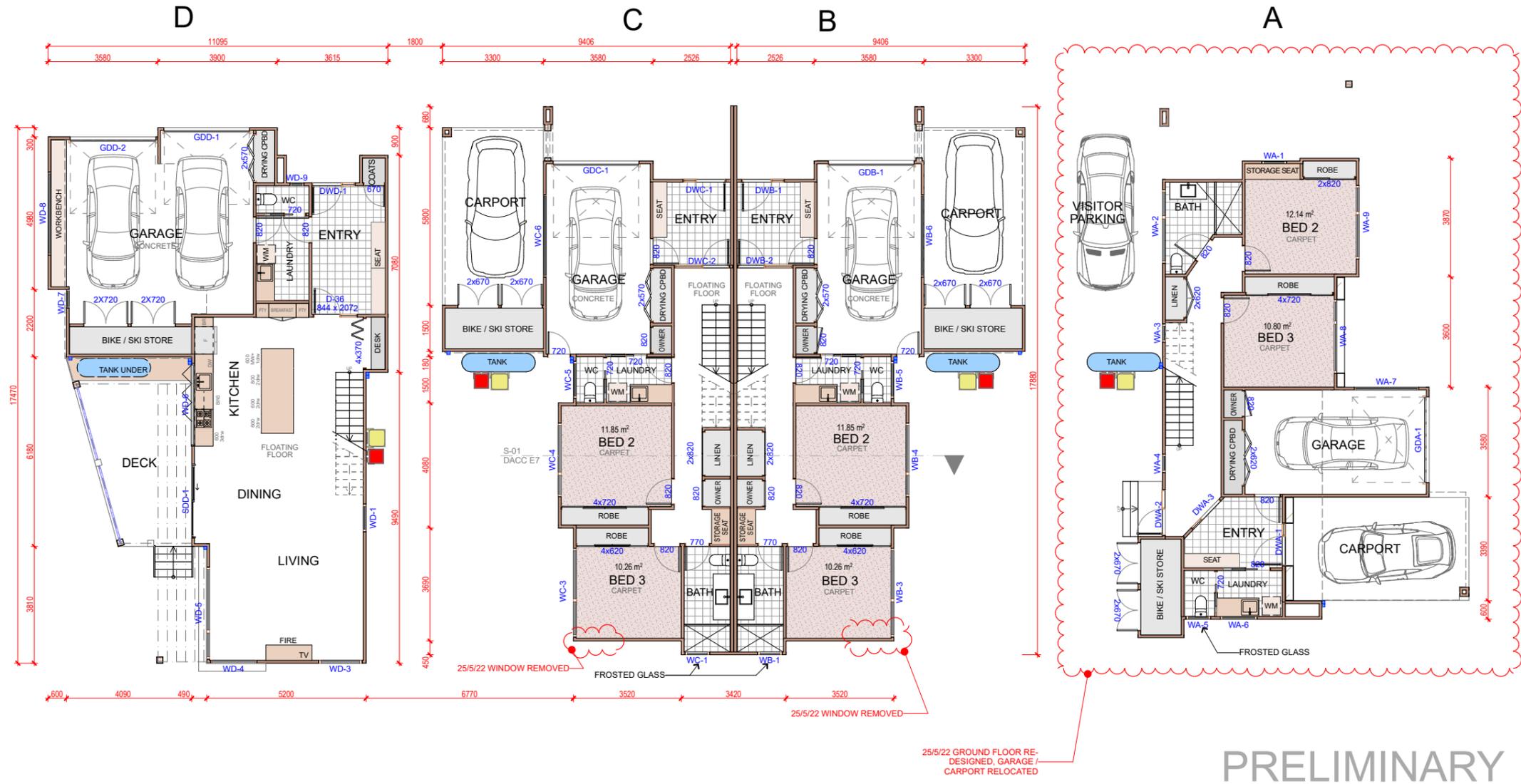


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DRAWING TITLE: SITE AND LOCATION TURNING CIRCLES		DATE: 25/5/22
PROJECT NAME: Kroener - East Jindabyne	DRAWING NO.: DACC G8	ISSUE: F

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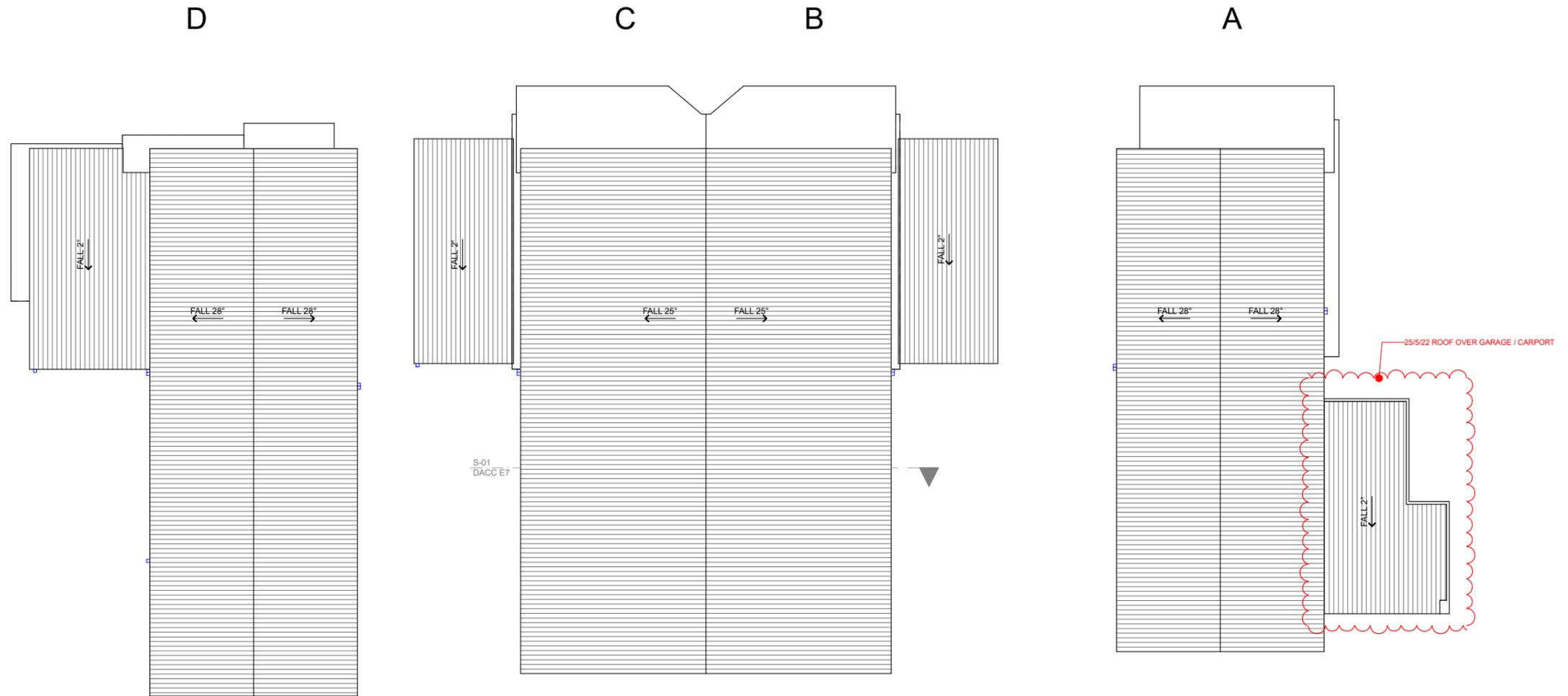
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Proposed 4x3 Bedroom Townhouses
 Lot 1 DP 1228821
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DRAWING TITLE: PLANS GROUND FLOOR		DATE: 25/5/22
PROJECT NAME: Kroener - East Jindabyne	DRAWING NO. DACC P1	ISSUE: F

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	Proposed 4x3 Bedroom Townhouses Lot 1 DP 1228821 30C Kunama Dr East Jindabyne For Dovetail Constructions			PROJECT NAME: Kroener - East Jindabyne		DRAWING NO. DACC P3	ISSUE: F

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EXTERNAL FINISHES SCHEDULE

- ALL STRUCTURAL STEELWORK (EXPOSED & ENCLOSED) TO BE HOT DIPPED GALVANISED
- STONework TO SLECTED AREAS (SEE ELEVATIONS)
- SELECTED COLORBOND CLADDING (MONUMENT)
- COLORBOND ROOF SHEETING (CUSTOM ORB - MONUMENT)
COLORBOND ROOF TRIM, GUTTERS & DOWNPIPES
- STAINED TIMBER CLAD GARAGE DOORS
- UPVC DOUBLE GLAZED WINDOWS, SEE BASIX NOTES (THERMAL COMFORT) & NATHERS CERTIFICATE FOR SHGC & U-VALUE
- SELECTED COLORBOND horizontal CLADDING (MONUMENT) TO CARPORT FASCIAS & BALUSTRADES
- STAINED TIMBER HORIZONTAL BAORD CLADDING WITH SHADOW LINE EVERY 4th BOARD
- POWDER COATED ALUMINIUM HANDRAIL
- TIMBER SOFFIT LININGS



**FRONT FACADES
 ALONG DRIVEWAY**

Proposed 4x3 Bedroom Townhouses
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DRAWING TITLE : ELEVATIONS		DATE :
3D DRIVEWAY VIEW & FINISHES SCHEDULE		25/5/22
PROJECT NAME :	DRAWING NO. :	ISSUE :
Kroenert - East Jindabyne	DACC E1	F



STREET VIEW
(LOOKING WSW)

25/5/22 FACADE & GARAGE / CARPORT LOCATION



STREET VIEW
(LOOKING WNW)

Proposed 4x3 Bedroom Townhouses
 Lot 1 DP 1228821
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DRAWING TITLE : ELEVATIONS 3D STREET VIEW		DATE : 5/3/22
PROJECT NAME : Kroenert - East Jindabyne	DRAWING NO. DACC E2	ISSUE : D



REAR VIEW
 (LOOKING NE)

Proposed 4x3 Bedroom Townhouses
 Lot 1 DP 1228821
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 For Dovetail Constructions

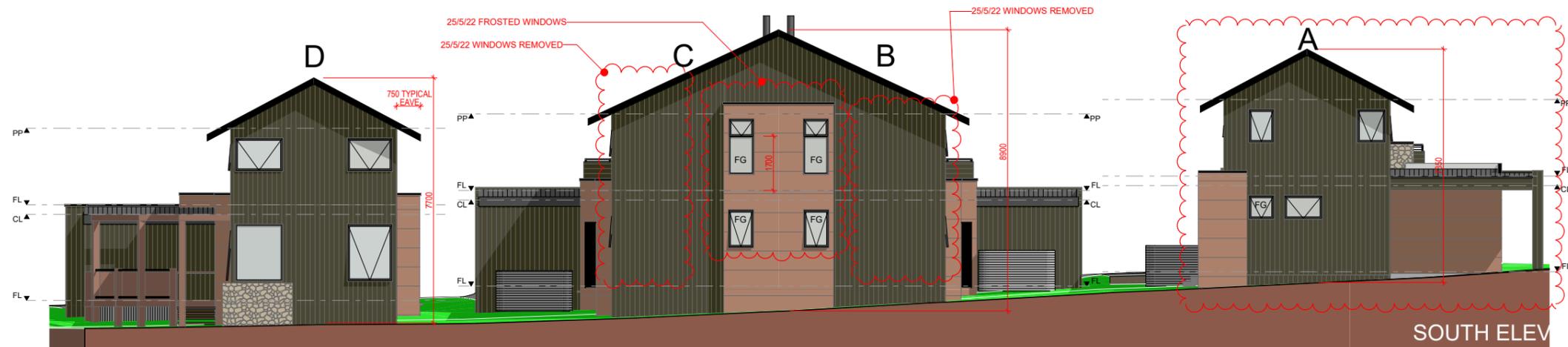
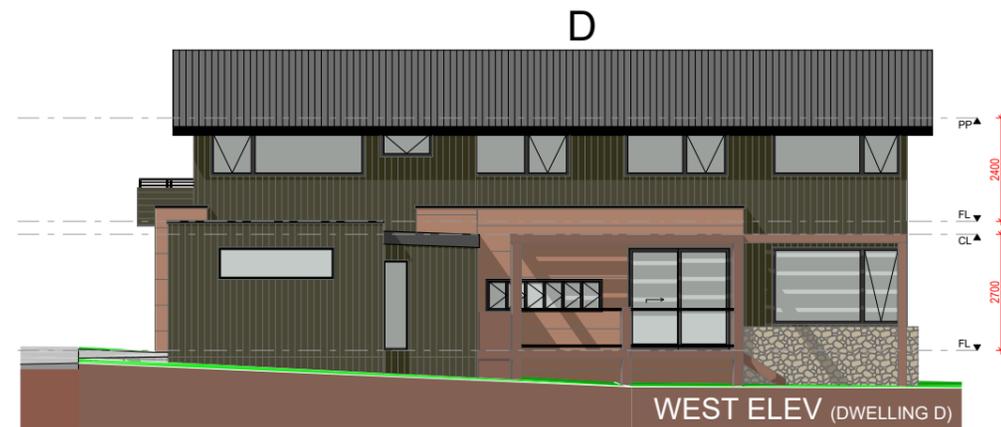
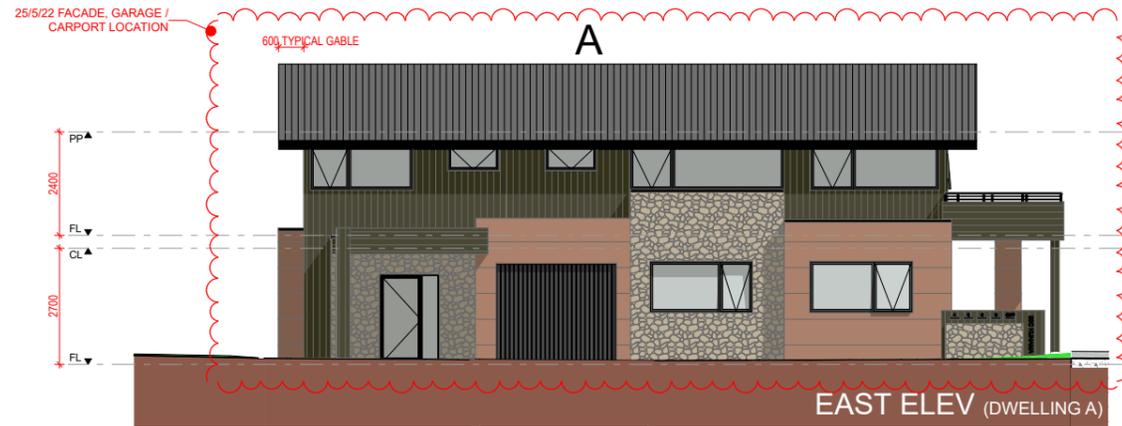
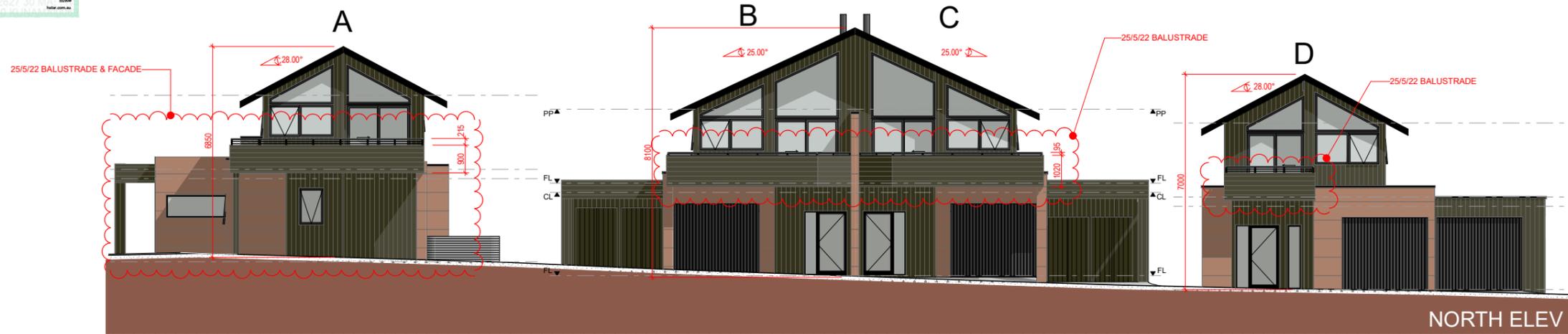


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PROJECT NAME : Kroenert - East Jindabyne	DRAWING NO. DACC E3	ISSUE : F



FG = FROSTED GLASS



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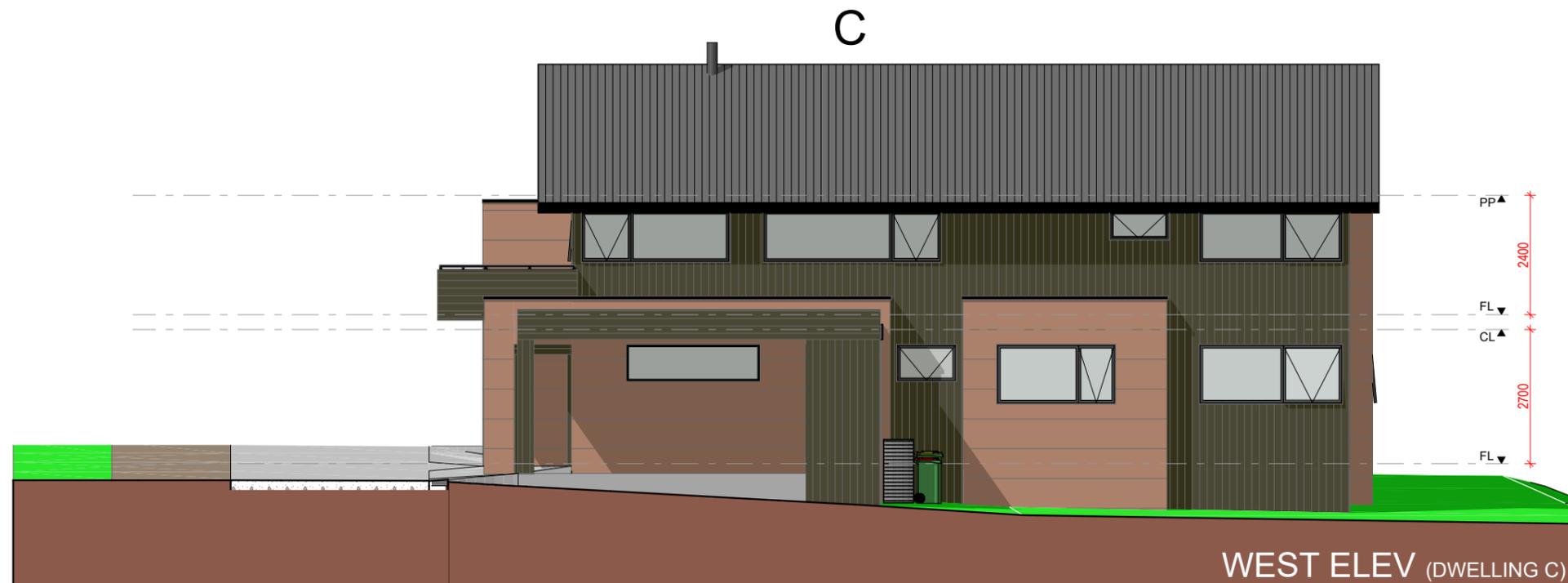
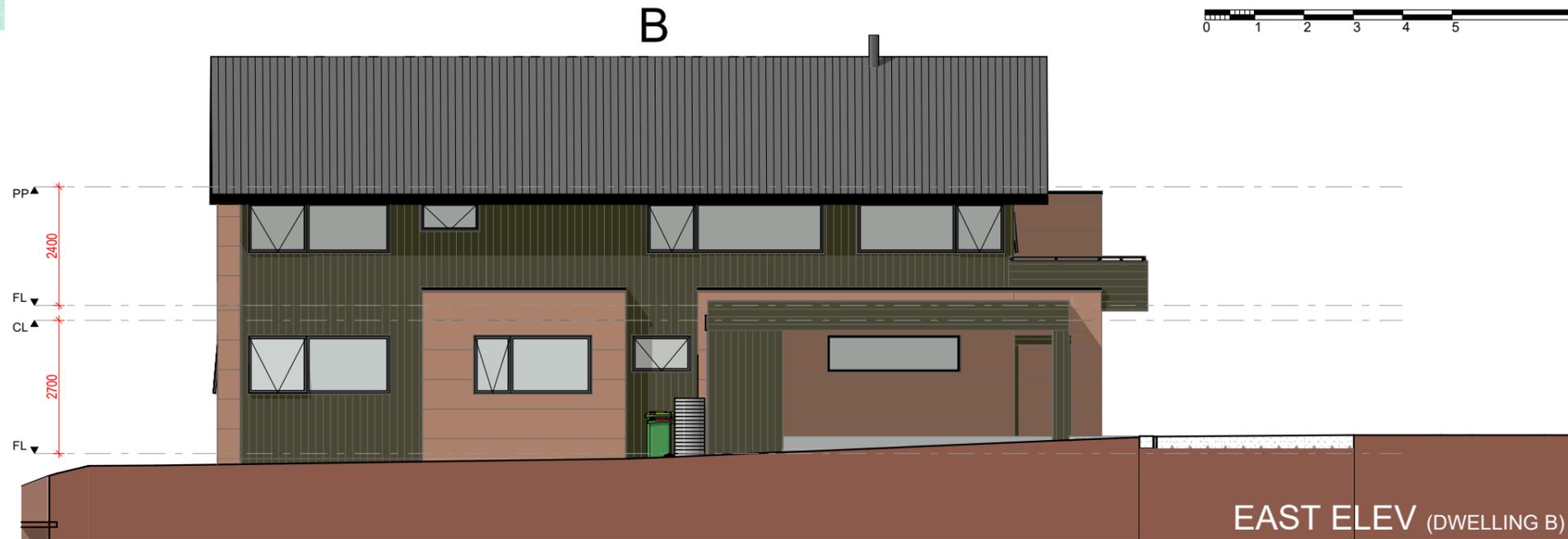
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 For Dovetail Constructions



DRAWING TITLE: ELEVATIONS ELEVS - PERIMETER		DATE: 25/5/22
PROJECT NAME: Kroener - East Jindabyne	DRAWING NO.: DACC E4	ISSUE: F



1:100@A3



Proposed 4x3 Bedroom Townhouses
 Lot 1 DP 1228821
 30C Kunama Dr
 East Jindabyne
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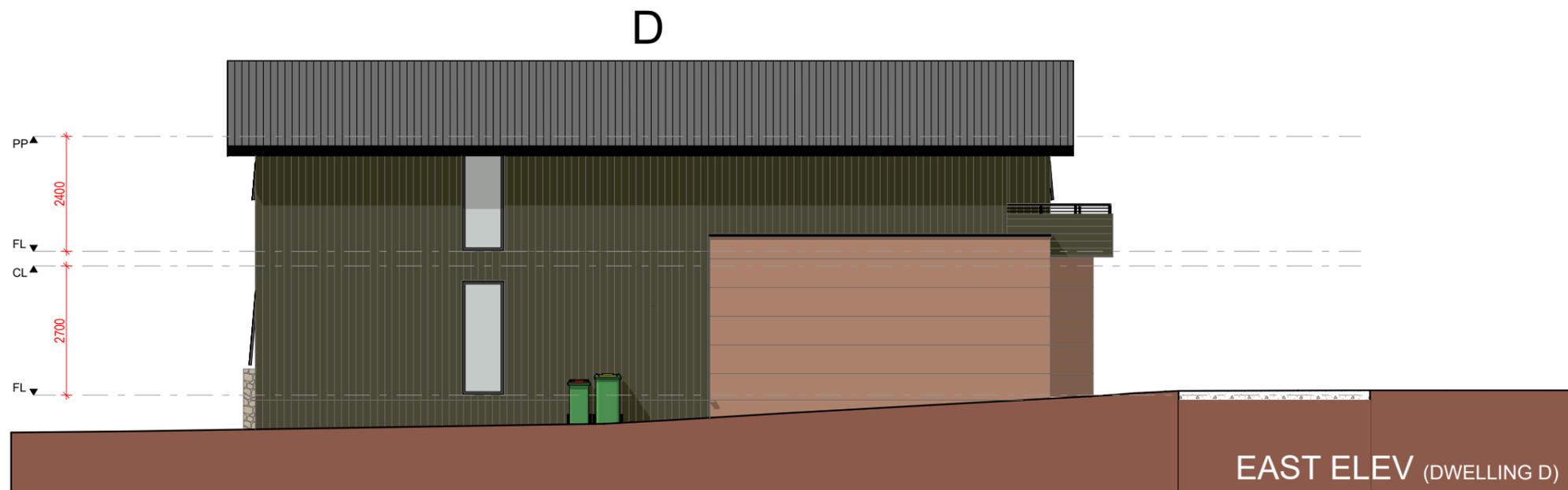
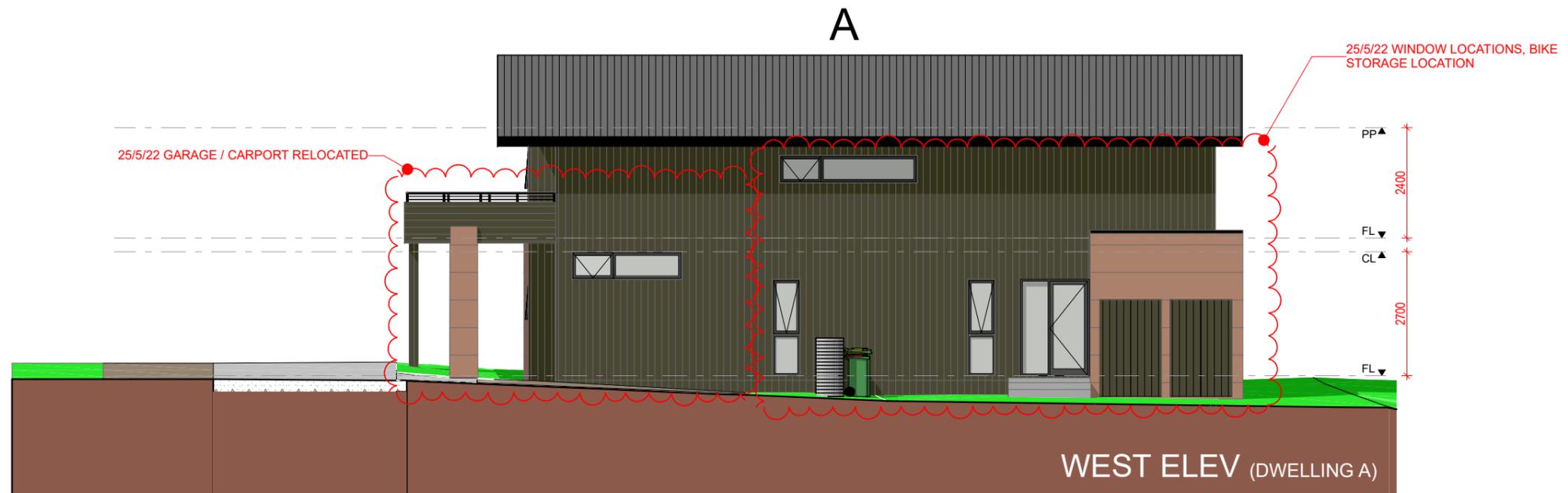
DRAWING TITLE :
**ELEVATIONS
 ELEVS - EAST B & WEST C**

PROJECT NAME :
**Kroenert - East
 Jindabyne**

DRAWING NO.
DACC E5

DATE :
 25/5/22

ISSUE :
 F



Proposed 4x3 Bedroom Townhouses
 Lot 1 DP 1228821
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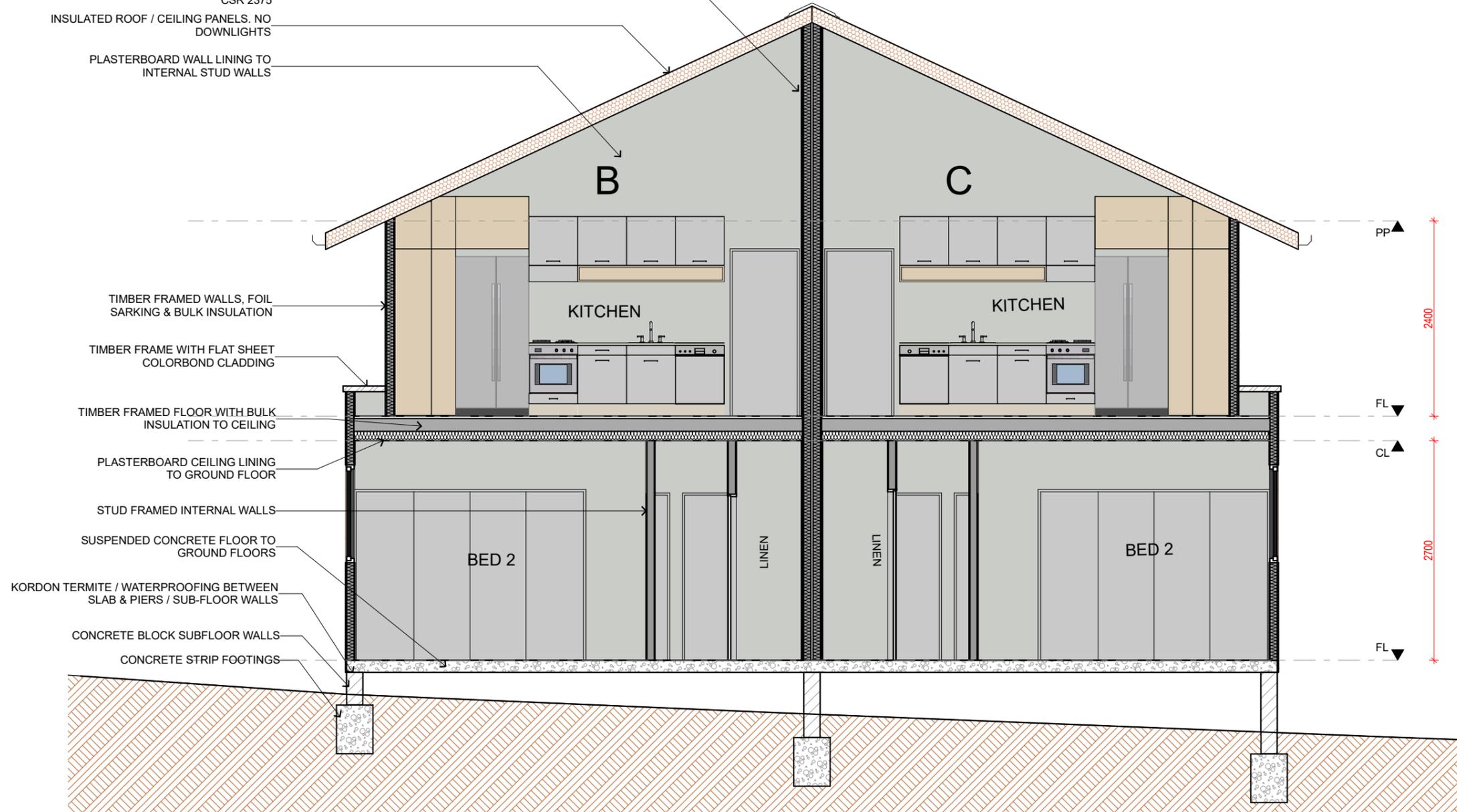

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DRAWING TITLE :
ELEVATIONS
ELEVS - WEST A & EAST D
 PROJECT NAME :
Kroenert - East Jindabyne
 DRAWING NO. :
DACC E6

DATE :
 25/5/22
 ISSUE :
F



INSULATED, FIRE & SOUND RATED STUD PARTY WALL
 CSR 2375
 INSULATED ROOF / CEILING PANELS. NO
 DOWNLIGHTS
 PLASTERBOARD WALL LINING TO
 INTERNAL STUD WALLS



TIMBER FRAMED WALLS, FOIL
 SARKING & BULK INSULATION
 TIMBER FRAME WITH FLAT SHEET
 COLORBOND CLADDING
 TIMBER FRAMED FLOOR WITH BULK
 INSULATION TO CEILING
 PLASTERBOARD CEILING LINING
 TO GROUND FLOOR
 STUD FRAMED INTERNAL WALLS
 SUSPENDED CONCRETE FLOOR TO
 GROUND FLOORS
 KORDON TERMITE / WATERPROOFING BETWEEN
 SLAB & PIERS / SUB-FLOOR WALLS
 CONCRETE BLOCK SUBFLOOR WALLS
 CONCRETE STRIP FOOTINGS

PP ▲
 2400
 FL ▼
 CL ▲
 2700
 FL ▼

ALL FOOTINGS, PIERS, RC SLABS, STRUCTURAL STEEL / TIMBER, BRACING ETC TO ENGINEERS DETAIL



Proposed 4x3 Bedroom Townhouses
 Lot 1 DP 1228821
 30C Kunama Dr
 East Jindabyne
 For Dovetail Constructions



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DRAWING TITLE : ELEVATIONS SECTION S-01		DATE : 28/1/22
PROJECT NAME : Kroenert - East Jindabyne	DRAWING NO. DACC E7	ISSUE : C

GENERAL NOTES & SPECIFICATION

DRAWINGS & DOCUMENTS

THE DRAWINGS & DOCUMENTS ARE TO BE READ IN CONJUNCTION WITH THE DEVELOPMENT CONSENT, CONSTRUCTION CERTIFICATE, S.68 APPROVAL & REPORTS BY CONSULTANTS AS LISTED ON THE FRONT SHEET OF THESE DRAWINGS

WRITTEN DIMENSIONS TO BE TAKEN IN PREFERENCE TO SCALE

ALL DIMENSIONS IN MILLIMETRES UNLESS NOTED OTHERWISE

CONTOURS & BOUNDARY DIMENSIONS ARE IN METRES

MEASUREMENTS TO BE CHECKED & VERIFIED BY BUILDER PRIOR TO COMMENCEMENT

ALL DRAWINGS, DOCUMENTS, REPORTS & APPROVALS TO BE READ BY THE BUILDER PRIOR TO COMMENCEMENT. ANY DISCREPANCIES, ERRORS OR ITEMS REQUIRING CLARIFICATION TO BE BROUGHT TO THE ATTENTION OF THE DESIGNER FOR INSTRUCTION

THE BUILDER IS ENCOURAGED TO DISCUSS ANY & ALL DESIGN & CONSTRUCTION ITEMS WITH THE DESIGNER BEFORE & DURING CONSTRUCTION, ESPECIALLY WHERE THE BUILDER OR OWNER INTEND TO MAKE CHANGES / VARIATIONS TO THE BUILDING WORKS AS DOCUMENTED

SITE PREPARATION & MAINTENANCE

BEFORE COMMENCEMENT OF BUILDING WORK, THE BUILDER IS TO PROVIDE A SITE SHED, SITE FENCING, TOILET FACILITIES (IF NOT ALREADY PROVIDED IN EXISTING BUILDING), GARBAGE COLLECTION & STORAGE AREA, MATERIALS STORE AREA & SAFE SITE ACCESS

PROVIDE GARBAGE & MATERIALS STORE FACILITIES TO SECURE GARBAGE & MATERIALS FROM BEING MOVED BY WIND

SECURE SITE BY TEMPORARY FENCING OR OTHER MEASURES TO PREVENT UNAUTHORISED ENTRY ONTO THE SITE. TEMPORARY FENCING TO COMPLY WITH AS 4687-2007

PUT IN PLACE PROTECTION MEASURES TO THE TREES THAT ARE NOTED ON THE PLANS AND / OR CONSENT DOCUMENTS TO BE PROTECTED

EXCAVATION & SILTATION CONTROL MEASURES

ALL SILTATION CONTROL MEASURES TO BE IN PLACE PRIOR TO BREAKING GROUND

STOCKPILE TOPSOIL FOR USE ON SITE TO COVER LANDSCAPED AREAS AT COMPLETION OF BUILDING WORKS

EXCAVATION WORKS TO COMPLY WITH AS 3798-2007 & NCC 3.1.1

SILT FILTERS TO BE CHECKED REGULARLY BY BUILDER. SEE DETAILS ON PLAN OF SILT FENCE

TERMITE PROTECTION

PHYSICAL BARRIER STYLE TERMITE PROTECTION SYSTEM TO BE INSTALLED & COMPLY WITH AS3660.1 & NCC (VOL 2) 3.1.4

A DURABLE NOTICE TO BE INSTALLED IN THE METER BOX (OR SIMILAR LOCATION) INDICATING THE TYPE OF SYSTEM, DATE OF INSTALLATION, CHEMICALS USED & THEIR LIFE EXPECTANCY, MANUFACTURERS RECOMMENDATIONS FOR SCOPE & TIMEFRAME OF INSPECTIONS

FOOTINGS, SLABS & STRUCTURAL STEEL / TIMBER MEMBERS

ALL REINFORCED CONCRETE FOOTINGS & SLABS TO ENGINEERS DETAIL, OTHERWISE TO NCC (VOL 2) 3.2

ALL ON GROUND FLOOR SLABS TO HAVE A TERMITE RESISTANT VAPOUR BARRIER UNDER THE SLAB, 0.2mm NOMINAL THICKNESS, MEDIUM IMPACT RESISTANCE, JOINTS OVERLAPPED 200mm & TAPED, SLEAVES TO BE CLOSE FITTING & TAPED. ALL TO AS 2870 & NCC NSW 3.2.2.6

ALL STRUCTURAL STEEL / TIMBER MEMBERS TO ENGINEERS DETAIL, OTHERWISE TO NCC (VOL 2) 3.4

ALL TIMBER SIZES, SPANS & FRAMEWORK SHALL CONFORM TO THE REQUIREMENTS OF AS1684 OR WHERE APPLICABLE NCC (VOL 2) 3.4

SIZES & ITEMS ON ENGINEERS DRAWINGS TAKE PRECEDENT

MASONRY

ALL MASONRY TO BE DESIGNED & CONSTRUCTED IN ACCORDANCE WITH AS3700 AND / OR AS4773.1 / AS4773.2

FRAMING

ALL TIMBER SIZES, SPANS & FRAMEWORK SHALL CONFORM TO THE REQUIREMENTS OF AS1684 OR WHERE APPLICABLE NCC 3.4.3.

ALL STEEL FRAME SIZES, SPANS & FRAMEWORK SHALL CONFORM TO THE REQUIREMENTS OF AS 4100 OR WHERE APPLICABLE NCC 3.4.2

ENGINEERS DRAWINGS TAKE PRECEDENT

SUB-FLOOR VENTILATION TO BE EVENLY DISTRIBUTED AROUND THE PERIMETER OF THE BUILDING & SIZED IN COMPLIANCE WITH NCC 3.4.1.2

ROOF & WALL CLADDING

ROOF & WALL CLADDING TO COMPLY WITH NCC 3.5.

SEE ENGINEERS DETAILS FOR WIND CLASSIFICATION

METAL SHEET ROOFING & WALL CLADDING TO BE INSTALLED TO AS 1562.1

CLEAN ALL BURRS & OFFCUTS FROM INSTALLATION OFF THE ROOF UPON COMPLETION OF THE WORK DAY

SARKING / INSULATION BLANKET TO HAVE INSULATION LEVEL AS PER BASIX CERTIFICATE & HAVE A FLAMMABILITY INDEX OF NOT MORE THAN 5. TAPE ALL SEAMS

BREATHABLE SARKING TO WALLS ON OUTSIDE OF STUD FRAME, LOCATED BETWEEN STUDS & BATTENS (FOR WALL CLADDING)

FLASHINGS & GAPS TO BE SEALED / PROTECTED IN ACCORDANCE WITH BUSHFIRE NOTES

FLASHINGS, CONNECTIONS & FIXINGS TO METAL CLADDING TO BE OF SIMILAR CORROSION RESISTANCE & COMPATIBILITY, AS PER NCC 3.5.1

GLAZING

GLASS INSTALLATIONS MUST COMPLY WITH THE REQUIREMENTS OF NCC 3.6, AS 2047, AS1288 & BE OF ADEQUATE THICKNESS FOR THE TERRAIN CATEGORY & WIND LOADING APPLICABLE TO THE ALLOTMENT LOCATION. WIND CATEGORY AS PER ENGINEERS SPECIFICATION

BEDROOMS WITH FLOOR LEVEL MORE THAN 2m ABOVE ADJACENT SURFACE & WITH OPENING SECTION LESS THAN 1.7m ABOVE THE FLOOR TO HAVE OPENINGS GREATER THAN 125mm PROTECTED IN ACCORDANCE WITH NCC 3.9.2.6

OTHER ROOMS WITH FLOOR LEVEL MORE THAN 4m ABOVE ADJACENT SURFACE & WITH OPENING SECTION LESS THAN 1.7m ABOVE THE FLOOR TO HAVE OPENINGS GREATER THAN 125mm PROTECTED IN ACCORDANCE WITH NCC 3.9.2.6

SMOKE ALARMS

SMOKE ALARMS MUST BE INSTALLED IN CLASS 1 BUILDINGS IN ACCORDANCE WITH PARTS 3.7.2.3 & 3.7.2.4 OF THE NCC VOL.2, AS3786 & MANUFACTURERS SPECIFICATION RECOMMENDATIONS. THE DETECTOR MUST BE CONNECTED TO CONSUMER MAINS POWER WHERE CONSUMER MAINS POWER IS SUPPLIED TO THE BUILDING. THE DETECTOR MUST BE INSTALLED ON OR NEAR THE CEILING & LOCATED BETWEEN EACH PART OF THE DWELLING CONTAINING BEDROOMS & THE REMAINDER OF THE DWELLING

WET AREAS

BATHROOMS, TOILETS, LAUNDRIES & OTHER WET AREAS TO BE WATERPROOF OR WATER-RESISTANT AS PER NCC 3.8.1 & AS 3740

CONDENSATION

VAPOUR BARRIER TO WALLS, SEE "WALL & ROOF CLADDING"

EXHAUST FANS TO HAVE A MINIMUM FLOW RATE OF 25L/S FOR BATHROOMS, 40L/S ELSEWHERE

DO NOT VENT EXHAUST FANS TO ROOF SPACE

STAIRS

STAIRS TO NCC 3.9.1 IN LOCATION & CONFIGURATION AS SHOWN ON THE DRAWINGS

OPEN TREAD STAIRS TO HAVE NO GAPS GREATER THAN 125mm

ALL BALUSTRADES WHERE THERE IS A CHANGE IN LEVEL OF AT LEAST 1000 TO BE A MINIMUM OF 1000 HIGH WITH MAXIMUM GAPS OF 125 & COMPLY WITH NCC3.9.2. WIRE BALUSTRADES TO HAVE SPACINGS & TENSIONS AS PER NCC 3.9.2.5

RAMPS, STAIR LANDINGS & TREADS OR NOSING STRIPS TO HAVE A SURFACE WITH A SLIP RESISTANCE AS PER TABLE BELOW. SURFACE SLIP RESISTANCE TEST TO BE IN ACCORDANCE WITH AS 4586. EXTERNAL STAIRS TO HAVE TEST CERTIFICATE FOR WET PENDULUM TEST OR WET BAREFOOT RAMP TEST.

APPLICATION	DRY SURFACE CONDITIONS	WET SURFACE CONDITIONS
RAMP (NOT STEEPER THAN 8°)	P4 OR R10	P5 OR R12
STAIR TREAD	P3 OR R10	P4 OR R11
NOSING STRIP (STAIR AND LANDING)	P3	P4

ROOF SAFETY

ALL ROOFS OVER 15 DEGREES PITCH TO HAVE PERMANENT SAFETY HARNESS ATTACHMENT POINTS AT OR NEAR THE RIDGE FIXED SECURELY TO ROOF FRAMING

WH&S NOTES

WH&S

THE SUBJECT BUILDING HAS BEEN DESIGNED CONSIDERING WORK PLACE HEALTH & SAFETY REQUIREMENTS OF THE WORK HEALTH & SAFETY ACT 2011 IN ORDER TO REDUCE THE RISK OF ON-SITE WORK PLACE INCIDENTS & PRACTICES THAT COULD RISK THE HEALTH OF ON SITE WORKERS & VISITORS

ROOF HAS BEEN DESIGNED FOR EASE OF ACCESS TO GUTTERS AT A LOW HEIGHT

ON SITE WORK PLACE HEALTH & SAFETY IS THE RESPONSIBILITY OF THE BUILDER & OWNER

THE BUILDER IS TO MAINTAIN SAFE WORK PRACTICES, ENSURE WORKERS & VISITORS ARE AWARE OF THE RISKS / DANGERS ON ENTRY TO THE SITE & INSTRUCT ALL PERSONS ON SITE ON THE IMPLEMENTATION OF THE WORK SITE SAFETY MANUAL & PROCEDURES

OWNER TO ADVISE BUILDER OF THEIR PRESENCE & GUESTS ON ENTERING THE SITE & TO WEAR APPROPRIATE PROTECTIVE CLOTHING WHILST ON SITE.



Proposed 4x3 Bedroom Townhouses
Lot 1 DP 1228821
30C Kunama Dr
East Jindabyne
For Dovetail Constructions



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DRAWING TITLE :

NOTES & SPECIFICATION
GENERAL NOTES

DATE :
28/1/22

PROJECT NAME :

**Kroener - East
Jindabyne**

DRAWING NO.

DACC N.1

ISSUE :

C



BASIX & ENERGY NOTES

THE FOLLOWING ARE THE MINIMUM REQUIREMENTS REQUIRED BY BASIX CERTIFICATE No. 1267930M_03
**IT IS HIGHLY RECOMMENDED THAT INCREASED INSULATION, MORE ENERGY EFFICIENT APPLIANCES,
MORE WATER EFFICIENT FIXTURES & SOLAR PV SYSTEM(S) ARE INSTALLED. TIGHT BUILDING SEALS &
HEAT AIR EXCHANGE UNITS ARE ALSO RECOMMENDED.**

WATER

ITEM	REQUIREMENT
SHOWER HEADS	3 STAR RATED SHOWER HEADS (>7.5, <=9.5L/min)
TOILETS	3 STAR RATED DUAL FLUSH TOILETS
TAPS (INDOOR)	3 STAR RATED TAPS
TAPS (OUTDOOR)	3 STAR RATED TAPS
TANKS	2000 LTR WATER TANKS TO EACH DWELLING, COLLECTING FROM AT LEAST 100m ² ROOF CONNECTED TO TOILETS & OUTDOOR TAPS

THERMAL COMFORT

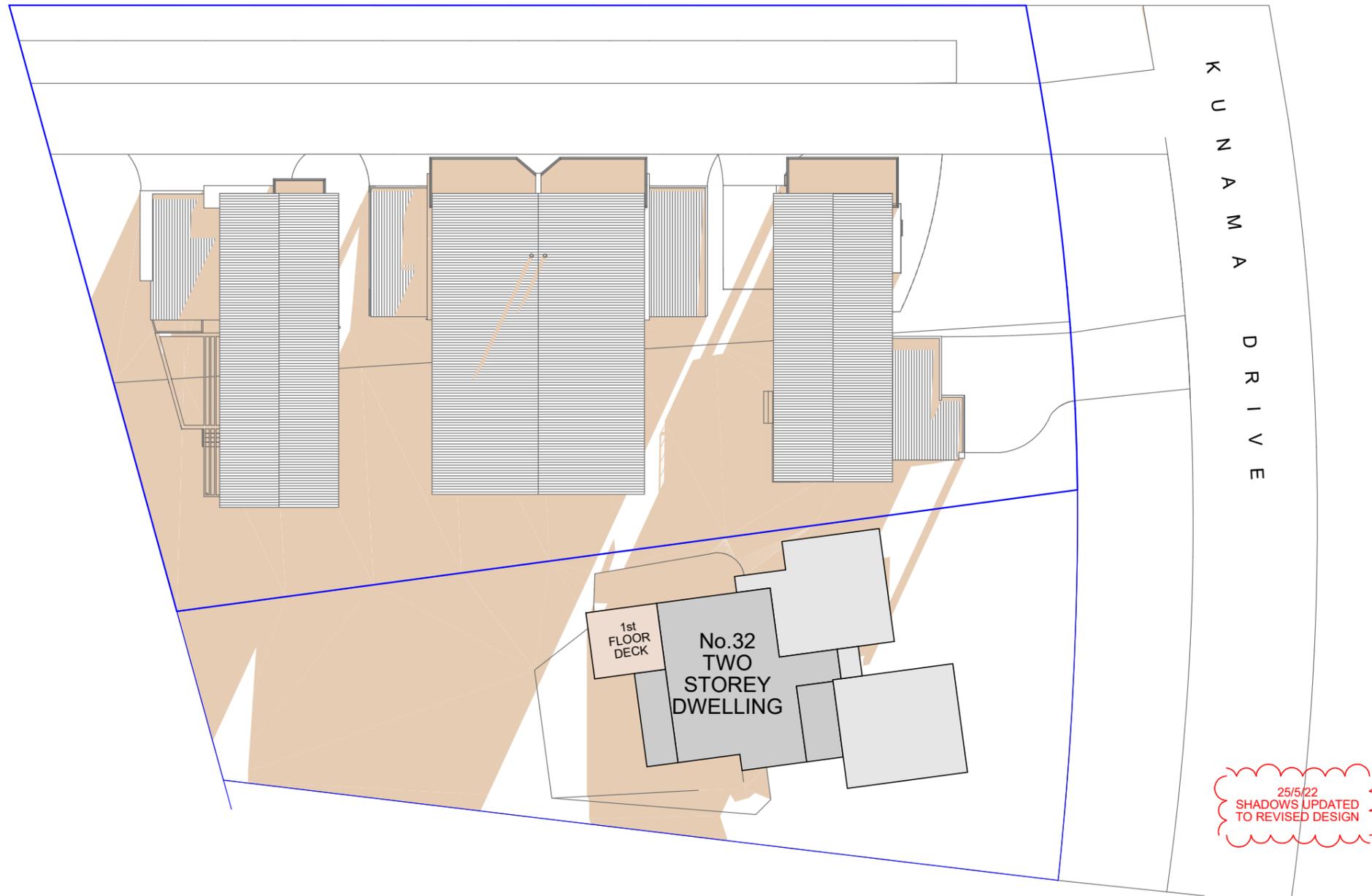
Basix Requirements Summary - Multi Dwelling			
David Law Lot 1 Kunama Drive East Jindabyne NSW 2627	Prepared by Chapman Environmental Services www.basixcertificates.com.au 1300 004 914		
Max. Heating Load is (MJ/m ²)	425.7	Actual Heating Load	366.7
Max. Cooling Load is (MJ/m ²)	No Cap	Actual Cooling Load	22.5
Thermal Performance Assessment Based on the Following Requirements			
Floor Types	Suspended concrete slab	with	No insulation required
	Suspended timber - Unit 1	with	R2.0 bulk insulation
Floor Coverings	Tiles	Wet Areas/Entry	Timber Living
	Carpet	Bedrooms	Concrete Garage
External Walls	Timber framed Fibro clad	with	Sarking and R2.0 bulk insulation Colour Medium
Internal Walls	Plasterboard	with	R2.5 between the garage and dwelling of Unit 1 and 4
Party Walls	Boral KH2 Party wall system (Or Equivalent)	with	R2.0 Bulk insulation
Ceiling (floor over)	Timber above plasterboard	with	R2.0 bulk insulation
Ceilings (roof over)	Timber above plasterboard.	with	No Insulation required
Roof	SIPs with a total R value of 3.7		Colour Medium
Windows and Doors	AF double glazed clear to all windows and glazed doors unless noted otherwise	Fixed Glass	AWS-071-08 U-Value 3.69 or less SHGC 0.65 +/- 5%
		Awning Windows	AWS-008-01 U-Value 4.32 or less SHGC 0.55 +/- 5%
		Sliding Doors	AWS-013-05 U-Value 4.11 or less SHGC 0.59 +/- 5%
		Entry Door	AWS-019-01 U-Value 4.08 or less SHGC 0.50 +/- 5%
		Bi-Fold Door	AWS-017-01 U-Value 4.30 or less SHGC 0.51 +/- 5%
<p><i>If the Universal Certificate indicates downlights, then these are to be non-ventilated LED / fluorescent</i></p> <p><i>Any exhaust fans noted are to be fitted with self-closing dampers or be otherwise sealed</i></p> <p><i>All insulation specified must be installed in accordance with Part 3.12.1.1 of the BCA</i></p> <p><i>If there is a discrepancy between this document and the Naters Certificate, then the Naters Certificate shall take precedence</i></p>			

Notes This document to be read in conjunction with the Basix Certificate and Naters Universal Certificate

ENERGY

ITEM	REQUIREMENT
HOT WATER SERVICES	INSTANTANEOUS GAS 5,5 STAR
VENTILATION: BATHROOMS	BATHROOMS: FAN DUCTED TO ROOF OR FAÇADE, MANUAL SWITCH ON/OFF KITCHENS: FAN DUCTED TO ROOF OR FAÇADE, MANUAL SWITCH ON/OFF LAUNDRIES: FAN DUCTED TO ROOF OR FAÇADE, MANUAL SWITCH ON/OFF
COOLING	LIVING AREAS: 1-PHASE AIR-CONDITIONING 5 STAR (COLD ZONE), ZONED BETWEEN AREAS BEDROOMS: 1-PHASE AIR-CONDITIONING 5 STAR (COLD ZONE), ZONED BETWEEN AREAS
HEATING	LIVING AREAS: GAS FIXED FLUE HEATER 4 STAR BEDROOMS: 1-PHASE AIR-CONDITIONING 5 STAR (COLD ZONE), ZONED BETWEEN AREAS
LIGHTING	LED OR COMPACT FLUORESCENT THROUGHOUT
APPLIANCES	COOKING: INDUCTION COOKTOPS WITH ELECTRIC OVENS REFRIGERATION: WELL VENTILATED FRIDGE SPACES TO ALL KITCHENS
OTHER	PRIVATE OUTDOOR CLOTHESLINES TO EACH UNIT SHELTERED INDOOR CLOTHESLINE TO EACH DWELLING (DRYING CUPBOARD)

	<p>David Law B.Sc(Arch) B. Arch ABN 83 518 014 319 37 BAY VIEW AVE EAST GOSFORD NSW 2250 david@davidlaw.com.au (02) 4323 3935</p> <p>Proposed 4x3 Bedroom Townhouses Lot 1 DP 1228821 30C Kunama Dr East Jindabyne For Dovetail Constructions</p>	<p>DATUM: ASSUMED SHEET SIZE: A3</p>	<p>DRAWING TITLE : NOTES & SPECIFICATION BASIX NOTES</p>	<p>DATE : 30/5/22</p>
			<p>PROJECT NAME - Kroenert - East Jindabyne</p>	<p>DRAWING NO. DACC N.2</p>



25/5/22
 SHADOWS UPDATED
 TO REVISED DESIGN

WINTER SOLSTICE

01
 -

SHADOW PLAN 21 JUN at 0900h
 1:250

Proposed 4x3 Bedroom Townhouses
 Lot 1 DP 1228821
 30C Kunama Dr
 East Jindabyne
 For Dovetail Constructions



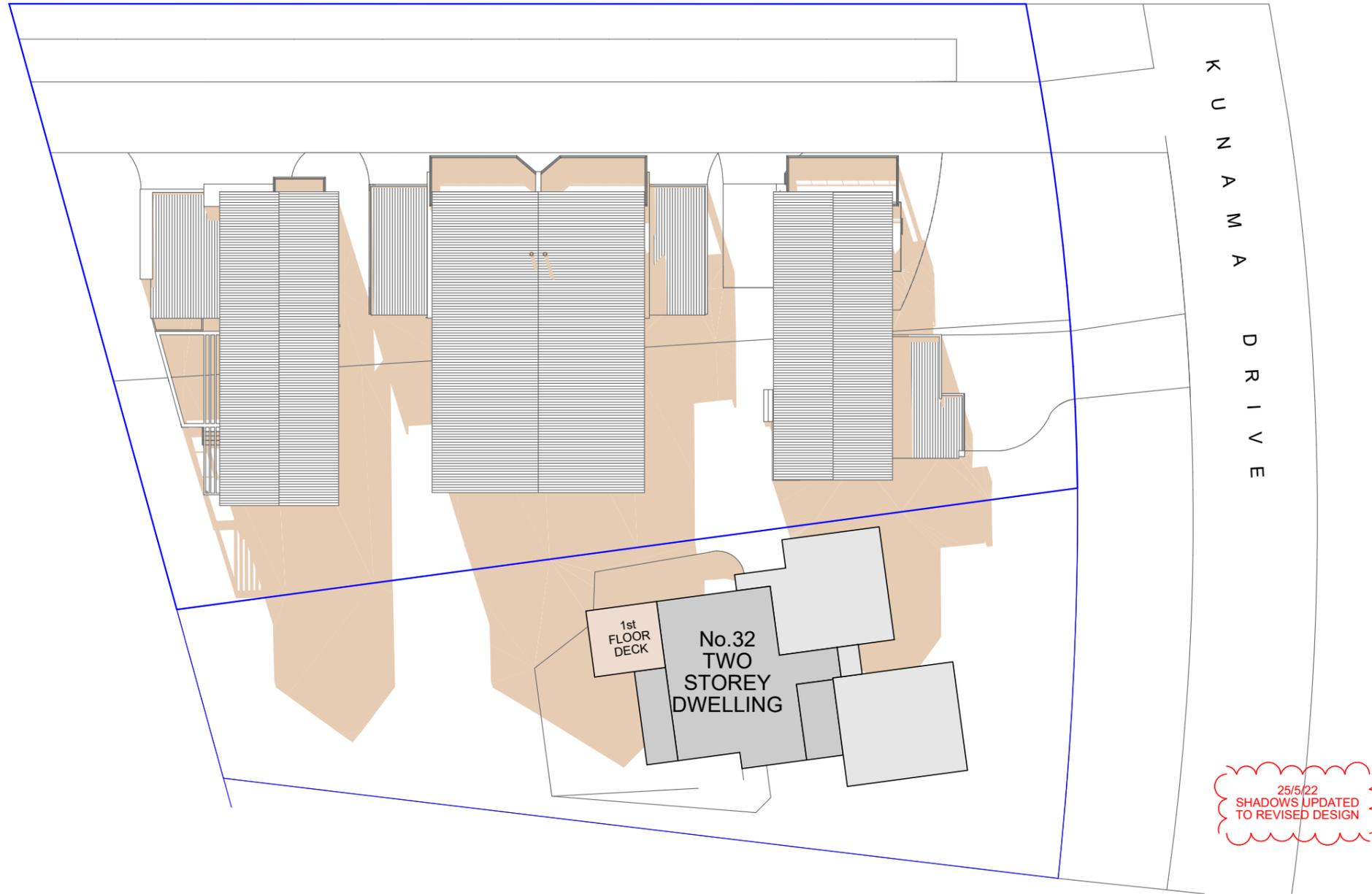
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DATUM: ASSUMED
 SHEET SIZE: A3

DRAWING TITLE : SHADOW PLANS
**SHADOW PLANS June 21
 9AM**
 PROJECT NAME :
**Kroenert - East
 Jindabyne**

DATE :
 25/5/22
 DRAWING NO.
**DACC
 SHAD1**
 ISSUE :
 F



WINTER SOLSTICE

SHADOW PLAN 21 JUN at 1200h
 1:250

02
 -

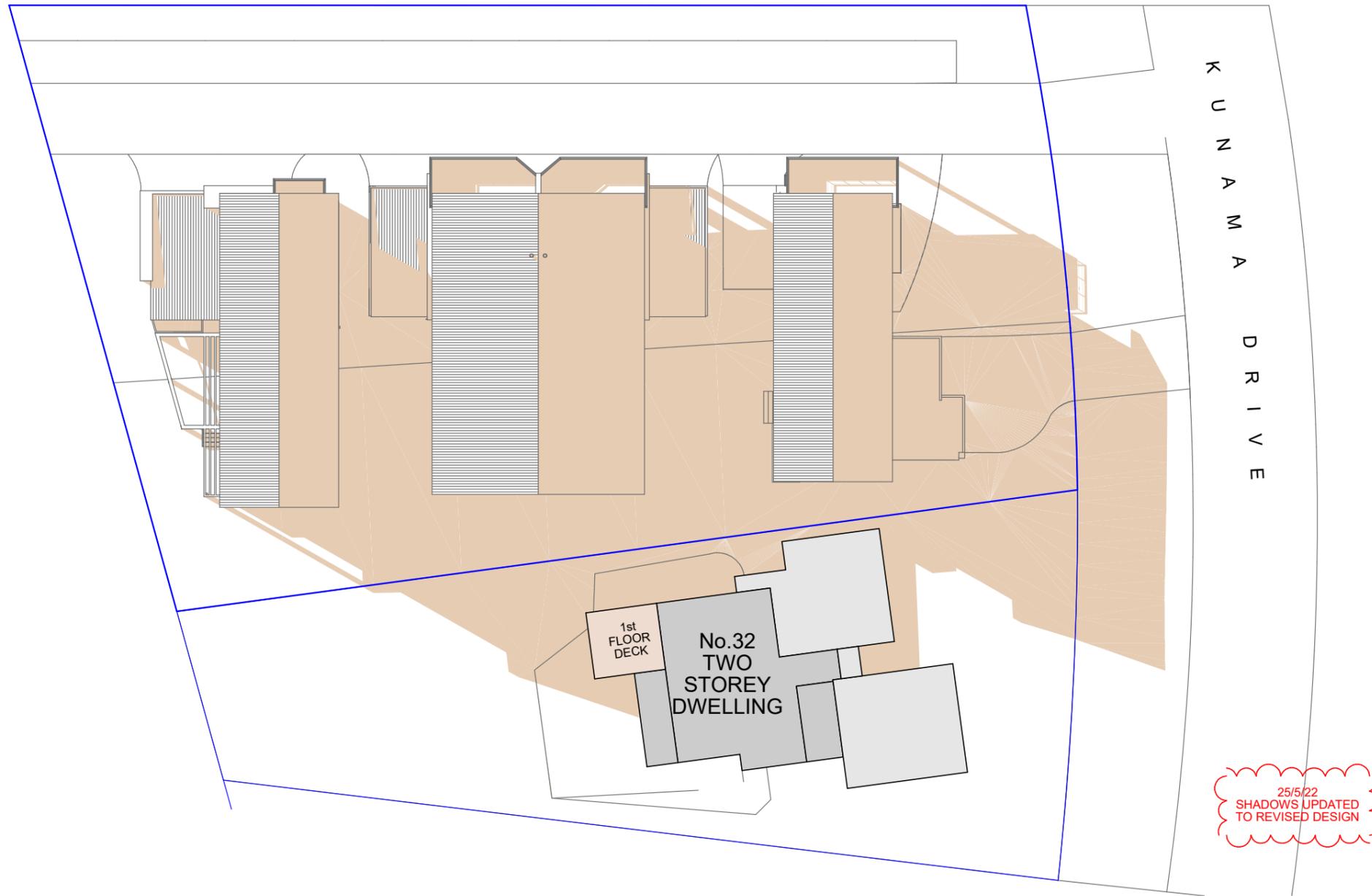
Proposed 4x3 Bedroom Townhouses
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DRAWING TITLE : SHADOW PLANS		DATE :
SHADOW PLANS June 21 12NOON		25/5/22
PROJECT NAME :	DRAWING NO.	ISSUE :
Kroenert - East Jindabyne	DACC SHAD2	F



WINTER SOLSTICE

SHADOW PLAN 21 JUN at 1500h
 1:250

03
 -

Proposed 4x3 Bedroom Townhouses
 Lot 1 DP 1228821
 30C Kunama Dr
 East Jindabyne
 For Dovetail Constructions



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DRAWING TITLE : SHADOW PLANS
SHADOW PLANS June 21 3PM
 PROJECT NAME : **Kroenert - East Jindabyne**
 DRAWING NO. **DACC SHAD3**

DATE : 25/5/22
 ISSUE : F



UNIT D- June21 1pm



UNIT D- June21 2pm



UNIT D- June21 3pm



UNIT D- June21 4pm

25/5/22
 SHADOWS UPDATED
 TO REVISED DESIGN

Proposed 4x3 Bedroom Townhouses
 Lot 1 DP 1228821
 30C Kunama Dr
 East Jindabyne
 For Dovetail Constructions



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DATUM: ASSUMED
 SHEET SIZE: A3

DRAWING TITLE :
**SHADOW PLANS
 UNIT D**

DATE :
 25/5/22

PROJECT NAME :
**Kroenert - East
 Jindabyne**

DRAWING NO.
**DACC
 SHAD4**

ISSUE :
F



No32 June21 1pm



No32 June21 2pm



No32 June21 3pm



No32 June21 4pm

25/5/22
 SHADOWS UPDATED
 TO REVISED DESIGN

Proposed 4x3 Bedroom Townhouses
 Lot 1 DP 1228821
 30C Kunama Dr
 East Jindabyne
 For Dovetail Constructions



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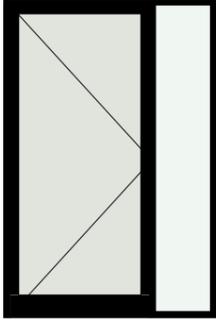
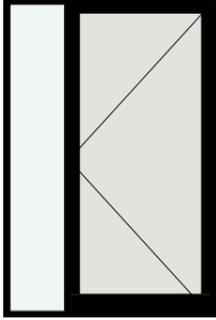
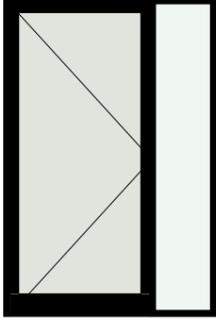
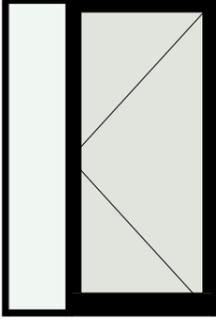
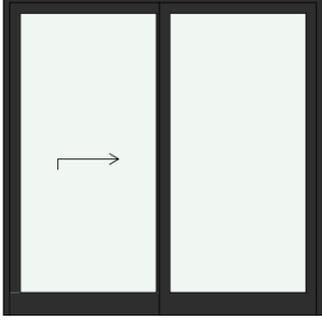
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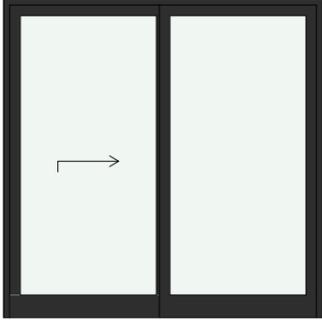
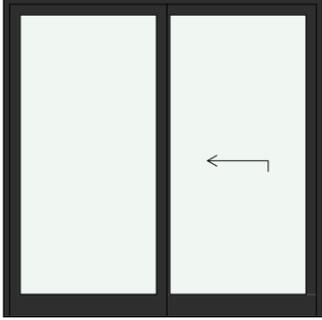
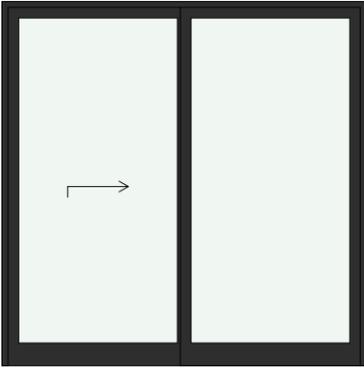
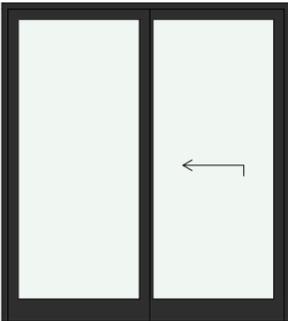
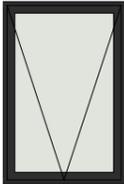
DRAWING TITLE : SHADOW PLANS
No32 KUNAMA: REAR YARD
 PROJECT NAME : **Kroenert - East Jindabyne**
 DRAWING NO. **DACC SHAD5**

DATE : 25/5/22
 ISSUE : F

ID	QTY	HEIGHT	WIDTH	OPENING TYPE	VIEW FROM OUTSIDE	NOTES
DWA-1	1	2100	1400	GLAZED DOOR WITH FIXED SIDELIGHT		OPAQUE GLASS TO DOOR
DWB-1	1	2100	1400	GLAZED DOOR WITH FIXED SIDELIGHT		OPAQUE GLASS TO DOOR
DWC-1	1	2100	1400	GLAZED DOOR WITH FIXED SIDELIGHT		OPAQUE GLASS TO DOOR
DWD-1	1	2100	1418	GLAZED DOOR WITH FIXED SIDELIGHT		OPAQUE GLASS TO DOOR
SDA-1	1	2100	2100	SLIDING DOOR		LINKED TO WA-14H



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	Proposed 4x3 Bedroom Townhouses Lot 1 DP 1228821 30C Kunama Dr East Jindabyne For Dovetail Constructions		PROJECT NAME - Kroenert - East Jindabyne	DRAWING NO. DACC SCH1

ID	QTY	HEIGHT	WIDTH	OPENING TYPE	VIEW FROM OUTSIDE	NOTES
SDB-1	1	2100	2100	SLIDING DOOR		LINKED TO WB-14H
SDC-1	1	2100	2100	SLIDING DOOR		LINKED TO WC-14H
SDD-1	1	2400	2400	SLIDING DOOR		
SDD-2	1	2100	1900	SLIDING DOOR		LINKED TO WD-18H
WA-1	1	1200	800	AWNING WINDOW		OPAQUE GLASS



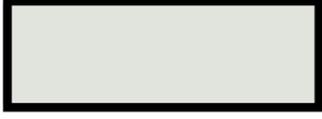
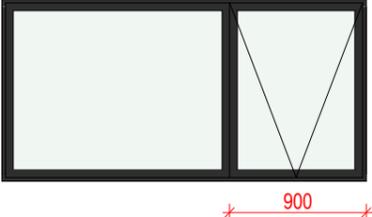
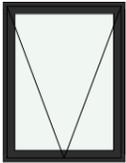
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	Proposed 4x3 Bedroom Townhouses Lot 1 DP 1228821 30C Kunama Dr East Jindabyne For Dovetail Constructions		PROJECT NAME - Kroenert - East Jindabyne	DRAWING NO. DACC SCH2

ID	QTY	HEIGHT	WIDTH	OPENING TYPE	VIEW FROM OUTSIDE	NOTES
WA-2	1	600	2400	AWNING WINDOW		OPAQUE GLASS
WA-3	1	2100	600	AWNING WINDOW		OPAQUE GLASS
WA-4	1	2100	600	AWNING WINDOW		OPAQUE GLASS
WA-5	1	750	800	AWNING WINDOW		OPAQUE GLASS
WA-6	1	750	1200	AWNING WINDOW		OPAQUE GLASS



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	Proposed 4x3 Bedroom Townhouses Lot 1 DP 1228821 30C Kunama Dr East Jindabyne For Dovetail Constructions		PROJECT NAME - Kroenert - East Jindabyne	DRAWING NO. DACC SCH3

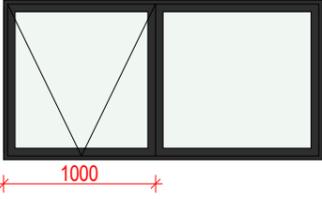
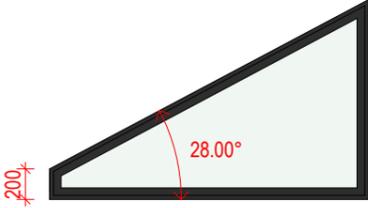
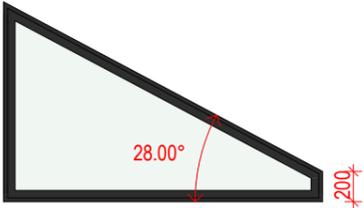
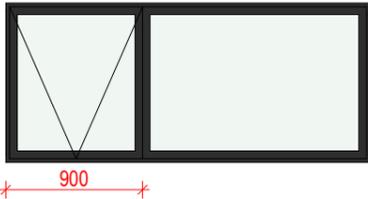
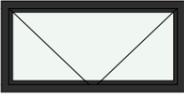
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ID	QTY	HEIGHT	WIDTH	OPENING TYPE	VIEW FROM OUTSIDE	NOTES
WA-7	1	750	2100	FIXED WINDOW		OPAQUE GLASS
WA-8	1	1200	2400	AWNING WINDOW		
WA-9	1	1200	2400	AWNING WINDOW		
WA-10	1	600	3000	AWNING WINDOW		OPAQUE GLASS
WA-11	1	1050	800	AWNING WINDOW		OPENING SIZE PROTECTION AS PER NCC 3.9.2.6
WA-12	1	1050	900	AWNING WINDOW		OPENING SIZE PROTECTION AS PER NCC 3.9.2.6



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	Proposed 4x3 Bedroom Townhouses Lot 1 DP 1228821 30C Kunama Dr East Jindabyne For Dovetail Constructions		PROJECT NAME - Kroenert - East Jindabyne	DRAWING NO. DACC SCH4

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ID	QTY	HEIGHT	WIDTH	OPENING TYPE	VIEW FROM OUTSIDE	NOTES
WA-13	1	1050	2100	AWNING WINDOW		LINKED TO WA-13H
WA-13H	1	1317	2100	RAKED HEAD FIXED WINDOW		LINKED TO WA-13
WA-14H	1	1317	2100	RAKED HEAD FIXED WINDOW		LINKED TO SDA-1
WA-15	1	1050	2400	AWNING WINDOW		OPENING SIZE PROTECTION AS PER NCC 3.9.2.6
WA-16	1	600	1210	AWNING WINDOW		
WA-17	1	600	1210	AWNING WINDOW		



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 37 BAY VIEW AVE EAST GOSFORD NSW 2250
 david@davidlaw.com.au (02) 4323 3935

Proposed 4x3 Bedroom Townhouses
 Lot 1 DP 1228821
 30C Kunama Dr
 East Jindabyne
 For Dovetail Constructions



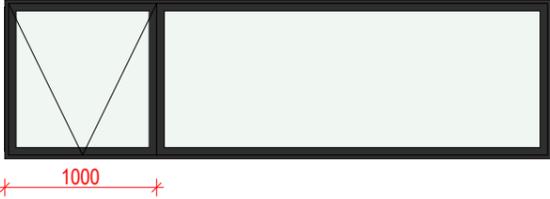
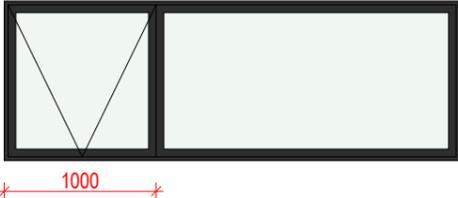
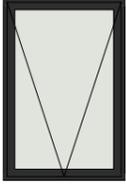
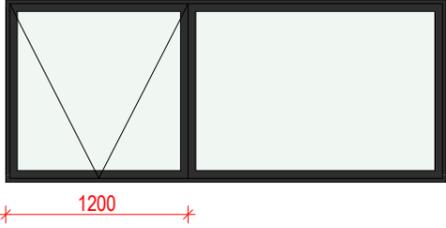
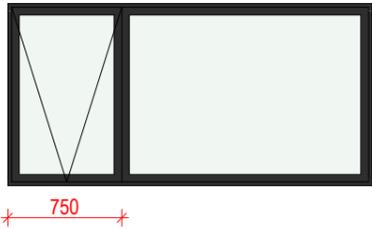
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DRAWING TITLE :
 SCHEDULES
WINDOW SCHEDULE

PROJECT NAME -
**Kroenert - East
 Jindabyne**

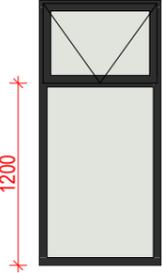
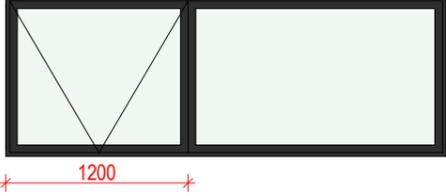
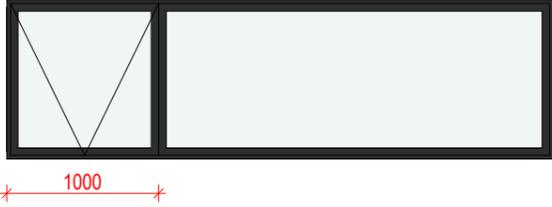
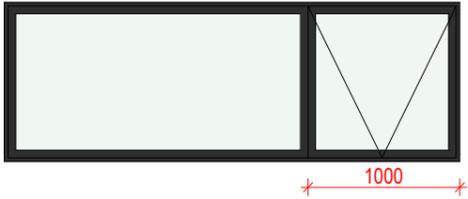
DRAWING NO.
**DACC
 SCH5**

DATE :
 25/5/22
 ISSUE :
 F

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WA-18	1	1050	3600	AWNING WINDOW		
WA-19	1	1050	3000	AWNING WINDOW		
WB-1	1	1200	800	AWNING WINDOW		OPAQUE GLASS
WB-3	1	1200	2900	AWNING WINDOW		
WB-4	1	1200	2400	AWNING WINDOW		
WB-5	1	750	1210	AWNING WINDOW		OPAQUE GLASS



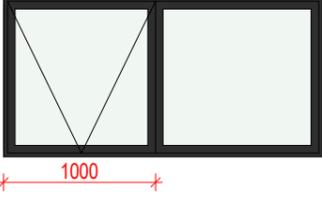
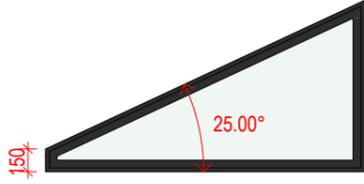
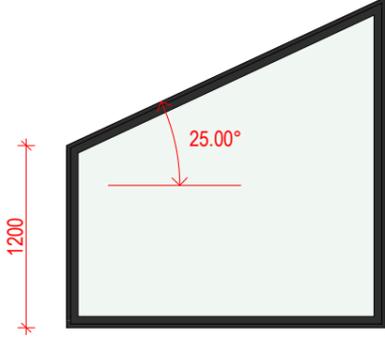
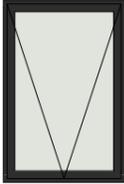
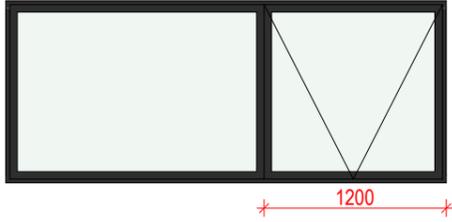
 DAVID LAW	David Law B.Sc(Arch) B. Arch ABN 83 518 014 319 37 BAY VIEW AVE EAST GOSFORD NSW 2250 david@davidlaw.com.au (02) 4323 3935	 DATUM: ASSUMED SHEET SIZE: A3	DRAWING TITLE : SCHEDULES WINDOW SCHEDULE	DATE : 25/5/22
	Proposed 4x3 Bedroom Townhouses Lot 1 DP 1228821 30C Kunama Dr East Jindabyne For Dovetail Constructions		PROJECT NAME - Kroenert - East Jindabyne	DRAWING NO. DACC SCH6

ID	QTY	HEIGHT	WIDTH	OPENING TYPE	VIEW FROM OUTSIDE	NOTES
WB-6	1	750	2700	FIXED WINDOW		
WB-7	1	1750	800	FIXED WINDOW		OPAQUE GLASS TO BOTTOM PANE, CLEAR TO TOP PANE
WB-9	1	1050	2900	AWNING WINDOW		OPENING SIZE PROTECTION AS PER NCC 3.9.2.6
WB-10	1	600	1210	AWNING WINDOW		
WB-11	1	1050	3600	AWNING WINDOW		
WB-12	1	1050	3000	AWNING WINDOW		



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	Proposed 4x3 Bedroom Townhouses Lot 1 DP 1228821 30C Kunama Dr East Jindabyne For Dovetail Constructions		PROJECT NAME - Kroenert - East Jindabyne	DRAWING NO. DACC SCH7

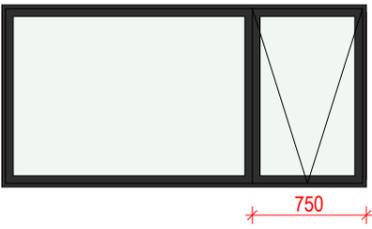
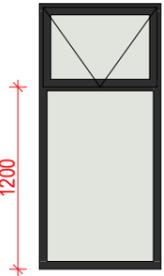
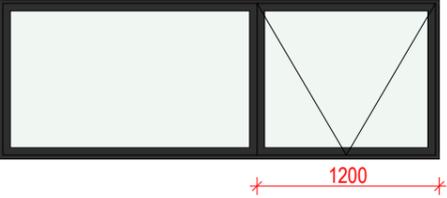
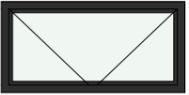
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ID	QTY	HEIGHT	WIDTH	OPENING TYPE	VIEW FROM OUTSIDE	NOTES
WB-13	1	1050	2100	AWNING WINDOW		LINKED TO WA-13H
WB-13H	1	1129	2100	RAKED HEAD FIXED WINDOW		LINKED TO WB-13
WB-14H	1	2179	2100	RAKED HEAD FIXED WINDOW		LINKED TO SDB-1
WC-1	1	1200	800	AWNING WINDOW		OPAQUE GLASS
WC-3	1	1200	2900	AWNING WINDOW		



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	Proposed 4x3 Bedroom Townhouses Lot 1 DP 1228821 30C Kunama Dr East Jindabyne For Dovetail Constructions	PROJECT NAME - Kroenert - East Jindabyne	DRAWING NO. DACC SCH8	ISSUE : F

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ID	QTY	HEIGHT	WIDTH	OPENING TYPE	VIEW FROM OUTSIDE	NOTES
WC-4	1	1200	2400	AWNING WINDOW		
WC-5	1	750	1210	AWNING WINDOW		OPAQUE GLASS
WC-6	1	750	2700	FIXED WINDOW		
WC-7	1	1750	800	FIXED WINDOW		OPAQUE GLASS TO BOTTOM PANE, CLEAR TO TOP PANE
WC-9	1	1050	2900	AWNING WINDOW		OPENING SIZE PROTECTION AS PER NCC 3.9.2.6
WC-10	1	600	1210	AWNING WINDOW		



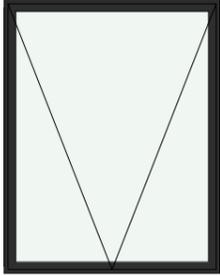
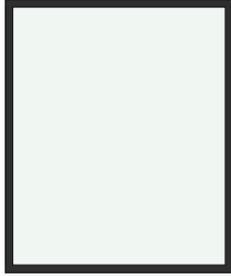
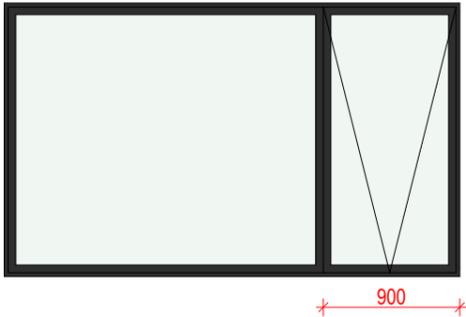
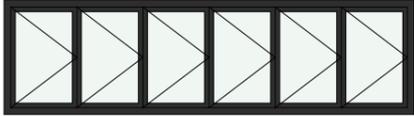
 DAVID LAW	David Law B.Sc(Arch) B. Arch ABN 83 518 014 319 37 BAY VIEW AVE EAST GOSFORD NSW 2250 david@davidlaw.com.au (02) 4323 3935	 DATUM: ASSUMED SHEET SIZE: A3	DRAWING TITLE : SCHEDULES WINDOW SCHEDULE	DATE : 25/5/22
	Proposed 4x3 Bedroom Townhouses Lot 1 DP 1228821 30C Kunama Dr East Jindabyne For Dovetail Constructions		PROJECT NAME - Kroenert - East Jindabyne	DRAWING NO. DACC SCH9

ID	QTY	HEIGHT	WIDTH	OPENING TYPE	VIEW FROM OUTSIDE	NOTES
WC-11	1	1050	3600	AWNING WINDOW		
WC-12	1	1050	3000	AWNING WINDOW		
WC-13	1	1050	2100	AWNING WINDOW		LINKED TO WC-13H
WC-13H	1	1129	2100	RAKED HEAD FIXED WINDOW		LINKED TO WC-13
WC-14H	1	2179	2100	RAKED HEAD FIXED WINDOW		LINKED TO SDC-1



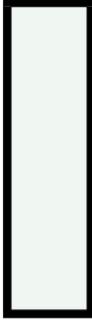
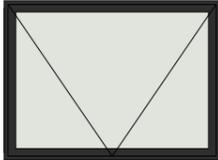
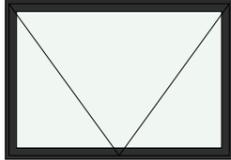
	DAVID LAW	David Law B.Sc(Arch) B. Arch ABN 83 518 014 319 37 BAY VIEW AVE EAST GOSFORD NSW 2250 david@davidlaw.com.au (02) 4323 3935	DATUM: ASSUMED SHEET SIZE: A3	DRAWING TITLE : SCHEDULES WINDOW SCHEDULE	DATE : 25/5/22
				PROJECT NAME - Kroenert - East Jindabyne	DRAWING NO. DACC SCH10

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ID	QTY	HEIGHT	WIDTH	OPENING TYPE	VIEW FROM OUTSIDE	NOTES
WD-1	1	2400	900	FIXED WINDOW		
WD-3	1	1800	1420	AWNING WINDOW		
WD-4	1	1800	1500	FIXED WINDOW		
WD-5	1	1800	3000	AWNING WINDOW		
WD-6	1	750	2700	BI-FOLD WINDOW		



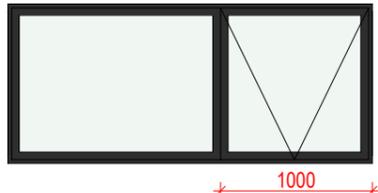
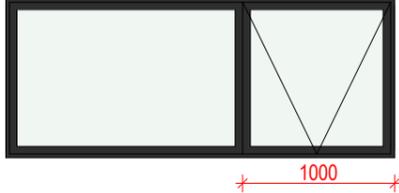
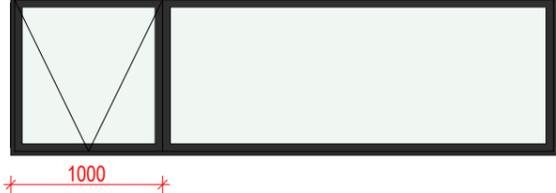
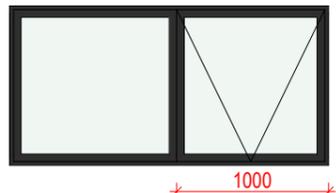
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	Proposed 4x3 Bedroom Townhouses Lot 1 DP 1228821 30C Kunama Dr East Jindabyne For Dovetail Constructions		PROJECT NAME - Kroenert - East Jindabyne	DRAWING NO. DACC SCH11

ID	QTY	HEIGHT	WIDTH	OPENING TYPE	VIEW FROM OUTSIDE	NOTES
WD-7	1	2100	600	FIXED WINDOW		
WD-8	1	750	2700	FIXED WINDOW		
WD-9	1	2100	450	FIXED WINDOW		OPAQUE GLASS
WD-10	1	1050	1420	AWNING WINDOW		OPAQUE GLASS
WD-11	1	1050	1500	AWNING WINDOW		OPENING SIZE PROTECTION AS PER NCC 3.9.2.6



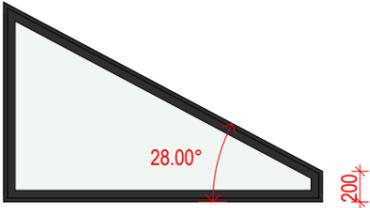
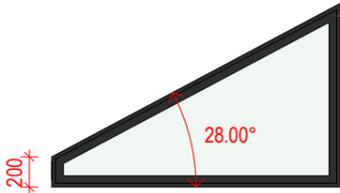
 DAVID LAW	David Law B.Sc(Arch) B. Arch ABN 83 518 014 319 37 BAY VIEW AVE EAST GOSFORD NSW 2250 david@davidlaw.com.au (02) 4323 3935	 DATUM: ASSUMED SHEET SIZE: A3	DRAWING TITLE : SCHEDULES WINDOW SCHEDULE	DATE : 25/5/22
	Proposed 4x3 Bedroom Townhouses Lot 1 DP 1228821 30C Kunama Dr East Jindabyne For Dovetail Constructions		PROJECT NAME - Kroenert - East Jindabyne	DRAWING NO. DACC SCH12

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ID	QTY	HEIGHT	WIDTH	OPENING TYPE	VIEW FROM OUTSIDE	NOTES
WD-12	1	1050	3000	AWNING WINDOW		OPENING SIZE PROTECTION AS PER NCC 3.9.2.6
WD-13	1	1050	2400	AWNING WINDOW		
WD-14	1	1050	2560	AWNING WINDOW		OPENING SIZE PROTECTION AS PER NCC 3.9.2.6
WD-15	1	600	1210	AWNING WINDOW		
WD-16	1	1050	3600	AWNING WINDOW		OPENING SIZE PROTECTION AS PER NCC 3.9.2.6
WD-17	1	1050	2100	AWNING WINDOW		OPENING SIZE PROTECTION AS PER NCC 3.9.2.6 LINKED TO WD-17H

	DAVID LAW	David Law B.Sc(Arch) B. Arch ABN 83 518 014 319 37 BAY VIEW AVE EAST GOSFORD NSW 2250 david@davidlaw.com.au (02) 4323 3935	 DATUM: ASSUMED SHEET SIZE: A3	DRAWING TITLE : SCHEDULES WINDOW SCHEDULE		DATE : 25/5/22
		Proposed 4x3 Bedroom Townhouses Lot 1 DP 1228821 30C Kunama Dr East Jindabyne For Dovetail Constructions		PROJECT NAME - Kroenert - East Jindabyne	DRAWING NO. DACC SCH13	ISSUE : F

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ID	QTY	HEIGHT	WIDTH	OPENING TYPE	VIEW FROM OUTSIDE	NOTES
WD-17H	1	1317	2100	RAKED HEAD FIXED WINDOW		LINKED TO WD-17
WD-18H	1	1210	1900	RAKED HEAD FIXED WINDOW		LINKED TO SDD-2
WD-19	1	2100	900	FIXED WINDOW		



 DAVID LAW	David Law B.Sc(Arch) B. Arch ABN 83 518 014 319 37 BAY VIEW AVE EAST GOSFORD NSW 2250 david@davidlaw.com.au (02) 4323 3935	 DATUM: ASSUMED SHEET SIZE: A3	DRAWING TITLE : SCHEDULES WINDOW SCHEDULE	DATE : 25/5/22
	Proposed 4x3 Bedroom Townhouses Lot 1 DP 1228821 30C Kunama Dr East Jindabyne For Dovetail Constructions		PROJECT NAME - Kroenert - East Jindabyne	DRAWING NO. DACC SCH14

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Statement of Environmental Effects



Project: Multi Dwelling Housing with Strata Title Subdivision

30c Kunama Drive
East Jindabyne NSW 2627
Lot 1 DP1228821

DATE: JUNE 2022
PREPARED FOR: M & C KROENERT FAMILY TRUST
PREPARED BY: ACCENT TOWN PLANNING

ACCENTTOWNPLANNING.COM.AU | INFO@COMPLETEPLANNING.COM.AU
PO BOX 642 JINDABYNE NSW 2627 | PH 02 6456 7176

STATEMENT OF ENVIRONMENTAL EFFECTS FOR 30c KUNAMA DRIVE EAST JINDABYNE NSW 2627

1.0 The Proposal

This report has been prepared to inform the development potential and seek approval for the construction of new multi dwelling housing consisting of four, two-storey townhouses with strata title subdivision within East Jindabyne. The subject property is located at Lot 1 DP1228821 known as 30c Kunama Drive, East Jindabyne. It examines the site, the constraints affecting the site and the applicable planning controls, which may affect the site's re-development.

The application seeks Council approval to construct new multi dwelling housing with strata title subdivision.

In preparing this advice, the following key documents have been considered:

- Snowy River Local Environmental Plan 2013
- Snowy River Development Control Plan 2013
- SIX Map images for the site
- NSW Planning Portal

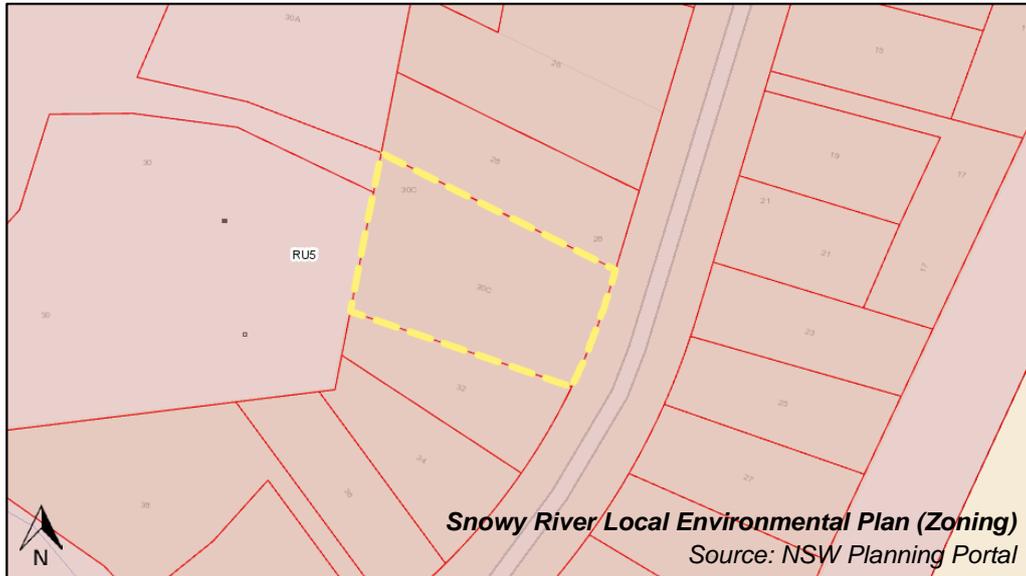


STATEMENT OF ENVIRONMENTAL EFFECTS FOR 30c KUNAMA DRIVE EAST JINDABYNE NSW 2627

2.0 Zoning and Permissions

The subject site is located within the Local Government Area (LGA) of Snowy Monaro Regional Council and is subject to the provisions within the Snowy River Local Environmental Plan 2013.

The site is zoned RU5 Village under the Snowy River Local Environmental Plan 2013.



RU5 – Objectives of zone

- To provide for a range of land uses, services and facilities that are associated with a rural village.
- To protect and conserve the historical significance, character and scenic quality of rural village settings.
- To encourage and provide opportunities for population and local employment growth.
- To ensure that development in village areas is compatible with the environmental capability of the land, particularly in terms of the capacity of the land to accommodate on-site effluent disposal.

Permitted without consent

Home occupations

Permitted with consent

Building identification signs; Business identification signs; Centre-based child care facilities; Community facilities; Dwelling Houses; Light industries; Liquid fuel depots; Neighbourhood shops; Oyster aquaculture; Places of public worship; Recreation areas; Recreation facilities (indoor); Recreation facilities (outdoor); Respite day care centres; Roads; Schools; Tank-based aquaculture; Any other development not specified in item 2 or 4

Prohibited

Air transport facilities; Airstrips; Animal boarding or training establishments; Biosolids treatment facilities; Cemeteries; Correctional centres; Crematoria; Electricity generating works; Forestry; Heavy industrial storage establishments; Helipads; Highway service centres; Home occupations (sex services); Industries; Intensive livestock agriculture; Livestock processing industries; Mortuaries; Open cut mining; Pond-based aquaculture; Recreation facilities (major); Resource recovery facilities; Restricted premises; Roadside stalls; Rural workers' dwellings; Sewage treatment plants; Sex services premises; Signage; Stock and sale yards; Waste disposal facilities; Water supply systems

STATEMENT OF ENVIRONMENTAL EFFECTS FOR 30c KUNAMA DRIVE EAST JINDABYNE NSW 2627

3.0 Site Analysis

3.1 The Site

The site is identified as Lot 1 DP1228821, 30c Kunama Drive, East Jindabyne. The site has an area of approximately 1690 sqm and is located on the western side of Kunama Drive. The surrounding area is characterised by residential development. The site currently has an existing shared driveway with no structures and 7 existing trees, all of which will be removed as part of this proposal, in order to allow for a clear building site. Trees will be re-established on site in order to meet the requirements of D1.4-6 Tree Replenishment of the Snowy River DCP.

The subject site has an irregular shape with sloping topography. The proposed multi dwelling housing will fit within the building envelope with no structures outside the envelope boundaries and will not create adverse overshadowing to the adjoining lots. There will be no impacts to the amenity of the area due to the development. Please refer to the Development Impact Statement submitted as part of this application.

AHIMS search conducted on the 25/01/2022 did not identify that there are any items of significance upon the site.

0	Aboriginal sites are recorded in or near the above location.
0	Aboriginal places have been declared in or near the above location. *

The lot is not identified as being bushfire prone land.

3.2 Site Planning and Layout

The proposed multi dwelling housing has been designed to address the shape of the allotment and fit within the building envelope and the prescribed setbacks of the Snowy River DCP 2013. The size of the lot is consistent with others located within East Jindabyne.

The proposed multi dwelling housing will be of positive influence within the locality by offering an articulated façade and architectural design features that will be viewed favourably from adjoining allotments and Kunama Drive. The façade of the multi dwelling housing offers a mix of building materials and articulation creating visual interest that will complement neighbouring development.

Unit A has been positioned to address the street, the façade of Unit A recognises existing development on Kunama Drive and compliments the existing character of East Jindabyne.

The proposed multi dwelling housing increases both the supply and diversity of housing in the locality whilst also maintaining the low density residential alpine character of the region. The development will improve housing supply and diversity and will help enable more affordable housing options for residents within the locality.

3.3 Site Contours

The subject site has sloping topography and the proposed multi dwelling housing has been designed to follow the natural topography to minimise the excavation required.

3.4 Site Coverage/Floor Space Ratio

The allotment is 1690 sqm and the proposed gross floor area (GFA) is 567.82 square metres resulting in the Floor Space Ratio (FSR) being 0.335:1, below the permissible FSR of 0.5:1.

3.5 Streetscape, Setbacks and Character

All units will have direct driveway access to Kunama Drive. The proposed multi dwelling housing has been designed to ensure that the form, scale, massing, and proportions of the dwellings recognise and adapt to the characteristics of the site including topography, orientation and the surrounding natural built environment. The building façades have been designed to complement and enhance the existing streetscape of Kunama Drive and neighbourhood character of East Jindabyne.

A front setback of 6.2m on the ground floor and 8.545m on the first floor is proposed for Unit A with the front of the dwelling presenting a two-storey design. The strategic placement and orientation of Unit A presents a thoughtful design that is consistent with neighboring development, and clearly addresses the street. The presentation of Unit A provides coherence with the existing streetscape of Kunama Drive, and for this reason, the design of the proposed multi dwelling housing will not

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negatively impact Kunama Drive and its residents. The front setback is an area that is free of structures and can provide for landscaping and driveway access creating visual interest.

The articulated façade, landscaping and building form will soften the appearance of the two-storey dwellings creating variety and interest, ensuring the front setback will not impact the streetscape and should be deemed satisfactory in this instance.

At a minimum of 2.54m, the proposed side setbacks comply with the Snowy River DCP's minimum requirement of 900mm, as does the proposed rear setback of 3.026m. All proposed setbacks are well within the approved building envelope and comply with the setback requirements outlined in the Snowy River DCP 2013.

The character of the building is suitable for the site and the locality offering a range of materials that are common in the Snowy Monaro Region and within East Jindabyne.

3.6 Site Photos

Subject Site – View to the South-West from the Front of the Lot.



Subject Site – View to the South-East from the Rear of the Lot.



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Subject Site – View to the West from the front of the Lot.



Subject Site – View to the North from the Right of Carriageway.



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4.0 Development Description

4.1 Building Form

The site is irregular in shape with sloping topography and the proposed multi dwelling housing has been designed to fit harmoniously on the lot and will not create adverse overshadowing to adjoining properties. The thoughtful placement of the proposed multi dwelling housing on the lot will add interest and create a positive visual impact when viewed from the street. The site will require minimal excavation to allow for a flat building site. This outcome is deemed satisfactory.

4.2 Proposed Elevations



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4.3 Fencing

The subject lot has existing chain wire fence along the South and West of lot boundary. 1.8m colorbond fences to be installed between each unit as per site plan.

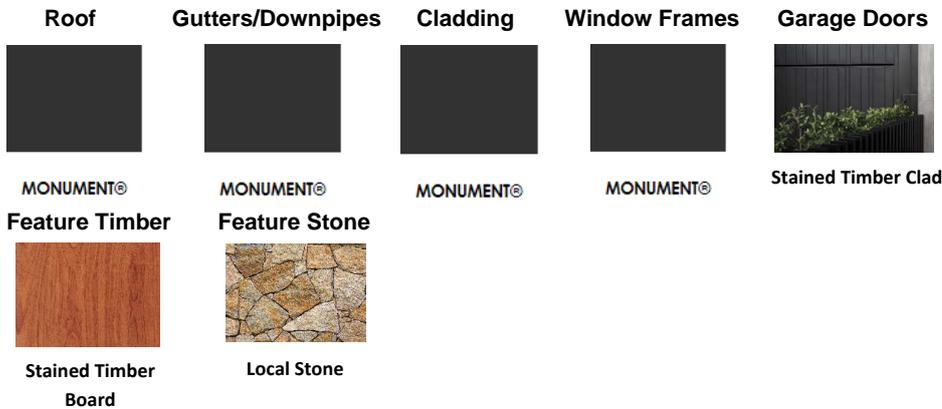
4.6 Building height

The proposed multi dwelling housing has been designed to fit within the criteria listed in the Snowy River DCP 2013 and maximum height of the dwelling does not exceed 9m with a maximum ridge height of 7.35m for unit A, 8.9m for both unit B & C, and 7.7m for unit D.

4.7 Colours

A mix of natural finishes and tones have been selected to fit into the amenity of the surrounding rural area. The colours and materials chosen will create visual interest and appeal in the built and natural environment of Willow Bay Place and will be viewed favourable from Lake Jindabyne. See architectural plans for further detail.

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4.8 Views, Visual and Acoustic Privacy

The proposed development will not impact on adjoining, visual and acoustic privacy.

Decks have been thoughtfully positioned and screened to provide the greatest privacy to adjoining residences. See Visual and Acoustic Privacy Impact Statement submitted as part of this application. Please see Development Impact Statement submitted as part of this application.

4.9 Usable Open Spaces

The requirements outlined in the Residential Development Control Plan for private open space for residential dwellings have been met at ground level and on first floor balconies in each unit. Unit A is proposed to have an 18.5 sqm deck on the first floor, and 58 sqm of private open space at ground level in the backyard area. Unit B and C both have a 17.45 sqm deck on the first floor, Unit B has 80 sqm of private open space at ground level and Unit C has 100 sqm of private open space at ground level. Unit D has a 20 sqm deck and 121 sqm of private open space at ground level. In total, the development provides a total of 432 sqm of private open space (including ground level and first floor).

4.10 Car Parking & Access

Unit A, B and C within the development will have a single garage with an attached single car carport, Unit D will have a two-car garage, there is also space for visitor parking between Unit A and B that complies with the requirements of the Snowy River Development Control Plan 2013.

The Right of Carriageway (ROC) existing on Lot 1 currently services Lots 2, 3 and 4 DP1228821 (total of 3 lots). The multi dwelling housing design and strata title subdivision proposes to have an additional 3 lots (Unit B, C and D) accessing the ROC. Unit A has direct vehicular access from Kunama Drive via the existing driveway on the lot. Section C3.1-2 of the Snowy River DCP outlines:

(d) "If further subdivision takes place utilising the right of carriageway and increasing the number of lots utilising the right of carriageway to more than six (6) allotments, the right of carriageway is to be replaced with a public road (refer below)."

The addition of the three lots will create a total of six (6) allotments utilising the ROC but not more than six. For this reason, the existing ROC does not require to be upgraded to a public road.

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4.11 Landscaping Design

Landscaping for the development has been thoughtfully chosen and sited in order to soften the appearance of the new multi dwelling housing and to establish local eucalypt species on site. Due to the site being greater than 1500 sqm, it must be demonstrated that the lot can support seven (7) trees on site. As demonstrated in the landscape plan included as part of this application, 8 eucalypts (White Gum/Snow Gum) that are capable of attaining a minimum height of 13 metres will be planted on site as part of this application. Complies with the requirements of D1.4-6 of the Snowy River DCP.

4.12 Stormwater

Please refer to the attached stormwater plan as part of the plumbing and drainage approval under section 68 of the Local Government Act.

4.13 Energy Conservation

The new dwellings have been designed to the requirements of Basix Certificate to provide acceptable energy and resource conservation. Please see BASIX certificate submitted as part of this application.

4.14 Security, Site Facilities and Services

The proposed development complies to the security, site facility and service requirements.

The main entry of Unit A addresses the street, which allows for casual surveillance of Kunama Drive.

4.15 Tree Removal

Removal of seven trees is proposed as part of this application. The trees to be removed are pictured below.

Please see site analysis plan for tree locations on site.

Large eucalypt with significant termite damage.



Small eucalypt.



Cluster of 5 eucalypts



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5.0 Residential Accommodation Assessment

Snowy River DCP 2013

DCP Controls	Criteria	Complies	Comment																		
D1.1-1 Site Planning	<p>a) Development should be appropriately located on the site to:</p> <ul style="list-style-type: none"> consider the amenity of neighbouring properties is maintained or enhanced; consider the impact of the development on views and view sharing; facilitate solar access; protect significant landscape and vegetation; allow for the provision of landscaping and provide room for additional tree plantings to grow to maturity; facilitate the efficient use of the site; and minimise bushfire hazard by preserving 'fuel free' zone (where development is adjacent to high bushfire hazard areas). 	<p><input checked="" type="checkbox"/></p>	<p>The proposed multi dwelling housing has been designed to suit the natural topography of the site and building envelope.</p> <p>No impact to views and view sharing.</p> <p>Minimal overshadowing issues associated with project.</p> <p>No significant vegetation or landscapes on site.</p> <p>Thoughtful landscaping design has been provide for the development. See landscaping plans provided.</p> <p>The proposed multi dwelling housing has been designed to fit harmoniously on the lot and will complement the locality.</p> <p>The site is not identified as bushfire prone land.</p>																		
D1.1-2 Minimum Lot Size	The minimum lot size controls are contained in the Snowy River LEP 2013	<input checked="" type="checkbox"/>	<p>The minimum lot size for multi dwelling housing is 1050 sqm in the RU5 zone.</p> <p>Lot size = 1690 sqm</p>																		
D1.1-3 Site Coverage	<table border="1"> <thead> <tr> <th>Development Types</th> <th>Land Use Zone</th> <th>Site Coverage*including any garages, carports and outbuildings</th> </tr> </thead> <tbody> <tr> <td rowspan="3">Dwelling houses</td> <td>R1 General Residential</td> <td rowspan="3">Not to exceed 50% of the allotment.</td> </tr> <tr> <td>R2 Low Density Residential</td> </tr> <tr> <td>RU5 Village</td> </tr> <tr> <td rowspan="3">Attached dwellings</td> <td>R1 General Residential</td> <td rowspan="3">Not to exceed 40% of the allotment.</td> </tr> <tr> <td>RU5 Village</td> </tr> <tr> <td></td> </tr> <tr> <td rowspan="3">Dual occupancies</td> <td>R1 General Residential</td> <td rowspan="3">Not to exceed 50% of the allotment.</td> </tr> <tr> <td>R2 Low Density Residential</td> </tr> <tr> <td>RU5 Village</td> </tr> </tbody> </table>	Development Types	Land Use Zone	Site Coverage*including any garages, carports and outbuildings	Dwelling houses	R1 General Residential	Not to exceed 50% of the allotment.	R2 Low Density Residential	RU5 Village	Attached dwellings	R1 General Residential	Not to exceed 40% of the allotment.	RU5 Village		Dual occupancies	R1 General Residential	Not to exceed 50% of the allotment.	R2 Low Density Residential	RU5 Village	<input checked="" type="checkbox"/>	The allotment is 1690 sqm and the proposed total site coverage is 576.96 square metres or 34.1%.
Development Types	Land Use Zone	Site Coverage*including any garages, carports and outbuildings																			
Dwelling houses	R1 General Residential	Not to exceed 50% of the allotment.																			
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	R2 Low Density Residential																				
	RU5 Village																				
D1.1-4 Private Open Space	<p>a) Private open space is to be provided to each dwelling and is to be designed to meet the needs of occupants.</p> <p>b) Private open space is to be capable of serving as an extension of the dwelling for relaxation, dining and entertainment and is to have direct access from the major living area of the dwelling.</p> <p>c) Private open space is located to maximise views, natural features and orientation.</p> <p>d) Private open space at <u>ground</u> level is to:</p>	<p><input checked="" type="checkbox"/></p> <p><input checked="" type="checkbox"/></p> <p><input checked="" type="checkbox"/></p> <p><input checked="" type="checkbox"/></p>	<p>Adequate private open space is provided at ground level and on the first-floor balconies in each unit.</p> <p>North-west facing balcony on the first level of Unit A, B and C provides private open space from the main living area.</p> <p>West facing deck on the ground floor of Unit D provides private open space from the main living area.</p> <p>Views towards Lake Jindabyne and Snowy Mountains from private balcony and living areas.</p>																		

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	<ul style="list-style-type: none"> Be orientated to the north (where possible) Be protected from unfavourable winds Have a minimum area of 25m² (per dwelling). Have a width of 4 metres Be screened as appropriate (shade, privacy and acoustic) Receive a minimum 4 hours of uninterrupted direct sunlight per day <p>e) Private open space <u>above ground level</u> is to:</p> <ul style="list-style-type: none"> Be orientated to the north Have access from the main living area Have a minimum area of 10m² Have a minimum width of 2 metres Not be located facing directly towards adjoining development impacting on their privacy and amenity <p>Where possible existing trees and natural landscape features (eg rock outcrops) are to be retained and incorporated into landscape design</p>	<input checked="" type="checkbox"/>	<p>Private open space is provided at ground level for each unit.</p> <p>All units will have adequate open space at ground level that exceeds the > 25 sqm minimum.</p> <p>Landscaping creates privacy from adjoining allotments and streetscape.</p> <p>Open space will receive minimum 4 hours uninterrupted direct sunlight for each unit.</p> <p>North-west facing balcony provided off upper floor living area in Unit A, B and C.</p> <p>West facing deck provided on the ground level of Unit D.</p>
D1.1-5 Communal Open Space	<p>a) Communal open space is to be provided to contribute to the character of the development and to provide for a wide range of uses and activities.</p> <p>b) A landscape concept plan for communal open space is to be provided with the development application.</p>	<input checked="" type="checkbox"/> <input checked="" type="checkbox"/>	<p>Adequate communal space is provided.</p> <p>See landscaping plans attached to Development Application.</p>
D1.2-1 Building Height	<p>a) The height of a building must not exceed the maximum height shown for the land on the Snowy River LEP 2013 – Height of Buildings Map.</p> <p>b) The height of any new development (including alterations and additions) should minimise bulk and overshadowing.</p> <p>c) The development application drawings are to clearly identify: ground level (existing), the</p>	<input checked="" type="checkbox"/> <input checked="" type="checkbox"/> <input checked="" type="checkbox"/>	<p>The multi dwelling housing provides a building height that does not exceed 9m – maximum ridge height of 8.9m proposed.</p> <p>The multi dwelling housing has been positioned so there is minimal overshadowing to adjoining properties. See shadow diagrams submitted as part of this application.</p> <p>See elevation plans provided.</p>

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	<p>proposed height of new development and the height of existing and neighbouring development.</p> <p>d) Shadow diagrams should be prepared and submitted for two storey buildings to illustrate the potential impact on sunlight to adjoining properties.</p> <p>e) New development and alterations and additions are to be stepped in recognition of sloping sites.</p>	<p><input checked="" type="checkbox"/></p> <p><input checked="" type="checkbox"/></p>	<p>See shadow diagrams submitted as part of this application. No impact on adjoining properties.</p> <p>Multi dwelling housing has been designed to follow natural topography of site to minimise overshadowing and excavation.</p>
D1.2-2 Floor Space Ratio	The maximum floor space ratio for a building on a particular site is identified in the Snowy River LEP 2013 Clause 4.4	<input checked="" type="checkbox"/>	The allotment is 1690 sqm and the proposed gross floor area (GFA) is 567.82 square metres resulting in the Floor Space Ratio (FSR) being 0.335:1, below the permissible FSR of 0.5:1.
D1.2-3 Setbacks – General	<p>a) The minimum setback requirements at ground level are shown on the Table below.</p> <p>b) Setbacks are to provide space for visual and acoustic privacy.</p> <p>c) Variations to setbacks are permitted where the effect on adjoining owners, traffic safety/future road widening and special site conditions are assessed and considered acceptable.</p> <p>d) Pergolas, screens, light fittings, electricity or gas meters, chimneys are permitted to encroach into the building setback without restriction.</p> <p>e) Unroofed terraces, landings, steps and ramps not greater than 1 metre in height are permitted to encroach into the building setback without restriction.</p>	<p><input checked="" type="checkbox"/></p> <p><input checked="" type="checkbox"/></p> <p><input checked="" type="checkbox"/></p> <p>N/A</p> <p>N/A</p>	All setbacks for each unit comply with requirements of Snowy River DCP.

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D1.2-4 Front Setback	<p>a) The front setback must be consistent with the average setbacks of the adjoining dwellings. Where there are no adjoining dwellings, the setbacks must be in accordance with the setback requirements in the Table below.</p> <p>b) For corner sites, the setback from the secondary street frontage must be in accordance with the following minimum requirements:</p> <ul style="list-style-type: none"> • 900mm for allotments with primary frontage width of less than 7 metres; or • 1500mm for all other sites. <p>c) The front setback areas must be free of structures such as swimming pools, above- ground rainwater tanks and outbuildings.</p> <p>d) Developments that create streetscape variety and interest will be considered for variations to the front setback.</p>	<p><input checked="" type="checkbox"/></p> <p>N/A</p> <p>N/A</p> <p>N/A</p>	<p>A front setback of 6.2m on the ground floor and 8.545m on the first floor of Unit A is proposed with the front of the multi dwelling housing presenting a two-storey design. The front setback is an area that is free of structures and can provide for landscaping and driveway access creating visual interest.</p>
D1.2-5 Side Setbacks	<p>a) Garages, carports, outbuildings, above-ground water tanks and unroofed decks and terraces attached to the dwelling may encroach upon the side setback if they comply with other provisions of this DCP.</p> <p>b) Variations to side setbacks may be considered depending on adjoining owners, light and ventilation, site conditions and building provisions to prevent the spread of fire</p> <p>c) Provided the distance is not less than 1 metre to a boundary, permitting encroachments of fascias, gutters, downpipes and eaves up to 0.675m outside that envelope.</p>	<p><input checked="" type="checkbox"/></p> <p><input checked="" type="checkbox"/></p> <p><input checked="" type="checkbox"/></p>	<p>Side setbacks comply with the prescribed requirements within the Snowy River DCP 2013. Minimum side setback of 2.54m provided. (Standard required minimum 900mm setback as per the DCP).</p> <p>Side setbacks comply with prescribed setbacks of the DCP.</p> <p>Complies.</p>
D1.2-6 Rear Setbacks	<p>a) Garages, carports, outbuildings, swimming pools, above-ground water tanks and unroofed decks and terraces attached to the dwelling may encroach upon the rear setback if they comply with other provisions of this DCP.</p>	<p><input checked="" type="checkbox"/></p>	<p>Rear setback complies with setback requirements.</p>

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	<p>b) Irregular shaped allotments, or allotments with the longest boundary abutting the street or the rear adjoining neighbour (ie frontage width being longer than the site depth), the rear setback will be assessed on merit having regard to the following:</p> <ul style="list-style-type: none"> • Compatibility with the existing development pattern in the surrounding residential land; • Provision of adequate private open space as required under this DCP; • Potential impacts on neighbouring dwellings in terms of solar access, privacy and view sharing. 	N/A	Not applicable
D1.3-1 All Residential Development	<p>a) New development should respect adjoining development and display “good manners” by:</p> <ul style="list-style-type: none"> • Maintaining an appropriate distance between buildings to protect privacy; • Maintaining a sympathetic scale relationship; and • Ensuring a reasonable sharing of solar access. 	<input checked="" type="checkbox"/>	<p>The proposed development has been designed to suit the natural topography of the site, ensuring setbacks are provided to protect privacy whilst maintaining a sympathetic scale relationship with neighbouring allotments.</p> <p>Adjoining properties will have no impact from the development upon their solar access.</p>
	<p>b) Built form must respect and follow the natural topography of the site. On sloping sites the building mass must be modelled on stepped in response to the land gradient and avoid concentrating the structural bulk on the uphill or downhill side of the site.</p>	<input checked="" type="checkbox"/>	<p>The development will not create any unnecessary overshadowing effects to adjoining properties.</p> <p>Proposed design respects natural sloping topography of the site.</p>
	<p>c) New development should incorporate architectural relief and modulation of facades to avoid a bulky appearance. This may be achieved by measures such as: window openings, balconies or terraces, entry porches, staggered wall planes, combination of material and finishes and decorative architectural elements.</p>	<input checked="" type="checkbox"/>	<p>A combination of materials and elements enhance the architectural elements of the design. There is both repetition and variation across materials, colours, shapes, design features and windows to reduce mass and create interest across all articulated facades.</p>
	<p>d) Articulate all street elevations for development on corner allotments.</p>	N/A	Not applicable.
	<p>e) Special care should be undertaken on sloping sites where the impact of heights</p>	N/A	Not applicable.

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	<p>and distances may be exaggerated. This may be achieved by:</p> <ul style="list-style-type: none"> • The use of horizontal elements such as verandahs, pergolas or suitable planting schemes; • The use of articulated walls to provide enough space for taller growing plants; • Avoiding unrelieved walls in excess of 12 metres; • Incorporating variations in elevations to provide visual interest to buildings; and • The 'stepping back' of upper levels in order to avoid bulky vertical wall surfaces. <p>f) The roof of the building should be designed so that it does not unduly increase the bulk of the building including:</p> <ul style="list-style-type: none"> o Careful selection of materials, colour and pitch; and o Use of low angled pitched roofs provided they are compatible with existing development and the existing streetscape character. <p>g) Council may consider the inclusion of habitable rooms with the roof space.</p> <p>h) The building design, detailing and finish will be appropriate for the region and will consider the major design recommendations contained in the "Snowy River Design Guidelines".</p>	<p><input checked="" type="checkbox"/></p> <p>N/A</p> <p><input checked="" type="checkbox"/></p>	<p>The roof of each unit has a sloping design, reducing the building's bulk. The use of Colorbond is consistent with local design trends.</p> <p>No habitable rooms proposed in roof space.</p> <p>Building design and finish will be appropriate for the region and comprise of natural earthy tones. Large expanses of any single material are avoided by using a variety of finishes, all of which have a low reflective quality.</p>
D1.3-2 Alterations & Additions	N/A	N/A	Not applicable.
C3.1-1 Permanent and Practical Legal Access	<p>a) All development, including all allotments created by subdivision (including boundary adjustments) must have coinciding legal and practical (properly constructed) access in accordance with Council's development design and construction specifications.</p> <p>b) Access roads are to be designed to minimise road</p>	<p><input checked="" type="checkbox"/></p> <p><input checked="" type="checkbox"/></p>	<p>All units have coinciding legal and practical access from Kunama Drive.</p> <p>Access for each proposed unit has been designed to provide the most direct route, the development has utilised existing</p>

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	<p>infrastructure by utilising the most direct, and where possible the existing, legal routes.</p>		<p>routes present on site to minimise the impact on existing road infrastructure.</p>
	<p>c) An applicant wishing to construct a Crown public road is required to obtain Council's concurrence to the ownership of the road being transferred to Council. Where the applicant cannot obtain the concurrence of Council to the transfer of ownership, the application for road construction will not be accepted.</p>	N/A	<p>Not applicable.</p>
	<p>d) Access by undedicated roads (including undedicated Crown reserve roads, Forestry roads and Livestock Health and Pest Authority reserves) requires the consent of the public authority (eg. Roads and Maritime Services) and will only be permitted in similar circumstances to those for rights of carriageway and subject to the same Where the development requires a second bushfire access/egress route, this is to be a permanent legal and practical access.</p>	N/A	<p>Not applicable.</p>
	<p>e) Where the existing road alignment does not match the dedicated or legally recognised road alignment, the road alignment should be rectified through re- alignment, closure, road construction or dedication.</p>	N/A	<p>Not applicable.</p>
	<p>f) Any additional length of public road created as part of the development and proposed to be transferred to the control of Council is to be minimised.</p>	N/A	<p>Not applicable.</p>
	<p>g) Direct access from either the Alpine Way or Kosciuszko Road is not to be provided to a development unless the site has no other practical alternatives that exist or can be created.</p>	N/A	<p>Not applicable.</p>
	<p>h) Consideration must be given to whether traffic associated with the proposed development will cause the condition of the roads to deteriorate and whether funds are or will be available for road maintenance and whether any financial</p>	<input checked="" type="checkbox"/>	<p>Proposed development will not cause the condition of Kunama Drive to deteriorate.</p>

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	contributions from the proposed development are sufficient to upgrade the roads likely to be affected.		
3.1-2 Rights of Carriageway for Subdivision	N/A	N/A	Not applicable.
C3.1-3 Public Roads	N/A	N/A	Not applicable.
C3.1-4 Development Fronting Main or Arterial Roads	<p>a) Where development is proposed land which: fronts a classified or arterial road; or relies solely on a classified or arterial road for it access; or has access to a road which intersects with a classified or arterial road, where the point of access is within 90 metres of the intersection of the road and the classified or arterial road, the following must be considered:</p> <ul style="list-style-type: none"> - whether the traffic likely to be generated by the development will cause a traffic hazard or reduce the capacity and efficiency of the classified or arterial road; - access points and on-site management plans for vehicle movement and parking; - the effect the development will have on future improvements or realignment of the classified or arterial road. 	<input checked="" type="checkbox"/>	<p>The development does not front a classified or arterial road.</p> <p>The traffic generated as part of the development will not create any hazard.</p> <p>The proposed multi dwelling housing has safe pedestrian and vehicular access, with adequate manoeuvring space on site that allows vehicles to safely enter and exit the lot in a forward-facing direction. The car parking and driveway design for the development has been designed thoughtfully to prevent any traffic and/or pedestrian conflict by providing more than adequate site lines between car parking areas, the driveway and the street. For this reason, the development will not impact the social fabric of Kunama Drive and will maintain the existing safe neighbourhood character.</p>
C3.1-5 Adequacy of Access	<p>a) The standard of all weather access roads to the development is to adequately cater for existing and potential traffic.</p> <p>b) The road reserve width is to be sufficient to cater for all functions that the road is expected to fulfill, including the safe and efficient movement of all users and acting as a buffer from traffic nuisance for residents.</p> <p>c) The carriageway width is to allow vehicles to proceed safely at the operating speed intended for that road.</p> <p>d) The design of intersections is to allow all movement to occur</p>	<p><input checked="" type="checkbox"/></p> <p><input checked="" type="checkbox"/></p> <p>N/A</p> <p>N/A</p>	<p>The development has access to Kunama Drive, an all-weather access road to the property boundary.</p> <p>The road will be sufficient to cater for all functions that the road is expected to fulfill, including the safe and efficient movement of all users.</p> <p>Not applicable.</p> <p>Not applicable.</p>

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	<p>safely and projected traffic volumes are to be used in designing all intersections.</p> <p>e) All intersections and vehicular entrances are to satisfy the relevant design standards published by the Roads and Maritime Authority.</p> <p>f) Access is designed in accordance with the design criteria set out in the Aust Roads Guide to Road Design and the Council's Development Design and Construction Specifications.</p>	<p>N/A</p> <p>N/A</p>	<p>Not applicable.</p> <p>Not applicable.</p>
C3.1-6 Minimising Impacts	<p>a) Consideration is to be given to the impact the traffic associated with the proposed development will have on existing roads, road safety and other road users.</p> <p>b) Physical impact on the environment and on the visual landscape are to be minimised through site planning and design.</p> <p>c) Car parking areas and access roads to be designed, surfaced and sloped to facilitate stormwater infiltration on-site.</p> <p>d) Access roads are not to exceed 12% slope and are to be designed to work with the contours of the land (minimising cut and fill).</p> <p>e) Access roads are not to proceed through rock outcrops, natural features or existing vegetation stands and are not to be located on prominent hill faces or ridgelines.</p>	<p><input checked="" type="checkbox"/></p>	<p>The proposed development will not have a significant impact on traffic, existing roads, road safety and other road users.</p> <p>Minimal impact on environment and visual landscape due to thoughtful planning and design.</p> <p>All garage's, carports and driveways are designed, surfaced and sloped to facilitate stormwater infiltration on-site.</p> <p>To be conditioned in the DA.</p> <p>Driveway will not proceed through rock outcrops, natural features or existing vegetation stands and are not located on prominent hill faces or ridgelines.</p>
C3.2-1 Pedestrian and Cycle Access	<p>a) All development is to provide high quality accessible routes to public and semi- public areas, including major entries, communal open space, site facilities, parking areas and pedestrian pathways.</p> <p>b) All pedestrian links are to have appropriate levels of illumination.</p> <p>c) All entrances to buildings are to be accessible from the street and are to integrate ramps into the overall building and</p>	<p><input checked="" type="checkbox"/></p> <p>N/A</p> <p>N/A</p>	<p>Adequate room is available onsite to provide for bicycle and motorcycle parking, if required by Council.</p> <p>Not applicable.</p> <p>Not applicable.</p>

STATEMENT OF ENVIRONMENTAL EFFECTS FOR 30c KUNAMA DRIVE EAST JINDABYNE NSW 2627

	<p>landscape design to promote equity of access.</p> <p>d) The design of commercial premises or other non-residential forms of development shall consider staff change rooms and shower facilities to encourage bike riding as a form of transport.</p> <p>e) Potential pedestrian and vehicle conflict is to be minimised by ensuring clear sight lines at pedestrian and vehicle crossings, utilising traffic calming devices and separating and clearly distinguishing pedestrian and vehicular accessways (eg using bollards or changes in pavement treatment).</p> <p>f) All vehicle access points to a development are to provide a minimum 1.5 metres landscaped setback to neighbouring properties.</p>	<p>N/A</p> <p>N/A</p> <p><input checked="" type="checkbox"/></p>	<p>Not applicable.</p> <p>Not applicable.</p> <p>Side setbacks comply with the Snowy River DCP.</p>
C3.3-1 Car Parking Design	<p>a) The design of all car parking is to be in accordance with Council's car parking design specifications.</p> <p>b) The design of car parking areas, including entry and exit points, is not to create traffic conflicts or impact on pedestrian and cyclists movements.</p> <p>c) All car parking spaces are to be sited behind the front building line.</p> <p>d) All car parking spaces must be designed to enable vehicles to enter and exit a site in a forward direction. This may be modified for single dwelling houses provided safe manoeuvring can be demonstrated.</p> <p>e) The appearance of car parking and service vehicle entries located within a development are to be improved by:</p> <ul style="list-style-type: none"> - screening and locating garbage collection, loading and servicing areas within the development; and avoiding black holes in the façade by providing 	<p><input checked="" type="checkbox"/></p> <p><input checked="" type="checkbox"/></p> <p><input checked="" type="checkbox"/></p> <p><input checked="" type="checkbox"/></p> <p><input checked="" type="checkbox"/></p>	<p>Garages for each unit will have internal access provided.</p> <p>The proposed parking complies with table C3.4-2 of the Snowy River DCP.</p> <p>Single garage, double garage, carports and visitor parking space provided.</p> <p>Both the single and double garages and carports allow for the entry and exit of vehicles in a forward direction.</p> <p>Single and double car garages and single car carports provided.</p>

STATEMENT OF ENVIRONMENTAL EFFECTS FOR 30c KUNAMA DRIVE EAST JINDABYNE NSW 2627

	<p>security doors to car park entries.</p> <p>f) Where doors are not provided to a car park, the visible interior of the car park is to be incorporated into the façade design and material selection and the building services pipes and ducts are to be concealed.</p> <p>g) The design and construction of driveways, roads and car parking areas must conform to the requirements of Council's Engineering Guidelines for Subdivision and Developments.</p> <p>h) All development in residential, business, industrial and village zones must incorporate a concrete or bitumen sealed driveway apron that extends from 1.0m inside the property boundary to the edge of the road.</p> <p>i) Parking spaces and areas are to be designed in accordance with the following diagrams: AS/NZS 2890.1 2004 Figure 2.2.</p>	<p><input checked="" type="checkbox"/></p> <p><input checked="" type="checkbox"/></p> <p><input checked="" type="checkbox"/></p> <p><input checked="" type="checkbox"/></p>	<p>Internal access provided from each garage.</p> <p>To be included in DA conditions.</p> <p>See site plan provided.</p> <p>Complies.</p>
C3.3-2 Safety	<p>a) Car parking is to be designed to providing clear, safe and easily accessible paths of travel for both cars and pedestrians.</p> <p>b) Safe and secure access is to be provided for building users, including direct access for residential apartments.</p> <p>c) Parking and storage of bicycles (both resident and visitor) is to be provided at convenient and secure locations.</p>	<p><input checked="" type="checkbox"/></p> <p><input checked="" type="checkbox"/></p> <p><input checked="" type="checkbox"/></p>	<p>Safe and secure access provided. See site plan provided.</p> <p>Secure internal access from garage provided.</p> <p>Adequate room is available onsite to provide for bicycle and motorcycle parking, if required by Council.</p>
C3.3-3 Landscaping	<p>a) Landscaping of car parking areas to improve the appearance of the car park and provide shade and shelter from weather is to be provided in all development.</p> <p>b) Proposals for car parking areas are to be accompanied by a landscape plan, prepared by a qualified landscape architect or designer, illustrating means to soften the visual impact of parked cars and any associated structures.</p>	<p><input checked="" type="checkbox"/></p> <p><input checked="" type="checkbox"/></p>	<p>Landscaping in front set back area will soften appearance of driveways and garages.</p> <p>See site plan and landscaping plans provided.</p>

STATEMENT OF ENVIRONMENTAL EFFECTS FOR 30c KUNAMA DRIVE EAST JINDABYNE NSW 2627

	<p>c) Significant environmental features within the land such as rock outcrops, benches and trees are to be retained as a landscaped feature of the car parking area.</p> <p>d) Landscaping is to be included car park design, within and on the perimeter of the car parking area. Accordingly, the following is required:</p> <ul style="list-style-type: none"> - Planting beds fronting a street or public place are to have a minimum width of one (1) metre; - Shade trees are to be provided in open car parking areas at the ratio of one (1) shade tree for every six (6) car parking spaces; and - Plants to avoid are those that have a short life, drop branches, gum or fruit or those that interfere with underground pipes. <p>e) Parking areas are to incorporate a 150mm concrete kerb or edge treatment to reduce the likelihood of vehicles damaging adjoining landscaped areas. The use of bollards should also be considered.</p> <p>f) The choice of landscaping species and design for the car parking area is to create a safe environment through selecting plants that do not provide the opportunity for concealment. Refer to Chapter C5 Appendix C5-01 Recommended Species for Landscaping.</p>	<p>N/A</p> <p><input type="checkbox"/></p> <p><input checked="" type="checkbox"/></p> <p><input checked="" type="checkbox"/></p>	<p>Not applicable. There are no environmental features within car parking areas.</p> <p>Landscaping design will soften appearance of driveways and garages.</p> <p>To be included in DA conditions.</p> <p>Landscaping in front set back area will soften appearance of driveways and garages. Proposed landscaping will not obstruct the casual surveillance from the dwelling.</p>
<p>C3.4-1 Car Parking Provision</p>	<p>a) Sufficient on site car parking is to be provided to accommodate the parking demands of the development.</p> <p>b) The amount of on-site car parking for specific types of development is to be in accordance with the Table of Parking Requirements (below).</p>	<p><input checked="" type="checkbox"/></p> <p><input checked="" type="checkbox"/></p>	<p>Adequate parking is provided for the development.</p> <p>All garages will have internal access provided.</p>

STATEMENT OF ENVIRONMENTAL EFFECTS FOR 30c KUNAMA DRIVE EAST JINDABYNE NSW 2627

6.0 Other Matters for Consideration	
Criteria	Comment
Scenic Values	The proposed multi dwelling housing will not create any negative visual impacts on the surrounding area.
Geotechnical	No geotechnical report is required.
Mine Subsidence	The proposal is not within a mines subsidence area.
Contaminated Land	The site is not known to be contaminated and given the proposal will not involve any significant earth works, it is unlikely that the proposal will disturb any potentially contaminated soil.
Acid Sulfate Soils	Not affected
Natural Waterways	The proposal will not interfere or contaminate any natural waterways and will rely on the existing stormwater management measures in place within the site.
Bushfire	The site is not identified as bushfire prone.
Flora and Fauna	There will be no negative impacts to any native populations and communities.
Preservation of Trees	Seven trees will be removed in order to have a clear building site. However, and additional 8 eucalypts will be established on site to maintain East Jindabyne's leafy character and soften the appearance of the development to the street.
Heritage	The site is not identified as having any heritage significance.
Social Impact	The proposal will provide only positive social and economic outcomes, providing additional floor space for an ongoing use which creates additional employment opportunities and expenditure within the community. See Development Impact Statement attached.
Economic Impact	
Building Bulk	The proposed development has been designed to complement the existing streetscape.
Energy Efficiency	See BASIX Certificates attached.
Landscape Design	Landscaping as proposed is satisfactory. See proposed landscaping on the landscape plan provided.
Fencing	No fencing proposed as part of this application.
Traffic and Transport	Complies
Design of Parking and Service Areas	The car park area complies with the relevant guidelines of the DCP providing suitable circulation road width.
Cut and Fill	Cut and fill is required for the development as depicted in site plan.
Demolition and Construction Waste	Construction waste shall be disposed of at Council's waste disposal centre.
Sediment Control	To be conditioned upon consent.
Air Quality	The proposal will not impact on the air quality within the area.
Noise and Vibration	The ongoing use of the site is unlikely to create noise or Vibration that would have a negative impact on the amenity of the surrounding properties.

STATEMENT OF ENVIRONMENTAL EFFECTS FOR 30c KUNAMA DRIVE EAST JINDABYNE NSW 2627

7.0 Conclusion

Suitability of the site for development

The proposal complies with the relevant environmental planning instruments and the Development Control Plan. The Statement of Environmental Effects confirms that the site is suitable and capable of sustaining the proposed multi dwelling housing with no adverse impacts.

Submissions Made in Accordance with the Act or regulations:

The development application may require notification to adjoining landowners by Council. Given the proposals minimal environmental impact it is unlikely to raise significant objection.

The Public Interest

The proposal is in the public interest as:

- It provides a sustainable land use.
- The proposal is suitable within the locality.
- The proposal is positive in terms of the amenity of the area.



Development Impact Statement



Project: Multi Dwelling Housing with Strata Title Subdivision

30c Kunama Drive
East Jindabyne NSW 2627
Lot 1 DP1228821

DATE: JUNE 2022
PREPARED FOR: M & C KROENERT FAMILY TRUST
PREPARED BY: ACCENT TOWN PLANNING

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DEVELOPMENT IMPACT STATEMENT FOR 30C KUNAMA DRIVE EAST JINDABYNE

1.0 Project Details

The project for which this Statement applies is for the construction of new multi dwelling housing consisting of four, two-storey townhouses with strata title subdivision within East Jindabyne. The subject property is located at Lot 1 DP1228821 known as 30c Kunama Drive, East Jindabyne.

In preparing this advice, the following key documents have been considered:

- Snowy River Local Environmental Plan 2013
- Snowy River Development Control Plan 2013
- NSW Planning Portal

2.0 Visual and Acoustic Privacy Impact Statement

The proposed multi dwelling housing located at Lot 1 DP1228821 known as 30c Kunama Drive, East Jindabyne has been designed to minimise potential negative impacts between the proposed units and neighbouring dwellings. David Law (Designer) has designed the multi dwelling housing to ensure visual and acoustic privacy is established between each dwelling and neighbouring dwellings.

This section of the report will address and assess the proposed multi dwelling housing under *Section 6 Amenity* of the *Snowy River DCP*.

2.1 Views

The proposed multi dwelling housing has been designed to ensure that it will not unreasonably impact or intentionally obstruct views of local features, it allows for the reasonable sharing of views through the thoughtful building siting, height and design.

The separation and articulation of each building, reduces the bulk and scale of the development and allows for greater solar access to the private outdoor areas for each dwelling and the neighbouring dwellings. The site does not have a direct view of lake Jindabyne, nor do the neighbouring dwellings, the development will therefore not obstruct any views of local features.

Planning Principles issued by the Land and Environment Court which include assessment of:

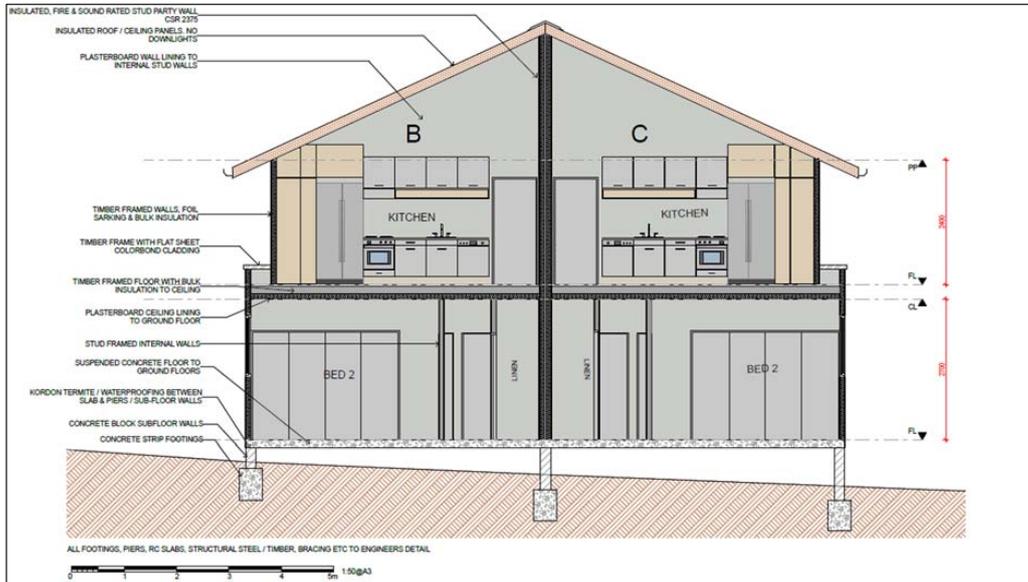
Control	Comments
The views to be affected;	No views to local features (Lake Jindabyne, Jindabyne Dam Wall and Crackenback Range) on site or any of the adjoining allotments. No. 28 has no views to the south over the subject block & does not address any views to the south. No30 does not have views over the subject block due to the tree screening between the 2 sites. No. 32 has no views of significance to the north over the subject block, however there are some views to the hills to the NE from their 1 st floor balcony. Impact to views will be minimal due to the thoughtful design and placement of buildings within the allotment.
The part of the property that the view is being obtained;	The proposed dwellings will obtain views towards the North & North East to the hills on the eastern side of Kosciuszko Rd. The location of the balconies of all proposed dwellings & the aspect of their living areas are designed to take full advantage of those views. Dwelling A has been designed so that the kitchen, living, dining & bed 1 look from NE through to SE at the panorama of the hills, with window sill heights positioned so that the houses across the street are not in the views when sitting or lying in those rooms. The main bedroom of dwelling B has also been positioned to take advantage of the views to the hills to the SE, with sill heights to block views of adjacent houses & to provide privacy. Impact to views for surrounding properties is considered to be minimal, this is deemed satisfactory in this instance.
The extent of the impact;	The extent of impact to views for surrounding development is considered to be minimal as the only views obtained across the site are to the NE from No32 & these have not been blocked.
The reasonableness of the proposal that is causing the impact.	The extent of impact to views for surrounding development is considered to be minimal. The siting, height and design of the building ensures minimal impact to views and view-sharing for neighbouring development.

DEVELOPMENT IMPACT STATEMENT FOR 30C KUNAMA DRIVE EAST JINDABYNE

2.2. Acoustic Privacy

Site layout and building design of the proposed multi dwelling housing ensures the protection of internal living and sleeping areas from uncontrollable high levels of external noise and minimises the transmission of sound through the building structure. The development includes a total of 4 dwellings, Units A and D are detached and Units B and C are attached and share a common wall. The common wall will be insulated, and fire & sound rated and will include 75 Gold Batts R1.5 and 70 Soundscreen R2.0 to ensure acoustic privacy between Unit B and C. All windows in each dwelling will be double glazed, this will further enhance the acoustic privacy for each dwelling and ensure minimal noise disturbance to surrounding dwellings.

Unit B and C have been designed to ensure that bedrooms do not share walls with living areas of adjacent dwellings, living areas are located on the first level in both units.



2.3 Visual Privacy

The proposed multi dwelling housing building layout, location and design of windows and balconies, screening devices and landscaping all prevent the direct overlooking of main internal living areas and private open spaces.

The North-facing balconies in each unit, have been placed strategically at the front of each unit to minimise direct overlooking to neighbouring developments. The height of walls and balustrades on each upper floor balcony have been raised to prevent over-looking to number 28 Kunama Drive.

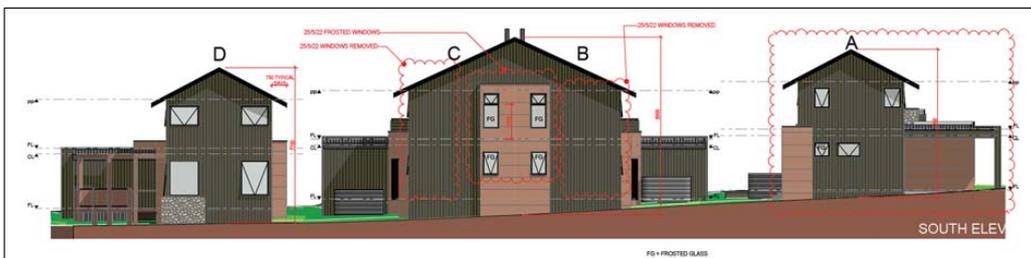


DEVELOPMENT IMPACT STATEMENT FOR 30C KUNAMA DRIVE EAST JINDABYNE

There is existing screening (shrubs and trees) present along easement (B) that prevent on-looking from the upper floor balconies of Unit B and C as illustrated below. These trees & shrubs will continue to grow taller & provide more privacy between No. 28 & the proposed dwellings.



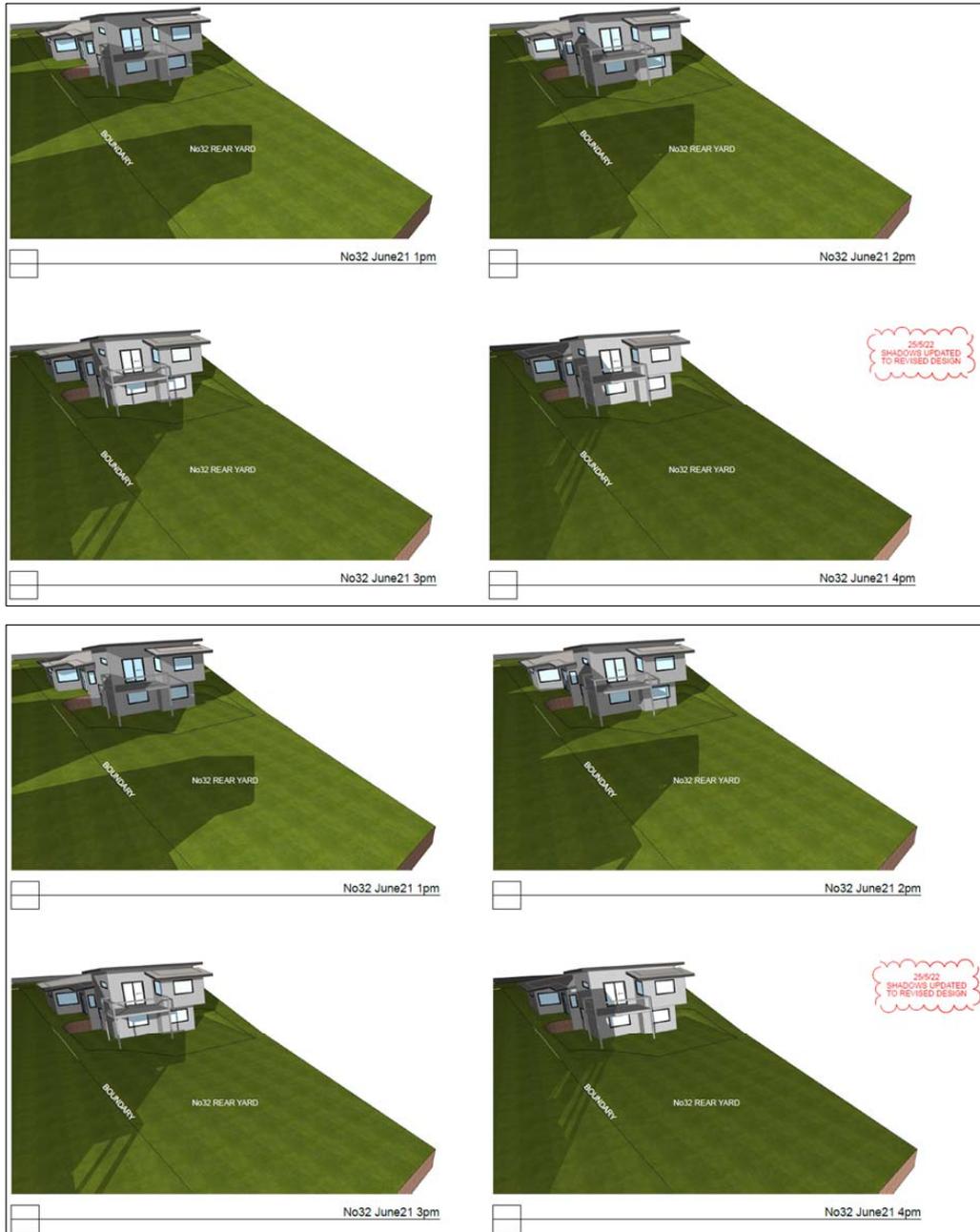
All windows have been strategically placed to prevent any direct views between living area windows, bedroom windows and private open spaces. The windows located on the South elevation of Unit B and C are frosted glass, in order to prevent on-looking to and from the neighbouring dwelling (32 Kunama Drive).



DEVELOPMENT IMPACT STATEMENT FOR 30C KUNAMA DRIVE EAST JINDABYNE

2.4 Solar Access

The proposed multi dwelling housing has been thoughtfully designed so as to not negatively impact the solar access to living areas and private open spaces of neighbouring dwellings. The separation and articulation of each unit not only reduces the bulk and scale of the development, but it also allows at least 3 hours of direct sunlight to the neighbouring dwellings between 9am and 3pm on the 21st of June as required by the SRDCP. See shadow diagrams for 32 Kunama Drive illustrated below.



DEVELOPMENT IMPACT STATEMENT FOR 30C KUNAMA DRIVE EAST JINDABYNE

The development retains sufficient levels of solar access to the neighbouring dwellings and their private open space. The neighbouring developments do not have any living areas or private open spaces along the northern elevation that will be negatively impacted by the proposed multi dwelling housing. See shadow diagrams attached for further detail.

Unit D will receive at least the minimum 3 hours of direct sunlight between 8am and 4pm on the 21st of June as illustrated below.



DEVELOPMENT IMPACT STATEMENT FOR 30C KUNAMA DRIVE EAST JINDABYNE

3.0 Social Impact Statement

The proposed multi dwelling housing located at Lot 1 DP1228821 known as 30c Kunama Drive, East Jindabyne has been designed to minimise and mitigate any potential negative social impacts to Kunama Drive and East Jindabyne as a whole.

This section of the report will address and assess the social objectives, and seeks to predict, anticipate, and understand the potential impacts of the proposed multi dwelling housing on the local community.

East Jindabyne consists of a rural residential area that has been identified as a key growth precinct in the Snowy Monaro Region. The locality boasts a welcoming suburban character that has been enhanced by recent land subdivisions that have encouraged people to develop and move to the area. The influx of new residents has seen the area develop to a more adaptive, denser residential area. For this reason, the social landscape of East Jindabyne has evolved significantly over the past 5 – 10 years and will continue to change as the Snowy Mountains Special Activation Precinct (SMSAP) is implemented and the demand for a variety of long term housing options are needed.

Social impacts are changes that may occur in the following:

- People's day-to-day life, how they live, work, play and interact with one another.
- The immediate and broader community's character, stability, cohesion, services, and facilities.
- Culture, including shared beliefs, customs, and values.

The scope of this development is consistent with the existing and desired character of Kunama Drive and East Jindabyne and is similar in scale to surrounding developments both on Kunama Drive and in the locality. The intention of the proposal is for affordable housing for long term residents that will enjoy a rural setting. For this reason, the potential social impact of the proposed development is no more or less than the existing developments within the locality.

The proposed multi dwelling housing has safe pedestrian and vehicular access, with adequate manoeuvring space on site that allows vehicles to safely enter and exit the lot in a forward-facing direction. The car parking and driveway design for the development has been designed thoughtfully to prevent any traffic and/or pedestrian conflict by providing more than adequate site lines between car parking areas, the driveway and the street. For this reason, the development will not impact the social fabric of Kunama Drive and will maintain the existing safe neighbourhood character.

The strategic placement and orientation of Unit A presents a thoughtful design that is consistent with neighbouring development, and clearly addresses the street. The presentation of Unit A provides coherence with the existing streetscape of Kunama Drive, and for this reason, the design of the proposed multi dwelling housing will not negatively impact Kunama Drive and its residents.

The scale of the development does not have the potential to impact local social services including medical/health services, transport services, pedestrian infrastructure, and road infrastructure. Due to its scale, it will have no impact on local social services and will not have any negative impact on these services into the future.

When looking at the broader community and baseline conditions existing in East Jindabyne, the extent of potential social impacts from the proposed development is minimal. It is evident that the East Jindabyne community want to encourage a family-friendly, safe neighbourhood for all. This development aims to prioritise these community values, whilst providing a more diverse housing stock for the community.

As demonstrated above, the proposed multi dwelling housing acknowledges the existing and desired social fabric of East Jindabyne. Its thoughtful design aims to respect and support the needs, wants and values of the local community and will not adversely affect East Jindabyne's residents.

DEVELOPMENT IMPACT STATEMENT FOR 30C KUNAMA DRIVE EAST JINDABYNE

4.0 Streetscape Assessment

The proposed multi dwelling housing located at Lot 1 DP1228821 known as 30c Kunama Drive, East Jindabyne has been designed to minimise and mitigate any potential negative streetscape impacts to Kunama Drive.

This section of the report will address and assess the proposed multi dwelling housing under *Section 5 Building Design* of the *Snowy River DCP*.

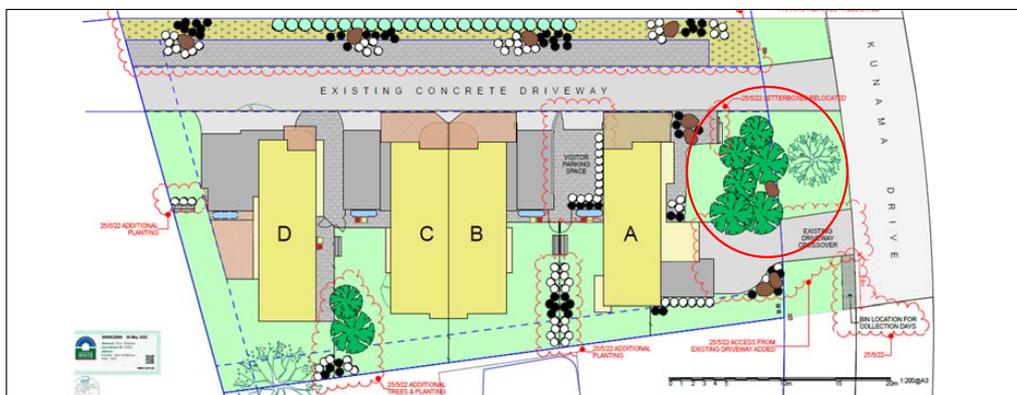
Forming, mass, scale and building materials all play an important role in enhancing the character and continuity of a streetscape. The proposed multi dwelling housing has been thoughtfully designed to compliment and adhere to the existing streetscape of Kunama Drive.

Existing development along Kunama Drive primarily consists of residential dwellings including single storey dwellings, two-storey dwellings, dual occupancies (attached and detached) and serviced apartments.



View from driveway of 30C Kunama Drive.

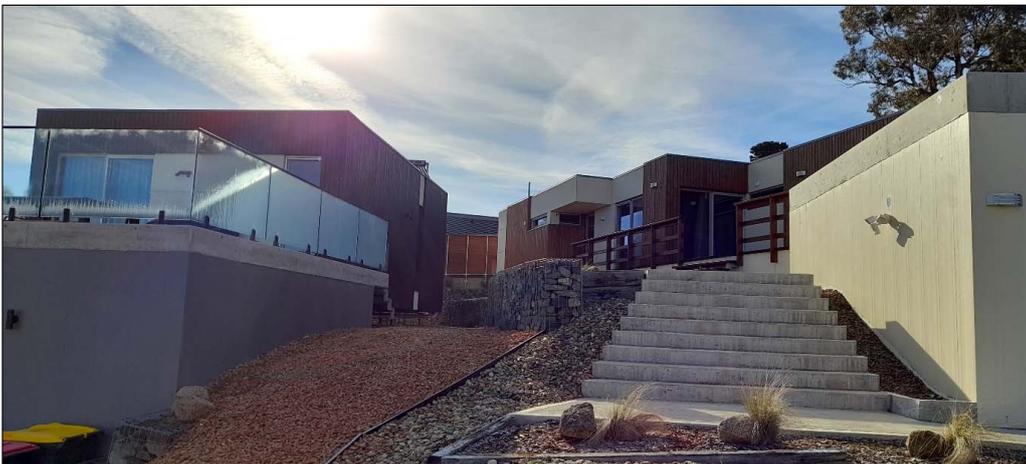
As demonstrated above, 29 Kunama Drive presents an elevated single storey dwelling with a tall roofline, similar to that of the proposed multi dwelling housing. 29 Kunama Drive has been screened by a mix of eucalypts that soften the appearance of the dwelling to the street. This has been implemented in the multi dwelling landscape design, see below for tree planting in the front setback which will soften the appearance of the proposed development to the street.



DEVELOPMENT IMPACT STATEMENT FOR 30C KUNAMA DRIVE EAST JINDABYNE



30 Kunama Drive – Two-storey dwelling located West of the subject allotment.



83 Kunama Drive, two dwellings located in close proximity to one another, exhibiting denser residential development.



80 Kunama Drive, serviced apartments consisting of eight (8) x 3-bedroom serviced apartments with strata subdivision.

DEVELOPMENT IMPACT STATEMENT FOR 30C KUNAMA DRIVE EAST JINDABYNE

David Law (designer) has designed the proposed multi dwelling housing in line with the existing development along Kunama Drive, whilst including architectural design features to enhance the streetscape of Kunama Drive.

The proposed multi dwelling housing directly addresses the street, Unit A has direct vehicular access from the existing driveway insert from Kunama. Unit A's façade presents a similar scale and design to neighbouring dwellings. The thoughtful design of the multi dwelling housing reduces the bulk and scale of the buildings, and when viewed from the street, the development will present very similarly to that of a dual occupancy.

There are vacant lots existing along Kunama Drive, one of which is located directly across the street from the subject allotment. Kunama Drive and the surrounding locality have great potential to further develop, both increasing housing density and diversity in East Jindabyne. The current housing market and popularity of the area has seen new residential development increase significantly. With dual occupancies, multi dwelling housing and serviced apartments becoming a far more common housing type in the area; to not only provide for the residential population, but also the tourism industry. The presence of vacant lots provides potential for future development of a similar scale and nature on Kunama Drive.



21 Kunama Drive – Vacant lot.

As demonstrated above, the proposed multi dwelling housing has been thoughtfully designed to compliment and enhance the existing and desired streetscape of Kunama Drive. The proposed design is sympathetic in scale and nature to neighbouring dwellings and the broader locality. The development clearly addresses the street, and is in line with neighbouring developments, in terms of the front setback and the building design.

DEVELOPMENT IMPACT STATEMENT FOR 30C KUNAMA DRIVE EAST JINDABYNE

5.0 Amenity Assessment

Snowy River DCP 2013

DCP Controls	Criteria	Complies	Comment
D1.4-1 Solar Access to Proposed Development	a) A portion of the north facing living area windows of the proposed development must receive a minimum of 3 hours of direct sunlight between 8am and 4pm on 21 June (in so far as it does not contradict any BASIX requirements).	<input checked="" type="checkbox"/>	Living areas in each unit will receive a minimum of 3 hours direct sunlight between 8am and 4pm on 21 June.
	b) The private open space of the proposed development must receive a minimum of 3 hours of direct sunlight between 8am and 4pm on 21 June. The area covered by the sunlight must be capable of supporting passive recreation activities.	<input checked="" type="checkbox"/>	Balconies and backyards for each unit will receive at least 3 hours of direct sunlight between 8am and 4pm on 21 June.
D1.4-2 Solar Access to Neighbouring Development	a) A portion of the north facing living area windows of neighbouring dwellings must receive a minimum of 3 hours of direct sunlight between 8am and 4pm on 21 June or if less is being received prior to the development, the proposed development must not further reduce direct sunlight.	<input checked="" type="checkbox"/>	The closest neighbouring dwelling's living areas are located on the first floor, and the impacts of over-shadowing to living areas will be minimal. The development will not further reduce direct sunlight to the living areas of neighbouring dwellings.
	b) The private open space of neighbouring dwellings must receive a minimum of 3 hour of direct sunlight between 8am and 4pm on 21 June. The area covered by sunlight must be capable of supporting passive recreation or if less is being received prior to development, the proposed development must not further reduce direct sunlight.	<input checked="" type="checkbox"/>	The proposed multi dwelling housing will not negatively impact direct sunlight exposure to neighbouring dwellings private open spaces.
	c) Existing solar panels on neighbouring dwellings, which are situated not less than 6 metres above ground level (existing) must retain a minimum of 3 hours of direct sunlight between 8am and 4pm on 21 June.	N/A	No solar panels are existing on neighbouring developments.
	d) Any variation from the above requirements will be subject to a merit assessment having regard to the following: how the proposed development meets the FSR, height, setback and site coverage controls; orientation of the	<input checked="" type="checkbox"/>	The proposed multi dwelling housing are well below the maximum FSR & site coverage controls & meet the height and setback controls outlined in the Snowy River DCP. The new multi dwelling housing has been designed to reduce bulking bulk

DEVELOPMENT IMPACT STATEMENT FOR 30C KUNAMA DRIVE EAST JINDABYNE

	subject and adjoining allotments; topography of the subject site and adjoining allotments; location and level of windows; and shadows cast by existing buildings on neighbouring allotments.		and scale to ensure direct sunlight exposure is maintained between neighbouring dwellings.
D1.4-3 Visual Privacy	<p>a) All habitable room windows must be located to minimise any direct viewing of existing habitable room windows in adjacent dwellings by one or more of the following measures:</p> <ul style="list-style-type: none"> • Offsetting or staggering windows away from those of the adjacent buildings; • Setting the window sills at a minimum of 1700mm above finished floor level; • Installing fixed or translucent glazing up to a minimum of 1700mm above finished floor level; • Installing fixed privacy screens outside the windows in question; <p>b) The windows to the main living and dining rooms must be oriented away from the adjacent dwellings wherever possible, for example oriented to the front or rear of the allotment or a side courtyard.</p> <p>c) Upper floor balconies should be focused to the street or rear yard. Any elevated balconies or balcony returns on the side façade must have a narrow width to minimise privacy impacts on adjoining properties.</p> <p>d) First floor decks, balconies and roof top terraces are not supported where they overlook or have the potential to directly overlook habitable rooms or private open space.</p> <p>e) Screen planting and planter boxes may be used as a supplementary device for reinforcing privacy protection. However, they must not be used as the sole privacy protection measure.</p> <p>f) For sloping sites, any ground floor decks or terraces must step down in accordance with the landform, and avoid</p>	<p><input checked="" type="checkbox"/></p> <p>N/A</p> <p>N/A</p>	<p>Windows facing towards neighbouring dwellings have been frosted and positioned to minimise direct overlooking between neighbouring dwellings.</p> <p>Windows to main living areas in each unit have been oriented to prevent direct overlooking between each unit and neighbouring dwellings.</p> <p>Upper floor balconies are North-facing and overlook the driveway/common area. The nearest upper floor balcony is approximately 9.7m from the neighbouring dwelling, screening has been provided on easement (B) to prevent overlooking between 30c Kunama Drive and 28 Kunama Drive.</p> <p>The balconies in each unit do not overlook or have the potential to overlook habitable rooms or private open space of neighbouring dwellings.</p> <p>Not Applicable.</p> <p>Not Applicable.</p>

DEVELOPMENT IMPACT STATEMENT FOR 30C KUNAMA DRIVE EAST JINDABYNE

	<p>the bedrooms of the adjoining dwelling.</p> <p>c) To improve acoustic privacy the following can be implemented into building design:</p> <ul style="list-style-type: none"> • bedroom windows and car parking areas are to be a distance of three (3) metres apart; • doors and windows of adjoining dwellings are to be a distance of three (3) metres apart; and • shared walls and floors are to be constructed to reduce noise transmission <p>d) Building setbacks are to be varied to ensure adjoining residents feel an adequate sense of acoustic privacy when using rooms fronting driveways, accessways, pathways and the street.</p> <p>e) Dwellings abutting major roads and other noise generating land uses should be designed and sited to minimise noise impacts. This may be achieved by:</p> <ul style="list-style-type: none"> • Locating bedrooms and other noise sensitive rooms away from the road; • Using thick glass panes or double glazing to windows fronting the road; • Using solid core doors and appropriate seals to vents and other openings; • Mounding within the landscape; and • Solid wall construction 	<p><input checked="" type="checkbox"/></p> <p><input checked="" type="checkbox"/></p> <p><input checked="" type="checkbox"/></p> <p><input checked="" type="checkbox"/></p> <p>N/A</p>	<p>All bedroom windows are separated $\geq 3\text{m}$ from car parking areas.</p> <p>All doors and windows of adjoining dwellings are $> 3\text{m}$ apart.</p> <p>Units B and C are attached and share a common wall, the wall will be insulated, and fire & sound rated and will include 75 Gold Batts R1.5 and 70 Soundscreen R2.0 to ensure acoustic privacy between Unit B and C.</p> <p>The design of the multi dwelling housing offers articulation between each unit to reduce the buildings bulk and provide adequate sense of acoustic privacy between dwellings.</p> <p>Not Applicable.</p>
<p>D1.4-7 View Sharing</p>	<p>a) All property owners should be able to develop their property within existing planning controls however views should not be substantially affected where it is possible to design to share views.</p> <p>b) The location and design of dwellings and outbuildings must reasonably maintain existing developed view corridors or vistas from the neighbouring dwellings, streets and public open space areas.</p> <p>c) In assessing potential view loss impacts on neighbouring</p>	<p><input checked="" type="checkbox"/></p> <p><input checked="" type="checkbox"/></p>	<p>The subject site and adjoining sites do not have views to local features (Lake Jindabyne, Jindabyne Dam Wall and Crackenback Range). Impact to views will be minimal due to the thoughtful design and placement of buildings within the allotment. This outcome is deemed satisfactory in this instance.</p> <p>The multi dwelling housing design is sympathetic to existing views and will not unreasonably obstruct existing view corridors.</p> <p>The multi dwelling housing design has taken into account the current</p>



Development Impact Statement



Project: Multi Dwelling Housing with Strata Title Subdivision

30c Kunama Drive
East Jindabyne NSW 2627
Lot 1 DP1228821

DATE: JUNE 2022
PREPARED FOR: M & C KROENERT FAMILY TRUST
PREPARED BY: ACCENT TOWN PLANNING

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DEVELOPMENT IMPACT STATEMENT FOR 30C KUNAMA DRIVE EAST JINDABYNE

1.0 Project Details

The project for which this Statement applies is for the construction of new multi dwelling housing consisting of four, two-storey townhouses with strata title subdivision within East Jindabyne. The subject property is located at Lot 1 DP1228821 known as 30c Kunama Drive, East Jindabyne.

In preparing this advice, the following key documents have been considered:

- Snowy River Local Environmental Plan 2013
- Snowy River Development Control Plan 2013
- NSW Planning Portal

2.0 Visual and Acoustic Privacy Impact Statement

The proposed multi dwelling housing located at Lot 1 DP1228821 known as 30c Kunama Drive, East Jindabyne has been designed to minimise potential negative impacts between the proposed units and neighbouring dwellings. David Law (Designer) has designed the multi dwelling housing to ensure visual and acoustic privacy is established between each dwelling and neighbouring dwellings.

This section of the report will address and assess the proposed multi dwelling housing under *Section 6 Amenity* of the *Snowy River DCP*.

2.1 Views

The proposed multi dwelling housing has been designed to ensure that it will not unreasonably impact or intentionally obstruct views of local features, it allows for the reasonable sharing of views through the thoughtful building siting, height and design.

The separation and articulation of each building, reduces the bulk and scale of the development and allows for greater solar access to the private outdoor areas for each dwelling and the neighbouring dwellings. The site does not have a direct view of lake Jindabyne, nor do the neighbouring dwellings, the development will therefore not obstruct any views of local features.

Planning Principles issued by the Land and Environment Court which include assessment of:

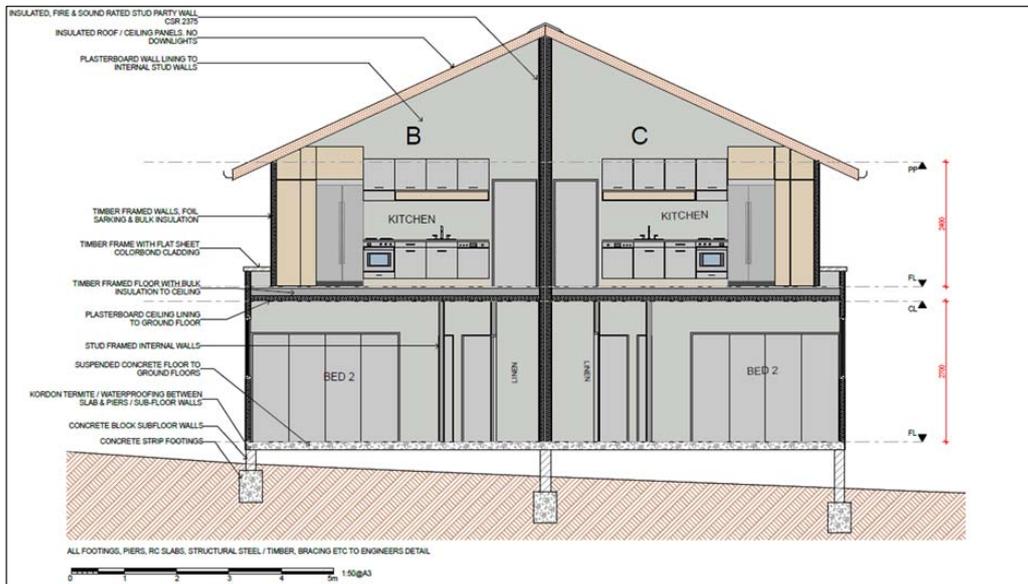
Control	Comments
The views to be affected;	No views to local features (Lake Jindabyne, Jindabyne Dam Wall and Crackenback Range) on site or any of the adjoining allotments. No. 28 has no views to the south over the subject block & does not address any views to the south. No30 does not have views over the subject block due to the tree screening between the 2 sites. No. 32 has no views of significance to the north over the subject block, however there are some views to the hills to the NE from their 1 st floor balcony. Impact to views will be minimal due to the thoughtful design and placement of buildings within the allotment.
The part of the property that the view is being obtained;	The proposed dwellings will obtain views towards the North & North East to the hills on the eastern side of Kosciuszko Rd. The location of the balconies of all proposed dwellings & the aspect of their living areas are designed to take full advantage of those views. Dwelling A has been designed so that the kitchen, living, dining & bed 1 look from NE through to SE at the panorama of the hills, with window sill heights positioned so that the houses across the street are not in the views when sitting or lying in those rooms. The main bedroom of dwelling B has also been positioned to take advantage of the views to the hills to the SE, with sill heights to block views of adjacent houses & to provide privacy. Impact to views for surrounding properties is considered to be minimal, this is deemed satisfactory in this instance.
The extent of the impact;	The extent of impact to views for surrounding development is considered to be minimal as the only views obtained across the site are to the NE from No32 & these have not been blocked.
The reasonableness of the proposal that is causing the impact.	The extent of impact to views for surrounding development is considered to be minimal. The siting, height and design of the building ensures minimal impact to views and view-sharing for neighbouring development.

DEVELOPMENT IMPACT STATEMENT FOR 30C KUNAMA DRIVE EAST JINDABYNE

2.2. Acoustic Privacy

Site layout and building design of the proposed multi dwelling housing ensures the protection of internal living and sleeping areas from uncontrollable high levels of external noise and minimises the transmission of sound through the building structure. The development includes a total of 4 dwellings, Units A and D are detached and Units B and C are attached and share a common wall. The common wall will be insulated, and fire & sound rated and will include 75 Gold Batts R1.5 and 70 Soundscreen R2.0 to ensure acoustic privacy between Unit B and C. All windows in each dwelling will be double glazed, this will further enhance the acoustic privacy for each dwelling and ensure minimal noise disturbance to surrounding dwellings.

Unit B and C have been designed to ensure that bedrooms do not share walls with living areas of adjacent dwellings, living areas are located on the first level in both units.



2.3 Visual Privacy

The proposed multi dwelling housing building layout, location and design of windows and balconies, screening devices and landscaping all prevent the direct overlooking of main internal living areas and private open spaces.

The North-facing balconies in each unit, have been placed strategically at the front of each unit to minimise direct overlooking to neighbouring developments. The height of walls and balustrades on each upper floor balcony have been raised to prevent over-looking to number 28 Kunama Drive.

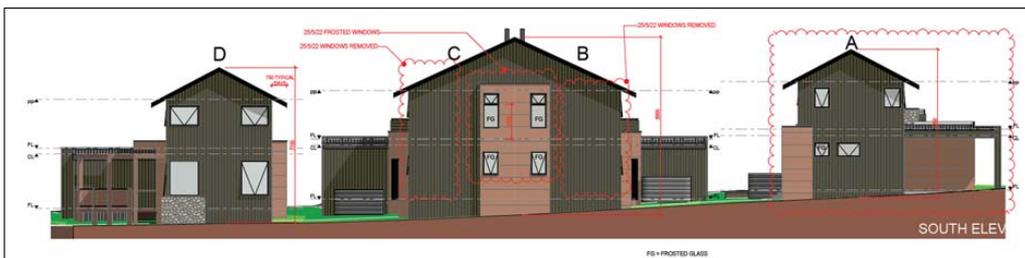


DEVELOPMENT IMPACT STATEMENT FOR 30C KUNAMA DRIVE EAST JINDABYNE

There is existing screening (shrubs and trees) present along easement (B) that prevent on-looking from the upper floor balconies of Unit B and C as illustrated below. These trees & shrubs will continue to grow taller & provide more privacy between No. 28 & the proposed dwellings.



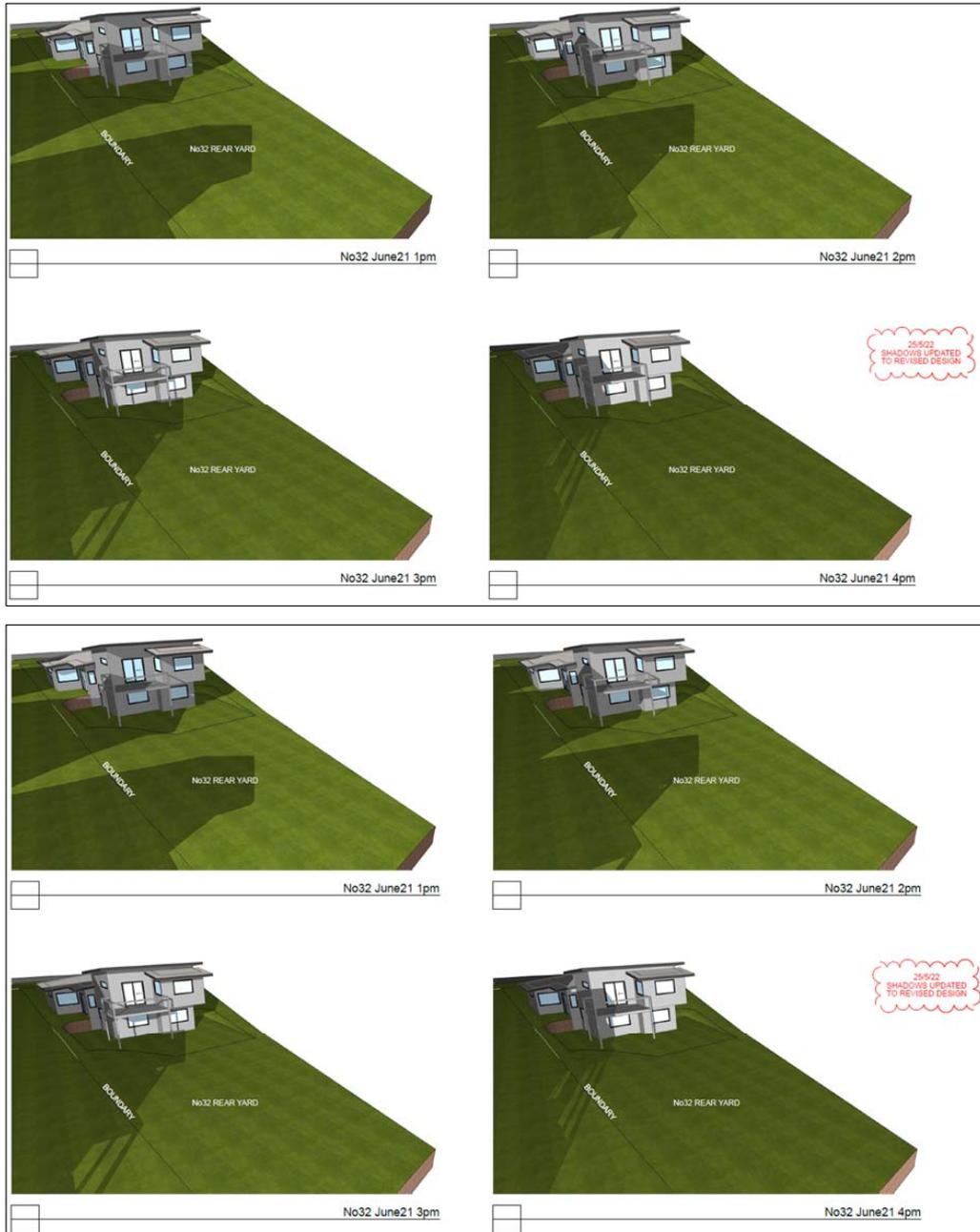
All windows have been strategically placed to prevent any direct views between living area windows, bedroom windows and private open spaces. The windows located on the South elevation of Unit B and C are frosted glass, in order to prevent on-looking to and from the neighbouring dwelling (32 Kunama Drive).



DEVELOPMENT IMPACT STATEMENT FOR 30C KUNAMA DRIVE EAST JINDABYNE

2.4 Solar Access

The proposed multi dwelling housing has been thoughtfully designed so as to not negatively impact the solar access to living areas and private open spaces of neighbouring dwellings. The separation and articulation of each unit not only reduces the bulk and scale of the development, but it also allows at least 3 hours of direct sunlight to the neighbouring dwellings between 9am and 3pm on the 21st of June as required by the SRDCP. See shadow diagrams for 32 Kunama Drive illustrated below.



DEVELOPMENT IMPACT STATEMENT FOR 30C KUNAMA DRIVE EAST JINDABYNE

The development retains sufficient levels of solar access to the neighbouring dwellings and their private open space. The neighbouring developments do not have any living areas or private open spaces along the northern elevation that will be negatively impacted by the proposed multi dwelling housing. See shadow diagrams attached for further detail.

Unit D will receive at least the minimum 3 hours of direct sunlight between 8am and 4pm on the 21st of June as illustrated below.



DEVELOPMENT IMPACT STATEMENT FOR 30C KUNAMA DRIVE EAST JINDABYNE

3.0 Social Impact Statement

The proposed multi dwelling housing located at Lot 1 DP1228821 known as 30c Kunama Drive, East Jindabyne has been designed to minimise and mitigate any potential negative social impacts to Kunama Drive and East Jindabyne as a whole.

This section of the report will address and assess the social objectives, and seeks to predict, anticipate, and understand the potential impacts of the proposed multi dwelling housing on the local community.

East Jindabyne consists of a rural residential area that has been identified as a key growth precinct in the Snowy Monaro Region. The locality boasts a welcoming suburban character that has been enhanced by recent land subdivisions that have encouraged people to develop and move to the area. The influx of new residents has seen the area develop to a more adaptive, denser residential area. For this reason, the social landscape of East Jindabyne has evolved significantly over the past 5 – 10 years and will continue to change as the Snowy Mountains Special Activation Precinct (SMSAP) is implemented and the demand for a variety of long term housing options are needed.

Social impacts are changes that may occur in the following:

- People's day-to-day life, how they live, work, play and interact with one another.
- The immediate and broader community's character, stability, cohesion, services, and facilities.
- Culture, including shared beliefs, customs, and values.

The scope of this development is consistent with the existing and desired character of Kunama Drive and East Jindabyne and is similar in scale to surrounding developments both on Kunama Drive and in the locality. The intention of the proposal is for affordable housing for long term residents that will enjoy a rural setting. For this reason, the potential social impact of the proposed development is no more or less than the existing developments within the locality.

The proposed multi dwelling housing has safe pedestrian and vehicular access, with adequate manoeuvring space on site that allows vehicles to safely enter and exit the lot in a forward-facing direction. The car parking and driveway design for the development has been designed thoughtfully to prevent any traffic and/or pedestrian conflict by providing more than adequate site lines between car parking areas, the driveway and the street. For this reason, the development will not impact the social fabric of Kunama Drive and will maintain the existing safe neighbourhood character.

The strategic placement and orientation of Unit A presents a thoughtful design that is consistent with neighbouring development, and clearly addresses the street. The presentation of Unit A provides coherence with the existing streetscape of Kunama Drive, and for this reason, the design of the proposed multi dwelling housing will not negatively impact Kunama Drive and its residents.

The scale of the development does not have the potential to impact local social services including medical/health services, transport services, pedestrian infrastructure, and road infrastructure. Due to its scale, it will have no impact on local social services and will not have any negative impact on these services into the future.

When looking at the broader community and baseline conditions existing in East Jindabyne, the extent of potential social impacts from the proposed development is minimal. It is evident that the East Jindabyne community want to encourage a family-friendly, safe neighbourhood for all. This development aims to prioritise these community values, whilst providing a more diverse housing stock for the community.

As demonstrated above, the proposed multi dwelling housing acknowledges the existing and desired social fabric of East Jindabyne. Its thoughtful design aims to respect and support the needs, wants and values of the local community and will not adversely affect East Jindabyne's residents.

DEVELOPMENT IMPACT STATEMENT FOR 30C KUNAMA DRIVE EAST JINDABYNE

4.0 Streetscape Assessment

The proposed multi dwelling housing located at Lot 1 DP1228821 known as 30c Kunama Drive, East Jindabyne has been designed to minimise and mitigate any potential negative streetscape impacts to Kunama Drive.

This section of the report will address and assess the proposed multi dwelling housing under *Section 5 Building Design* of the *Snowy River DCP*.

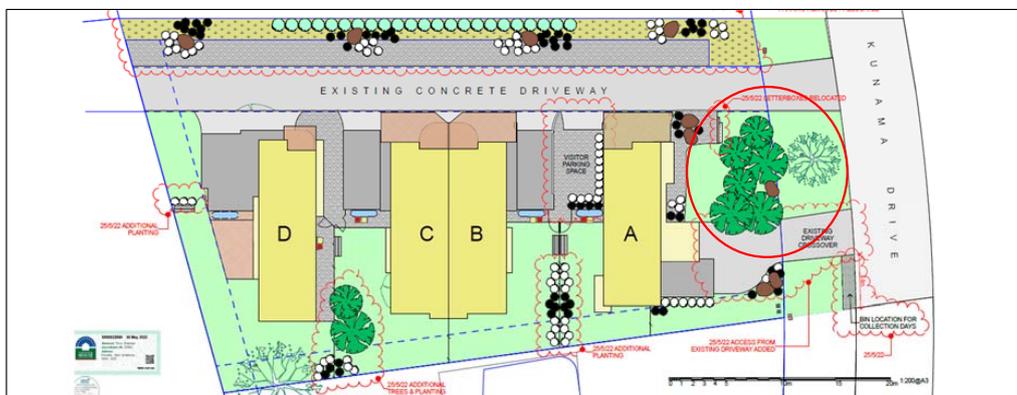
Forming, mass, scale and building materials all play an important role in enhancing the character and continuity of a streetscape. The proposed multi dwelling housing has been thoughtfully designed to compliment and adhere to the existing streetscape of Kunama Drive.

Existing development along Kunama Drive primarily consists of residential dwellings including single storey dwellings, two-storey dwellings, dual occupancies (attached and detached) and serviced apartments.



View from driveway of 30C Kunama Drive.

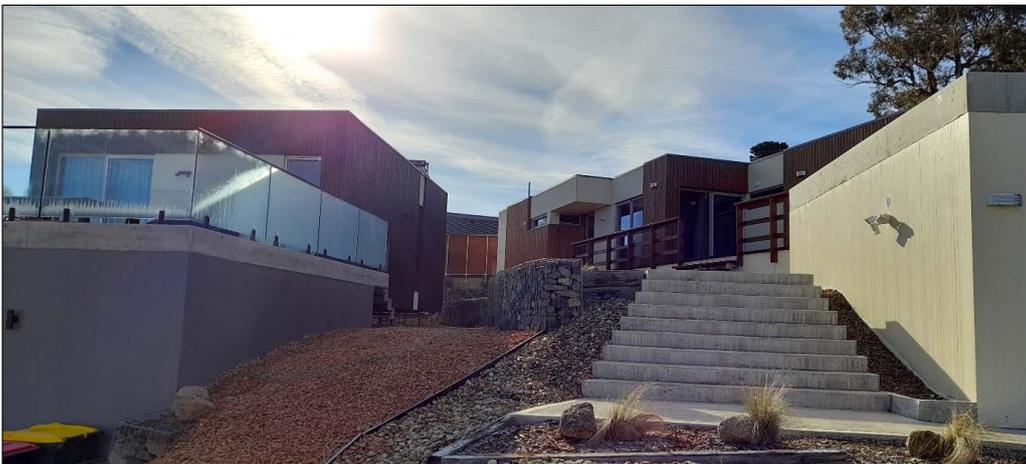
As demonstrated above, 29 Kunama Drive presents an elevated single storey dwelling with a tall roofline, similar to that of the proposed multi dwelling housing. 29 Kunama Drive has been screened by a mix of eucalypts that soften the appearance of the dwelling to the street. This has been implemented in the multi dwelling landscape design, see below for tree planting in the front setback which will soften the appearance of the proposed development to the street.



DEVELOPMENT IMPACT STATEMENT FOR 30C KUNAMA DRIVE EAST JINDABYNE



30 Kunama Drive – Two-storey dwelling located West of the subject allotment.



83 Kunama Drive, two dwellings located in close proximity to one another, exhibiting denser residential development.



80 Kunama Drive, serviced apartments consisting of eight (8) x 3-bedroom serviced apartments with strata subdivision.

DEVELOPMENT IMPACT STATEMENT FOR 30C KUNAMA DRIVE EAST JINDABYNE

David Law (designer) has designed the proposed multi dwelling housing in line with the existing development along Kunama Drive, whilst including architectural design features to enhance the streetscape of Kunama Drive.

The proposed multi dwelling housing directly addresses the street, Unit A has direct vehicular access from the existing driveway insert from Kunama. Unit A's façade presents a similar scale and design to neighbouring dwellings. The thoughtful design of the multi dwelling housing reduces the bulk and scale of the buildings, and when viewed from the street, the development will present very similarly to that of a dual occupancy.

There are vacant lots existing along Kunama Drive, one of which is located directly across the street from the subject allotment. Kunama Drive and the surrounding locality have great potential to further develop, both increasing housing density and diversity in East Jindabyne. The current housing market and popularity of the area has seen new residential development increase significantly. With dual occupancies, multi dwelling housing and serviced apartments becoming a far more common housing type in the area; to not only provide for the residential population, but also the tourism industry. The presence of vacant lots provides potential for future development of a similar scale and nature on Kunama Drive.



21 Kunama Drive – Vacant lot.

As demonstrated above, the proposed multi dwelling housing has been thoughtfully designed to compliment and enhance the existing and desired streetscape of Kunama Drive. The proposed design is sympathetic in scale and nature to neighbouring dwellings and the broader locality. The development clearly addresses the street, and is in line with neighbouring developments, in terms of the front setback and the building design.

DEVELOPMENT IMPACT STATEMENT FOR 30C KUNAMA DRIVE EAST JINDABYNE

5.0 Amenity Assessment

Snowy River DCP 2013

DCP Controls	Criteria	Complies	Comment
D1.4-1 Solar Access to Proposed Development	a) A portion of the north facing living area windows of the proposed development must receive a minimum of 3 hours of direct sunlight between 8am and 4pm on 21 June (in so far as it does not contradict any BASIX requirements).	<input checked="" type="checkbox"/>	Living areas in each unit will receive a minimum of 3 hours direct sunlight between 8am and 4pm on 21 June.
	b) The private open space of the proposed development must receive a minimum of 3 hours of direct sunlight between 8am and 4pm on 21 June. The area covered by the sunlight must be capable of supporting passive recreation activities.	<input checked="" type="checkbox"/>	Balconies and backyards for each unit will receive at least 3 hours of direct sunlight between 8am and 4pm on 21 June.
D1.4-2 Solar Access to Neighbouring Development	a) A portion of the north facing living area windows of neighbouring dwellings must receive a minimum of 3 hours of direct sunlight between 8am and 4pm on 21 June or if less is being received prior to the development, the proposed development must not further reduce direct sunlight.	<input checked="" type="checkbox"/>	The closest neighbouring dwelling's living areas are located on the first floor, and the impacts of over-shadowing to living areas will be minimal. The development will not further reduce direct sunlight to the living areas of neighbouring dwellings.
	b) The private open space of neighbouring dwellings must receive a minimum of 3 hour of direct sunlight between 8am and 4pm on 21 June. The area covered by sunlight must be capable of supporting passive recreation or if less is being received prior to development, the proposed development must not further reduce direct sunlight.	<input checked="" type="checkbox"/>	The proposed multi dwelling housing will not negatively impact direct sunlight exposure to neighbouring dwellings private open spaces.
	c) Existing solar panels on neighbouring dwellings, which are situated not less than 6 metres above ground level (existing) must retain a minimum of 3 hours of direct sunlight between 8am and 4pm on 21 June.	N/A	No solar panels are existing on neighbouring developments.
	d) Any variation from the above requirements will be subject to a merit assessment having regard to the following: how the proposed development meets the FSR, height, setback and site coverage controls; orientation of the	<input checked="" type="checkbox"/>	The proposed multi dwelling housing are well below the maximum FSR & site coverage controls & meet the height and setback controls outlined in the Snowy River DCP. The new multi dwelling housing has been designed to reduce bulking bulk

DEVELOPMENT IMPACT STATEMENT FOR 30C KUNAMA DRIVE EAST JINDABYNE

	subject and adjoining allotments; topography of the subject site and adjoining allotments; location and level of windows; and shadows cast by existing buildings on neighbouring allotments.		and scale to ensure direct sunlight exposure is maintained between neighbouring dwellings.
D1.4-3 Visual Privacy	<p>a) All habitable room windows must be located to minimise any direct viewing of existing habitable room windows in adjacent dwellings by one or more of the following measures:</p> <ul style="list-style-type: none"> • Offsetting or staggering windows away from those of the adjacent buildings; • Setting the window sills at a minimum of 1700mm above finished floor level; • Installing fixed or translucent glazing up to a minimum of 1700mm above finished floor level; • Installing fixed privacy screens outside the windows in question; <p>b) The windows to the main living and dining rooms must be oriented away from the adjacent dwellings wherever possible, for example oriented to the front or rear of the allotment or a side courtyard.</p> <p>c) Upper floor balconies should be focused to the street or rear yard. Any elevated balconies or balcony returns on the side façade must have a narrow width to minimise privacy impacts on adjoining properties.</p> <p>d) First floor decks, balconies and roof top terraces are not supported where they overlook or have the potential to directly overlook habitable rooms or private open space.</p> <p>e) Screen planting and planter boxes may be used as a supplementary device for reinforcing privacy protection. However, they must not be used as the sole privacy protection measure.</p> <p>f) For sloping sites, any ground floor decks or terraces must step down in accordance with the landform, and avoid</p>	<p><input checked="" type="checkbox"/></p> <p>N/A</p> <p>N/A</p>	<p>Windows facing towards neighbouring dwellings have been frosted and positioned to minimise direct overlooking between neighbouring dwellings.</p> <p>Windows to main living areas in each unit have been oriented to prevent direct overlooking between each unit and neighbouring dwellings.</p> <p>Upper floor balconies are North-facing and overlook the driveway/common area. The nearest upper floor balcony is approximately 9.7m from the neighbouring dwelling, screening has been provided on easement (B) to prevent overlooking between 30c Kunama Drive and 28 Kunama Drive.</p> <p>The balconies in each unit do not overlook or have the potential to overlook habitable rooms or private open space of neighbouring dwellings.</p> <p>Not Applicable.</p> <p>Not Applicable.</p>

DEVELOPMENT IMPACT STATEMENT FOR 30C KUNAMA DRIVE EAST JINDABYNE

	<p>the bedrooms of the adjoining dwelling.</p> <p>c) To improve acoustic privacy the following can be implemented into building design:</p> <ul style="list-style-type: none"> • bedroom windows and car parking areas are to be a distance of three (3) metres apart; • doors and windows of adjoining dwellings are to be a distance of three (3) metres apart; and • shared walls and floors are to be constructed to reduce noise transmission <p>d) Building setbacks are to be varied to ensure adjoining residents feel an adequate sense of acoustic privacy when using rooms fronting driveways, accessways, pathways and the street.</p> <p>e) Dwellings abutting major roads and other noise generating land uses should be designed and sited to minimise noise impacts. This may be achieved by:</p> <ul style="list-style-type: none"> • Locating bedrooms and other noise sensitive rooms away from the road; • Using thick glass panes or double glazing to windows fronting the road; • Using solid core doors and appropriate seals to vents and other openings; • Mounding within the landscape; and • Solid wall construction 	<p><input checked="" type="checkbox"/></p> <p><input checked="" type="checkbox"/></p> <p><input checked="" type="checkbox"/></p> <p><input checked="" type="checkbox"/></p> <p>N/A</p>	<p>All bedroom windows are separated $\geq 3\text{m}$ from car parking areas.</p> <p>All doors and windows of adjoining dwellings are $> 3\text{m}$ apart.</p> <p>Units B and C are attached and share a common wall, the wall will be insulated, and fire & sound rated and will include 75 Gold Batts R1.5 and 70 Soundscreen R2.0 to ensure acoustic privacy between Unit B and C.</p> <p>The design of the multi dwelling housing offers articulation between each unit to reduce the buildings bulk and provide adequate sense of acoustic privacy between dwellings.</p> <p>Not Applicable.</p>
<p>D1.4-7 View Sharing</p>	<p>a) All property owners should be able to develop their property within existing planning controls however views should not be substantially affected where it is possible to design to share views.</p> <p>b) The location and design of dwellings and outbuildings must reasonably maintain existing developed view corridors or vistas from the neighbouring dwellings, streets and public open space areas.</p> <p>c) In assessing potential view loss impacts on neighbouring</p>	<p><input checked="" type="checkbox"/></p> <p><input checked="" type="checkbox"/></p>	<p>The subject site and adjoining sites do not have views to local features (Lake Jindabyne, Jindabyne Dam Wall and Crackenback Range). Impact to views will be minimal due to the thoughtful design and placement of buildings within the allotment. This outcome is deemed satisfactory in this instance.</p> <p>The multi dwelling housing design is sympathetic to existing views and will not unreasonably obstruct existing view corridors.</p> <p>The multi dwelling housing design has taken into account the current</p>

BASIX[®] Certificate

Building Sustainability Index www.basix.nsw.gov.au

Multi Dwelling

Certificate number: 1267930M_03

This certificate confirms that the proposed development will meet the NSW government's requirements for sustainability, if it is built in accordance with the commitments set out below. Terms used in this certificate, or in the commitments, have the meaning given by the document entitled "BASIX Definitions" dated 10/09/2020 published by the Department. This document is available at www.basix.nsw.gov.au

This certificate is a revision of certificate number 1267930M lodged with the consent authority or certifier on 10 February 2022 with application DA10.2022.60.001.

It is the responsibility of the applicant to verify with the consent authority that the original, or any revised certificate, complies with the requirements of Schedule 1 Clause 2A, 4A or 6A of the Environmental Planning and Assessment Regulation 2000

Secretary

Date of issue: Monday, 30 May 2022

To be valid, this certificate must be lodged within 3 months of the date of issue.



Project summary		
Project name	Kroenert - East Jindabyne_03	
Street address	30C KUNAMA Drive EAST JINDABYNE 2627	
Local Government Area	Snowy Monaro Regional Council	
Plan type and plan number	deposited 1228821	
Lot no.	1	
Section no.	-	
No. of residential flat buildings	0	
No. of units in residential flat buildings	0	
No. of multi-dwelling houses	4	
No. of single dwelling houses	0	
Project score		
Water	✓ 40	Target 40
Thermal Comfort	✓ Pass	Target Pass
Energy	✓ 40	Target 40

Certificate Prepared by
Name / Company Name: David Law
ABN (if applicable): 83518014319

Description of project

Project address	
Project name	Kroenert - East Jindabyne_03
Street address	30C KUNAMA Drive EAST JINDABYNE 2627
Local Government Area	Snowy Monaro Regional Council
Plan type and plan number	deposited 1228821
Lot no.	1
Section no.	-
Project type	
No. of residential flat buildings	0
No. of units in residential flat buildings	0
No. of multi-dwelling houses	4
No. of single dwelling houses	0
Site details	
Site area (m ²)	1690
Roof area (m ²)	530
Non-residential floor area (m ²)	0.0
Residential car spaces	5
Non-residential car spaces	1

Common area landscape		
Common area lawn (m ²)	56.5	
Common area garden (m ²)	57.0	
Area of indigenous or low water use species (m ²)	57.0	
Assessor details		
Assessor number	20920	
Certificate number	0006922690	
Climate zone	69	
Ceiling fan in at least one bedroom	No	
Ceiling fan in at least one living room or other conditioned area	No	
Project score		
Water	✓ 40	Target 40
Thermal Comfort	✓ Pass	Target Pass
Energy	✓ 40	Target 40

Description of project

The tables below describe the dwellings and common areas within the project

Multi-dwelling houses

Dwelling no.	No. of bedrooms	Conditioned floor area (m ²)	Unconditioned floor area (m ²)	Area of garden & lawn (m ²)	Indigenous species (min area m ²)
1	3	119.9	129.0	265.0	10.0
2	3	125.0	30.0	85.0	10.0
3	3	125.0	30.0	107.0	10.0
4	3	145.0	52.0	169.0	10.0

No common areas specified.

Schedule of BASIX commitments

1. Commitments for multi-dwelling houses

(a) Dwellings

- (i) Water
- (ii) Energy
- (iii) Thermal Comfort

2. Commitments for single dwelling houses

3. Commitments for common areas and central systems/facilities for the development (non-building specific)

- (i) Water
- (ii) Energy

Schedule of BASIX commitments

The commitments set out below regulate how the proposed development is to be carried out. It is a condition of any development consent granted, or complying development certificate issued, for the proposed development, that BASIX commitments be complied with.

1. Commitments for multi-dwelling houses

(a) Dwellings

(i) Water	Show on DA plans	Show on CC/CDC plans & specs	Certifier check
(a) The applicant must comply with the commitments listed below in carrying out the development of a dwelling listed in a table below.			
(b) The applicant must plant indigenous or low water use species of vegetation throughout the area of land specified for the dwelling in the "Indigenous species" column of the table below, as private landscaping for that dwelling. (This area of indigenous vegetation is to be contained within the "Area of garden and lawn" for the dwelling specified in the "Description of Project" table).	✓	✓	
(c) If a rating is specified in the table below for a fixture or appliance to be installed in the dwelling, the applicant must ensure that each such fixture and appliance meets the rating specified for it.		✓	✓
(d) The applicant must install an on demand hot water recirculation system which regulates all hot water use throughout the dwelling, where indicated for a dwelling in the "HW recirculation or diversion" column of the table below.		✓	✓
(e) The applicant must install: (aa) a hot water diversion system to all showers, kitchen sinks and all basins in the dwelling, where indicated for a dwelling in the "HW recirculation or diversion" column of the table below; and (bb) a separate diversion tank (or tanks) connected to the hot water diversion systems of at least 100 litres. The applicant must connect the hot water diversion tank to all toilets in the dwelling.		✓ ✓	✓ ✓
(e) The applicant must not install a private swimming pool or spa for the dwelling, with a volume exceeding that specified for it in the table below.	✓	✓	
(f) If specified in the table, that pool or spa (or both) must have a pool cover or shading (or both).		✓	
(g) The pool or spa must be located as specified in the table.	✓	✓	
(h) The applicant must install, for the dwelling, each alternative water supply system, with the specified size, listed for that dwelling in the table below. Each system must be configured to collect run-off from the areas specified (excluding any area which supplies any other alternative water supply system), and to divert overflow as specified. Each system must be connected as specified.	✓	✓	✓

Dwelling no.	Fixtures					Appliances		Individual pool				Individual spa		
	All shower-heads	All toilet flushing systems	All kitchen taps	All bathroom taps	HW recirculation or diversion	All clothes washers	All dish-washers	Volume (max volume)	Pool cover	Pool location	Pool shaded	Volume (max volume)	Spa cover	Spa shaded
All dwellings	3 star (> 7.5 but <= 9 L/min)	3 star	3 star	3 star	no	-	-	-	-	-	-	-	-	-

Dwelling no.	Alternative water source							
	Alternative water supply systems	Size	Configuration	Landscape connection	Toilet connection (s)	Laundry connection	Pool top-up	Spa top-up
All dwellings	individual water tank (no. 1)	Tank size (min) 2000.0 litres	To collect run-off from at least: 100.0 square metres of roof area; 0.0 square metres of impervious area; 0.0 square metres of garden and lawn area; and 0.0 square metres of planter box area.	yes	yes	yes	-	-
None	-	-	-	-	-	-	-	-

(ii) Energy	Show on DA plans	Show on CC/CDC plans & specs	Certifier check
(a) The applicant must comply with the commitments listed below in carrying out the development of a dwelling listed in a table below.			
(b) The applicant must install each hot water system specified for the dwelling in the table below, so that the dwelling's hot water is supplied by that system. If the table specifies a central hot water system for the dwelling, then the applicant must connect that central system to the dwelling, so that the dwelling's hot water is supplied by that central system.	✓	✓	✓
(c) The applicant must install, in each bathroom, kitchen and laundry of the dwelling, the ventilation system specified for that room in the table below. Each such ventilation system must have the operation control specified for it in the table.		✓	✓
(d) The applicant must install the cooling and heating system/s specified for the dwelling under the "Living areas" and "Bedroom areas" headings of the "Cooling" and "Heating" columns in the table below, in/for at least 1 living/bedroom area of the dwelling. If no cooling or heating system is specified in the table for "Living areas" or "Bedroom areas", then no systems may be installed in any such areas. If the term "zoned" is specified beside an air conditioning system, then the system must provide for day/night zoning between living areas and bedrooms.		✓	✓

(ii) Energy	Show on DA plans	Show on CC/CDC plans & specs	Certifier check
(e) This commitment applies to each room or area of the dwelling which is referred to in a heading to the "Artificial lighting" column of the table below (but only to the extent specified for that room or area). The applicant must ensure that the "primary type of artificial lighting" for each such room in the dwelling is fluorescent lighting or light emitting diode (LED) lighting. If the term "dedicated" is specified for a particular room or area, then the light fittings in that room or area must only be capable of being used for fluorescent lighting or light emitting diode (LED) lighting.		✓	✓
(f) This commitment applies to each room or area of the dwelling which is referred to in a heading to the "Natural lighting" column of the table below (but only to the extent specified for that room or area). The applicant must ensure that each such room or area is fitted with a window and/or skylight.	✓	✓	✓
(g) This commitment applies if the applicant installs a water heating system for the dwelling's pool or spa. The applicant must: (aa) install the system specified for the pool in the "Individual Pool" column of the table below (or alternatively must not install any system for the pool). If specified, the applicant must install a timer, to control the pool's pump; and (bb) install the system specified for the spa in the "Individual Spa" column of the table below (or alternatively must not install any system for the spa). If specified, the applicant must install a timer to control the spa's pump.		✓ ✓	
(h) The applicant must install in the dwelling: (aa) the kitchen cook-top and oven specified for that dwelling in the "Appliances & other efficiency measures" column of the table below; (bb) each appliance for which a rating is specified for that dwelling in the "Appliances & other efficiency measures" column of the table, and ensure that the appliance has that minimum rating; and (cc) any clothes drying line specified for the dwelling in the "Appliances & other efficiency measures" column of the table.		✓ ✓ ✓	✓
(i) If specified in the table, the applicant must carry out the development so that each refrigerator space in the dwelling is "well ventilated".		✓	
(j) The applicant must install the photovoltaic system specified for the dwelling under the "Photovoltaic system" heading of the "Alternative energy" column of the table below, and connect the system to that dwelling's electrical system.	✓	✓	✓

	Hot water	Bathroom ventilation system		Kitchen ventilation system		Laundry ventilation system	
Dwelling no.	Hot water system	Each bathroom	Operation control	Each kitchen	Operation control	Each laundry	Operation control
All dwellings	gas instantaneous 5.5 star	individual fan, ducted to façade or roof	manual switch on/off	individual fan, ducted to façade or roof	manual switch on/off	individual fan, ducted to façade or roof	manual switch on/off

Dwelling no.	Cooling		Heating		Artificial lighting						Natural lighting	
	living areas	bedroom areas	living areas	bedroom areas	No. of bedrooms &/or study	No. of living &/or dining rooms	Each kitchen	All bathrooms/toilets	Each laundry	All hallways	No. of bathrooms &/or toilets	Main kitchen
All dwellings	1-phase airconditioning 5 star (cold zone) (zoned)	1-phase airconditioning 5 star (cold zone) (zoned)	gas fixed flued heater 4 Star	1-phase airconditioning 5 star (cold zone)	3	2	yes	yes	yes	yes	3	yes

Dwelling no.	Individual pool		Individual spa		Appliances & other efficiency measures							
	Pool heating system	Timer	Spa heating system	Timer	Kitchen cooktop/oven	Refrigerator	Well ventilated fridge space	Dishwasher	Clothes washer	Clothes dryer	Indoor or sheltered clothes drying line	Private outdoor or unsheltered clothes drying line
All dwellings	-	-	-	-	induction cooktop & electric oven	-	yes	-	-	-	yes	yes

Dwelling no.	Alternative energy
	Photovoltaic system (min rated electrical output in peak kW)
All dwellings	-

(iii) Thermal Comfort	Show on DA plans	Show on CC/CDC plans & specs	Certifier check
(a) The applicant must attach the certificate referred to under "Assessor details" on the front page of this BASIX certificate (the "Assessor Certificate") to the development application and construction certificate application for the proposed development (or, if the applicant is applying for a complying development certificate for the proposed development, to that application). The applicant must also attach the Assessor Certificate to the application for a final occupation certificate for the proposed development.			
(b) The Assessor Certificate must have been issued by an Accredited Assessor in accordance with the Thermal Comfort Protocol.			

(iii) Thermal Comfort	Show on DA plans	Show on CC/CDC plans & specs	Certifier check
(c) The details of the proposed development on the Assessor Certificate must be consistent with the details shown in this BASIX Certificate, including the details shown in the "Thermal Loads" table below.			
(d) The applicant must show on the plans accompanying the development application for the proposed development, all matters which the Thermal Comfort Protocol requires to be shown on those plans. Those plans must bear a stamp of endorsement from the Accredited Assessor, to certify that this is the case.	✓		
(e) The applicant must show on the plans accompanying the application for a construction certificate (or complying development certificate, if applicable), all thermal performance specifications set out in the Assessor Certificate, and all aspects of the proposed development which were used to calculate those specifications.		✓	
(f) The applicant must construct the development in accordance with all thermal performance specifications set out in the Assessor Certificate, and in accordance with those aspects of the development application or application for a complying development certificate which were used to calculate those specifications.		✓	✓
(g) Where there is an in-slab heating or cooling system, the applicant must: (aa) Install insulation with an R-value of not less than 1.0 around the vertical edges of the perimeter of the slab; or (bb) On a suspended floor, install insulation with an R-value of not less than 1.0 underneath the slab and around the vertical edges of the perimeter of the slab.	✓	✓	✓
(h) The applicant must construct the floors and walls of the development in accordance with the specifications listed in the table below.	✓	✓	✓

Thermal loads		
Dwelling no.	Area adjusted heating load (in mJ/m ² /yr)	Area adjusted cooling load (in mJ/m ² /yr)
1	408.1	13.1
2	347.9	15.5
3	347.9	18.2
All other dwellings	419.5	22.0

Dwelling no.	Construction of floors and walls				
	Concrete slab on ground(m ²)	Suspended floor with open subfloor (m ²)	Suspended floor with enclosed subfloor (m ²)	Suspended floor above garage (m ²)	Primarily rammed earth or mudbrick walls
1	-	-	64	10	No
4	-	-	79	8	No
All other dwellings	-	-	56	16	No

3. Commitments for common areas and central systems/facilities for the development (non-building specific)

(b) Common areas and central systems/facilities

(i) Water	Show on DA plans	Show on CC/CDC plans & specs	Certifier check
(a) If, in carrying out the development, the applicant installs a showerhead, toilet, tap or clothes washer into a common area, then that item must meet the specifications listed for it in the table.		✓	✓
(b) The applicant must install (or ensure that the development is serviced by) the alternative water supply system(s) specified in the "Central systems" column of the table below. In each case, the system must be sized, be configured, and be connected, as specified in the table.	✓	✓	✓
(c) A swimming pool or spa listed in the table must not have a volume (in kLs) greater than that specified for the pool or spa in the table.	✓	✓	
(d) A pool or spa listed in the table must have a cover or shading if specified for the pool or spa in the table.		✓	
(e) The applicant must install each fire sprinkler system listed in the table so that the system is configured as specified in the table.		✓	✓
(f) The applicant must ensure that the central cooling system for a cooling tower is configured as specified in the table.		✓	✓

Common area	Showerheads rating	Toilets rating	Taps rating	Clothes washers rating
All common areas	no common facility	no common facility	3 star	no common laundry facility

(ii) Energy	Show on DA plans	Show on CC/CDC plans & specs	Certifier check
(a) If, in carrying out the development, the applicant installs a ventilation system to service a common area specified in the table below, then that ventilation system must be of the type specified for that common area, and must meet the efficiency measure specified.		✓	✓
(b) In carrying out the development, the applicant must install, as the "primary type of artificial lighting" for each common area specified in the table below, the lighting specified for that common area. This lighting must meet the efficiency measure specified. The applicant must also install a centralised lighting control system or Building Management System (BMS) for the common area, where specified.		✓	✓
(c) The applicant must install the systems and fixtures specified in the "Central energy systems" column of the table below. In each case, the system or fixture must be of the type, and meet the specifications, listed for it in the table.	✓	✓	✓

Notes

1. In these commitments, "applicant" means the person carrying out the development.
2. The applicant must identify each dwelling, building and common area listed in this certificate, on the plans accompanying any development application, and on the plans and specifications accompanying the application for a construction certificate / complying development certificate, for the proposed development, using the same identifying letter or reference as is given to that dwelling, building or common area in this certificate.
3. This note applies if the proposed development involves the erection of a building for both residential and non-residential purposes (or the change of use of a building for both residential and non-residential purposes). Commitments in this certificate which are specified to apply to a "common area" of a building or the development, apply only to that part of the building or development to be used for residential purposes.
4. If this certificate lists a central system as a commitment for a dwelling or building, and that system will also service any other dwelling or building within the development, then that system need only be installed once (even if it is separately listed as a commitment for that other dwelling or building).
5. If a star or other rating is specified in a commitment, this is a minimum rating.
6. All alternative water systems to be installed under these commitments (if any), must be installed in accordance with the requirements of all applicable regulatory authorities. NOTE: NSW Health does not recommend that stormwater, recycled water or private dam water be used to irrigate edible plants which are consumed raw, or that rainwater be used for human consumption in areas with potable water supply.

Legend

1. Commitments identified with a "✔" in the "Show on DA plans" column must be shown on the plans accompanying the development application for the proposed development (if a development application is to be lodged for the proposed development).
2. Commitments identified with a "✔" in the "Show on CC/CDC plans and specs" column must be shown in the plans and specifications accompanying the application for a construction certificate / complying development certificate for the proposed development.
3. Commitments identified with a "✔" in the "Certifier check" column must be certified by a certifying authority as having been fulfilled. (Note: a certifying authority must not issue an occupation certificate (either interim or final) for a building listed in this certificate, or for any part of such a building, unless it is satisfied that each of the commitments whose fulfilment it is required to monitor in relation to the building or part, has been fulfilled).

Nationwide House Energy Rating Scheme — Multiple Class1-dwelling summary NatHERS Certificate No. 0006922690

Generated on 30 May 2022 using BERS Pro v4.4.1.5 (3.21)

Property

Address Kunama , East Jindabyne , NSW , 2627

Lot/DP 1/1228821

NatHERS climate zone 69

Accredited assessor 

Terry Chapman

CHAPMAN ENVIRONMENTAL SERVICES PTY LTD

terry@basixcertificates.com.au

0414 265 292

Accreditation No. 20920

Assessor Accrediting Organisation ABSA



Verification

To verify this certificate, scan the QR code or visit hstar.com.au/QR/Generate?p=bbHZDtJYF.
When using either link, ensure you are visiting hstar.com.au

Summary of all dwellings

Certificate number and link	Unit Number	Heating load (MJ/m ² /p.a.)	Cooling load (MJ/m ² /p.a.)	Total load (MJ/m ² /p.a.)	Star rating
0006922538-02	Unit A	408.1	13.1	421.1	4.7
0006922546-01	Unit B	347.9	15.5	363.4	5.3
0006922553-01	Unit C	347.9	18.2	366.1	5.2
0006922678-01	Unit D	419.5	22	441.5	4.4

National Construction Code (NCC) requirements

The NCC's requirements for NatHERS-rated buildings are detailed in 3.12.0(a)(i) and 3.12.5 of the NCC Volume Two. For apartments the requirements are detailed in J0.2 and J5 to J8 of the NCC Volume One.

In NCC 2019, these requirements include minimum star ratings and separate heating and cooling load limits that need to be met by buildings and apartments through the NatHERS assessment. Requirements additional to the NatHERS assessment that must also be satisfied include, but are not limited to: insulation installation methods, thermal breaks, building sealing, water heating and pumping, and artificial lighting requirements. The NCC and NatHERS Heating and Cooling Load Limits (Australian Building Codes Board Standard) are available at www.abcb.gov.au.

State and territory variations and additions to the NCC may also apply.

0006922690 NatHERS Certificate

30 May 2022



Explanatory Notes

About this report

This is a summary of NCC Class 1 dwellings in a development. The individual dwellings' ratings are a comprehensive, dynamic computer modelling evaluation of a home, using the floorplans, elevations and specifications to estimate the energy load. It addresses the building layout, orientation and fabric (i.e. walls, windows, floors, roofs and ceilings), but does not cover the water or energy use of appliances, or energy production of solar panels. For more details about an individual dwelling's assessment, refer to the individual dwelling's NatHERS Certificate (accessible via link).

Accredited Assessors

To ensure the NatHERS Certificate is of a high quality, always use an accredited or licenced assessor. NatHERS accredited assessors are members of a professional body called an Assessor Accrediting Organisation (AAO). AAOs have specific quality assurance processes in place, and continuing professional development requirements, to maintain a high and consistent standard of assessments across the country.

Any questions or concerns about this report should be directed to the assessor in the first instance. If the assessor is unable to address these questions or concerns, the AAO specified on the front of this certificate should be contacted.

Disclaimer

The format of the NatHERS Certificate was developed by the NatHERS Administrator. However the content, input and creation of the NatHERS Certificate is by the assessor. It is the responsibility of the assessor who prepared this certificate to use NatHERS accredited software correctly and follow the NatHERS Technical Notes to produce a NatHERS Certificate.

Nationwide House Energy Rating Scheme NatHERS Certificate No. 0006922538-02

Generated on 30 May 2022 using BERS Pro v4.4.1.5 (3.21)

Property

Address Unit Unit A, Kunama , East Jindabyne ,
NSW , 2627

Lot/DP 1/1228821

NCC Class* 1A

Type New Dwelling

Plans

Main Plan Kroenert- East Jindabyne

Prepared by David Law

Construction and environment

Assessed floor area (m²)*		Exposure Type
Conditioned*	119.0	Suburban
Unconditioned*	35.0	NatHERS climate zone
Total	154.0	69
Garage	24.0	



Accredited assessor

Name Terry Chapman

Business name CHAPMAN ENVIRONMENTAL SERVICES PTY LTD

Email terry@basixcertificates.com.au

Phone 0414 265 292

Accreditation No. 20920

Assessor Accrediting Organisation
ABSA

Declaration of interest Declaration completed: no conflicts



Thermal performance

Heating	Cooling
408.1	13.1
MJ/m²	MJ/m²

About the rating

NatHERS software models the expected thermal energy loads using information about the design and construction, climate and common patterns of household use. The software does not take into account appliances, apart from the airflow impacts from ceiling fans.

Verification

To verify this certificate, scan the QR code or visit hstar.com.au/QR/Generate?p=OXeEjSaM.
When using either link, ensure you are visiting hstar.com.au



National Construction Code (NCC) requirements

The NCC's requirements for NatHERS-rated houses are detailed in 3.12.0(a)(i) and 3.12.5 of the NCC Volume Two. For apartments the requirements are detailed in J0.2 and J5 to J8 of the NCC Volume One.

In NCC 2019, these requirements include minimum star ratings and separate heating and cooling load limits that need to be met by buildings and apartments through the NatHERS assessment. Requirements additional to the NatHERS assessment that must also be satisfied include, but are not limited to: insulation installation methods, thermal breaks, building sealing, water heating and pumping, and artificial lighting requirements. The NCC and NatHERS Heating and Cooling Load Limits (Australian Building Codes Board Standard) are available at www.abcb.gov.au.

State and territory variations and additions to the NCC may also apply.

* Refer to glossary.

0006922538-02 NatHERS Certificate

4.7 Star Rating as of 30 May 2022



Certificate check

Ensure the dwelling is designed and then built as per the NatHERS Certificate. While you need to check the accuracy of the whole Certificate, the following spot check covers some important items impacting the dwelling's rating.

Genuine certificate

Does this Certificate match the one available at the web address or QR code in the verification box on the front page? Does the set of NatHERS-stamped plans for the dwelling have a Certificate number on the stamp that matches this Certificate?

Ceiling penetrations*

Does the 'number' and 'type' of ceiling penetrations (e.g. downlights, exhaust fans, etc) shown on the stamped plans or installed, match what is shown in this Certificate?

Windows

Does the installed window meet the substitution tolerances (SHGC and U-value) and window type, of the window shown on this Certificate? Substituted values must be based on the Australian Fenestration Rating Council (AFRC) protocol.

Apartment entrance doors

Does the 'External Door Schedule' show apartment entrance doors? Please note that an "external door" between the modelled dwelling and a shared space, such as an enclosed corridor or foyer, should not be included in the assessment (because it overstates the possible ventilation) and would invalidate the Certificate.

Exposure*

Has the appropriate exposure level (terrain) been applied? For example, it is unlikely that a ground-floor apartment is "exposed" or a top floor high-rise apartment is "protected".

Provisional* values

Have provisional values been used in the assessment and, if so, noted in "additional notes" below?

Additional notes

I have modeled the shading in accordance with NatHERS principles

Window and glazed door type and performance

Default* windows

Window ID	Window Description	Maximum U-value*	SHGC*	Substitution tolerance ranges	
				SHGC lower limit	SHGC upper limit
No Data Available					

Custom* windows

Window ID	Window Description	Maximum U-value*	SHGC*	Substitution tolerance ranges	
				SHGC lower limit	SHGC upper limit
AWS-008-01 A	AWS-008-01 A 516 Al Awining Window DG 4/10/4	4.3	0.55	0.52	0.58
AWS-013-05 A	AWS-013-05 A 541/542 Al Sliding Door DG 5/8/5	4.1	0.59	0.56	0.62
AWS-071-08 A	AWS-071-08 A RES SERIES 616 FIXED WINDOW DG 4mmClr-10Ar-4mmClr	3.7	0.65	0.62	0.68
AWS-019-01 A	AWS-019-01 A 549 ED Al Entry Door DG 4/10/4	4.1	0.50	0.48	0.53

0006922538-02 NatHERS Certificate

4.7 Star Rating as of 30 May 2022



Window and glazed door schedule

Location	Window ID	Window no.	Height (mm)	Width (mm)	Window type	Opening %	Orientation	Window shading device*
Kitchen/Living	AWS-008-01 A	n/a	1050	3600	n/a	10	SE	No
Kitchen/Living	AWS-008-01 A	n/a	1050	3600	n/a	10	SE	No
Kitchen/Living	AWS-008-01 A	n/a	600	3000	n/a	10	NW	No
Kitchen/Living	AWS-013-05 A	n/a	2100	2100	n/a	45	NE	No
Kitchen/Living	AWS-071-08 A	n/a	660	2100	n/a	00	NE	No
Kitchen/Living	AWS-008-01 A	n/a	1050	2100	n/a	10	NE	No
Kitchen/Living	AWS-071-08 A	n/a	650	2100	n/a	00	NE	No
Ensuite	AWS-008-01 A	n/a	600	1210	n/a	10	SE	No
Bedroom 3 -1stF	AWS-008-01 A	n/a	1050	2400	n/a	10	SE	No
Bedroom 3 -1stF	AWS-008-01 A	n/a	1050	900	n/a	10	SW	No
Bedroom 3 -1stF	AWS-008-01 A	n/a	1050	800	n/a	10	SW	No
Entry	AWS-019-01 A	n/a	2100	1000	n/a	90	SE	No
Entry	AWS-071-08 A	n/a	2100	400	n/a	00	SE	No
WC	AWS-008-01 A	n/a	750	800	n/a	90	SW	No
Laundry	AWS-008-01 A	n/a	750	1200	n/a	30	SW	No
Hallway	AWS-008-01 A	n/a	2100	600	n/a	30	NW	No
Hallway	AWS-008-01 A	n/a	2100	600	n/a	30	NW	No
Hallway	AWS-019-01 A	n/a	2100	1000	n/a	90	NW	No
Hallway	AWS-071-08 A	n/a	2100	400	n/a	00	NW	No
Bedroom 2	AWS-008-01 A	n/a	1200	2400	n/a	30	SE	No
Bedroom 2	AWS-008-01 A	n/a	1200	800	n/a	90	NE	No
Bedroom 3	AWS-008-01 A	n/a	1200	2400	n/a	30	SE	No
Bathroom	AWS-008-01 A	n/a	600	2400	n/a	30	NW	No
Garage	AWS-071-08 A	n/a	750	2100	n/a	00	NE	No

Roof window type and performance

Default* roof windows

Window ID	Window Description	Maximum U-value*	SHGC*	Substitution tolerance ranges	
				SHGC lower limit	SHGC upper limit
No Data Available					

Custom* roof windows

Window ID	Window Description	Maximum U-value*	SHGC*	Substitution tolerance ranges	
				SHGC lower limit	SHGC upper limit
No Data Available					

0006922538-02 NatHERS Certificate

4.7 Star Rating as of 30 May 2022



Roof window schedule

Location	Window ID	Window no.	Opening %	Height (mm)	Width (mm)	Orientation	Outdoor shade	Indoor shade
No Data Available								

Skylight type and performance

Skylight ID	Skylight description
No Data Available	

Skylight schedule

Location	Skylight ID	Skylight No.	Skylight shaft length (mm)	Area (m ²)	Orientation	Outdoor shade	Diffuser	Skylight shaft reflectance
No Data Available								

External door schedule

Location	Height (mm)	Width (mm)	Opening %	Orientation
Garage	2300	2800	90	SE

External wall type

Wall ID	Wall type	Solar absorptance	Wall shade (colour)	Bulk insulation (R-value)	Reflective wall wrap*
EW-1	Fibro Cavity Panel Direct Fix	0.50	Medium	Anti-glare foil with bulk no gap R2	No

External wall schedule

Location	Wall ID	Height (mm)	Width (mm)	Orientation	Horizontal shading feature* maximum projection (mm)	Vertical shading feature (yes/no)
Kitchen/Living	EW-1	2400	10195	SE	800	NO
Kitchen/Living	EW-1	2400	9595	NW	800	NO
Kitchen/Living	EW-1	3050	2600	NE	1300	YES
Kitchen/Living	EW-1	3700	600	NW	3400	YES
Kitchen/Living	EW-1	3050	2500	NE	700	NO
Ensuite	EW-1	2400	1590	SE	800	NO
Bedroom 3 -1stF	EW-1	2400	2995	SE	800	NO
Bedroom 3 -1stF	EW-1	3050	5100	SW	700	NO
Bedroom 3 -1stF	EW-1	2400	4595	NW	800	NO
Entry	EW-1	2700	2290	SE	6000	YES
Entry	EW-1	2700	990	NW	1400	YES
WC	EW-1	2700	1095	SW	0	NO
WC	EW-1	2700	1595	NW	1400	NO

* Refer to glossary.
Generated on 30 May 2022 using BERS Pro v4.4.1.5 (3.21) for Unit Unit A, Kunarra, East Jindabyne, NSW, 2627

0006922538-02 NatHERS Certificate

4.7 Star Rating as of 30 May 2022



Location	Wall ID	Height (mm)	Width (mm)	Orientation	Horizontal shading feature* maximum projection (mm)	Vertical shading feature (yes/no)
Laundry	EW-1	2700	1595	SE	6000	NO
Laundry	EW-1	2700	2195	SW	0	NO
Hallway	EW-1	2700	595	SW	3200	YES
Hallway	EW-1	2700	8595	NW	0	NO
Bedroom 2	EW-1	2700	3800	SE	0	NO
Bedroom 2	EW-1	2700	600	SW	3700	YES
Bedroom 2	EW-1	2700	600	NW	2600	YES
Bedroom 2	EW-1	2700	1900	NE	2900	YES
Bedroom 2	EW-1	2700	200	NW	4500	YES
Bedroom 2	EW-1	2700	1700	NE	2700	NO
Bedroom 3	EW-1	2700	3690	SE	0	YES
Bathroom	EW-1	2700	2995	NW	0	NO
Bathroom	EW-1	2700	2595	NE	3500	YES
Garage	EW-1	2700	3600	SE	0	NO
Garage	EW-1	2700	4700	SW	3300	YES
Garage	EW-1	2700	3000	NE	0	YES

Internal wall type

Wall ID	Wall type	Area (m ²)	Bulk insulation
IW-1	Cavity wall, direct fix plasterboard, single gap	85.00	No insulation
IW-2	Cavity wall, direct fix plasterboard, single gap	25.00	Bulk Insulation, No Air Gap R2.5

Floor type

Location	Construction	Area (m ²)	Sub-floor ventilation	Added insulation (R-value)	Covering
Kitchen/Living /Hallway	Timber Above Plasterboard 150mm	14.60		Bulk Insulation R2	Cork Tiles or Parquetry 8mm
Kitchen/Living /Bedroom 2	Timber Above Plasterboard 150mm	8.90		Bulk Insulation R2	Cork Tiles or Parquetry 8mm
Kitchen/Living /Bedroom 3	Timber Above Plasterboard 150mm	11.40		Bulk Insulation R2	Cork Tiles or Parquetry 8mm
Kitchen/Living /Bathroom	Timber Above Plasterboard 150mm	6.10		Bulk Insulation R2	Cork Tiles or Parquetry 8mm
Kitchen/Living /Garage	Timber Above Plasterboard 150mm	9.20		Bulk Insulation R2	Cork Tiles or Parquetry 8mm
Ensuite/Entry	Timber Above Plasterboard 150mm	2.00		Bulk Insulation R2	Ceramic Tiles 8mm
Ensuite/Hallway	Timber Above Plasterboard 150mm	0.60		Bulk Insulation R2	Ceramic Tiles 8mm
Ensuite/Garage	Timber Above Plasterboard 150mm	2.10		Bulk Insulation R2	Ceramic Tiles 8mm
Ensuite	Suspended Timber Floor 150mm	1.00	Totally Open	Bulk Insulation in Contact with Floor R2	Carpet+Rubber Underlay 18mm

* Refer to glossary.
Generated on 30 May 2022 using BERS Pro v4.4.1.5 (3.21) for Unit Unit A, Kunama, East Jindabyne, NSW, 2627

0006922538-02 NatHERS Certificate

4.7 Star Rating as of 30 May 2022



Location	Construction	Area (m ²)	Sub-floor ventilation	Added insulation (R-value)	Covering
Bedroom 3 -1stF/Entry	Timber Above Plasterboard 150mm	4.50		Bulk Insulation R2	Carpet+Rubber Underlay 18mm
Bedroom 3 -1stF/WC	Timber Above Plasterboard 150mm	1.70		Bulk Insulation R2	Carpet+Rubber Underlay 18mm
Bedroom 3 -1stF/Laundry	Timber Above Plasterboard 150mm	3.50		Bulk Insulation R2	Carpet+Rubber Underlay 18mm
Bedroom 3 -1stF/Hallway	Timber Above Plasterboard 150mm	2.30		Bulk Insulation R2	Carpet+Rubber Underlay 18mm
Bedroom 3 -1stF	Suspended Timber Floor 150mm	5.10	Totally Open	Bulk Insulation in Contact with Floor R2	Carpet+Rubber Underlay 18mm
Entry	Suspended Concrete Slab 150mm	6.40	Enclosed	No Insulation	Ceramic Tiles 8mm
WC	Suspended Concrete Slab 150mm	1.60	Enclosed	No Insulation	Ceramic Tiles 8mm
Laundry	Suspended Concrete Slab 150mm	3.30	Enclosed	No Insulation	Ceramic Tiles 8mm
Hallway	Suspended Concrete Slab 150mm	17.00	Enclosed	No Insulation	Ceramic Tiles 8mm
Bedroom 2	Suspended Concrete Slab 150mm	13.00	Enclosed	No Insulation	Carpet+Rubber Underlay 18mm
Bedroom 3	Suspended Concrete Slab 150mm	12.80	Enclosed	No Insulation	Carpet+Rubber Underlay 18mm
Bathroom	Suspended Concrete Slab 150mm	5.80	Enclosed	No Insulation	Ceramic Tiles 8mm
Garage	Suspended Concrete Slab 150mm	23.70	Enclosed	No Insulation	Bare

Ceiling type

Location	Construction material/type	Bulk insulation R-value (may include edge batt values)	Reflective wrap*
Kitchen/Living	Plasterboard	Bulk Insulation R3.7	No
Ensuite	Plasterboard	Bulk Insulation R3.7	No
Bedroom 3 -1stF	Plasterboard	Bulk Insulation R3.7	No
Entry	Timber Above Plasterboard	Bulk Insulation R2	No
WC	Timber Above Plasterboard	Bulk Insulation R2	No
Laundry	Timber Above Plasterboard	Bulk Insulation R2	No
Hallway	Timber Above Plasterboard	Bulk Insulation R2	No
Bedroom 2	Plasterboard	Bulk Insulation R3.7	No
Bedroom 2	Timber Above Plasterboard	Bulk Insulation R2	No
Bedroom 3	Plasterboard	Bulk Insulation R3.7	No
Bedroom 3	Timber Above Plasterboard	Bulk Insulation R2	No
Bathroom	Timber Above Plasterboard	Bulk Insulation R2	No
Garage	Plasterboard	Bulk Insulation R3.7	No
Garage	Timber Above Plasterboard	Bulk Insulation R2	No

Ceiling penetrations*

Location	Quantity	Type	Diameter (mm ²)	Sealed/unsealed
----------	----------	------	-----------------------------	-----------------

* Refer to glossary.
Generated on 30 May 2022 using BERS Pro v4.4.1.5 (3.21) for Unit Unit A, Kunama, East Jindabyne, NSW, 2627

0006922538-02 NatHERS Certificate

4.7 Star Rating as of 30 May 2022



Location	Quantity	Type	Diameter (mm)	Sealed/unsealed
Kitchen/Living	1	Exhaust Fans	300	Sealed

Ceiling fans

Location	Quantity	Diameter (mm)
No Data Available		

Roof type

Construction	Added insulation (R-value)	Solar absorptance	Roof shade
Corrugated Iron	No Added Insulation, No air Gap	0.50	Medium
Corrugated Iron	No Insulation, Only an Air Gap	0.50	Medium

0006922538-02 NatHERS Certificate

4.7 Star Rating as of 30 May 2022



Explanatory notes

About this report

A NatHERS rating is a comprehensive, dynamic computer modelling evaluation of a home, using the floorplans, elevations and specifications to estimate an energy load. It addresses the building layout, orientation and fabric (i.e. walls, windows, floors, roofs and ceilings), but does not cover the water or energy use of appliances or energy production of solar panels.

Ratings are based on a unique climate zone where the home is located and are generated using standard assumptions, including occupancy patterns and thermostat settings. The actual energy consumption of a home may vary significantly from the predicted energy load, as the assumptions used in the rating will not match actual usage patterns. For example, the number of occupants and personal heating or cooling preferences will vary.

While the figures are an indicative guide to energy use, they can be used as a reliable guide for comparing different dwelling designs and to demonstrate that the design meets the energy efficiency requirements in the National Construction Code. Homes that are energy efficient use less energy, are warmer on cool days, cooler on hot days and cost less to run. The higher the star rating the more thermally efficient the dwelling is.

Accredited assessors

To ensure the NatHERS Certificate is of a high quality, always use an accredited or licenced assessor. NatHERS accredited assessors are members of a professional body called an Assessor Accrediting Organisation (AAO).

Australian Capital Territory (ACT) licenced assessors may only produce assessments for regulatory purposes using software for which they have a licence endorsement. Licence endorsements can be confirmed on the ACT licensing register

AAOs have specific quality assurance processes in place, and continuing professional development requirements, to maintain a high and consistent standard of assessments across the country. Non-accredited assessors do not have this level of quality assurance or any ongoing training requirements.

Any questions or concerns about this report should be directed to the assessor in the first instance. If the assessor is unable to address these questions or concerns, the AAO specified on the front of this certificate should be contacted.

Disclaimer

The format of the NatHERS Certificate was developed by the NatHERS Administrator. However the content of each individual certificate is entered and created by the assessor to create a NatHERS Certificate. It is the responsibility of the assessor who prepared this certificate to use NatHERS accredited software correctly and follow the NatHERS Technical Notes to produce a NatHERS Certificate.

The predicted annual energy load in this NatHERS Certificate is an estimate based on an assessment of the building by the assessor. It is not a prediction of actual energy use, but may be used to compare how other buildings are likely to perform when used in a similar way.

Information presented in this report relies on a range of standard assumptions (both embedded in NatHERS accredited software and made by the assessor who prepared this report), including assumptions about occupancy, indoor air temperature and local climate.

Not all assumptions that may have been made by the assessor while using the NatHERS accredited software tool are presented in this report and further details or data files may be available from the assessor.

Glossary

Annual energy load	the predicted amount of energy required for heating and cooling, based on standard occupancy assumptions.
Assessed floor area	the floor area modelled in the software for the purpose of the NatHERS assessment. Note, this may not be consistent with the floor area in the design documents.
Ceiling penetrations	features that require a penetration to the ceiling, including downlights, vents, exhaust fans, rangehoods, chimneys and flues. Excludes fixtures attached to the ceiling with small holes through the ceiling for wiring, e.g. ceiling fans; pendant lights, and heating and cooling ducts.
Conditioned	a zone within a dwelling that is expected to require heating and cooling based on standard occupancy assumptions. In some circumstances it will include garages.
Custom windows	windows listed in NatHERS software that are available on the market in Australia and have a WEBS (Window Energy Rating Scheme) rating.
Default windows	windows that are representative of a specific type of window product and whose properties have been derived by statistical methods.
Entrance door	these signify ventilation benefits in the modelling software and must not be modelled as a door when opening to a minimally ventilated corridor in a Class 2 building.
Exposure category – exposed	terrain with no obstructions e.g. flat grazing land, ocean-frontage, desert, exposed high-rise unit (usually above 10 floors).
Exposure category – open	terrain with few obstructions at a similar height e.g. grasslands with few well scattered obstructions below 10m, farmland with scattered sheds, lightly vegetated bush blocks, elevated units (e.g. above 3 floors).
Exposure category – suburban	terrain with numerous, closely spaced obstructions below 10m e.g. suburban housing, heavily vegetated bushland areas.
Exposure category – protected	terrain with numerous, closely spaced obstructions over 10m e.g. city and industrial areas.
Horizontal shading feature	provides shading to the building in the horizontal plane, e.g. eaves, verandahs, pergolas, carports, or overhangs or balconies from upper levels.
National Construction Code (NCC) Class	the NCC groups buildings by their function and use, and assigns a classification code. NatHERS software models NCC Class 1, 2 or 4 buildings and attached Class 10a buildings. Definitions can be found at www.abcb.gov.au .
Opening percentage	the openability percentage or operable (moveable) area of doors or windows that is used in ventilation calculations.
Provisional value	an assumed value that does not represent an actual value. For example, if the wall colour is unspecified in the documentation, a provisional value of 'medium' must be modelled. Acceptable provisional values are outlined in the NatHERS Technical Note and can be found at www.nathers.gov.au .
Reflective wrap (also known as foil)	can be applied to walls, roofs and ceilings. When combined with an appropriate airgap and emissivity value, it provides insulative properties.
Roof window	for NatHERS this is typically an operable window (i.e. can be opened), will have a plaster or similar light well if there is an attic space, and generally does not have a diffuser.
Shading device	a device fixed to windows that provides shading e.g. window awnings or screens but excludes eaves.
Shading features	includes neighbouring buildings, fences, and wing walls, but excludes eaves.
Solar heat gain coefficient (SHGC)	the fraction of incident solar radiation admitted through a window, both directly transmitted as well as absorbed and subsequently released inward. SHGC is expressed as a number between 0 and 1. The lower a window's SHGC, the less solar heat it transmits.
Skylight (also known as roof lights)	for NatHERS this is typically a moulded unit with flexible reflective tubing (light well) and a diffuser at ceiling level.
U-value	the rate of heat transfer through a window. The lower the U-value, the better the insulating ability.
Unconditioned	a zone within a dwelling that is assumed to not require heating and cooling based on standard occupancy assumptions.
Vertical shading features	provides shading to the building in the vertical plane and can be parallel or perpendicular to the subject wall/window. Includes privacy screens, other walls in the building (wing walls), fences, other buildings, vegetation (protected or listed heritage trees).



Our ref: GJH:224447
Your ref: Sophie Ballinger

4 May 2022

Ms S Ballinger & Ms S Brown
Snowy Monaro Regional Council
PO Box 714
COOMA NSW 2630
ONLY BY EMAIL [REDACTED]

Dear Ms Ballinger & Ms Brown

RE: POPLARS (JINDABYNE) PTY LTD – DA010.2022.60.001
PROPERTY: 30C KUNAMA DRIVE, EAST JINDABYNE NSW 2627

We advise we act for the Registered Proprietor of Lot 1 DP1248193 of 30C Kunama Drive East Jindabyne in respect to their current Development Application 010.2022.60.001

We are instructed that Council have raised an issue over the entitlement for the Registered Proprietor to utilise part of Lot 1 DP 1228821 in conjunction with the registered easement designated as right of carriageway 4 wide and variable width (C) numbered 2 on DP 1228821. We will refer to that right of carriageway as ROC.

We have reviewed DP 1228821 and the associated section 88B instrument. The ROC burdens Lot 1 DP 1228821, (our clients land), as the servient tenement, and benefits adjacent Lots 2, 3 and 4 in DP 1228821, as the dominant tenements. We refer to those dominant tenements as the neighbour's land.

In our opinion it is not denied that the neighbours lands have an absolute right to go and come back across any part of the ROC at any time with vehicles or otherwise, and their visitors (as invitees) have a similar right. However, the legal position is that our client as the registered proprietor of the freehold land also has the right to go across the ROC easement lands at any time and may additionally in fact use that land for their own purposes provided, they do not substantially obstruct their neighbours' rights.

The most cited cases as to obstructions placed on ROC's are fencing and gates. In some instances, gates can be appropriate (for instance in rural areas where fencing is appropriate to contain stock). However, we understand it in this instance that the registered proprietor of the burdened land simply wants to utilise the ROC to have vehicle and pedestrian access to its proposed development. Notwithstanding that our client owns the land we are instructed that it is not their intention to obstruct the use of any part of the ROC by the neighbours who enjoy the right to utilise that ROC for the same purpose that our client envisages.

We would make the following further comments as to the current ROC.

Firstly, the ROC is correctly described in the section 88B instrument as an easement ("terms of easement.... as set out in Part 2 (Terms) of the instrument). The case law prescribes that a

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ALPINE LAW PTY LTD ABN 32 610 118 628 T/A ALPINE LAW

Garry Huggett
Lawyer Director

Kylie Smith
Lawyer Director

4 May 2022

GJH:224447

Page 2

right of carriageway cannot be an easement if it amounts to exclusive use by the servient tenement(s). This has long been the case-see for instance the case of Riley v Booth, (1890) 44 ChD 12 @26. **The subject ROC is not for the exclusive use of the neighbours.** If it was, it would have to have been designated a "Negative Easement". The NSW Registrar General's guidelines define a Negative Easement as "an easement that prevents an owner (of their land) from making full use of the land. A negative easement cannot be registered. As you would be aware, such an easement would have to be redrawn as a "restriction on the use of land".

Secondly and given the above advice, we accepted the view that it is a requirement that the owner of the land should not construct anything within the area of the ROC that would obstruct the use of the ROC by the nominated neighbours namely Lots 2, 3 and 4.

The conclusion in law is simply this. The ROC easement registered on title is not and cannot be construed as simply for the exclusive use of the nominated neighbouring registered proprietors. It is not and cannot be viewed as a restriction on use by the owner of the land for their own purposes provided such purposes do not obstruct the neighbours' rights. When the courts have determined such matters up to date, it has been held that an obstruction to a ROC can occur to a minimal degree; the case law shows that the courts will only interfere if there is "substantial interference with the enjoyment of the right of way (carriageway)".

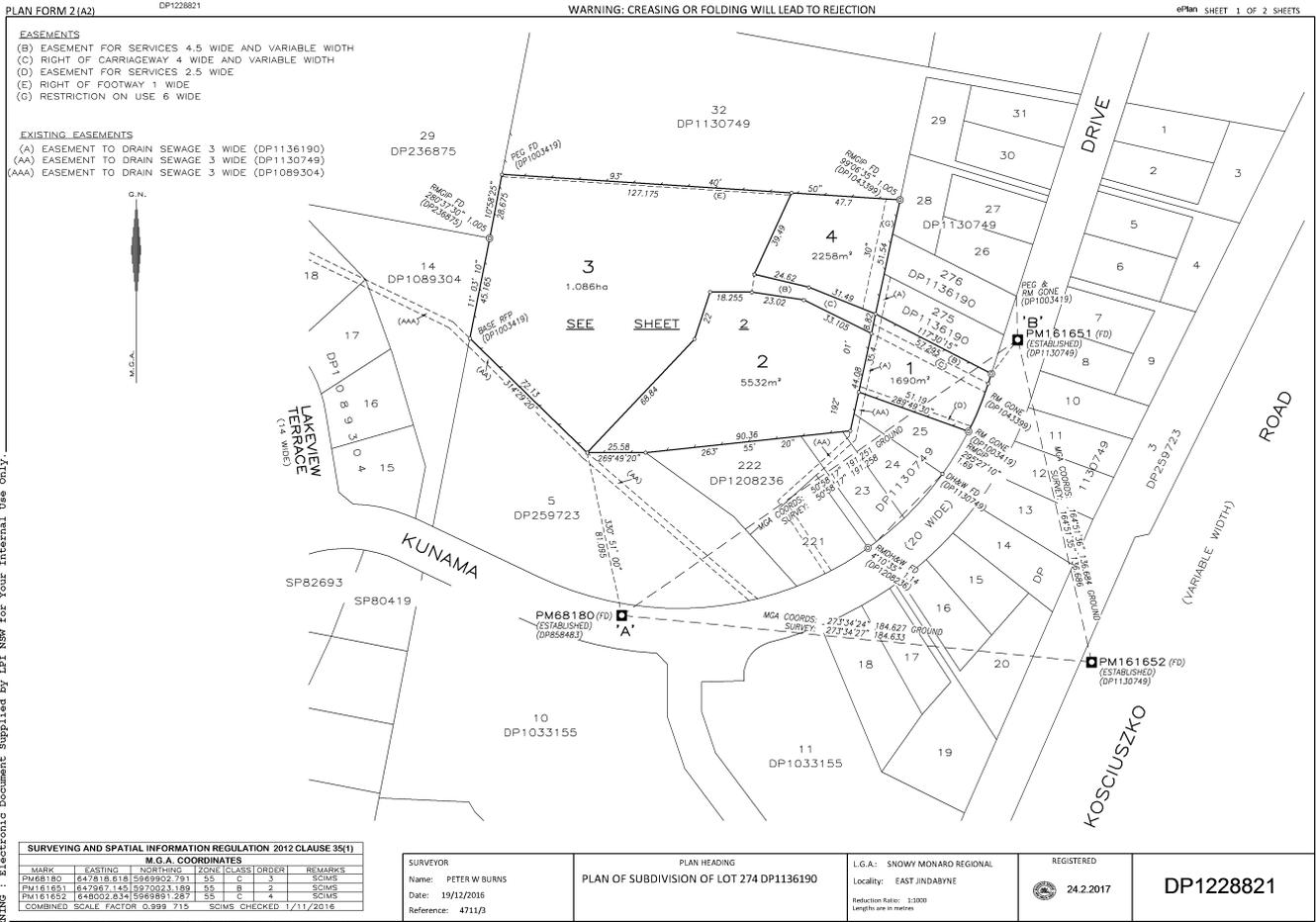
The basis of the advice we have for our client is that they are entitled to utilise the ROC in the manner proposed for vehicle and pedestrian access. The current easement does not and cannot give exclusive use to the neighbours of the easement land. What the registered proprietor propose will not result in any substantial interference with the neighbour's enjoyment of the ROC.

Should you wish to discuss the matter, or seek any further clarification, please do not hesitate to contact us.

Yours faithfully
Alpine Law



Garry Huggett
garry@alpinelaw.com.au

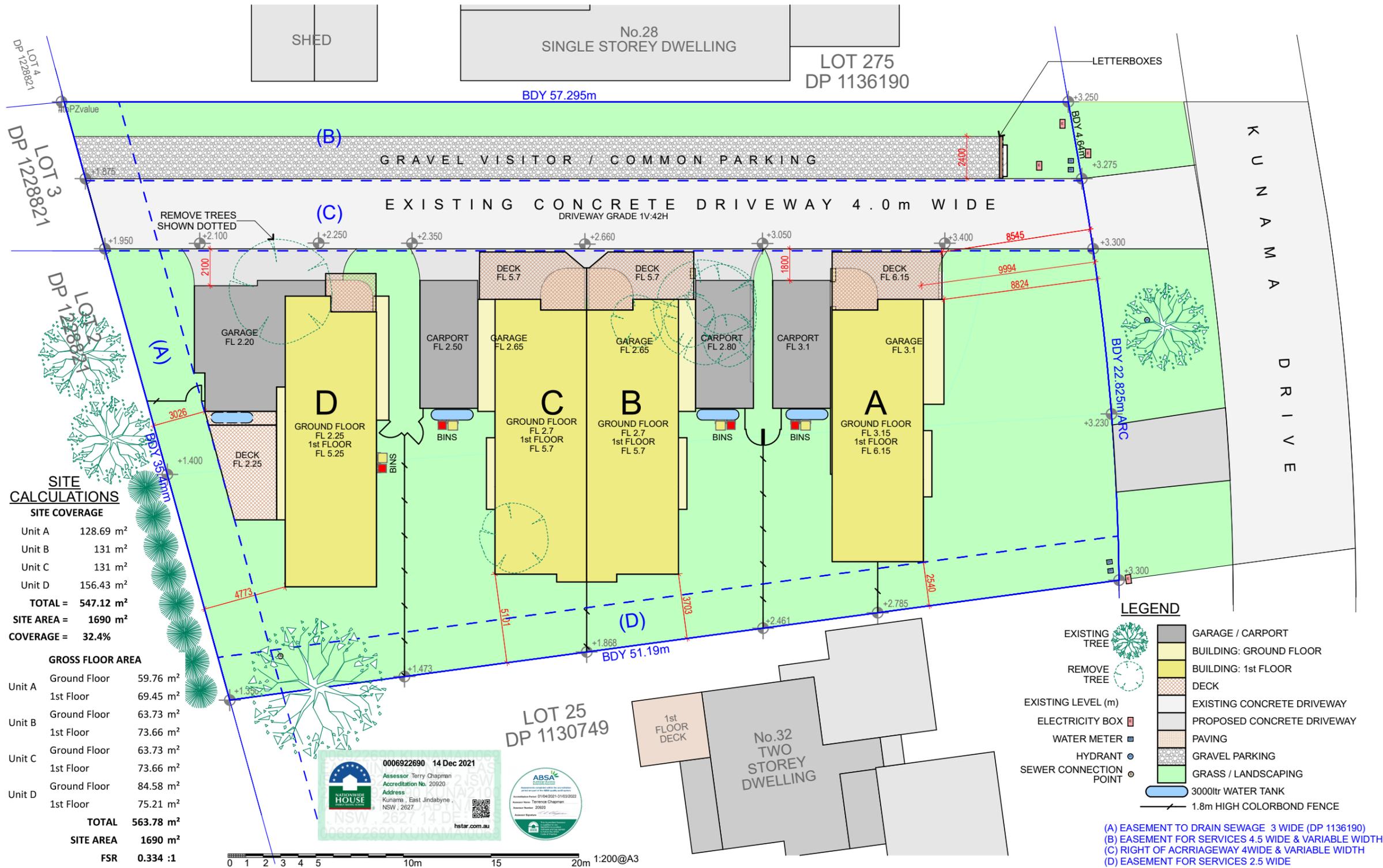


Proposed 4x3 Bedroom Townhouses

Lot 1 DP 1228821
 30C Kunama Dr, East Jindabyne, 2627
 for
 Dovetail Constructions



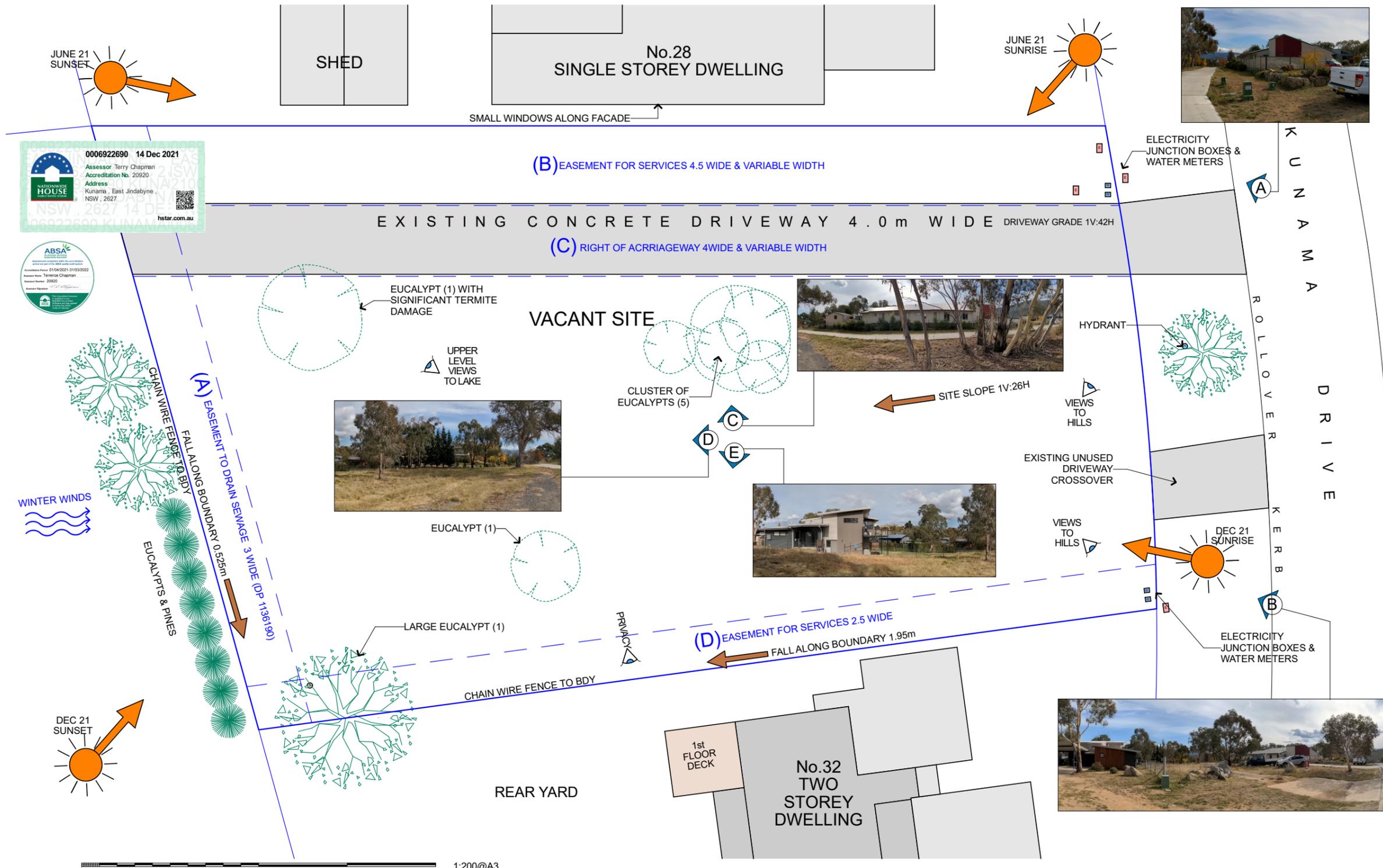
	David Law B.Sc(Arch) B. Arch ABN 83 518 014 319 37 BAY VIEW AVE EAST GOSFORD NSW 2250 david@davidlaw.com.au (02) 4323 3935		DRAWING TITLE : SITE AND LOCATION LOCATION PLAN		DATE : 28/1/22
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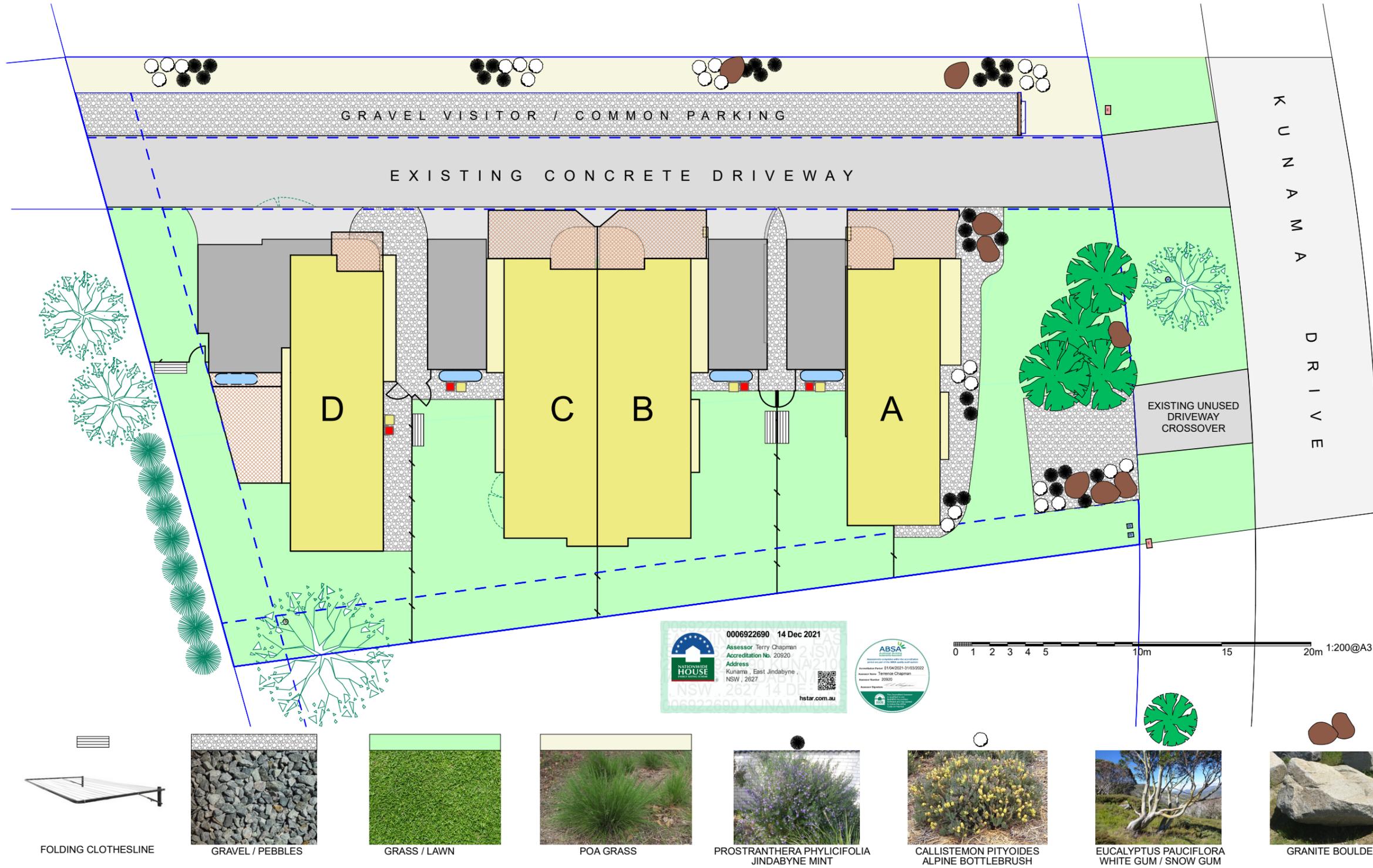
Proposed 4x3 Bedroom Townhouses
Lot 1 DP 1228821
30C Kunama Dr
East Jindabyne
For Dovetail Constructions

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Proposed 4x3 Bedroom Townhouses Lot 1 DP 1228821 30C Kunama Dr East Jindabyne For Dovetail Constructions		David Law B.Sc(Arch) B. Arch ABN 83 518 014 319 37 BAY VIEW AVE EAST GOSFORD NSW 2250 david@davidlaw.com.au (02) 4323 3935 This drawing reflects a design by David Law B.Sc(Arch) B. Arch and is to be used only for work when authorised in writing. All documents here within are subject to Australian Copyright Laws. Drawings shall not be used for construction purposes until issued for construction.	DATUM: ASSUMED SHEET SIZE: A3	DRAWING TITLE : SITE AND LOCATION SITE ANALYSIS PLAN	DATE : 28/1/22
				PROJECT NAME : Kroenert - East Jindabyne	DRAWING NO. DACC G3



0006922690 14 Dec 2021
 Assessor Terry Chapman
 Accreditation No. 20920
 Address
 Kunama, East Jindabyne,
 NSW, 2627
 hstar.com.au



0 1 2 3 4 5 10m 15 20m 1:200@A3

Proposed 4x3 Bedroom Townhouses
 Lot 1 DP 1228821
 30C Kunama Dr
 East Jindabyne
 For Dovetail Constructions

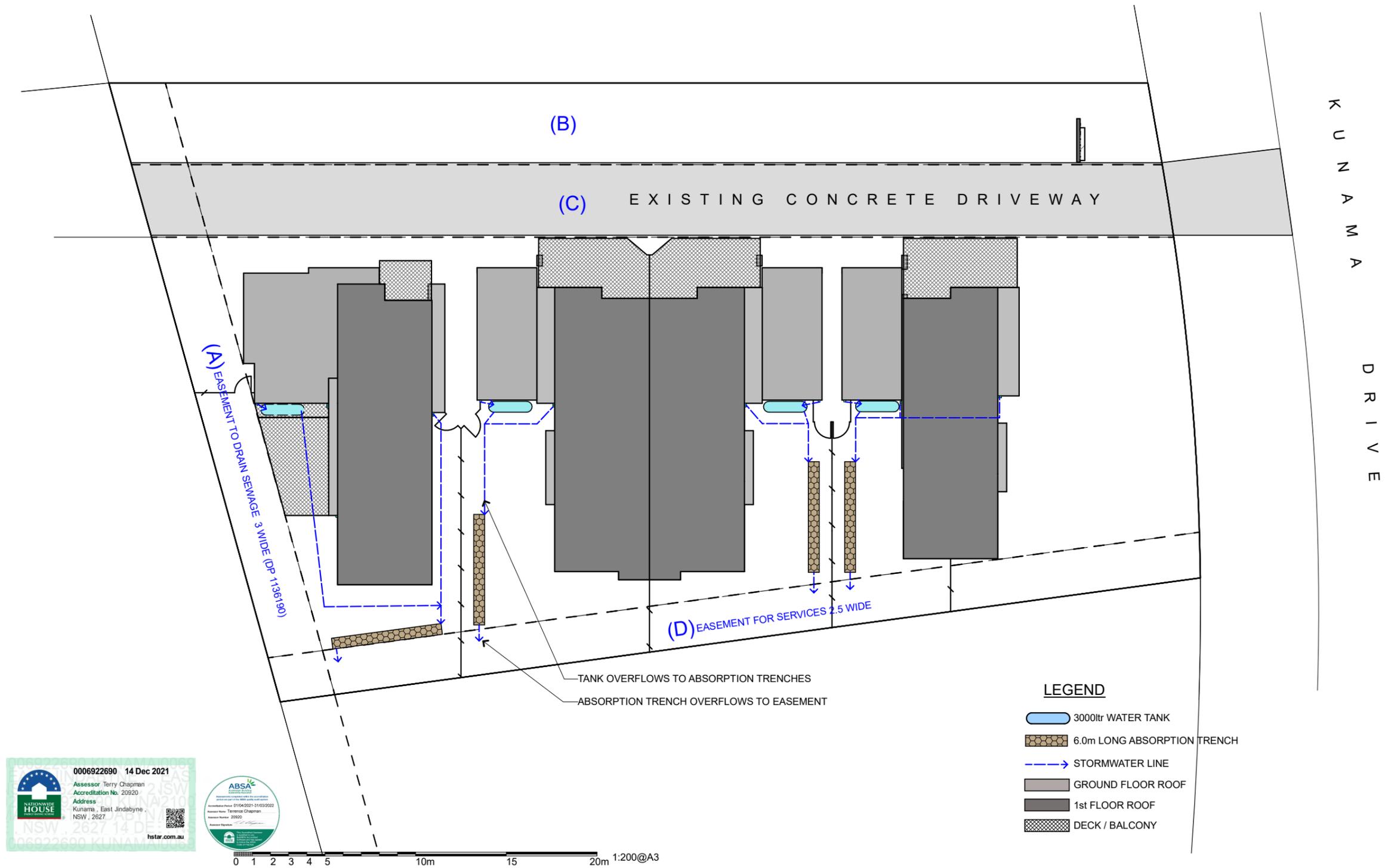


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DATE: 28/1/22
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 ISSUE: **C**



Proposed 4x3 Bedroom Townhouses
 Lot 1 DP 1228821
 30C Kunama Dr
 East Jindabyne
 For Dovetail Constructions



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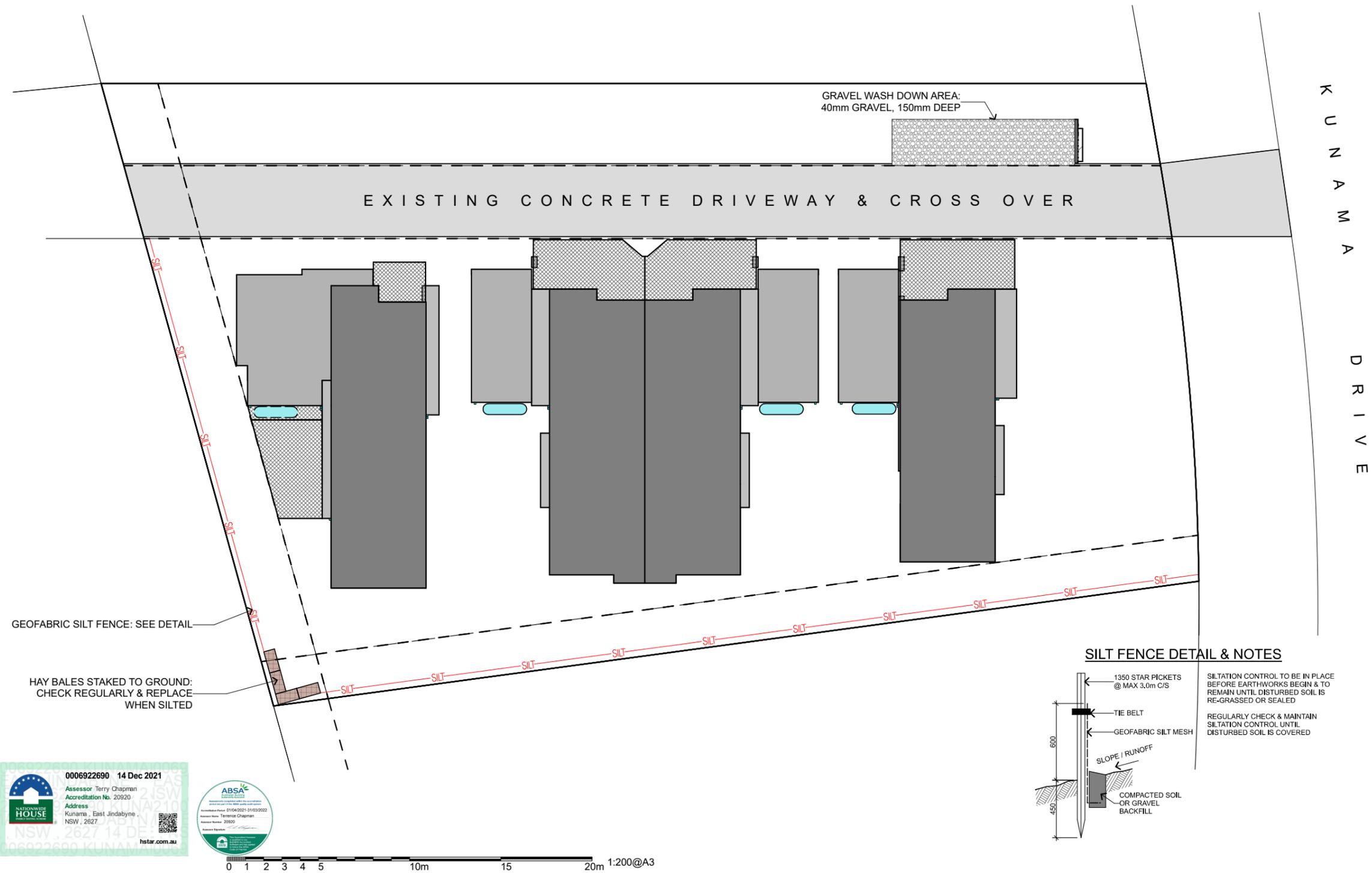
STORMWATER CONCEPT PLAN

DATE: 28/1/22

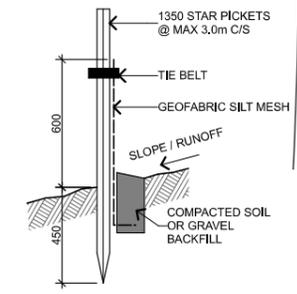
PROJECT NAME: **Kroenert - East Jindabyne**

DRAWING NO. **DACC G5**

ISSUE: **C**



SILT FENCE DETAIL & NOTES



SILTATION CONTROL TO BE IN PLACE BEFORE EARTHWORKS BEGIN & TO REMAIN UNTIL DISTURBED SOIL IS RE-GRASSSED OR SEALED
 REGULARLY CHECK & MAINTAIN SILTATION CONTROL UNTIL DISTURBED SOIL IS COVERED

GEOFABRIC SILT FENCE: SEE DETAIL
 HAY BALES STAKED TO GROUND: CHECK REGULARLY & REPLACE WHEN SILTED



0 1 2 3 4 5 10m 15 20m 1:200@A3

Proposed 4x3 Bedroom Townhouses
 Lot 1 DP 1228821
 30C Kunama Dr
 East Jindabyne
 For Dovetail Constructions

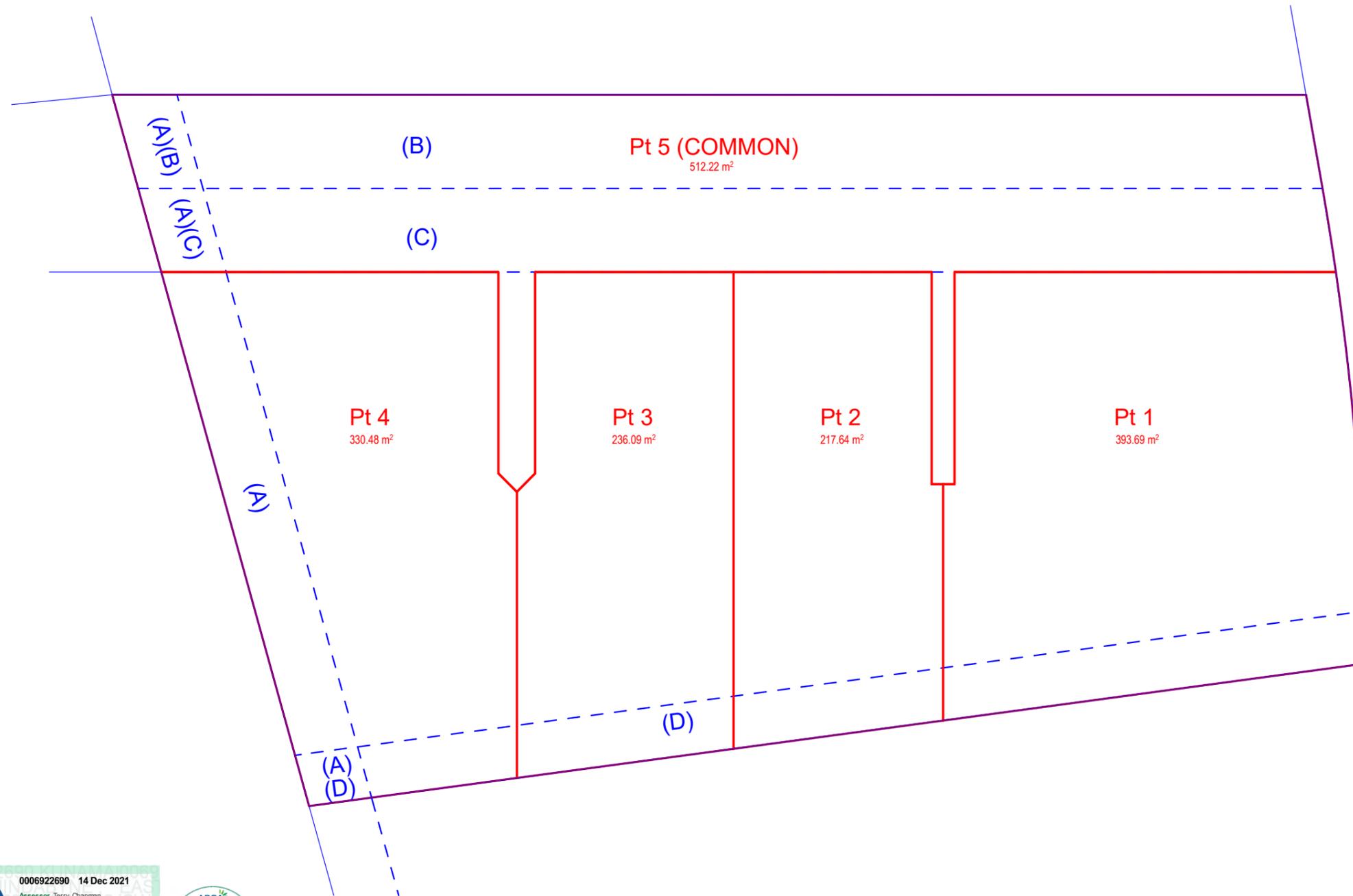


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SITE AND LOCATION
SILTATION CONTROL PLAN
 PROJECT NAME :
Kroenert - East Jindabyne
 DRAWING NO. :
DACC G6

DATE :
 28/1/22
 ISSUE :
 C



(A) EASEMENT TO DRAIN SEWAGE 3 WIDE (DP 1136190)
 (B) EASEMENT FOR SERVICES 4.5 WIDE & VARIABLE WIDTH
 (C) RIGHT OF ACRRIGEWAY 4WIDE & VARIABLE WIDTH
 (D) EASEMENT FOR SERVICES 2.5 WIDE



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Proposed 4x3 Bedroom Townhouses
 Lot 1 DP 1228821
 30C Kunama Dr
 East Jindabyne
 For Dovetail Constructions

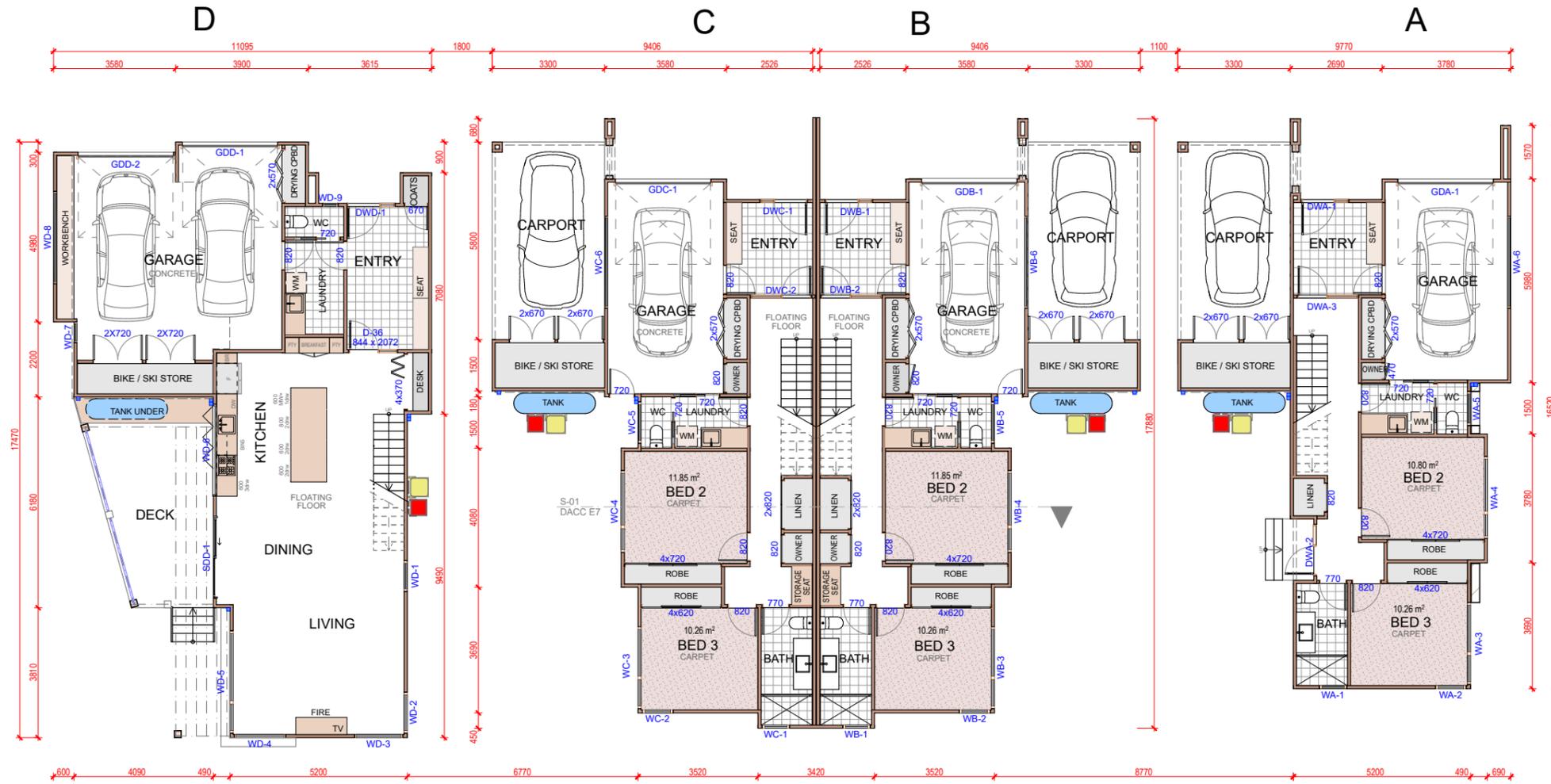


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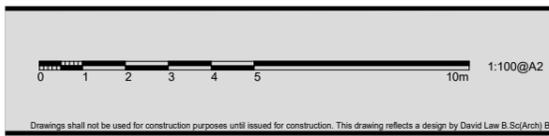
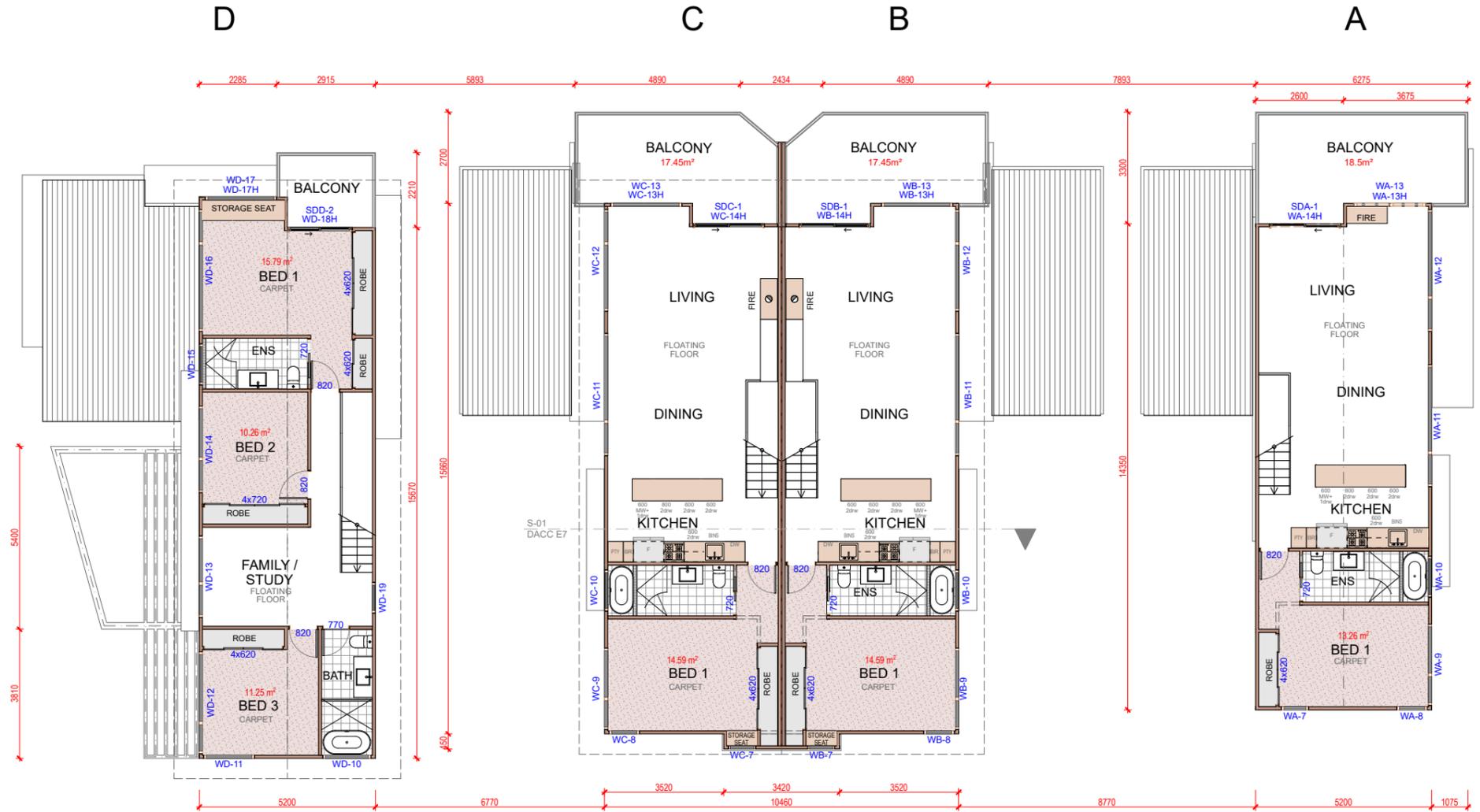
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PROJECT NAME : Kroenert - East Jindabyne	DRAWING NO. DACC G7	ISSUE : C



 1:100@A2	 DAVID LAW	David Law B.Sc(Arch) B. Arch. ABN 83 518 014 319 37 BAY VIEW AVE EAST GOSFORD NSW 2250 david@davidlaw.com.au (02) 4323 3935 Proposed 4x3 Bedroom Townhouses Lot 1 DP 1228821 30C Kurrama Dr East Jindabyne For Dovetail Constructions	DRAWING TITLE: PLANS GROUND FLOOR	DATE: 28/1/22
			PROJECT NAME: Kroener - East Jindabyne	DRAWING NO.: DACC P1

DATUM: ASSUMED
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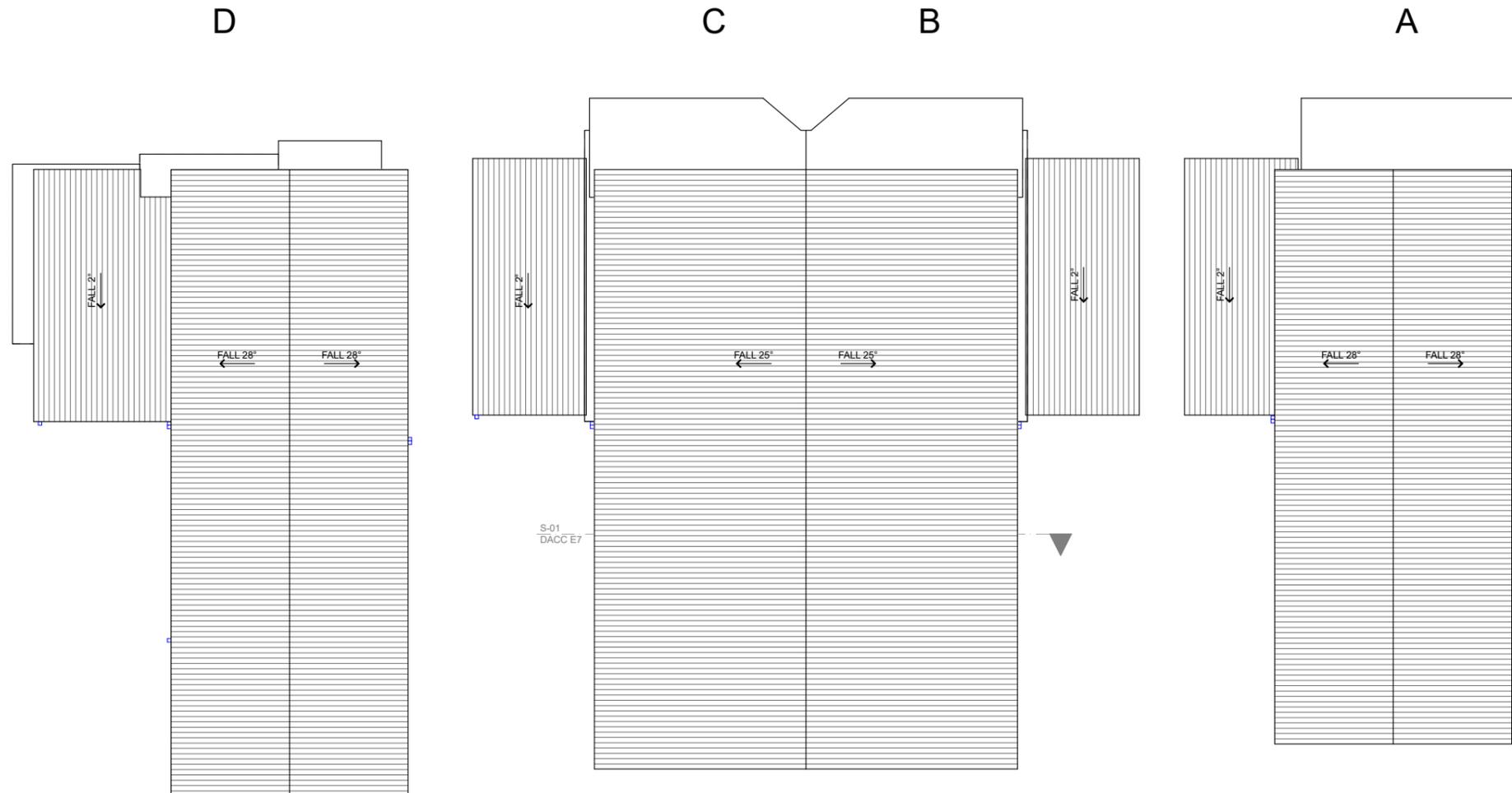
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 david@davidlaw.com.au (02) 4323 3935

Proposed 4x3 Bedroom Townhouses
 Lot 1 DP 1228821
 30C Kunama Dr
 East Jindabyne
 For Dovetail Constructions



PROJECT NAME:	DRAWING NO.:	ISSUE:
Kroener - East Jindabyne	DACC P2	C

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	David Law B.Sc(Arch) B. Arch. ABN 83 518 014 319 37 BAY VIEW AVE EAST GOSFORD NSW 2250 david@davidlaw.com.au (02) 4323 3935	DRAWING TITLE: PLANS ROOF	DATE: 28/1/22
	Proposed 4x3 Bedroom Townhouses Lot 1 DP 1228821 30C Kunama Dr East Jindabyne For Dovetail Constructions	DATUM: ASSUMED SHEET SIZE: A2	PROJECT NAME: Kroenert - East Jindabyne

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EXTERNAL FINISHES SCHEDULE

- ALL STRUCTURAL STEELWORK (EXPOSED & ENCLOSED) TO BE HOT DIPPED GALVANISED
- STONework TO SLECTED AREAS (SEE ELEVATIONS)
- SELECTED COLORBOND CLADDING (MONUMENT)
- COLORBOND ROOF SHEETING (CUSTOM ORB - MONUMENT)
 COLORBOND ROOF TRIM, GUTTERS & DOWNPIPES
- STAINED TIMBER CLAD GARAGE DOORS
- UPVC DOUBLE GLAZED WINDOWS, SEE BASIX NOTES (THERMAL COMFORT) & NATHERS CERTIFICATE FOR SHGC & U-VALUE
- SELECTED COLORBOND horizontal CLADDING (MONUMENT) TO CARPORT FASCIAS & LOWER SECTION OF BALUSTRADES
- STAINED TIMBER HORIZONTAL BAORD CLADDING WITH SHADOW LINE EVERY 4th BOARD
- POWDER COATED ALUMINIUM HANDRAIL WITH S/STEEL WIRE BALUSTRADING
- TIMBER SOFFIT LININGS

**FRONT FACADES
 ALONG DRIVEWAY**

0006922690 14 Dec 2021
 Assessor Terry Chapman
 Accreditation No. 20920
 Address
 Kunama, East Jindabyne
 NSW, 2627
 hstar.com.au

ABSA
 Accredited Assessor
 21/04/2021-31/03/2022
 Assessor Name: Terry Chapman
 Assessor Number: 20920

Proposed 4x3 Bedroom Townhouses
 Lot 1 DP 1228821
 30C Kunama Dr
 East Jindabyne
 For Dovetail Constructions

**DAVID
 LAW**

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DATUM: ASSUMED
 SHEET SIZE: A3

DRAWING TITLE : ELEVATIONS		DATE :
3D DRIVEWAY VIEW & FINISHES SCHEDULE		28/1/22
PROJECT NAME :	DRAWING NO. :	ISSUE :
Kroenert - East Jindabyne	DACC E1	C



STREET VIEW
 (LOOKING WSW)



Proposed 4x3 Bedroom Townhouses
 Lot 1 DP 1228821
 30C Kunama Dr
 East Jindabyne
 For Dovetail Constructions



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 DATUM: ASSUMED
 SHEET SIZE: A3

DRAWING TITLE : ELEVATIONS 3D STREET VIEW		DATE : 28/1/22
PROJECT NAME : Kroenert - East Jindabyne	DRAWING NO. DACC E2	ISSUE : C



REAR VIEW
 (LOOKING NE)



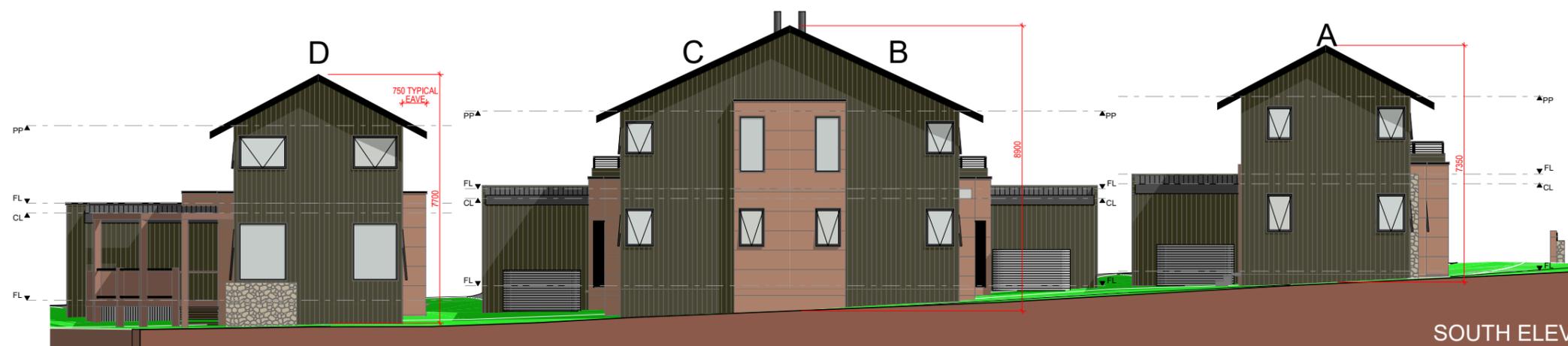
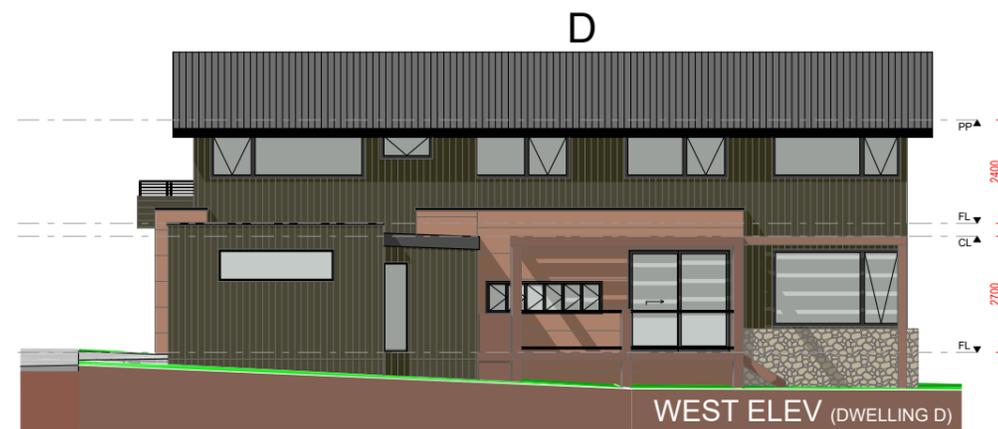
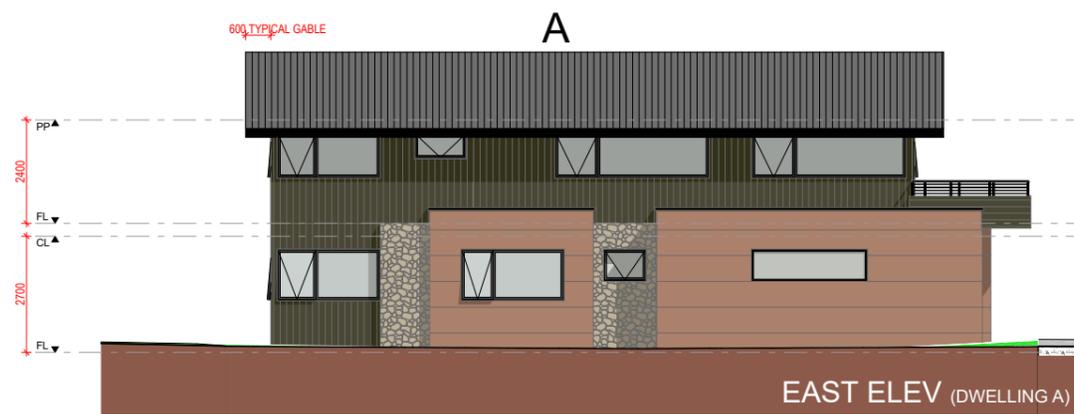
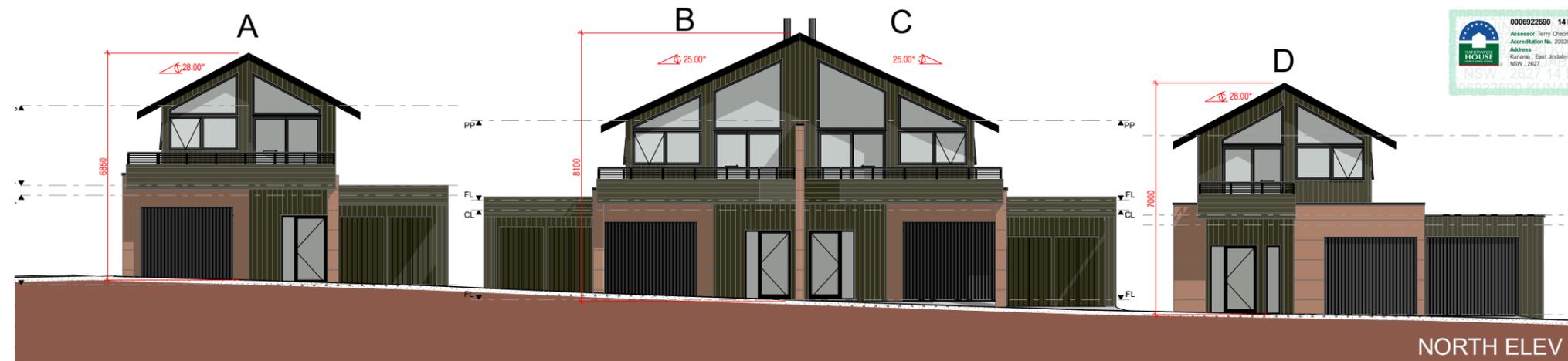
Proposed 4x3 Bedroom Townhouses
 Lot 1 DP 1228821
 30C Kunama Dr
 East Jindabyne
 For Dovetail Constructions



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DRAWING TITLE : ELEVATIONS 3D REAR VIEW		DATE : 28/1/22
PROJECT NAME : Kroenert - East Jindabyne	DRAWING NO. DACC E3	ISSUE : C



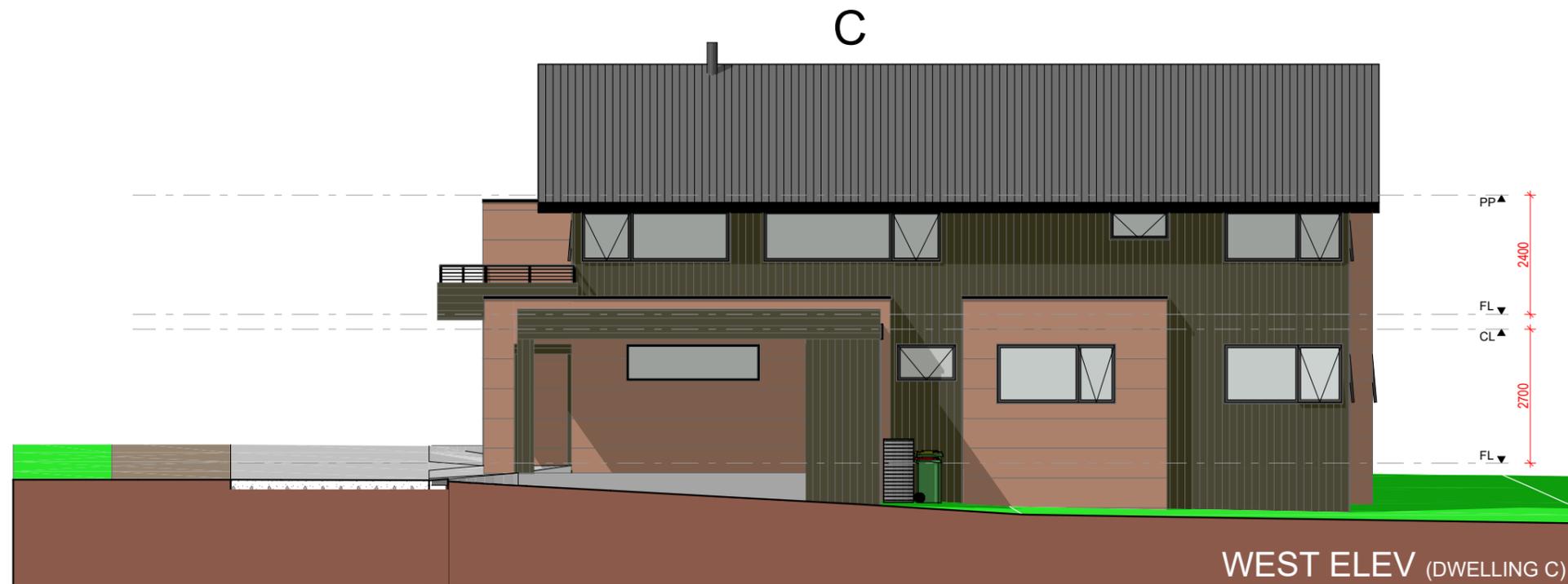
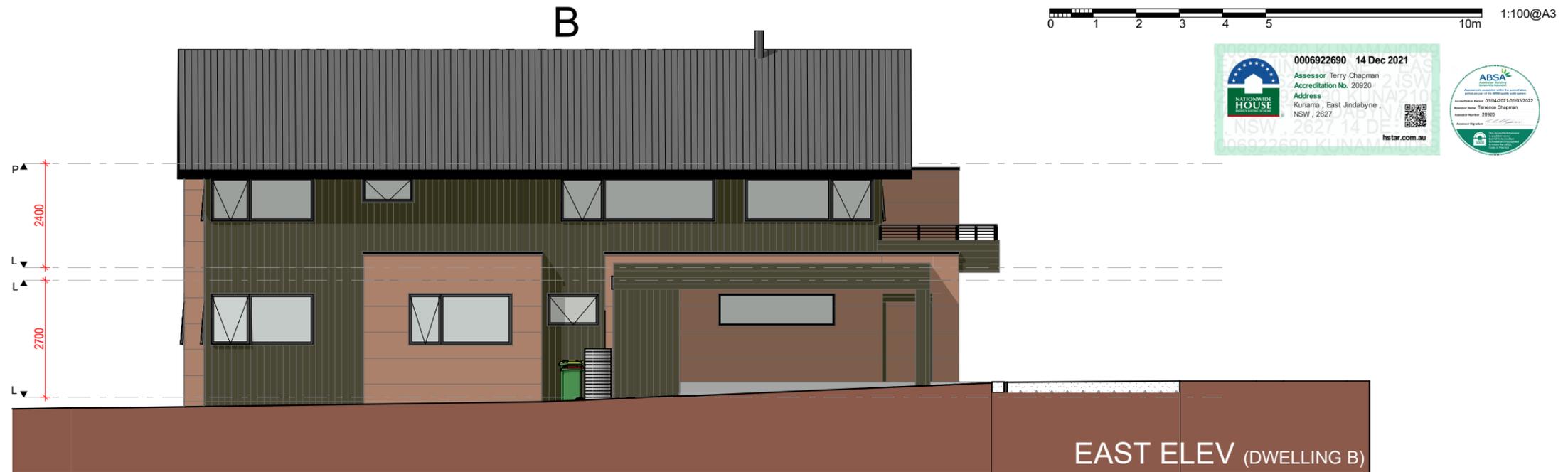
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 Lot 1 DP 1228821
 30C Kunama Dr
 East Jindabyne
 For Dovetail Constructions



DRAWING TITLE: ELEVATIONS ELEVS - PERIMETER		DATE: 28/1/22
PROJECT NAME: Kroener - East Jindabyne	DRAWING NO.: DACC E4	ISSUE: C



Proposed 4x3 Bedroom Townhouses
 Lot 1 DP 1228821
 30C Kunama Dr
 East Jindabyne
 For Dovetail Constructions



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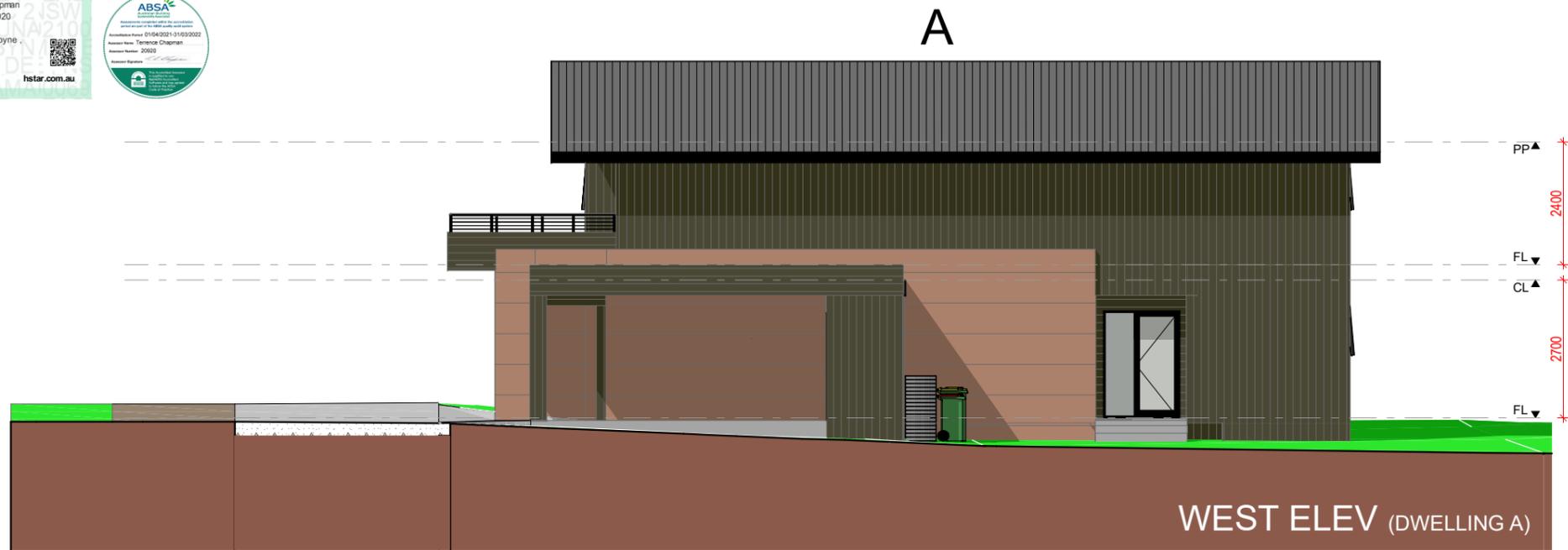
DRAWING TITLE :
**ELEVATIONS
 ELEVS - EAST B & WEST C**

PROJECT NAME :
**Kroenert - East
 Jindabyne**

DRAWING NO.
DACC E5

DATE :
 28/1/22

ISSUE :
C



Proposed 4x3 Bedroom Townhouses
 Lot 1 DP 1228821
 30C Kunama Dr
 East Jindabyne
 For Dovetail Constructions

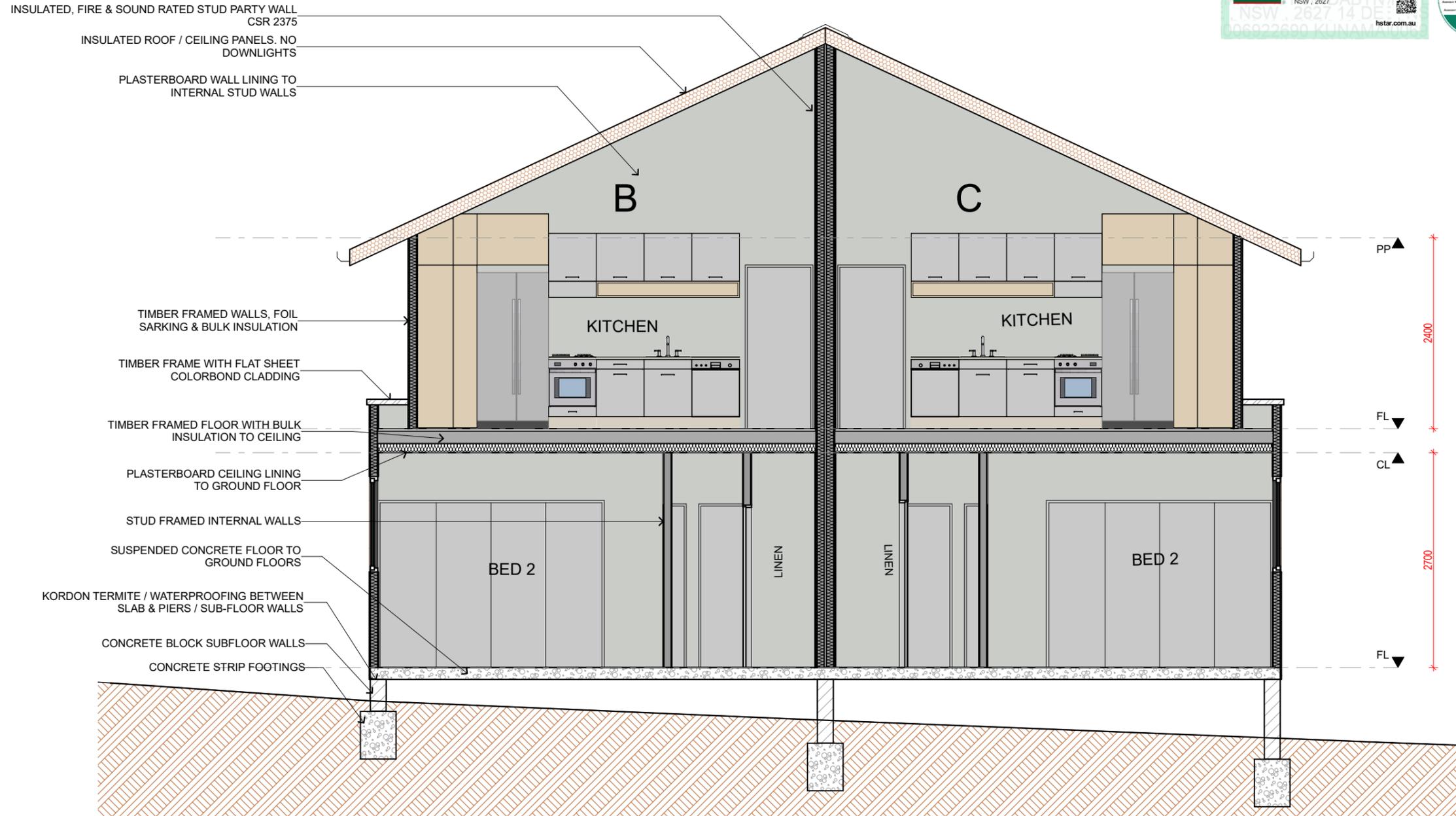


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DRAWING TITLE :
**ELEVATIONS
 ELEVS - WEST A & EAST D**
 PROJECT NAME :
**Kroenert - East
 Jindabyne**
 DRAWING NO.
DACC E6

DATE :
 28/1/22
 ISSUE :
C



ALL FOOTINGS, PIERS, RC SLABS, STRUCTURAL STEEL / TIMBER, BRACING ETC TO ENGINEERS DETAIL



Proposed 4x3 Bedroom Townhouses
 Lot 1 DP 1228821
 30C Kunama Dr
 East Jindabyne
 For Dovetail Constructions



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DRAWING TITLE :		DATE :	
ELEVATIONS		28/1/22	
SECTION S-01			
PROJECT NAME :	DRAWING NO.	ISSUE :	
Kroenert - East Jindabyne	DACC E7	C	

GENERAL NOTES & SPECIFICATION

DRAWINGS & DOCUMENTS

THE DRAWINGS & DOCUMENTS ARE TO BE READ IN CONJUNCTION WITH THE DEVELOPMENT CONSENT, CONSTRUCTION CERTIFICATE, S.68 APPROVAL & REPORTS BY CONSULTANTS AS LISTED ON THE FRONT SHEET OF THESE DRAWINGS

WRITTEN DIMENSIONS TO BE TAKEN IN PREFERENCE TO SCALE

ALL DIMENSIONS IN MILLIMETRES UNLESS NOTED OTHERWISE

CONTOURS & BOUNDARY DIMENSIONS ARE IN METRES

MEASUREMENTS TO BE CHECKED & VERIFIED BY BUILDER PRIOR TO COMMENCEMENT

ALL DRAWINGS, DOCUMENTS, REPORTS & APPROVALS TO BE READ BY THE BUILDER PRIOR TO COMMENCEMENT. ANY DISCREPANCIES, ERRORS OR ITEMS REQUIRING CLARIFICATION TO BE BROUGHT TO THE ATTENTION OF THE DESIGNER FOR INSTRUCTION

THE BUILDER IS ENCOURAGED TO DISCUSS ANY & ALL DESIGN & CONSTRUCTION ITEMS WITH THE DESIGNER BEFORE & DURING CONSTRUCTION, ESPECIALLY WHERE THE BUILDER OR OWNER INTEND TO MAKE CHANGES / VARIATIONS TO THE BUILDING WORKS AS DOCUMENTED

SITE PREPARATION & MAINTENANCE

BEFORE COMMENCEMENT OF BUILDING WORK, THE BUILDER IS TO PROVIDE A SITE SHED, SITE FENCING, TOILET FACILITIES (IF NOT ALREADY PROVIDED IN EXISTING BUILDING), GARBAGE COLLECTION & STORAGE AREA, MATERIALS STORE AREA & SAFE SITE ACCESS

PROVIDE GARBAGE & MATERIALS STORE FACILITIES TO SECURE GARBAGE & MATERIALS FROM BEING MOVED BY WIND

SECURE SITE BY TEMPORARY FENCING OR OTHER MEASURES TO PREVENT UNAUTHORISED ENTRY ONTO THE SITE. TEMPORARY FENCING TO COMPLY WITH AS 4687-2007

PUT IN PLACE PROTECTION MEASURES TO THE TREES THAT ARE NOTED ON THE PLANS AND / OR CONSENT DOCUMENTS TO BE PROTECTED

EXCAVATION & SILTATION CONTROL MEASURES

ALL SILTATION CONTROL MEASURES TO BE IN PLACE PRIOR TO BREAKING GROUND

STOCKPILE TOPSOIL FOR USE ON SITE TO COVER LANDSCAPED AREAS AT COMPLETION OF BUILDING WORKS

EXCAVATION WORKS TO COMPLY WITH AS 3798-2007 & NCC 3.1.1

SILT FILTERS TO BE CHECKED REGULARLY BY BUILDER. SEE DETAILS ON PLAN OF SILT FENCE

TERMITE PROTECTION

PHYSICAL BARRIER STYLE TERMITE PROTECTION SYSTEM TO BE INSTALLED & COMPLY WITH AS3660.1 & NCC (VOL 2) 3.1.4

A DURABLE NOTICE TO BE INSTALLED IN THE METER BOX (OR SIMILAR LOCATION) INDICATING THE TYPE OF SYSTEM, DATE OF INSTALLATION, CHEMICALS USED & THEIR LIFE EXPECTANCY, MANUFACTURERS RECOMMENDATIONS FOR SCOPE & TIMEFRAME OF INSPECTIONS

FOOTINGS, SLABS & STRUCTURAL STEEL / TIMBER MEMBERS

ALL REINFORCED CONCRETE FOOTINGS & SLABS TO ENGINEERS DETAIL, OTHERWISE TO NCC (VOL 2) 3.2

ALL ON GROUND FLOOR SLABS TO HAVE A TERMITE RESISTANT VAPOUR BARRIER UNDER THE SLAB, 0.2mm NOMINAL THICKNESS, MEDIUM IMPACT RESISTANCE, JOINTS OVERLAPPED 200mm & TAPED, SLEAVES TO BE CLOSE FITTING & TAPED. ALL TO AS 2870 & NCC NSW 3.2.2.6

ALL STRUCTURAL STEEL / TIMBER MEMBERS TO ENGINEERS DETAIL, OTHERWISE TO NCC (VOL 2) 3.4

ALL TIMBER SIZES, SPANS & FRAMEWORK SHALL CONFORM TO THE REQUIREMENTS OF AS1684 OR WHERE APPLICABLE NCC (VOL 2) 3.4

SIZES & ITEMS ON ENGINEERS DRAWINGS TAKE PRECEDENT

MASONRY

ALL MASONRY TO BE DESIGNED & CONSTRUCTED IN ACCORDANCE WITH AS3700 AND / OR AS4773.1 / AS4773.2

FRAMING

ALL TIMBER SIZES, SPANS & FRAMEWORK SHALL CONFORM TO THE REQUIREMENTS OF AS1684 OR WHERE APPLICABLE NCC 3.4.3.

ALL STEEL FRAME SIZES, SPANS & FRAMEWORK SHALL CONFORM TO THE REQUIREMENTS OF AS 4100 OR WHERE APPLICABLE NCC 3.4.2

ENGINEERS DRAWINGS TAKE PRECEDENT

SUB-FLOOR VENTILATION TO BE EVENLY DISTRIBUTED AROUND THE PERIMETER OF THE BUILDING & SIZED IN COMPLIANCE WITH NCC 3.4.1.2

ROOF & WALL CLADDING

ROOF & WALL CLADDING TO COMPLY WITH NCC 3.5.

SEE ENGINEERS DETAILS FOR WIND CLASSIFICATION

METAL SHEET ROOFING & WALL CLADDING TO BE INSTALLED TO AS 1562.1

CLEAN ALL BURRS & OFFCUTS FROM INSTALLATION OFF THE ROOF UPON COMPLETION OF THE WORK DAY

SARKING / INSULATION BLANKET TO HAVE INSULATION LEVEL AS PER BASIX CERTIFICATE & HAVE A FLAMMABILITY INDEX OF NOT MORE THAN 5. TAPE ALL SEAMS

BREATHABLE SARKING TO WALLS ON OUTSIDE OF STUD FRAME, LOCATED BETWEEN STUDS & BATTENS (FOR WALL CLADDING)

FLASHINGS & GAPS TO BE SEALED / PROTECTED IN ACCORDANCE WITH BUSHFIRE NOTES

FLASHINGS, CONNECTIONS & FIXINGS TO METAL CLADDING TO BE OF SIMILAR CORROSION RESISTANCE & COMPATIBILITY, AS PER NCC 3.5.1

GLAZING

GLASS INSTALLATIONS MUST COMPLY WITH THE REQUIREMENTS OF NCC 3.6, AS 2047, AS1288 & BE OF ADEQUATE THICKNESS FOR THE TERRAIN CATEGORY & WIND LOADING APPLICABLE TO THE ALLOTMENT LOCATION. WIND CATEGORY AS PER ENGINEERS SPECIFICATION

BEDROOMS WITH FLOOR LEVEL MORE THAN 2m ABOVE ADJACENT SURFACE & WITH OPENING SECTION LESS THAN 1.7m ABOVE THE FLOOR TO HAVE OPENINGS GREATER THAN 125mm PROTECTED IN ACCORDANCE WITH NCC 3.9.2.6

OTHER ROOMS WITH FLOOR LEVEL MORE THAN 4m ABOVE ADJACENT SURFACE & WITH OPENING SECTION LESS THAN 1.7m ABOVE THE FLOOR TO HAVE OPENINGS GREATER THAN 125mm PROTECTED IN ACCORDANCE WITH NCC 3.9.2.6

SMOKE ALARMS

SMOKE ALARMS MUST BE INSTALLED IN CLASS 1 BUILDINGS IN ACCORDANCE WITH PARTS 3.7.2.3 & 3.7.2.4 OF THE NCC VOL.2, AS3786 & MANUFACTURERS SPECIFICATION RECOMMENDATIONS. THE DETECTOR MUST BE CONNECTED TO CONSUMER MAINS POWER WHERE CONSUMER MAINS POWER IS SUPPLIED TO THE BUILDING. THE DETECTOR MUST BE INSTALLED ON OR NEAR THE CEILING & LOCATED BETWEEN EACH PART OF THE DWELLING CONTAINING BEDROOMS & THE REMAINDER OF THE DWELLING

WET AREAS

BATHROOMS, TOILETS, LAUNDRIES & OTHER WET AREAS TO BE WATERPROOF OR WATER-RESISTANT AS PER NCC 3.8.1 & AS 3740

CONDENSATION

VAPOUR BARRIER TO WALLS, SEE "WALL & ROOF CLADDING"

EXHAUST FANS TO HAVE A MINIMUM FLOW RATE OF 25L/S FOR BATHROOMS, 40L/S ELSEWHERE

DO NOT VENT EXHAUST FANS TO ROOF SPACE

STAIRS

STAIRS TO NCC 3.9.1 IN LOCATION & CONFIGURATION AS SHOWN ON THE DRAWINGS

OPEN TREAD STAIRS TO HAVE NO GAPS GREATER THAN 125mm

ALL BALUSTRADES WHERE THERE IS A CHANGE IN LEVEL OF AT LEAST 1000 TO BE A MINIMUM OF 1000 HIGH WITH MAXIMUM GAPS OF 125 & COMPLY WITH NCC3.9.2. WIRE BALUSTRADES TO HAVE SPACINGS & TENSIONS AS PER NCC 3.9.2.5

RAMPS, STAIR LANDINGS & TREADS OR NOSING STRIPS TO HAVE A SURFACE WITH A SLIP RESISTANCE AS PER TABLE BELOW. SURFACE SLIP RESISTANCE TEST TO BE IN ACCORDANCE WITH AS 4586. EXTERNAL STAIRS TO HAVE TEST CERTIFICATE FOR WET PENDULUM TEST OR WET BAREFOOT RAMP TEST.

APPLICATION	DRY SURFACE CONDITIONS	WET SURFACE CONDITIONS
RAMP (NOT STEEPER THAN 8°)	P4 OR R10	P5 OR R12
STAIR TREAD	P3 OR R10	P4 OR R11
NOSING STRIP (STAIR AND LANDING)	P3	P4

ROOF SAFETY

ALL ROOFS OVER 15 DEGREES PITCH TO HAVE PERMANENT SAFETY HARNESS ATTACHMENT POINTS AT OR NEAR THE RIDGE FIXED SECURELY TO ROOF FRAMING

WH&S NOTES

WH & S

THE SUBJECT BUILDING HAS BEEN DESIGNED CONSIDERING WORK PLACE HEALTH & SAFETY REQUIREMENTS OF THE WORK HEALTH & SAFETY ACT 2011 IN ORDER TO REDUCE THE RISK OF ON-SITE WORK PLACE INCIDENTS & PRACTICES THAT COULD RISK THE HEALTH OF ON SITE WORKERS & VISITORS

ROOF HAS BEEN DESIGNED FOR EASE OF ACCESS TO GUTTERS AT A LOW HEIGHT

ON SITE WORK PLACE HEALTH & SAFETY IS THE RESPONSIBILITY OF THE BUILDER & OWNER

THE BUILDER IS TO MAINTAIN SAFE WORK PRACTICES, ENSURE WORKERS & VISITORS ARE AWARE OF THE RISKS / DANGERS ON ENTRY TO THE SITE & INSTRUCT ALL PERSONS ON SITE ON THE IMPLEMENTATION OF THE WORK SITE SAFETY MANUAL & PROCEDURES

OWNER TO ADVISE BUILDER OF THEIR PRESENCE & GUESTS ON ENTERING THE SITE & TO WEAR APPROPRIATE PROTECTIVE CLOTHING WHILST ON SITE.



Proposed 4x3 Bedroom Townhouses
Lot 1 DP 1228821
30C Kunama Dr
East Jindabyne
For Dovetail Constructions



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DRAWING TITLE :

NOTES & SPECIFICATION
GENERAL NOTES

DATE :
28/1/22

PROJECT NAME :

Kroener - East Jindabyne

DRAWING NO.

DACC N.1

ISSUE :

C

BASIX & ENERGY NOTES

THE FOLLOWING ARE THE MINIMUM REQUIREMENTS REQUIRED BY BASIX CERTIFICATE No. 1267930M
**IT IS HIGHLY RECOMMENDED THAT INCREASED INSULATION, MORE ENERGY EFFICIENT APPLIANCES,
MORE WATER EFFICIENT FIXTURES & SOLAR PV SYSTEM(S) ARE INSTALLED**

WATER

ITEM	REQUIREMENT
SHOWER HEADS	3 STAR RATED SHOWER HEADS (>7.5, <=9.5L/min)
TOILETS	3 STAR RATED DUAL FLUSH TOILETS
TAPS (INDOOR)	3 STAR RATED TAPS
TAPS (OUTDOOR)	3 STAR RATED TAPS
TANKS	2000 LTR WATER TANKS TO EACH DWELLING, COLLECTING FROM AT LEAST 100m ² ROOF CONNECTED TO TOILETS & OUTDOOR TAPS

THERMAL COMFORT

Basix Requirements Summary - Multi Dwelling																										
David Law Lot 1 Kunama Drive East Jindabyne NSW 2627	Prepared by Chapman Environmental Services www.basixcertificates.com.au 1300 004 914																									
Max. Heating Load is (MJ/m ²)	425.7 Actual Heating Load 367.73																									
Max. Cooling Load is (MJ/m ²)	No Cap Actual Cooling Load 22.4																									
Thermal Performance Assessment Based on the Following Requirements																										
Floor Types	Suspended concrete slab with No insulation required																									
Floor Coverings	<table border="1"> <tr> <td>Tiles</td> <td>Wet Areas/Entry</td> <td>Timber</td> <td>Living</td> </tr> <tr> <td>Carpet</td> <td>Bedrooms</td> <td>Concrete</td> <td>Garage</td> </tr> </table>	Tiles	Wet Areas/Entry	Timber	Living	Carpet	Bedrooms	Concrete	Garage																	
Tiles	Wet Areas/Entry	Timber	Living																							
Carpet	Bedrooms	Concrete	Garage																							
External Walls	Timber framed Fibro clad with Sarking and R2.0 bulk insulation Colour Medium																									
Internal Walls	Plasterboard with R2.5 between the garage and dwelling of Unit 4																									
Party Walls	Boral KH2 Party wall system (Or Equivalent) with R2.0 Bulk insulation																									
Ceiling (floor over)	Timber above plasterboard with R2.0 bulk insulation																									
Ceilings (roof over)	Timber above plasterboard with No Insulation required																									
Roof	SIPs with a total R value of 3.7 Colour Medium																									
Windows and Doors	<table border="1"> <tr> <td>AF double glazed clear</td> <td>Fixed Glass</td> <td>AWS-071-08</td> <td>U-Value 3.69 or less</td> <td>SHGC 0.65 +/- 5%</td> </tr> <tr> <td>to all windows and glazed doors unless noted otherwise</td> <td>Awning Windows</td> <td>AWS-008-01</td> <td>U-Value 4.32 or less</td> <td>SHGC 0.55 +/- 5%</td> </tr> <tr> <td></td> <td>Sliding Doors</td> <td>AWS-013-05</td> <td>U-Value 4.11 or less</td> <td>SHGC 0.59 +/- 5%</td> </tr> <tr> <td></td> <td>Entry Door</td> <td>AWS-019-01</td> <td>U-Value 4.08 or less</td> <td>SHGC 0.50 +/- 5%</td> </tr> <tr> <td></td> <td>Bi-Fold Door</td> <td>AWS-017-01</td> <td>U-Value 4.30 or less</td> <td>SHGC 0.51 +/- 5%</td> </tr> </table>	AF double glazed clear	Fixed Glass	AWS-071-08	U-Value 3.69 or less	SHGC 0.65 +/- 5%	to all windows and glazed doors unless noted otherwise	Awning Windows	AWS-008-01	U-Value 4.32 or less	SHGC 0.55 +/- 5%		Sliding Doors	AWS-013-05	U-Value 4.11 or less	SHGC 0.59 +/- 5%		Entry Door	AWS-019-01	U-Value 4.08 or less	SHGC 0.50 +/- 5%		Bi-Fold Door	AWS-017-01	U-Value 4.30 or less	SHGC 0.51 +/- 5%
AF double glazed clear	Fixed Glass	AWS-071-08	U-Value 3.69 or less	SHGC 0.65 +/- 5%																						
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	Bi-Fold Door	AWS-017-01	U-Value 4.30 or less	SHGC 0.51 +/- 5%																						
<p><i>If the Universal Certificate indicates downlights, then these are to be non-ventilated LED / fluorescent</i> <i>Any exhaust fans noted are to be fitted with self-closing dampers or be otherwise sealed</i> <i>All insulation specified must be installed in accordance with Part 3.12.1.1 of the BCA</i> <i>If there is a discrepancy between this document and the Nateths Certificate, then the Nateths Certificate shall take precedence</i></p>																										

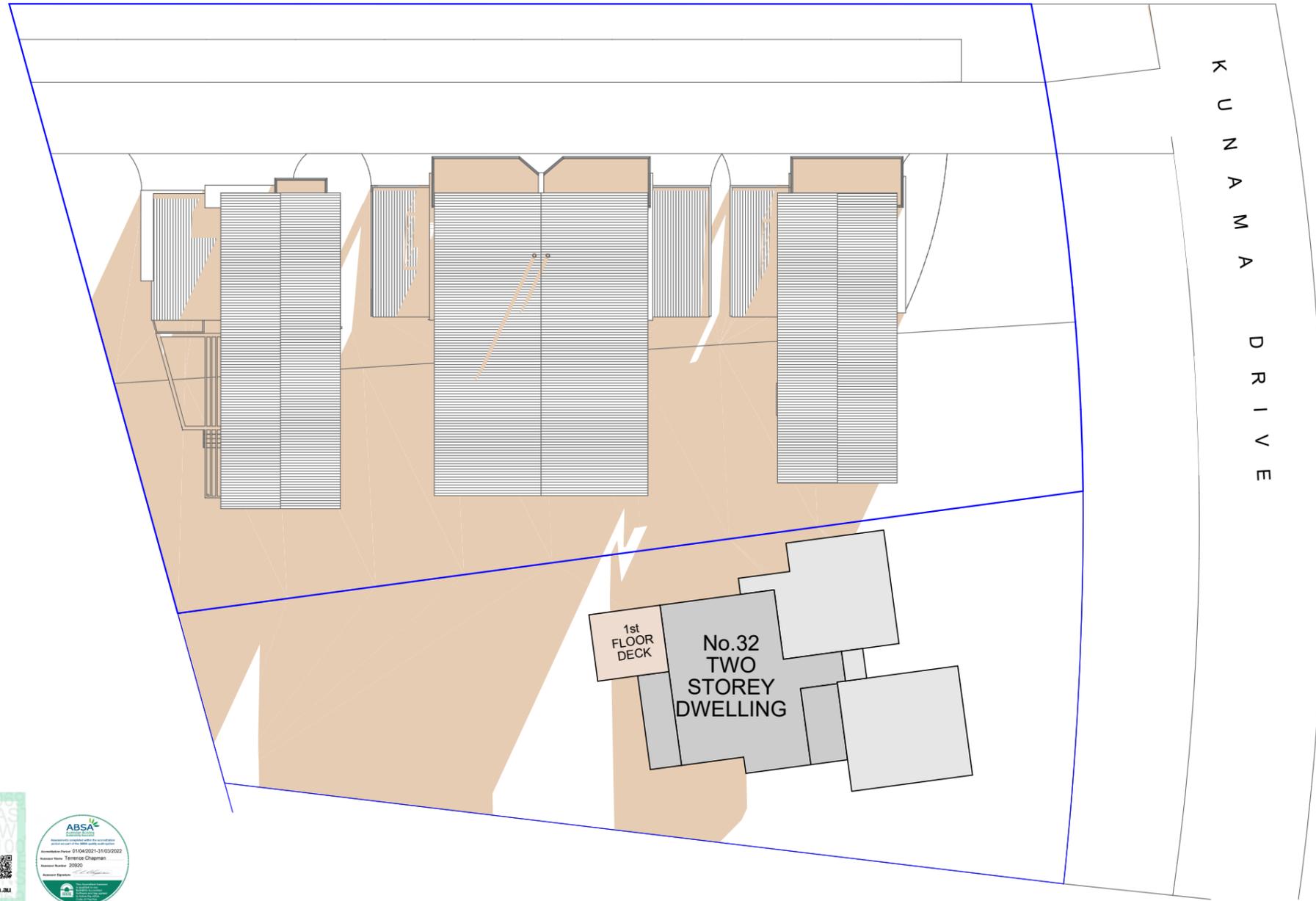
Notes This document to be read in conjunction with the Basix Certificate and Nateths Universal Certificate

ENERGY

ITEM	REQUIREMENT
HOT WATER SERVICES	INSTANTANEOUS GAS 5,5 STAR
VENTILATION: BATHROOMS	BATHROOMS: FAN DUCTED TO ROOF OR FAÇADE, MANUAL SWITCH ON/OFF KITCHENS: FAN DUCTED TO ROOF OR FAÇADE, MANUAL SWITCH ON/OFF LAUNDRIES: FAN DUCTED TO ROOF OR FAÇADE, MANUAL SWITCH ON/OFF
COOLING	LIVING AREAS: 1-PHASE AIR-CONDITIONING 5 STAR (COLD ZONE), ZONED BETWEEN AREAS BEDROOMS: 1-PHASE AIR-CONDITIONING 5 STAR (COLD ZONE), ZONED BETWEEN AREAS
HEATING	LIVING AREAS: GAS FIXED FLUE HEATER 4 STAR BEDROOMS: 1-PHASE AIR-CONDITIONING 5 STAR (COLD ZONE), ZONED BETWEEN AREAS
LIGHTING	LED OR COMPACT FLUORESCENT THROUGHOUT
APPLIANCES	COOKING: INDUCTION COOKTOPS WITH ELECTRIC OVENS REFRIGERATION: WELL VENTILATED FRIDGE SPACES TO ALL KITCHENS
OTHER	PRIVATE OUTDOOR CLOTHESLINES TO EACH UNIT SHELTERED INDOOR CLOTHESLINE TO EACH DWELLING (DRYING CUPBOARD)



	David Law B.Sc(Arch) B. Arch ABN 83 518 014 319 37 BAY VIEW AVE EAST GOSFORD NSW 2250 david@davidlaw.com.au (02) 4323 3935	DATUM: ASSUMED SHEET SIZE: A3	DRAWING TITLE : NOTES & SPECIFICATION BASIX NOTES	DATE : 28/1/22
	Proposed 4x3 Bedroom Townhouses Lot 1 DP 1228821 30C Kunama Dr East Jindabyne For Dovetail Constructions		PROJECT NAME - Kroenert - East Jindabyne	DRAWING NO. DACC N.2



WINTER SOLSTICE

SHADOW PLAN 21 JUN at 0900h
 1:250

01
 -



Proposed 4x3 Bedroom Townhouses
 Lot 1 DP 1228821
 30C Kunama Dr
 East Jindabyne
 For Dovetail Constructions



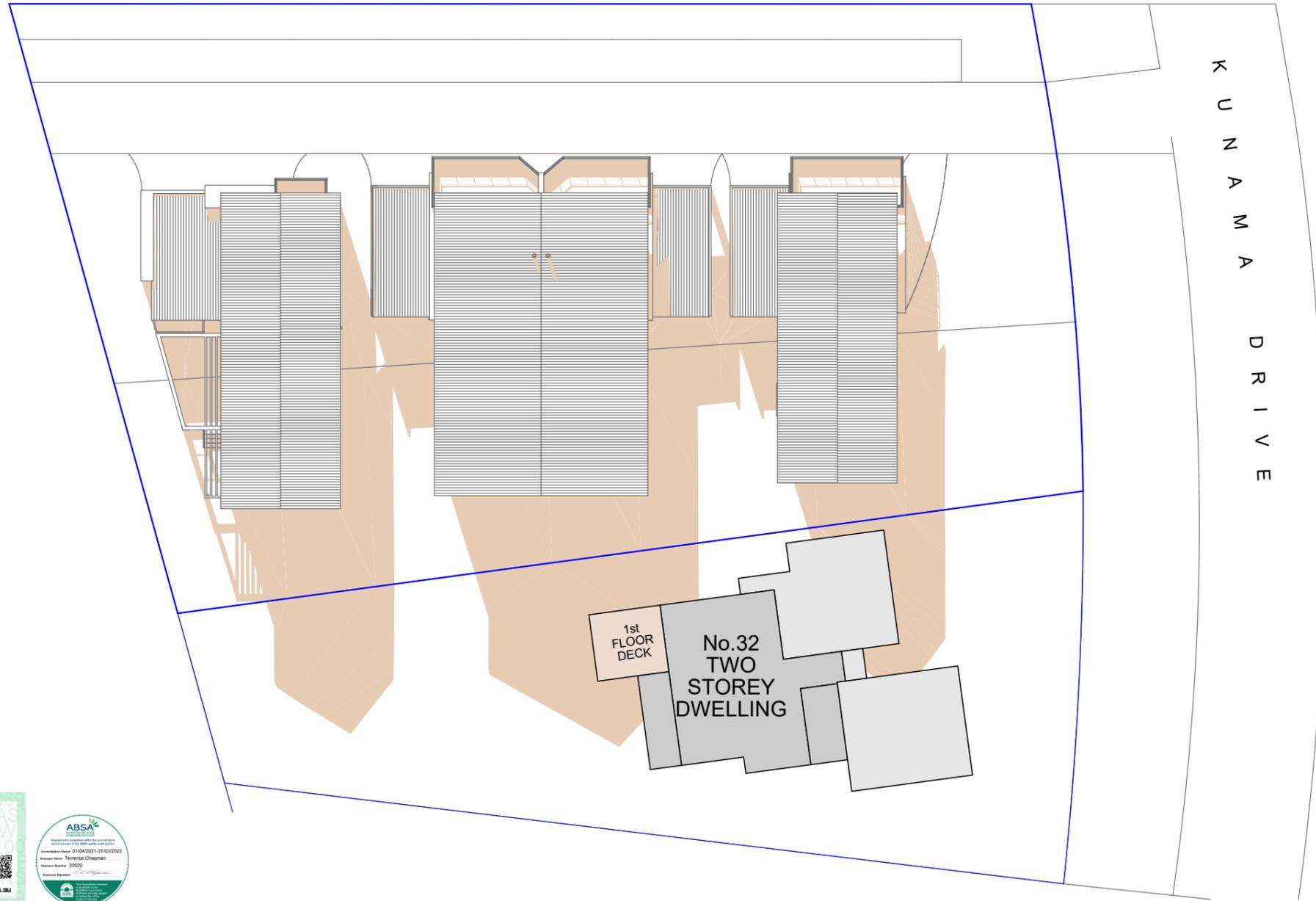
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DRAWING TITLE : SHADOW PLANS
**SHADOW PLANS June 21
 9AM**
 PROJECT NAME :
**Kroenert - East
 Jindabyne**

DATE :
 28/1/22
 ISSUE :
 C

DRAWING NO.
**DACC
 SHAD1**



WINTER SOLSTICE

SHADOW PLAN 21 JUN at 1200h
 1:250

02
 -



Proposed 4x3 Bedroom Townhouses
 Lot 1 DP 1228821
 30C Kunama Dr
 East Jindabyne
 For Dovetail Constructions



**DAVID
 LAW**

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DATUM: ASSUMED
 SHEET SIZE: A3

DRAWING TITLE : SHADOW PLANS
**SHADOW PLANS June 21
 12NOON**
 PROJECT NAME :
**Kroenert - East
 Jindabyne**

DRAWING NO.
**DACC
 SHAD2**

DATE :
 28/1/22
 ISSUE :
C



WINTER SOLSTICE

SHADOW PLAN 21 JUN at 1500h
 1:250

03
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Proposed 4x3 Bedroom Townhouses
 Lot 1 DP 1228821
 30C Kunama Dr
 East Jindabyne
 For Dovetail Constructions

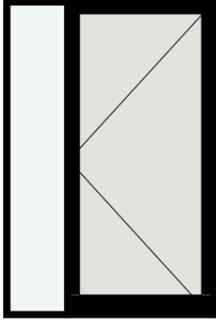
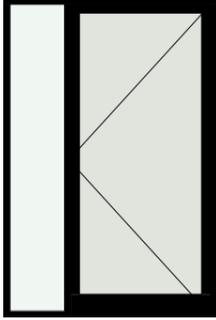
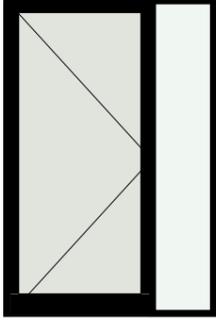
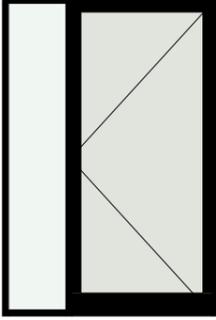
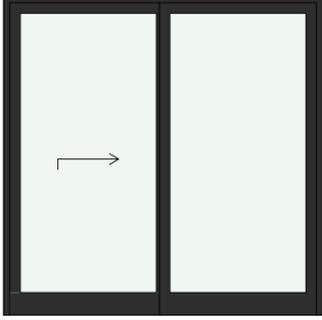


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DRAWING TITLE : SHADOW PLANS
SHADOW PLANS June 21 3PM
 PROJECT NAME : **Kroenert - East Jindabyne**
 DRAWING NO. **DACC SHAD3**

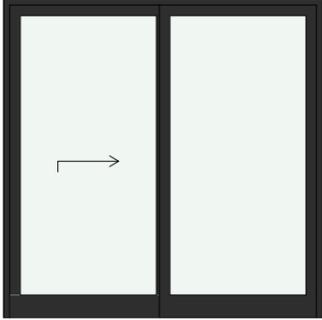
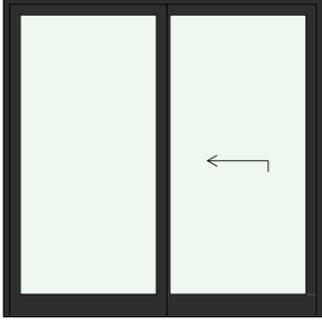
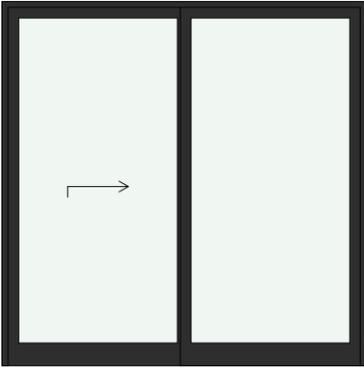
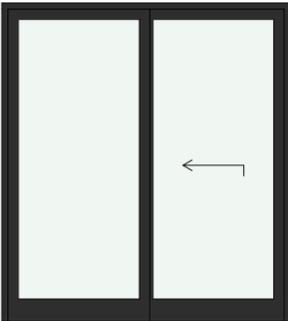
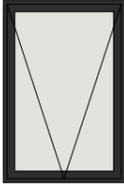
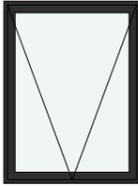
DATE : 28/1/22
 ISSUE : C

ID	QTY	HEIGHT	WIDTH	OPENING TYPE	VIEW FROM OUTSIDE	NOTES
DWA-1	1	2100	1400	GLAZED DOOR WITH FIXED SIDELIGHT		OPAQUE GLASS TO DOOR
DWB-1	1	2100	1400	GLAZED DOOR WITH FIXED SIDELIGHT		OPAQUE GLASS TO DOOR
DWC-1	1	2100	1400	GLAZED DOOR WITH FIXED SIDELIGHT		OPAQUE GLASS TO DOOR
DWD-1	1	2100	1418	GLAZED DOOR WITH FIXED SIDELIGHT		OPAQUE GLASS TO DOOR
SDA-1	1	2100	2100	SLIDING DOOR		LINKED TO WA-14H



	David Law B.Sc(Arch) B. Arch ABN 83 518 014 319 37 BAY VIEW AVE EAST GOSFORD NSW 2250 david@davidlaw.com.au (02) 4323 3935	 DATUM: ASSUMED SHEET SIZE: A3	DRAWING TITLE : SCHEDULES WINDOW SCHEDULE	DATE : 28/1/22
	Proposed 4x3 Bedroom Townhouses Lot 1 DP 1228821 30C Kunama Dr East Jindabyne For Dovetail Constructions		PROJECT NAME - Kroenert - East Jindabyne	DRAWING NO. DACC SCH1

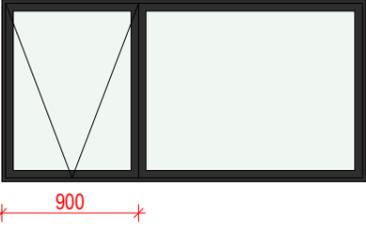
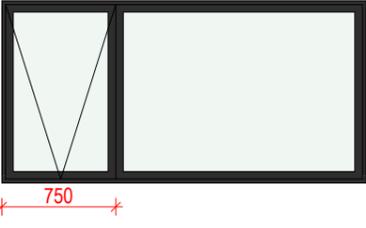
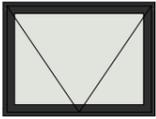
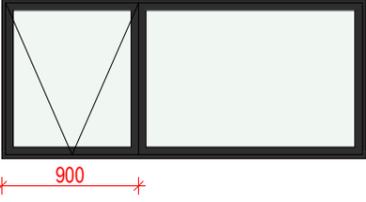
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ID	QTY	HEIGHT	WIDTH	OPENING TYPE	VIEW FROM OUTSIDE	NOTES
SDB-1	1	2100	2100	SLIDING DOOR		LINKED TO WB-14H
SDC-1	1	2100	2100	SLIDING DOOR		LINKED TO WC-14H
SDD-1	1	2400	2400	SLIDING DOOR		
SDD-2	1	2100	1900	SLIDING DOOR		LINKED TO WD-18H
WA-1	1	1200	800	AWNING WINDOW		OPAQUE GLASS
WA-2	1	1200	900	AWNING WINDOW		



 DAVID LAW	David Law B.Sc(Arch) B. Arch ABN 83 518 014 319 37 BAY VIEW AVE EAST GOSFORD NSW 2250 david@davidlaw.com.au (02) 4323 3935	 DATUM: ASSUMED SHEET SIZE:A3	DRAWING TITLE : SCHEDULES WINDOW SCHEDULE	DATE : 28/1/22
	Proposed 4x3 Bedroom Townhouses Lot 1 DP 1228821 30C Kunama Dr East Jindabyne For Dovetail Constructions		PROJECT NAME - Kroenert - East Jindabyne	DRAWING NO. DACC SCH2

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ID	QTY	HEIGHT	WIDTH	OPENING TYPE	VIEW FROM OUTSIDE	NOTES
WA-3	1	1200	2400	AWNING WINDOW		
WA-4	1	1200	2400	AWNING WINDOW		
WA-5	1	750	1000	AWNING WINDOW		OPAQUE GLASS
WA-6	1	750	2700	FIXED WINDOW		OPAQUE GLASS
WA-7	1	1050	800	AWNING WINDOW		OPENING SIZE PROTECTION AS PER NCC 3.9.2.6
WA-8	1	1050	900	AWNING WINDOW		OPENING SIZE PROTECTION AS PER NCC 3.9.2.6
WA-9	1	1050	2400	AWNING WINDOW		OPENING SIZE PROTECTION AS PER NCC 3.9.2.6



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	Proposed 4x3 Bedroom Townhouses Lot 1 DP 1228821 30C Kunama Dr East Jindabyne For Dovetail Constructions		PROJECT NAME - Kroenert - East Jindabyne	DRAWING NO. DACC SCH3

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ID	QTY	HEIGHT	WIDTH	OPENING TYPE	VIEW FROM OUTSIDE	NOTES
WA-10	1	600	1210	AWNING WINDOW		
WA-11	1	1050	3600	AWNING WINDOW		
WA-12	1	1050	3600	AWNING WINDOW		
WA-13	1	1050	2100	AWNING WINDOW		LINKED TO WA-13H
WA-13H	1	1317	2100	RAKED HEAD FIXED WINDOW		LINKED TO WA-13
WA-14H	1	1317	2100	RAKED HEAD FIXED WINDOW		LINKED TO SDA-1



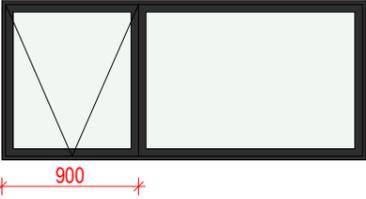
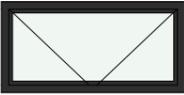
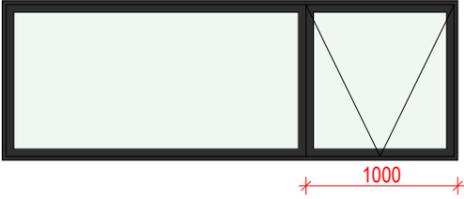
	DAVID LAW	David Law B.Sc(Arch) B. Arch ABN 83 518 014 319 37 BAY VIEW AVE EAST GOSFORD NSW 2250 david@davidlaw.com.au (02) 4323 3935	DATUM: ASSUMED SHEET SIZE: A3	DRAWING TITLE : SCHEDULES WINDOW SCHEDULE	DATE : 28/1/22
				PROJECT NAME - Kroenert - East Jindabyne	DRAWING NO. DACC SCH4

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ID	QTY	HEIGHT	WIDTH	OPENING TYPE	VIEW FROM OUTSIDE	NOTES
WB-1	1	1200	800	AWNING WINDOW		OPAQUE GLASS
WB-2	1	1200	900	AWNING WINDOW		
WB-3	1	1200	2400	AWNING WINDOW		
WB-4	1	1200	2400	AWNING WINDOW		
WB-5	1	750	1210	AWNING WINDOW		OPAQUE GLASS
WB-6	1	750	2700	FIXED WINDOW		



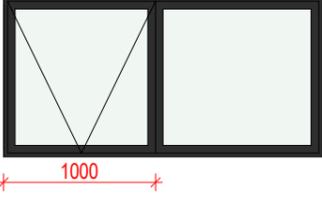
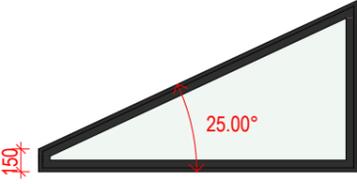
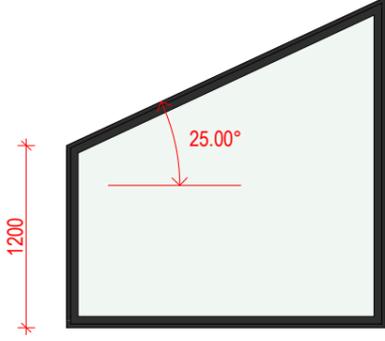
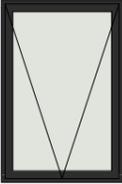
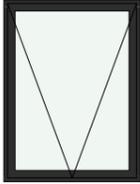
	David Law B.Sc(Arch) B. Arch ABN 83 518 014 319 37 BAY VIEW AVE EAST GOSFORD NSW 2250 david@davidlaw.com.au (02) 4323 3935	DATUM: ASSUMED SHEET SIZE: A3	DRAWING TITLE : SCHEDULES WINDOW SCHEDULE	DATE : 28/1/22
	Proposed 4x3 Bedroom Townhouses Lot 1 DP 1228821 30C Kunama Dr East Jindabyne For Dovetail Constructions		PROJECT NAME - Kroenert - East Jindabyne	DRAWING NO. DACC SCH5

ID	QTY	HEIGHT	WIDTH	OPENING TYPE	VIEW FROM OUTSIDE	NOTES
WB-7	1	1750	800	FIXED WINDOW		
WB-8	1	1050	900	AWNING WINDOW		OPENING SIZE PROTECTION AS PER NCC 3.9.2.6
WB-9	1	1050	2400	AWNING WINDOW		OPENING SIZE PROTECTION AS PER NCC 3.9.2.6
WB-10	1	600	1210	AWNING WINDOW		
WB-11	1	1050	3600	AWNING WINDOW		
WB-12	1	1050	3000	AWNING WINDOW		



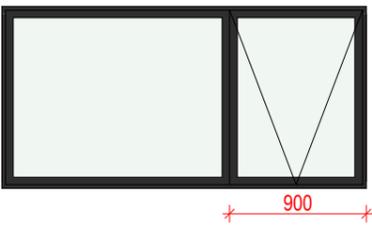
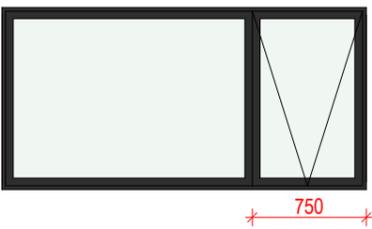
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	Proposed 4x3 Bedroom Townhouses Lot 1 DP 1228821 30C Kunama Dr East Jindabyne For Dovetail Constructions		PROJECT NAME - Kroenert - East Jindabyne	DRAWING NO. DACC SCH6

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ID	QTY	HEIGHT	WIDTH	OPENING TYPE	VIEW FROM OUTSIDE	NOTES
WB-13	1	1050	2100	AWNING WINDOW		LINKED TO WA-13H
WB-13H	1	1129	2100	RAKED HEAD FIXED WINDOW		LINKED TO WB-13
WB-14H	1	2179	2100	RAKED HEAD FIXED WINDOW		LINKED TO SDB-1
WC-1	1	1200	800	AWNING WINDOW		OPAQUE GLASS
WC-2	1	1200	900	AWNING WINDOW		



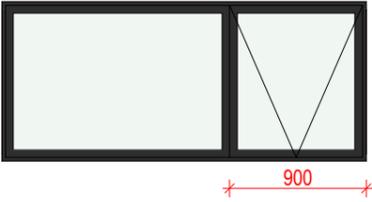
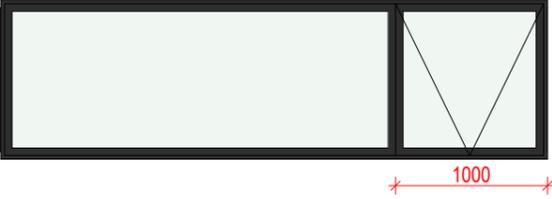
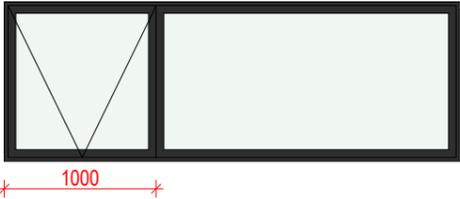
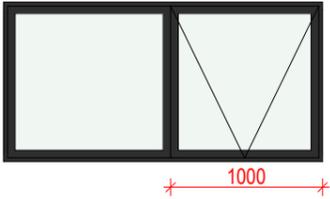
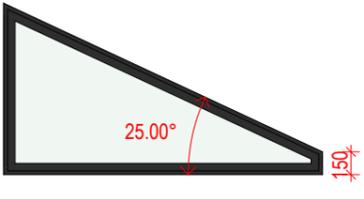
	David Law B.Sc(Arch) B. Arch ABN 83 518 014 319 37 BAY VIEW AVE EAST GOSFORD NSW 2250 david@davidlaw.com.au (02) 4323 3935	 DATUM: ASSUMED SHEET SIZE: A3	DRAWING TITLE : SCHEDULES WINDOW SCHEDULE	DATE : 28/1/22
	Proposed 4x3 Bedroom Townhouses Lot 1 DP 1228821 30C Kunama Dr East Jindabyne For Dovetail Constructions		PROJECT NAME - Kroenert - East Jindabyne	DRAWING NO. DACC SCH7

ID	QTY	HEIGHT	WIDTH	OPENING TYPE	VIEW FROM OUTSIDE	NOTES
WC-3	1	1200	2400	AWNING WINDOW		
WC-4	1	1200	2400	AWNING WINDOW		
WC-5	1	750	1210	AWNING WINDOW		OPAQUE GLASS
WC-6	1	750	2700	FIXED WINDOW		
WC-7	1	1750	800	FIXED WINDOW		
WC-8	1	1050	900	AWNING WINDOW		OPENING SIZE PROTECTION AS PER NCC 3.9.2.6



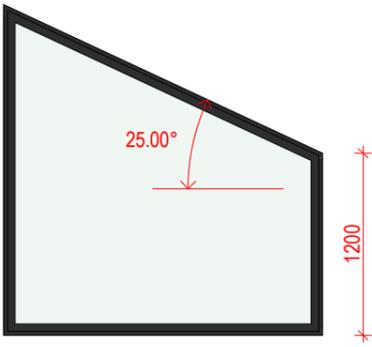
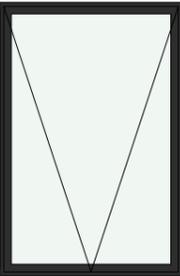
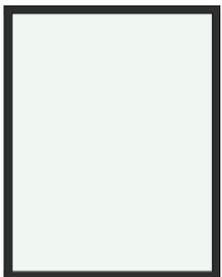
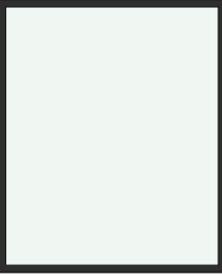
	David Law B.Sc(Arch) B. Arch ABN 83 518 014 319 37 BAY VIEW AVE EAST GOSFORD NSW 2250 david@davidlaw.com.au (02) 4323 3935	 DATUM: ASSUMED SHEET SIZE: A3	DRAWING TITLE : SCHEDULES WINDOW SCHEDULE	DATE : 28/1/22
	Proposed 4x3 Bedroom Townhouses Lot 1 DP 1228821 30C Kunama Dr East Jindabyne For Dovetail Constructions		PROJECT NAME - Kroenert - East Jindabyne	DRAWING NO. DACC SCH8

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ID	QTY	HEIGHT	WIDTH	OPENING TYPE	VIEW FROM OUTSIDE	NOTES
WC-9	1	1050	2400	AWNING WINDOW		OPENING SIZE PROTECTION AS PER NCC 3.9.2.6
WC-10	1	600	1210	AWNING WINDOW		
WC-11	1	1050	3600	AWNING WINDOW		
WC-12	1	1050	3000	AWNING WINDOW		
WC-13	1	1050	2100	AWNING WINDOW		LINKED TO WC-13H
WC-13H	1	1129	2100	RAKED HEAD FIXED WINDOW		LINKED TO WC-13



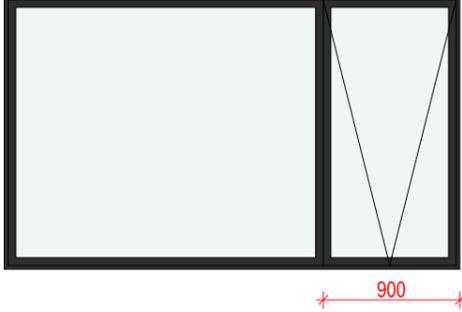
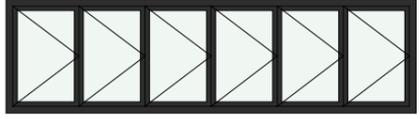
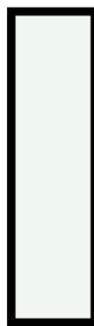
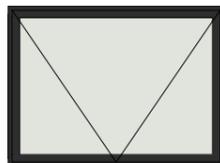
 DAVID LAW	David Law B.Sc(Arch) B. Arch ABN 83 518 014 319 37 BAY VIEW AVE EAST GOSFORD NSW 2250 david@davidlaw.com.au (02) 4323 3935	 DATUM: ASSUMED SHEET SIZE: A3	DRAWING TITLE : SCHEDULES WINDOW SCHEDULE	DATE : 28/1/22
	Proposed 4x3 Bedroom Townhouses Lot 1 DP 1228821 30C Kunama Dr East Jindabyne For Dovetail Constructions		PROJECT NAME - Kroenert - East Jindabyne	DRAWING NO. DACC SCH9

ID	QTY	HEIGHT	WIDTH	OPENING TYPE	VIEW FROM OUTSIDE	NOTES
WC-14H	1	2179	2100	RAKED HEAD FIXED WINDOW		LINKED TO SDC-1
WD-1	1	2400	900	FIXED WINDOW		
WD-2	1	1800	1200	AWNING WINDOW		
WD-3	1	1800	1420	FIXED WINDOW		
WD-4	1	1800	1500	FIXED WINDOW		



	David Law B.Sc(Arch) B. Arch ABN 83 518 014 319 37 BAY VIEW AVE EAST GOSFORD NSW 2250 david@davidlaw.com.au (02) 4323 3935	 DATUM: ASSUMED SHEET SIZE: A3	DRAWING TITLE : SCHEDULES WINDOW SCHEDULE	DATE : 28/1/22
	Proposed 4x3 Bedroom Townhouses Lot 1 DP 1228821 30C Kunama Dr East Jindabyne For Dovetail Constructions		PROJECT NAME - Kroenert - East Jindabyne	DRAWING NO. DACC SCH10

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ID	QTY	HEIGHT	WIDTH	OPENING TYPE	VIEW FROM OUTSIDE	NOTES
WD-5	1	1800	3000	AWNING WINDOW		
WD-6	1	750	2700	BI-FOLD WINDOW		
WD-7	1	2100	600	FIXED WINDOW		
WD-8	1	750	2700	FIXED WINDOW		
WD-9	1	2100	450	FIXED WINDOW		OPAQUE GLASS
WD-10	1	1050	1420	AWNING WINDOW		OPAQUE GLASS



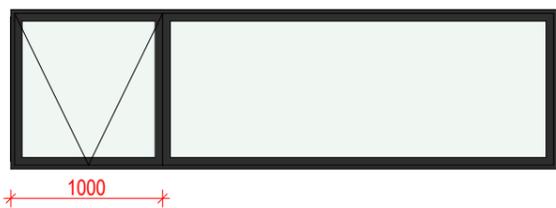
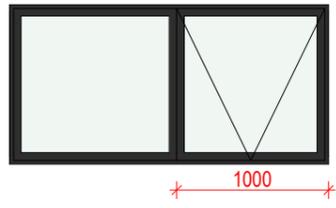
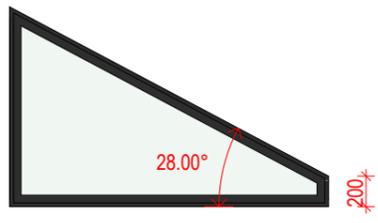
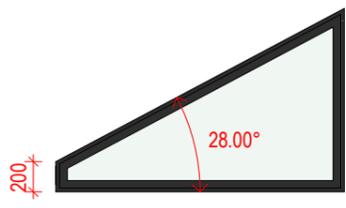
	David Law B.Sc(Arch) B. Arch ABN 83 518 014 319 37 BAY VIEW AVE EAST GOSFORD NSW 2250 david@davidlaw.com.au (02) 4323 3935	 DATUM: ASSUMED SHEET SIZE: A3	DRAWING TITLE : SCHEDULES WINDOW SCHEDULE	DATE : 28/1/22
	Proposed 4x3 Bedroom Townhouses Lot 1 DP 1228821 30C Kunama Dr East Jindabyne For Dovetail Constructions		PROJECT NAME - Kroenert - East Jindabyne	DRAWING NO. DACC SCH11

Drawings shall not be used for construction purposes until issued for construction. This drawing reflects a design by David Law B.Sc(Arch) B.Arch and is to be used only for work when authorised in writing by David Law B.Sc(Arch) B.Arch. All documents here within are subject to Australian Copyright Laws

ID	QTY	HEIGHT	WIDTH	OPENING TYPE	VIEW FROM OUTSIDE	NOTES
WD-11	1	1050	1500	AWNING WINDOW		OPENING SIZE PROTECTION AS PER NCC 3.9.2.6
WD-12	1	1050	3000	AWNING WINDOW		OPENING SIZE PROTECTION AS PER NCC 3.9.2.6
WD-13	1	1050	2400	AWNING WINDOW		
WD-14	1	1050	2560	AWNING WINDOW		OPENING SIZE PROTECTION AS PER NCC 3.9.2.6
WD-15	1	600	1210	AWNING WINDOW		



	David Law B.Sc(Arch) B. Arch ABN 83 518 014 319 37 BAY VIEW AVE EAST GOSFORD NSW 2250 david@davidlaw.com.au (02) 4323 3935	DATUM: ASSUMED SHEET SIZE: A3	DRAWING TITLE : SCHEDULES WINDOW SCHEDULE	DATE : 28/1/22
	Proposed 4x3 Bedroom Townhouses Lot 1 DP 1228821 30C Kunama Dr East Jindabyne For Dovetail Constructions		PROJECT NAME - Kroenert - East Jindabyne	DRAWING NO. DACC SCH12

ID	QTY	HEIGHT	WIDTH	OPENING TYPE	VIEW FROM OUTSIDE	NOTES
WD-16	1	1050	3600	AWNING WINDOW		OPENING SIZE PROTECTION AS PER NCC 3.9.2.6
WD-17	1	1050	2100	AWNING WINDOW		OPENING SIZE PROTECTION AS PER NCC 3.9.2.6 LINKED TO WD-17H
WD-17H	1	1317	2100	RAKED HEAD FIXED WINDOW		LINKED TO WD-17
WD-18H	1	1210	1900	RAKED HEAD FIXED WINDOW		LINKED TO SDD-2
WD-19	1	2100	900	FIXED WINDOW		



	David Law B.Sc(Arch) B. Arch ABN 83 518 014 319 37 BAY VIEW AVE EAST GOSFORD NSW 2250 david@davidlaw.com.au (02) 4323 3935	 DATUM: ASSUMED SHEET SIZE: A3	DRAWING TITLE : SCHEDULES WINDOW SCHEDULE	DATE : 28/1/22
	Proposed 4x3 Bedroom Townhouses Lot 1 DP 1228821 30C Kunama Dr East Jindabyne For Dovetail Constructions		PROJECT NAME - Kroenert - East Jindabyne	DRAWING NO. DACC SCH13



Statement of Environmental Effects



Project: Multi Dwelling Housing with Strata Title Subdivision

30c Kunama Drive
East Jindabyne NSW 2627
Lot 1 DP1228821

DATE: JANUARY 2022
PREPARED FOR: M & C KROENERT FAMILY TRUST
PREPARED BY: ACCENT TOWN PLANNING

ACCENTTOWNPLANNING.COM.AU | INFO@COMPLETEPLANNING.COM.AU
PO BOX 642 JINDABYNE NSW 2627 | PH 02 6456 7176

STATEMENT OF ENVIRONMENTAL EFFECTS FOR 30c KUNAMA DRIVE EAST JINDABYNE NSW 2627

1.0 The Proposal

This report has been prepared to inform the development potential and seek approval for the construction of new multi dwelling housing consisting of four, two-storey townhouses with strata title subdivision within East Jindabyne. The subject property is located at Lot 1 DP1228821 known as 30c Kunama Drive, East Jindabyne. It examines the site, the constraints affecting the site and the applicable planning controls, which may affect the site's re-development.

The application seeks Council approval to construct new multi dwelling housing with strata title subdivision.

In preparing this advice, the following key documents have been considered:

- Snowy River Local Environmental Plan 2013
- Snowy River Development Control Plan 2013
- SIX Map images for the site
- NSW Planning Portal

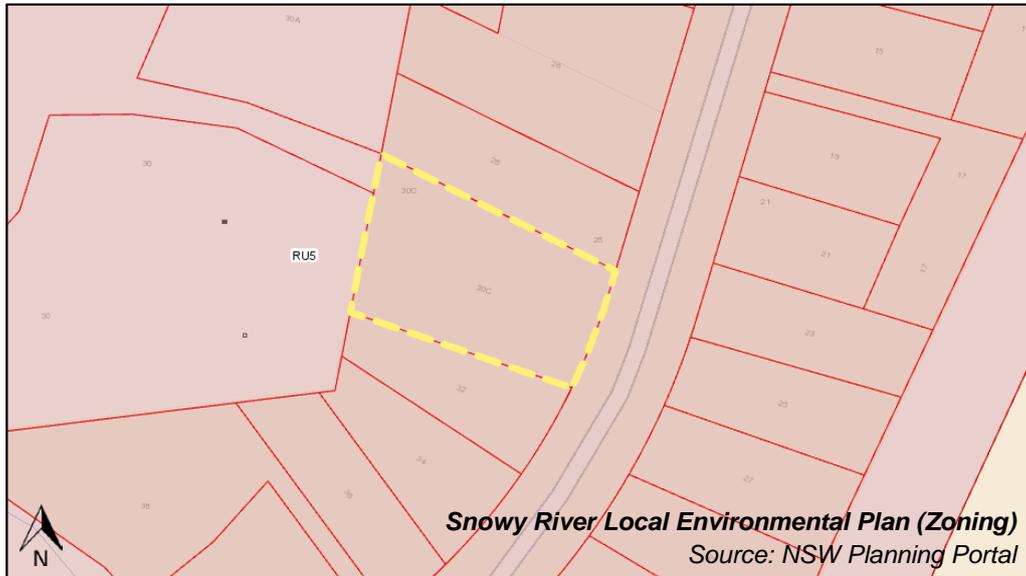


STATEMENT OF ENVIRONMENTAL EFFECTS FOR 30c KUNAMA DRIVE EAST JINDABYNE NSW 2627

2.0 Zoning and Permissions

The subject site is located within the Local Government Area (LGA) of Snowy Monaro Regional Council and is subject to the provisions within the Snowy River Local Environmental Plan 2013.

The site is zoned RU5 Village under the Snowy River Local Environmental Plan 2013.



RU5 – Objectives of zone

- To provide for a range of land uses, services and facilities that are associated with a rural village.
- To protect and conserve the historical significance, character and scenic quality of rural village settings.
- To encourage and provide opportunities for population and local employment growth.
- To ensure that development in village areas is compatible with the environmental capability of the land, particularly in terms of the capacity of the land to accommodate on-site effluent disposal.

Permitted without consent

Home occupations

Permitted with consent

Building identification signs; Business identification signs; Centre-based child care facilities; Community facilities; Dwelling Houses; Light industries; Liquid fuel depots; Neighbourhood shops; Oyster aquaculture; Places of public worship; Recreation areas; Recreation facilities (indoor); Recreation facilities (outdoor); Respite day care centres; Roads; Schools; Tank-based aquaculture; Any other development not specified in item 2 or 4

Prohibited

Air transport facilities; Airstrips; Animal boarding or training establishments; Biosolids treatment facilities; Cemeteries; Correctional centres; Crematoria; Electricity generating works; Forestry; Heavy industrial storage establishments; Helipads; Highway service centres; Home occupations (sex services); Industries; Intensive livestock agriculture; Livestock processing industries; Mortuaries; Open cut mining; Pond-based aquaculture; Recreation facilities (major); Resource recovery facilities; Restricted premises; Roadside stalls; Rural workers' dwellings; Sewage treatment plants; Sex services premises; Signage; Stock and sale yards; Waste disposal facilities; Water supply systems

STATEMENT OF ENVIRONMENTAL EFFECTS FOR 30c KUNAMA DRIVE EAST JINDABYNE NSW 2627

3.0 Site Analysis

3.1 The Site

The site is identified as Lot 1 DP1228821, 30c Kunama Drive, East Jindabyne. The site has an area of approximately 1690 sqm and is located on the western side of Kunama Drive. The surrounding area is characterised by residential development. The site currently has an existing shared driveway with no structures and 7 existing trees, all of which will be removed as part of this proposal.

The subject site has an irregular shape with sloping topography. The proposed multi dwelling housing will fit within the building envelope with no structures outside the envelope boundaries and will not create adverse overshadowing to the adjoining lots. There will be no impacts to the amenity of the area due to the development.

AHIMS search conducted on the 25/01/2022 did not identify that there are any items of significance upon the site. The lot is not identified as being bushfire prone land.

3.2 Site Planning and Layout

The proposed multi dwelling housing has been designed to address the shape of the allotment and fit within the building envelope and the prescribed setbacks of the Snowy River DCP 2013. The size of the lot is consistent with others located within East Jindabyne.

The proposed multi dwelling housing will be of positive influence within the locality by offering an articulated façade and architectural design features that will be viewed favourably from adjoining allotments, Kunama Drive and Lake Jindabyne. The façade of the multi dwelling housing offers a mix of building materials and articulation creating visual interest that will complement neighbouring development.

The proposed multi dwelling housing increases both the supply and diversity of housing in East Jindabyne. Improving housing supply and diversity will help enable more affordable housing options for residents within the locality.

3.3 Site Contours

The subject site has sloping topography and the proposed multi dwelling housing has been designed to follow the natural topography to minimise the excavation required.

3.4 Site Coverage/Floor Space Ratio

The allotment is 1690 sqm and the proposed gross floor area (GFA) is 563.78 square metres resulting in the Floor Space Ratio (FSR) being 0.334:1, below the permissible FSR of 0.5:1.

3.5 Streetscape, Setbacks and Character

All units will have direct driveway access to Kunama Drive. The proposed multi dwelling housing has been designed to ensure that the form, scale, massing, and proportions of the dwellings recognise and adapt to the characteristics of the site including topography, orientation and the surrounding natural built environment. The building façades have been designed to complement and enhance the existing streetscape of Kunama Drive and neighbourhood character of East Jindabyne.

A front setback of 8.824m on the ground floor and 9.994m on the first floor is proposed with the front of the dwelling presenting a two-storey design. The front setback is an area that is free of structures and can provide for landscaping and driveway access creating visual interest. The articulated façade, landscaping and building form will soften the appearance of the two-storey dwelling creating variety and interest, ensuring the front setback will not impact the streetscape and should be deemed satisfactory in this instance.

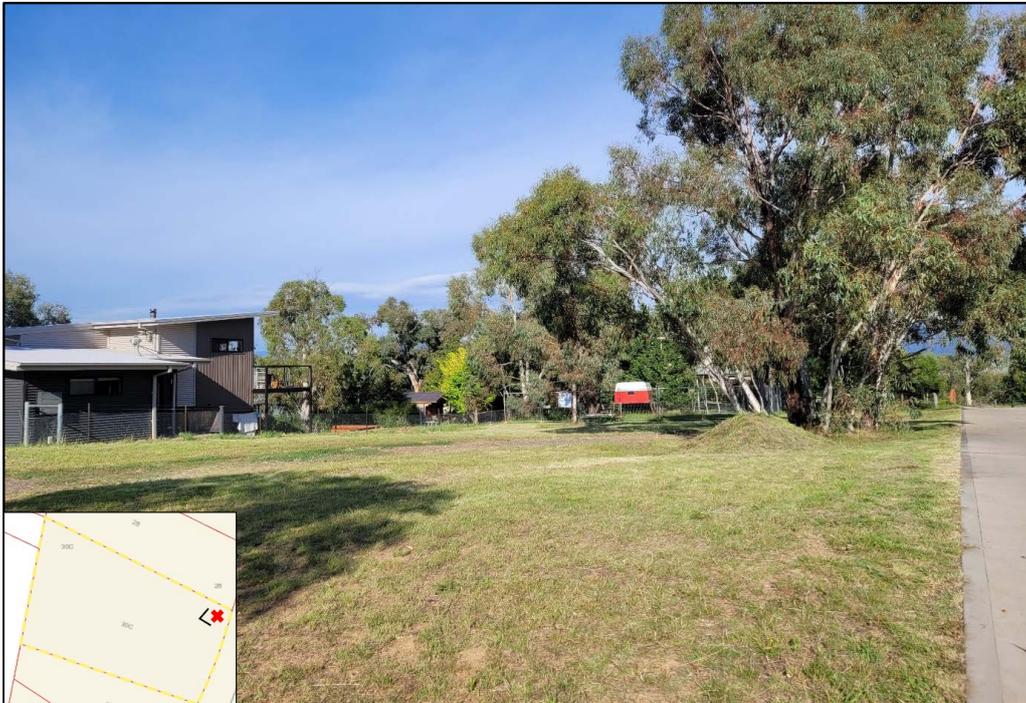
At a minimum of 2.54m, the proposed side setbacks comply with the Plan's minimum requirement of 900mm, as does the proposed rear setback of 3.026m. All proposed setbacks are within the approved building envelope and comply with the Snowy River DCP 2013.

The character of the building is suitable for the site and the locality offering a range of materials that are common in the Snowy Monaro Region and within East Jindabyne.

STATEMENT OF ENVIRONMENTAL EFFECTS FOR 30c KUNAMA DRIVE EAST JINDABYNE NSW 2627

3.6 Site Photos

Subject Site – View to the South-West from the Front of the Lot.

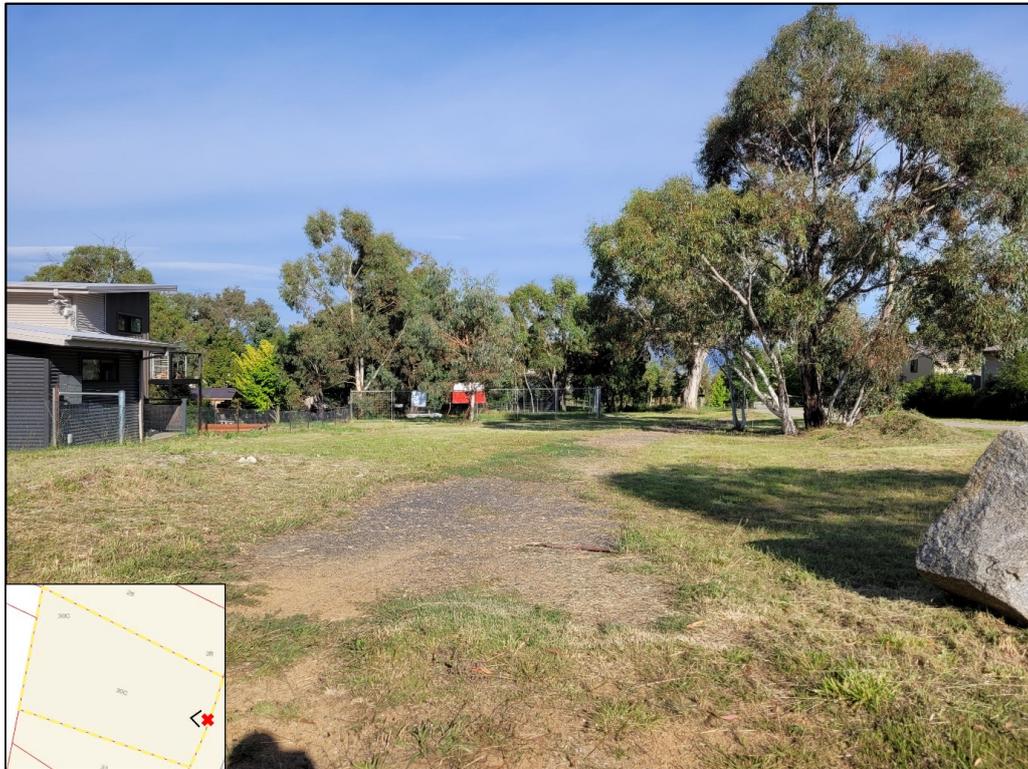


Subject Site – View to the South-East from the Rear of the Lot.



STATEMENT OF ENVIRONMENTAL EFFECTS FOR 30c KUNAMA DRIVE EAST JINDABYNE NSW 2627

Subject Site – View to the West from the front of the Lot.

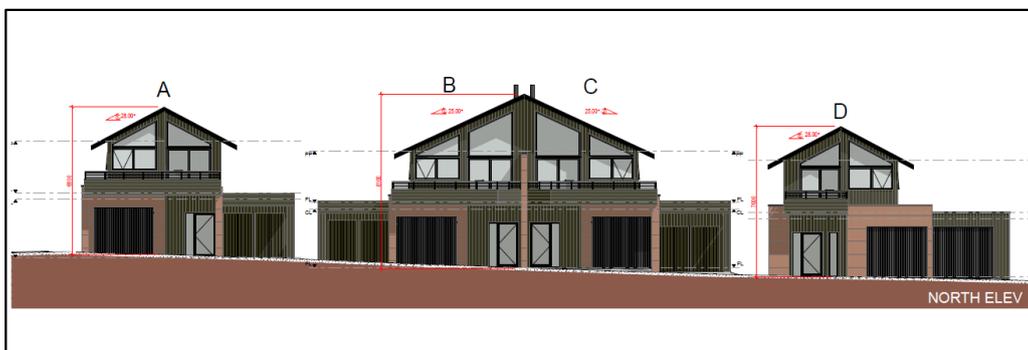


4.0 Development Description

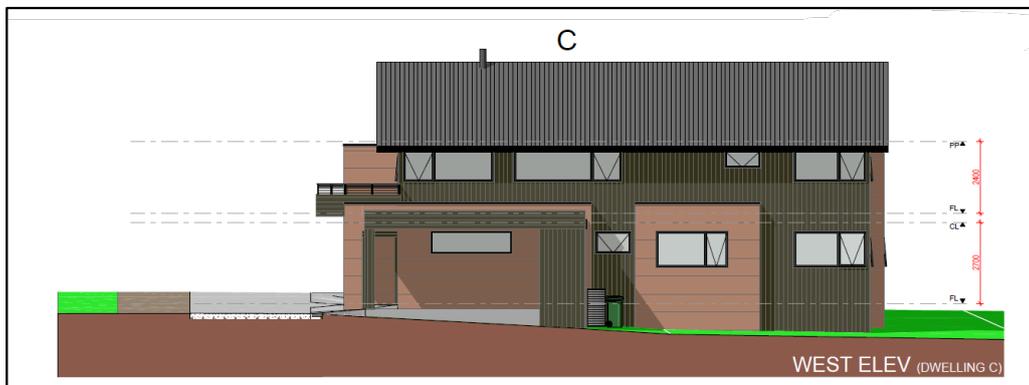
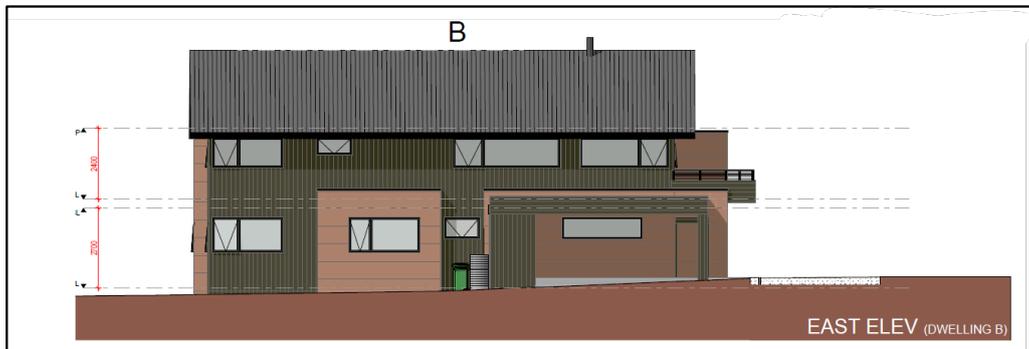
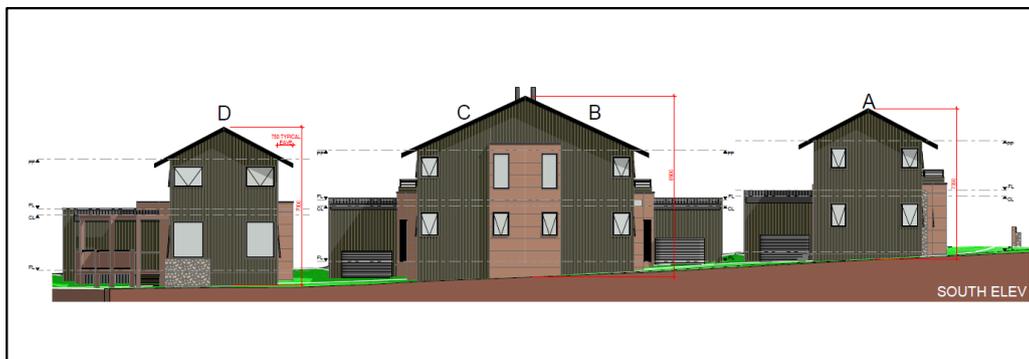
4.1 Building Form

The site is irregular in shape with sloping topography and the proposed multi dwelling housing has been designed to fit harmoniously on the lot and will not create adverse overshadowing to adjoining properties. The thoughtful placement of the proposed multi dwelling housing on the lot will add interest and create a positive visual impact when viewed from the street. The site will require some excavation to allow for a flat building site. This outcome is deemed satisfactory.

4.2 Proposed Elevations



STATEMENT OF ENVIRONMENTAL EFFECTS FOR 30c KUNAMA DRIVE EAST JINDABYNE NSW 2627



STATEMENT OF ENVIRONMENTAL EFFECTS FOR 30c KUNAMA DRIVE EAST JINDABYNE NSW 2627



4.3 Fencing

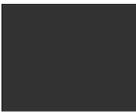
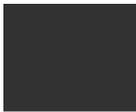
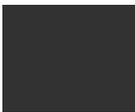
The subject lot has existing chain wire fence along the South and West of lot boundary. 1.8m colorbond fences to be installed between each unit as per site plan.

4.6 Building height

The proposed multi dwelling housing has been designed to fit within the criteria listed in the Snowy River DCP 2013 and maximum height of the dwelling does not exceed 9m with a maximum ridge height of 7.35m for unit A, 8.9m for both unit B & C, and 7.7m for unit D.

4.7 Colours

A mix of natural finishes and tones have been selected to fit into the amenity of the surrounding rural area. The colours and materials chosen will create visual interest and appeal in the built and natural environment of Willow Bay Place and will be viewed favourable from Lake Jindabyne. See architectural plans for further detail.

Roof	Gutters/Downpipes	Cladding	Window Frames	Garage Doors
				
MONUMENT®	MONUMENT®	MONUMENT®	MONUMENT®	Stained Timber Clad
Feature Timber	Feature Stone			
				
Stained Timber Board	Local Stone			

STATEMENT OF ENVIRONMENTAL EFFECTS FOR 30c KUNAMA DRIVE EAST JINDABYNE NSW 2627

4.8 Views, Visual and Acoustic Privacy

The proposed development will not impact on adjoining, visual and acoustic privacy.

Decks have been thoughtfully positioned and screened to provide the greatest privacy to adjoining residences.

4.9 Usable Open Spaces

The requirements outlined in the Residential Development Control Plan for private open space for residential dwellings have been met at ground level and on first floor balconies in each unit.

4.10 Car Parking

Unit A, B and C within the development will have a single garage with an attached single car carport, Unit D will have a two-car garage, there is also space for visitor parking along the northern side of the driveway that complies with the requirements of the Snowy River Development Control Plan 2013.

4.11 Landscaping Design

More than adequate provision for landscaping on the site. Refer to the landscape plan submitted as part of this development application.

4.12 Stormwater

Please refer to the attached stormwater plan as part of the plumbing and drainage approval under section 68 of the Local Government Act.

4.13 Energy Conservation

The new dwelling has been designed to the requirements of Basix Certificate to provide acceptable energy and resource conservation.

4.14 Security, Site Facilities and Services

The proposed development complies to the security, site facility and service requirements.

The main entry of each dwelling faces the driveway, with windows allowing for casual surveillance of the street.

4.15 Tree Removal

Removal of seven trees is proposed as part of this application. The trees to be removed are pictured below.

Please see site analysis plan for tree locations on site.

Large eucalypt with significant termite damage.



Small eucalypt.



Cluster of 5 eucalypts



STATEMENT OF ENVIRONMENTAL EFFECTS FOR 30c KUNAMA DRIVE EAST JINDABYNE NSW 2627

5.0 Residential Accommodation Assessment

Snowy River DCP 2013

DCP Controls	Criteria	Complies	Comment																						
D1.1-1 Site Planning	<p>a) Development should be appropriately located on the site to:</p> <ul style="list-style-type: none"> consider the amenity of neighbouring properties is maintained or enhanced; consider the impact of the development on views and view sharing; facilitate solar access; protect significant landscape and vegetation; allow for the provision of landscaping and provide room for additional tree plantings to grow to maturity; facilitate the efficient use of the site; and minimise bushfire hazard by preserving 'fuel free' zone (where development is adjacent to high bushfire hazard areas). 	<p><input checked="" type="checkbox"/></p>	<p>The proposed multi dwelling housing has been designed to suit the natural topography of the site and building envelope.</p> <p>No impact to views and view sharing.</p> <p>Minimal overshadowing issues associated with project.</p> <p>No significant vegetation or landscapes on site.</p> <p>Thoughtful landscaping design. See landscaping plans provided.</p> <p>The proposed multi dwelling housing has been designed to fit harmoniously on the lot and will complement the locality.</p> <p>The site is not identified as bushfire prone land.</p>																						
D1.1-2 Minimum Lot Size	The minimum lot size controls are contained in the Snowy River LEP 2013	<input checked="" type="checkbox"/>	<p>The minimum lot size for multi dwelling housing is 1050 sqm in the RU5 zone.</p> <p>Lot size = 1690 sqm</p>																						
D1.1-3 Site Coverage	<table border="1"> <thead> <tr> <th>Development Types</th> <th>Land Use Zone</th> <th>Site Coverage*including any garages, carports and outbuildings</th> </tr> </thead> <tbody> <tr> <td rowspan="3">Dwelling houses</td> <td>R1 General Residential</td> <td>Not to exceed 50% of the allotment.</td> </tr> <tr> <td>R2 Low Density Residential</td> <td></td> </tr> <tr> <td>RU5 Village</td> <td></td> </tr> <tr> <td rowspan="2">Attached dwellings</td> <td>R1 General Residential</td> <td>Not to exceed 40% of the allotment.</td> </tr> <tr> <td>RU5 Village</td> <td></td> </tr> <tr> <td rowspan="3">Dual occupancies</td> <td>R1 General Residential</td> <td>Not to exceed 50% of the allotment.</td> </tr> <tr> <td>R2 Low Density Residential</td> <td></td> </tr> <tr> <td>RU5 Village</td> <td></td> </tr> </tbody> </table>	Development Types	Land Use Zone	Site Coverage*including any garages, carports and outbuildings	Dwelling houses	R1 General Residential	Not to exceed 50% of the allotment.	R2 Low Density Residential		RU5 Village		Attached dwellings	R1 General Residential	Not to exceed 40% of the allotment.	RU5 Village		Dual occupancies	R1 General Residential	Not to exceed 50% of the allotment.	R2 Low Density Residential		RU5 Village		<input checked="" type="checkbox"/>	The allotment is 1690 sqm and the proposed total site coverage is 547.12 square metres or 32.4%.
Development Types	Land Use Zone	Site Coverage*including any garages, carports and outbuildings																							
Dwelling houses	R1 General Residential	Not to exceed 50% of the allotment.																							
	R2 Low Density Residential																								
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Dual occupancies	R1 General Residential	Not to exceed 50% of the allotment.																							
	R2 Low Density Residential																								
	RU5 Village																								
D1.1-4 Private Open Space	<p>a) Private open space is to be provided to each dwelling and is to be designed to meet the needs of occupants.</p> <p>b) Private open space is to be capable of serving as an extension of the dwelling for relaxation, dining and entertainment and is to have direct access from the major living area of the dwelling.</p> <p>c) Private open space is located to maximise views, natural features and orientation.</p> <p>d) Private open space at <u>ground</u></p>	<p><input checked="" type="checkbox"/></p> <p><input checked="" type="checkbox"/></p> <p><input checked="" type="checkbox"/></p> <p><input checked="" type="checkbox"/></p>	<p>Adequate private open space is provided at ground level and on the first-floor balconies in each unit.</p> <p>North-west facing balcony on the first level of Unit 1, 2 and 3 provides private open space from the main living area.</p> <p>West facing deck on the ground floor of unit 4 provides private open space from the main living area.</p> <p>Views towards Lake Jindabyne and Snowy Mountains from private balcony and living areas.</p>																						

STATEMENT OF ENVIRONMENTAL EFFECTS FOR 30c KUNAMA DRIVE EAST JINDABYNE NSW 2627

	<p>level is to:</p> <ul style="list-style-type: none"> • Be orientated to the north (where possible) • Be protected from unfavourable winds • Have a minimum area of 25m² (per dwelling). • Have a width of 4 metres • Be screened as appropriate (shade, privacy and acoustic) • Receive a minimum 4 hours of uninterrupted direct sunlight per day <p>e) Private open space <u>above ground level</u> is to:</p> <ul style="list-style-type: none"> • Be orientated to the north • Have access from the main living area • Have a minimum area of 10m² • Have a minimum width of 2 metres • Not be located facing directly towards adjoining development impacting on their privacy and amenity <p>Where possible existing trees and natural landscape features (eg rock outcrops) are to be retained and incorporated into landscape design</p>	<input checked="" type="checkbox"/>	<p>Private open space is provided at ground level.</p> <p>All units will have adequate open space at ground level that exceeds the > 25 sqm minimum.</p> <p>Landscaping creates privacy from adjoining allotments and streetscape.</p> <p>Open space will receive minimum 4 hours uninterrupted direct sunlight.</p> <p>North-west facing balcony provided off upper floor living area in Unit A, B and C.</p> <p>West facing deck provided on the ground level of Unit D.</p>
D1.1-5 Communal Open Space	<p>a) Communal open space is to be provided to contribute to the character of the development and to provide for a wide range of uses and activities.</p> <p>b) A landscape concept plan for communal open space is to be provided with the development application.</p>	<input checked="" type="checkbox"/> <input checked="" type="checkbox"/>	<p>Adequate communal space is provided.</p> <p>See landscaping plans attached to Development Application.</p>
D1.2-1 Building Height	<p>a) The height of a building must not exceed the maximum height shown for the land on the Snowy River LEP 2013 – Height of Buildings Map.</p> <p>b) The height of any new development (including alterations and additions)</p>	<input checked="" type="checkbox"/> <input checked="" type="checkbox"/>	<p>The multi dwelling housing provides a building height that does not exceed 9m – maximum ridge height of 8.9m proposed.</p> <p>The multi dwelling housing has been positioned so there is minimal overshadowing to adjoining properties.</p>

STATEMENT OF ENVIRONMENTAL EFFECTS FOR 30c KUNAMA DRIVE EAST JINDABYNE NSW 2627

	<p>should minimise bulk and overshadowing.</p> <p>c) The development application drawings are to clearly identify: ground level (existing), the proposed height of new development and the height of existing and neighbouring development.</p> <p>d) Shadow diagrams should be prepared and submitted for two storey buildings to illustrate the potential impact on sunlight to adjoining properties.</p> <p>e) New development and alterations and additions are to be stepped in recognition of sloping sites.</p>	<p><input checked="" type="checkbox"/></p> <p><input checked="" type="checkbox"/></p> <p><input checked="" type="checkbox"/></p>	<p>See elevation plans provided.</p> <p>See plans. No impact on adjoining properties.</p> <p>Multi dwelling housing has been designed to follow natural topography of site to minimise overshadowing and excavation.</p>
D1.2-2 Floor Space Ratio	The maximum floor space ratio for a building on a particular site is identified in the Snowy River LEP 2013 Clause 4.4	<input checked="" type="checkbox"/>	The allotment is 1690 sqm and the proposed gross floor area (GFA) is 563.78 square metres resulting in the Floor Space Ratio (FSR) being 0.334:1, below the permissible FSR of 0.5:1.
D1.2-3 Setbacks – General	<p>a) The minimum setback requirements at ground level are shown on the Table below.</p> <p>b) Setbacks are to provide space for visual and acoustic privacy.</p> <p>c) Variations to setbacks are permitted where the effect on adjoining owners, traffic safety/future road widening and special site conditions are assessed and considered acceptable.</p> <p>d) Pergolas, screens, light fittings, electricity or gas meters, chimneys are permitted to encroach into the building setback without restriction.</p> <p>e) Unroofed terraces, landings, steps and ramps not greater than 1 metre in height are permitted to encroach into the building setback without restriction.</p>	<p><input checked="" type="checkbox"/></p> <p><input checked="" type="checkbox"/></p> <p><input checked="" type="checkbox"/></p> <p>N/A</p> <p>N/A</p>	All setbacks comply with requirements of Snowy River DCP.

STATEMENT OF ENVIRONMENTAL EFFECTS FOR 30c KUNAMA DRIVE EAST JINDABYNE NSW 2627

D1.2-4 Front Setback	<p>a) The front setback must be consistent with the average setbacks of the adjoining dwellings. Where there are no adjoining dwellings, the setbacks must be in accordance with the setback requirements in the Table below.</p> <p>b) For corner sites, the setback from the secondary street frontage must be in accordance with the following minimum requirements:</p> <ul style="list-style-type: none"> • 900mm for allotments with primary frontage width of less than 7 metres; or • 1500mm for all other sites. <p>c) The front setback areas must be free of structures such as swimming pools, above- ground rainwater tanks and outbuildings.</p> <p>d) Developments that create streetscape variety and interest will be considered for variations to the front setback.</p>	<p><input checked="" type="checkbox"/></p> <p>N/A</p> <p>N/A</p> <p>N/A</p>	<p>A front setback of 8.824m on the ground floor and 9.994m on the first floor is proposed with the front of the dwelling presenting a two-storey design. The front setback is an area that is free of structures and can provide for landscaping and driveway access creating visual interest.</p>
D1.2-5 Side Setbacks	<p>a) Garages, carports, outbuildings, above-ground water tanks and unroofed decks and terraces attached to the dwelling may encroach upon the side setback if they comply with other provisions of this DCP.</p> <p>b) Variations to side setbacks may be considered depending on adjoining owners, light and ventilation, site conditions and building provisions to prevent the spread of fire</p> <p>c) Provided the distance is not less than 1 metre to a boundary, permitting encroachments of fascias, gutters, downpipes and eaves up to 0.675m outside that envelope.</p>	<p><input checked="" type="checkbox"/></p> <p><input checked="" type="checkbox"/></p> <p><input checked="" type="checkbox"/></p>	<p>Side setbacks comply with the prescribed requirements within the Snowy River DCP 2013. Minimum side setback of 2.54m provided. (Standard required minimum 900mm setback as per the DCP).</p> <p>Side setbacks comply with prescribed setbacks of the DCP.</p> <p>Complies.</p>
D1.2-6 Rear Setbacks	<p>a) Garages, carports, outbuildings, swimming pools, above-ground water tanks and unroofed decks and terraces attached to the dwelling may encroach upon the rear setback if they comply with other</p>	<p><input checked="" type="checkbox"/></p>	<p>Rear setback complies with setback requirements.</p>

STATEMENT OF ENVIRONMENTAL EFFECTS FOR 30c KUNAMA DRIVE EAST JINDABYNE NSW 2627

	<p>provisions of this DCP.</p> <p>b) Irregular shaped allotments, or allotments with the longest boundary abutting the street or the rear adjoining neighbour (ie frontage width being longer than the site depth), the rear setback will be assessed on merit having regard to the following:</p> <ul style="list-style-type: none"> • Compatibility with the existing development pattern in the surrounding residential land; • Provision of adequate private open space as required under this DCP; • Potential impacts on neighbouring dwellings in terms of solar access, privacy and view sharing. 	N/A	Not applicable
D1.3-1 All Residential Development	<p>a) New development should respect adjoining development and display “good manners” by:</p> <ul style="list-style-type: none"> • Maintaining an appropriate distance between buildings to protect privacy; • Maintaining a sympathetic scale relationship; and • Ensuring a reasonable sharing of solar access. <p>b) Built form must respect and follow the natural topography of the site. On sloping sites the building mass must be modelled on stepped in response to the land gradient and avoid concentrating the structural bulk on the uphill or downhill side of the site.</p> <p>c) New development should incorporate architectural relief and modulation of facades to avoid a bulky appearance. This may be achieved by measures such as: window openings, balconies or terraces, entry porches, staggered wall planes, combination of material and finishes and decorative architectural elements.</p> <p>d) Articulate all street elevations for development on corner allotments.</p>	<p><input checked="" type="checkbox"/></p> <p><input checked="" type="checkbox"/></p> <p><input checked="" type="checkbox"/></p> <p>N/A</p>	<p>The proposed development has been designed to suit the natural topography of the site, ensuring setbacks are provided to protect privacy whilst maintaining a sympathetic scale relationship with neighbouring allotments.</p> <p>Adjoining properties will have no impact from the development upon their solar access.</p> <p>The development will not create any unnecessary overshadowing effects to adjoining properties.</p> <p>Proposed design respects natural sloping topography of the site.</p> <p>A combination of materials and elements enhance the architectural elements of the design. There is both repetition and variation across materials, colours, shapes, design features and windows to reduce mass and create interest across all articulated facades.</p> <p>Not applicable.</p>

STATEMENT OF ENVIRONMENTAL EFFECTS FOR 30c KUNAMA DRIVE EAST JINDABYNE NSW 2627

	<p>e) Special care should be undertaken on sloping sites where the impact of heights and distances may be exaggerated. This may be achieved by:</p> <ul style="list-style-type: none"> • The use of horizontal elements such as verandahs, pergolas or suitable planting schemes; • The use of articulated walls to provide enough space for taller growing plants; • Avoiding unrelieved walls in excess of 12 metres; • Incorporating variations in elevations to provide visual interest to buildings; and • The 'stepping back' of upper levels in order to avoid bulky vertical wall surfaces. <p>f) The roof of the building should be designed so that it does not unduly increase the bulk of the building including:</p> <ul style="list-style-type: none"> ○ Careful selection of materials, colour and pitch; and ○ Use of low angled pitched roofs provided they are compatible with existing development and the existing streetscape character. <p>g) Council may consider the inclusion of habitable rooms with the roof space.</p> <p>h) The building design, detailing and finish will be appropriate for the region and will consider the major design recommendations contained in the "Snowy River Design Guidelines".</p>	<p>N/A</p> <p><input checked="" type="checkbox"/></p> <p>N/A</p> <p><input checked="" type="checkbox"/></p>	<p>The roof of each unit has a sloping design, reducing the building's bulk. The use of Colorbond is consistent with local design trends.</p> <p>No habitable rooms proposed in roof space.</p> <p>Building design and finish will be appropriate for the region and comprise of natural earthy tones. Large expanses of any single material are avoided by using a variety of finishes, all of which have a low reflective quality.</p>
D1.3-2 Alterations & Additions	N/A	N/A	Not applicable.
C3.1-1 Permanent and Practical Legal Access	<p>a) All development, including all allotments created by subdivision (including boundary adjustments) must have coinciding legal and practical (properly constructed) access in accordance with Council's</p>	<input checked="" type="checkbox"/>	Direct driveway access is proposed for all units from Kunama Drive.

STATEMENT OF ENVIRONMENTAL EFFECTS FOR 30c KUNAMA DRIVE EAST JINDABYNE NSW 2627

	development design and construction specifications.		
b)	Access roads are to be designed to minimise road infrastructure by utilising the most direct, and where possible the existing, legal routes.	<input checked="" type="checkbox"/>	Direct driveway access is proposed for all units from Kunama Drive.
c)	An applicant wishing to construct a Crown public road is required to obtain Council's concurrence to the ownership of the road being transferred to Council. Where the applicant cannot obtain the concurrence of Council to the transfer of ownership, the application for road construction will not be accepted.	N/A	Not applicable.
d)	Access by undedicated roads (including undedicated Crown reserve roads, Forestry roads and Livestock Health and Pest Authority reserves) requires the consent of the public authority (eg. Roads and Maritime Services) and will only be permitted in similar circumstances to those for rights of carriageway and subject to the same Where the development requires a second bushfire access/egress route, this is to be a permanent legal and practical access.	N/A	Not applicable.
e)	Where the existing road alignment does not match the dedicated or legally recognised road alignment, the road alignment should be rectified through re- alignment, closure, road construction or dedication.	N/A	Not applicable.
f)	Any additional length of public road created as part of the development and proposed to be transferred to the control of Council is to be minimised.	N/A	Not applicable.
g)	Direct access from either the Alpine Way or Kosciuszko Road is not to be provided to a development unless the site has no other practical alternatives that exist or can be created.	N/A	Not applicable.
h)	Consideration must be given to whether traffic associated with the proposed development will	<input checked="" type="checkbox"/>	

STATEMENT OF ENVIRONMENTAL EFFECTS FOR 30c KUNAMA DRIVE EAST JINDABYNE NSW 2627

	cause the condition of the roads to deteriorate and whether funds are or will be available for road maintenance and whether any financial contributions from the proposed development are sufficient to upgrade the roads likely to be affected.		Proposed development will not cause the condition of Kunama Drive to deteriorate.
3.1-2 Rights of Carriageway for Subdivision	N/A	N/A	Not applicable.
C3.1-3 Public Roads	N/A	N/A	Not applicable.
C3.1-4 Development Fronting Main or Arterial Roads	<p>a) Where development is proposed land which: fronts a classified or arterial road; or relies solely on a classified or arterial road for its access; or has access to a road which intersects with a classified or arterial road, where the point of access is within 90 metres of the intersection of the road and the classified or arterial road, the following must be considered:</p> <ul style="list-style-type: none"> - whether the traffic likely to be generated by the development will cause a traffic hazard or reduce the capacity and efficiency of the classified or arterial road; - access points and on-site management plans for vehicle movement and parking; - the effect the development will have on future improvements or realignment of the classified or arterial road. 	<p><input checked="" type="checkbox"/></p> <p>The development does not front a classified or arterial road.</p> <p>The traffic generated as part of the development will not create any hazard.</p>	
C3.1-5 Adequacy of Access	<p>a) The standard of all weather access roads to the development is to adequately cater for existing and potential traffic.</p> <p>b) The road reserve width is to be sufficient to cater for all functions that the road is expected to fulfill, including the safe and efficient movement of all users and acting as a buffer from traffic nuisance for residents.</p>	<p><input checked="" type="checkbox"/></p> <p><input checked="" type="checkbox"/></p>	<p>The development has access to Kunama Drive, an all-weather access road to the property boundary.</p> <p>The road will be sufficient to cater for all functions that the road is expected to fulfill, including the safe and efficient movement of all users.</p>

STATEMENT OF ENVIRONMENTAL EFFECTS FOR 30c KUNAMA DRIVE EAST JINDABYNE NSW 2627

	<p>c) The carriageway width is to allow vehicles to proceed safely at the operating speed intended for that road.</p> <p>d) The design of intersections is to allow all movement to occur safely and projected traffic volumes are to be used in designing all intersections.</p> <p>e) All intersections and vehicular entrances are to satisfy the relevant design standards published by the Roads and Maritime Authority.</p> <p>f) Access is designed in accordance with the design criteria set out in the Aust Roads Guide to Road Design and the Council's Development Design and Construction Specifications.</p>	<p>N/A</p> <p>N/A</p> <p>N/A</p> <p>N/A</p>	<p>Not applicable.</p> <p>Not applicable.</p> <p>Not applicable.</p> <p>Not applicable.</p>
C3.1-6 Minimising Impacts	<p>a) Consideration is to be given to the impact the traffic associated with the proposed development will have on existing roads, road safety and other road users.</p> <p>b) Physical impact on the environment and on the visual landscape are to be minimised through site planning and design.</p> <p>c) Car parking areas and access roads to be designed, surfaced and sloped to facilitate stormwater infiltration on-site.</p> <p>d) Access roads are not to exceed 12% slope and are to be designed to work with the contours of the land (minimising cut and fill).</p> <p>e) Access roads are not to proceed through rock outcrops, natural features or existing vegetation stands and are not to be located on prominent hill faces or ridgelines.</p>	<p><input checked="" type="checkbox"/></p>	<p>The proposed development will not have a significant impact on traffic, existing roads, road safety and other road users.</p> <p>Minimal impact on environment and visual landscape due to thoughtful planning and design.</p> <p>All garage's, carports and driveway are designed, surfaced and sloped to facilitate stormwater infiltration on-site.</p> <p>To be conditioned in the DA.</p> <p>Driveway will not proceed through rock outcrops, natural features or existing vegetation stands and are not located on prominent hill faces or ridgelines.</p>
C3.2-1 Pedestrian and Cycle Access	<p>a) All development is to provide high quality accessible routes to public and semi- public areas, including major entries, communal open space, site facilities, parking areas and pedestrian pathways.</p>	<p><input checked="" type="checkbox"/></p> <p>N/A</p>	<p>Adequate room is available onsite to provide for bicycle and motorcycle parking, if required by Council.</p> <p>Not applicable.</p>

STATEMENT OF ENVIRONMENTAL EFFECTS FOR 30c KUNAMA DRIVE EAST JINDABYNE NSW 2627

	<p>b) All pedestrian links are to have appropriate levels of illumination.</p> <p>c) All entrances to buildings are to be accessible from the street and are to integrate ramps into the overall building and landscape design to promote equity of access.</p> <p>d) The design of commercial premises or other non-residential forms of development shall consider staff change rooms and shower facilities to encourage bike riding as a form of transport.</p> <p>e) Potential pedestrian and vehicle conflict is to be minimised by ensuring clear sight lines at pedestrian and vehicle crossings, utilising traffic calming devices and separating and clearly distinguishing pedestrian and vehicular accessways (eg using bollards or changes in pavement treatment).</p> <p>f) All vehicle access points to a development are to provide a minimum 1.5 metres landscaped setback to neighbouring properties.</p>	<p>N/A</p> <p>N/A</p> <p>N/A</p> <p><input checked="" type="checkbox"/></p>	<p>Not applicable.</p> <p>Not applicable.</p> <p>Not applicable.</p> <p>Side setbacks comply with the Snowy River DCP.</p>
C3.3-1 Car Parking Design	<p>a) The design of all car parking is to be in accordance with Council's car parking design specifications.</p> <p>b) The design of car parking areas, including entry and exit points, is not to create traffic conflicts or impact on pedestrian and cyclists movements.</p> <p>c) All car parking spaces are to be sited behind the front building line.</p> <p>d) All car parking spaces must be designed to enable vehicles to enter and exit a site in a forward direction. This may be modified for single dwelling houses provided safe manoeuvring can be demonstrated.</p> <p>e) The appearance of car parking and service vehicle entries</p>	<p><input checked="" type="checkbox"/></p>	<p>Garages for each unit will have internal access provided.</p> <p>The proposed parking complies with table C3.4-2</p> <p>Single garage, double garage, carports and visitor parking space provided.</p> <p>Both the single and double garages and carports allow for the entry and exit of vehicles in a forward direction.</p> <p>Single and double car garages and single car carports provided.</p>

STATEMENT OF ENVIRONMENTAL EFFECTS FOR 30c KUNAMA DRIVE EAST JINDABYNE NSW 2627

	<p>located within a development are to be improved by:</p> <ul style="list-style-type: none"> - screening and locating garbage collection, loading and servicing areas within the development; and avoiding black holes in the façade by providing security doors to car park entries. <p>f) Where doors are not provided to a car park, the visible interior of the car park is to be incorporated into the façade design and material selection and the building services pipes and ducts are to be concealed.</p> <p>g) The design and construction of driveways, roads and car parking areas must conform to the requirements of Council's Engineering Guidelines for Subdivision and Developments.</p> <p>h) All development in residential, business, industrial and village zones must incorporate a concrete or bitumen sealed driveway apron that extends from 1.0m inside the property boundary to the edge of the road.</p> <p>i) Parking spaces and areas are to be designed in accordance with the following diagrams: AS/NZS 2890.1 2004 Figure 2.2.</p>	<p><input checked="" type="checkbox"/></p> <p><input checked="" type="checkbox"/></p> <p><input checked="" type="checkbox"/></p> <p><input checked="" type="checkbox"/></p>	<p>Internal access provided from each garage.</p> <p>To be included in DA conditions.</p> <p>See site plan provided.</p>
C3.3-2 Safety	<p>a) Car parking is to be designed to providing clear, safe and easily accessible paths of travel for both cars and pedestrians.</p> <p>b) Safe and secure access is to be provided for building users, including direct access for residential apartments.</p> <p>c) Parking and storage of bicycles (both resident and visitor) is to be provided at convenient and secure locations.</p>	<p><input checked="" type="checkbox"/></p> <p><input checked="" type="checkbox"/></p> <p><input checked="" type="checkbox"/></p>	<p>Safe and secure access provided. See site plan provided.</p> <p>Secure internal access from garage provided.</p> <p>Adequate room is available onsite to provide for bicycle and motorcycle parking, if required by Council.</p>
C3.3-3 Landscaping	<p>a) Landscaping of car parking areas to improve the appearance of the car park and provide shade and shelter from weather is to be provided in all development.</p>	<p><input checked="" type="checkbox"/></p>	<p>Landscaping in front set back area will soften appearance of driveways and garages.</p>

STATEMENT OF ENVIRONMENTAL EFFECTS FOR 30c KUNAMA DRIVE EAST JINDABYNE NSW 2627

	<p>b) Proposals for car parking areas are to be accompanied by a landscape plan, prepared by a qualified landscape architect or designer, illustrating means to soften the visual impact of parked cars and any associated structures.</p> <p>c) Significant environmental features within the land such as rock outcrops, benches and trees are to be retained as a landscaped feature of the car parking area.</p> <p>d) Landscaping is to be included in car park design, within and on the perimeter of the car parking area. Accordingly, the following is required:</p> <ul style="list-style-type: none"> - Planting beds fronting a street or public place are to have a minimum width of one (1) metre; - Shade trees are to be provided in open car parking areas at the ratio of one (1) shade tree for every six (6) car parking spaces; and - Plants to avoid are those that have a short life, drop branches, gum or fruit or those that interfere with underground pipes. <p>e) Parking areas are to incorporate a 150mm concrete kerb or edge treatment to reduce the likelihood of vehicles damaging adjoining landscaped areas. The use of bollards should also be considered.</p> <p>f) The choice of landscaping species and design for the car parking area is to create a safe environment through selecting plants that do not provide the opportunity for concealment. Refer to Chapter C5 Appendix C5-01 Recommended Species for Landscaping.</p>	<p><input checked="" type="checkbox"/></p> <p>N/A</p> <p><input checked="" type="checkbox"/></p> <p><input checked="" type="checkbox"/></p> <p><input checked="" type="checkbox"/></p>	<p>See site plan and landscaping plans provided.</p> <p>Not applicable. There are no environmental features within car parking areas.</p> <p>Landscaping design will soften appearance of driveways and garages.</p> <p>To be included in DA conditions.</p> <p>Landscaping in front set back area will soften appearance of driveways and garages. Proposed landscaping will not obstruct the casual surveillance from the dwelling.</p>
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STATEMENT OF ENVIRONMENTAL EFFECTS FOR 30c KUNAMA DRIVE EAST JINDABYNE NSW 2627

C3.4-1 Car Parking Provision	a) Sufficient on site car parking is to be provided to accommodate the parking demands of the development.	<input checked="" type="checkbox"/>	Adequate parking is provided for the development.
	b) The amount of on-site car parking for specific types of development is to be in accordance with the Table of Parking Requirements (below).	<input checked="" type="checkbox"/>	All garages will have internal access provided.

STATEMENT OF ENVIRONMENTAL EFFECTS FOR 30c KUNAMA DRIVE EAST JINDABYNE NSW 2627

6.0 Other Matters for Consideration	
Criteria	Comment
Scenic Values	The proposed multi dwelling housing will not create any negative visual impacts on the surrounding area.
Geotechnical	No geotechnical report is required.
Mine Subsidence	The proposal is not within a mines subsidence area.
Contaminated Land	The site is not known to be contaminated and given the proposal will not involve any significant earth works, it is unlikely that the proposal will disturb any potentially contaminated soil.
Acid Sulfate Soils	Not affected
Natural Waterways	The proposal will not interfere or contaminate any natural waterways and will rely on the existing stormwater management measures in place within the site.
Bushfire	The site is not identified as bushfire prone.
Flora and Fauna	There will be no negative impacts to any native populations and communities.
Preservation of Trees	Seven trees will be removed in order to have a clear building site.
Heritage	The site is not identified as having any heritage significance.
Social Impact	The proposal will provide only positive social and economic outcomes, providing additional floor space for an ongoing use which creates additional employment opportunities and expenditure within the community.
Economic Impact	
Building Bulk	The proposed development has been designed to complement the existing streetscape.
Energy Efficiency	See BASIX Certificates attached.
Landscape Design	Landscaping as proposed is satisfactory. See proposed landscaping on the landscape plan provided.
Fencing	No fencing proposed as part of this application.
Traffic and Transport	Complies
Design of Parking and Service Areas	The car park area complies with the relevant guidelines of the DCP providing suitable circulation road width.
Cut and Fill	Cut and fill is required for the development as depicted in site plan.
Demolition and Construction Waste	Construction waste shall be disposed of at Council's waste disposal centre.
Sediment Control	To be conditioned upon consent.
Air Quality	The proposal will not impact on the air quality within the area.
Noise and Vibration	The ongoing use of the site is unlikely to create noise or Vibration that would have a negative impact on the amenity of the surrounding properties.

STATEMENT OF ENVIRONMENTAL EFFECTS FOR 30c KUNAMA DRIVE EAST JINDABYNE NSW 2627

7.0 Conclusion

Suitability of the site for development

The proposal complies with the relevant environmental planning instruments and the Development Control Plan. The Statement of Environmental Effects confirms that the site is suitable and capable of sustaining the proposed multi dwelling housing with no adverse impacts.

Submissions Made in Accordance with the Act or regulations:

The development application may require notification to adjoining landowners by Council. Given the proposals minimal environmental it is unlikely to raise significant objection.

The Public Interest

The proposal is in the public interest as:

- It provides a sustainable land use.
- The proposal is suitable within the locality.
- The proposal is positive in terms of the amenity of the area.

Submission 1 - Amended Plans

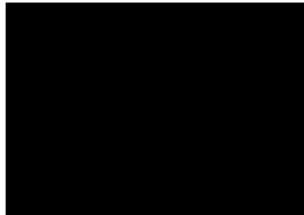


Sent: Monday, 4 July 2022 8:59 AM
To: Records Snowy Monaro Regional Council
Cc: [Redacted]
Subject: DA 10.2022.60.001

Re development application 10.2022.60.001 I have no affiliation with any political party or member of council.
The development at 30C Kunama Drive raises many concerns, but the prime concerns for me are as follows • 4 town
houses on a residential block

Is excessive

- The driveway originally approved was
On the Southside of the property. The
increase in traffic is of concern if north
driveway is to be shared with residents
behind 30C.
- The number of cars for 4 townhouses
Will be excessive.
- As discussed many times with council,
There is only ONE entry and exit into
East Jindabyne, a grave concern in an
Emergency situation, such as bushfires



Submission 2 - Amended Plans

[REDACTED]

Sent: Monday, 4 July 2022 1:16 PM
To: Records Snowy Monaro Regional Council; Sarah Brown
Subject: DA no 10.2022.60.1 Multi Dwelling Housing 4 units and strata sub division.

Hi,

[REDACTED] property owner [REDACTED] Kunama Drive, East Jindabyne 2627.

I am writing this email to state my objection to the following application of DA number 10.2022.60.1 Multi dwelling Housing and Strata Sub division.

The reasons for my objection to this DA is due to issues relating to over development of the assigned block of land, 4 Strata Units is highly out of character for the neighbourhood of Kunama drive as most of the dwellings in the street are fulltime residential single dwelling on the lower side of Kumana drive, the impact of the new subdivision attached to Kunama drive has caused mayhem for local residents due to sudden over development in the past 2 years due to new multi dwellings developments and holiday lettings. This in its self has become a problem and a huge safety concern to the local community due to Kunama drive being the only road in and out of Alpine sands/east Jindabyne.

As a safety concern due to high traffic on the private driveway which services the rear battle axe residential blocks this is serious concern for local family's and young kids catching the local school bus out the front of this Development on Kunama Drive. There is simply not enough space on this block for multiple cars to park in 4 different units as either fulltime or holiday lettings this will cause the lower Kunama drive to become even more congested then it already is.

On a personal note of my own residential house and land this 4 unit strata development causes massive privacy concerns for myself as well as shading from the development throughout most of the day from the north.

Also in that note I have serious concern about the drainage run off from these 4 unit developments due to not having adequate drainage back to the street storm water and the allowance of drainage pits on the property which is a high risk flood potential for my property receiving drainage overflow from four dwellings on one block of land.

On another note the lower Kunama Drive community is a quiet local family friendly environment and the impact of 4 strata units on this development will cause severe noise impacts for all residents surrounding this development as well high congestion.

I am aware that this development has two major easements one on my fence line to be a minimum of 3 metres and on the adjacent side of 3 meters Aswell. In having these easements in place this decreases the land foot print that this development can be built on and I contest that the size of the development is to large for the actual land size.

Submission 3

The Chief Executive Officer
Snowy Monaro Regional Council
PO Box 714
Cooma NSW 2630

Dear Sir,

DA 010.2022.60.001 – Proposal for Four Strata Dwellings 30 C Kunama Drive East Jindabyne

I have been a permanent resident of East Jindabyne for nearly eighteen years and in reference to the above development application I submit the following comments.

Broader issues and context

The LEP and DCP as currently applies to East Jindabyne lacks a clear vision for what East Jindabyne (as distinct from Tyrolean Village) is supposed to be in a town planning context. Because of this, a development proposal is permissible without demonstrating its value to the East Jindabyne and the Jindabyne community overall and its contribution to building and creating a village as the zoning would imply. This development is essentially another commercial accommodation proposal which does not address the more pressing needs of Jindabyne for other accommodation types ie for long-term rentals (particularly for people who want to relocate here to live and work), older people who want to downsize but stay here, anyone who doesn't want a large house and block but wants some reasonable area of private open space and may be transitioning in their family needs, disability accessible accommodation or housing, and affordable housing. There is considerable need for strata development for the above residential types, but the planning instruments do not currently encourage or mandate them and so developers use this to promote one type of residential development; short-stay tourist accommodation.

Building design

The development site has few topographic constraints and a near ideal east-west long axis and as such had a good range of options to produce a design that is less intrusive on the streetscape and to the adjoining neighbours and enable much better passive solar design than is proposed. The development design chosen has produced unusable space between buildings and a higher roofline than is necessary. A design with common walls for all units with garaging at the rear would be far more energy efficient and produce less over- shadowing of the adjoining property to the south with more enjoyable and usable private open space available on the northern side of the properties.

Carparking

The proposal appears to provide additional off-street parking though the adequacy of this is not clear. This is a critical issue in East Jindabyne as many holiday or seasonal rental properties have the tendency for most of the visitor vehicles to be parked on the street and so exacerbate traffic movement and safety issues.

Compliance with planning instruments

While the proposed development appears notionally to be an appropriate use of the land under the RU5 zoning, it isn't clear that it meets the objectives of the zoning.

Objectives of the RU5 zone

- To provide for a range of land uses, services and facilities that are associated with a rural village. – East Jindabyne has no clear rural village identity in this context so this proposal cannot really be assessed against this requirement.
- To protect and conserve the historical significance, character and scenic quality of rural village settings – this development does not meet this requirement due to its height and visual prominence especially in the setting of mostly single level residential properties.
- To encourage and provide opportunities for population and local employment growth. – this is a moot point and any local employment need for trade materials and services is only short term. If the development addressed longer term needs of Jindabyne it may comply better with this requirement, but it does not.

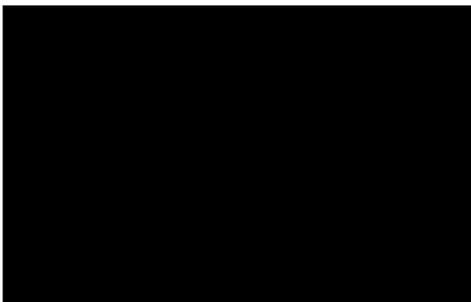
The development doesn't meet the objectives of the DCP with respect to overshadowing of the adjoining property to the south and landscaping for replacement of existing trees. It does not seem to meet the minimum tree replacement requirement of seven as stated in Part D1.4-5 of the DCP requirements for lots over 1500 sq m. if that applies. While land is provided for landscaping, the landscaping plan provided only shows minimal tree replacement.

Impact of increased traffic on safety along Kunama and Jerrara Drives

The issue of the cumulative impact of development on traffic generation and the inadequacy of the road network is a major concern for permanent residents of East Jindabyne. The proposal does not adequately address the impact of increased traffic generated by this proposal in this context. The road network in East Jindabyne is not adequate for the traffic generated by the new developments over the last eight years and this being a commercial development will exacerbate the inadequacies already being experienced. There exists more recent traffic data from other sources to enable a more quantitative assessment of traffic impacts from any development and should have been carried out for this application.

Developer contributions

Multi-dwelling developments should incur developer contributions as they are commercial in nature. These contributions should go towards improvements in East Jindabyne. The most pressing needs are for extension of adequate footpaths, provision of adequate parks and playgrounds and pedestrian safe areas just about everywhere. It is not acceptable that developer contributions should be spent elsewhere when the impacts of the development will be in East Jindabyne.



Submission 3 - Amended Plans



Sent: Tuesday, 5 July 2022 12:15 PM
To: Records Snowy Monaro Regional Council
Subject: DA 10.2022.60.1 - comment on amended plans

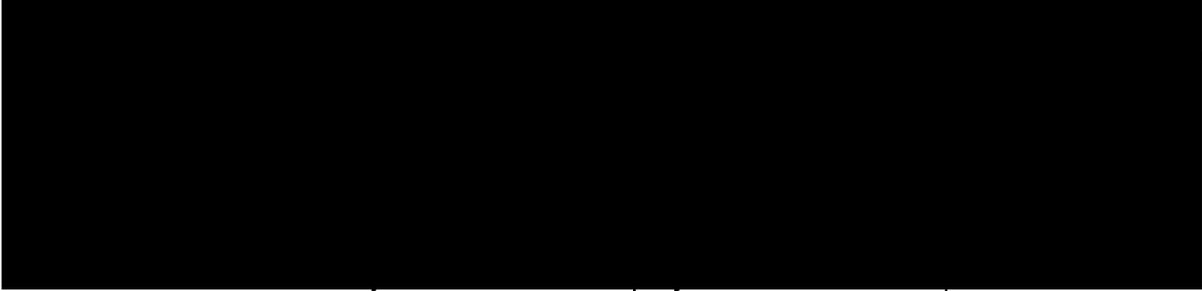
Attn : Sarah Brown

I refer to the amended plans forwarded to me for information regarding the above DA.

I consider that the proposed alterations only go toward reducing the loss of privacy issues for the adjoining properties. The overshadowing of the residence at #32 is still unacceptable and should not be approved as this sets a very bad precedent. In addition the shadow diagrams that show hourly situations (P23 and 42) do not depict the AM variations.



Submission 4



Hi Sarah,

We would formally like to Object:

Proposed Development Multi Dwelling Housing (4 Units) & Strata Sub Division
Property Description 30C Kunama Drive EAST JINDABYNE NSW 2627
Lot: 1 DP: 1228821
Applicant's Name M P Kroenert
Application Number 10.2022.60.1

The easement that connects properties Lot 4 DP 1228821, Lot 3 DP 1228821, Lot 2 DP 122882, is there to provide safe access and exit for persons living at these properties to and from Kunama Drive. It is a thoroughfare for cars, adults, and children also on foot.

The current easement is not granted for Lot 1 to access by Lot 2 as it will not have minimal impact. There should be consent of all adjoining land owners, whose land is burdened by the vehicular right of way. If further subdivision takes place utilising the right of carriageway and increasing the number of lots utilising the right of carriageway to more than (6) allotments, the right of carriageway is to be replaced with a public road. The right of carriageway in non -urban areas is to be a minimum of twenty (20) metres wide. SNOWY RIVER DEVELOPMENT CONTROL PLAN CHARTER C3 CAR PARKING, TRAFFIC AND ACCESS Snowy River Development Control Plan 2013 64.

It was agreed by Council that the easement on subdivision of these lots was just for thoroughfare for Lots 2, 3 and 4 in the year 2016. It was agreed by council in the year 2016 that Lot 1 could only access property from the front of property and not by the easement that connects Lot 2, 3 and 4.

It was agreed by Council that access for Lot 1 be adjacent to 32 Kunama Drive and not the easement. Having the above known in agreement, further instructed by the Real Estate at Kosciusko First National and S Paxton Developer we then purchased our home on Lot 2 in 2016.

We feel that the council has a duty of care to their community members whom live in the East Jindabyne to keep true to families that have chosen to live on land blocks that are not saturated by high density living.

Having 4 Units with the addition of visitor parking, can not be disputed that at any one time 20+ cars could be located on Lot 1 and be navigating for entry and exit to Kunama Drive. This is a major safety concern between pedestrians and vehicles. Our children walk from our property(30 Kunama), to catch the school bus twice daily, ride bicycles to friends houses multiple times per day and generally play and interact as kids do. Vehicles will be driving in and reversing out, performing tight u-turns as there is absolutely no turn around zones, all while navigating tight areas, technically allowed to be distracted with mobile phones as its not on a gazette road and not paying attention to very small kids trying to catch a school bus.This is an accident waiting to happen and we are extremely concerned for the safety of everyone involvled.

We suggest that building 4 units with the addition of visitor parking on Lot 1 DP 1228821 will cause significant traffic hazards and the possibility of a serious MVA/Pedestrian incident or even a fatality due to the amount of vehicles proposed for Lot 1.

It can not be disputed that due to the way that visitors use the allocated parking that they will exit Lot 1. by reversing onto Kunama Drive. The exit area is located at the top of the crest of Kunama Drive which has blind spots for cars and foot traffic.

It can not be disputed that visitors using the allocated parking spots on Lot 1, due to the fact there is no turning access will use Lot 2 driveway as a turning location, creating noise, impacts with car lights shining into it's property, as well as contributing to major Privacy issues and will greatly impact on the residence living at Lot 2.

Controls D1.4-3 Visual Privacy

b) The windows to the main living and dining rooms must be orientated away from the adjacent dwellings wherever possible, for example oriented to the front or rear of the allotment or a side courtyard.

c) Upper floor balconies should be focused to the street or rear yard. Any elevated balconies or balcony returns on the side façade must have a narrow width to minimise privacy impacts on adjoining properties.

d) First floor decks, balconies and roof top terraces are not supported where they overlook or have the potential to directly overlook habitable rooms or private open space.

Amenity and noise impacts from visitor car park being in close contact to neighbours throughout day and night. Car pollution from exhaust running into home windows for Lot 275.

It can not be disputed that visitors and persons living at Lot 1 properties will be reversing onto the easement from their garages, causing the possibility of driving hazards to persons and visitors including of Lot 2, 3 and 4.

It can not be disputed that exiting whilst reversing onto Kunama Drive will cause hazards not only to other drivers but also to pedestrians living and visiting the area.

Just in the immediate location from 8 Kunama Drive to 68 Kunama Drive are 36 school aged children and many more in the surrounding streets.

The Proposed 4 Units are not in keeping with the surrounding character of dwellings, would be considered high density living, an overdevelopment of the site and impacting directly on neighbours that chose to live in the area away from compacted living.

There are no foot paths on Kunama Drive and with the influx of units and town houses on Kunama Drive without adequate parking has lead to people parking on the side of the road. Hence causing foot traffic using these roads to walk on the road. Cars passing each other in different directions are forced to stop to let each other through or drive on the grass to avoid collusion. This is already happening and will possibly lead to injury with condensing more traffic into this area.

There is a storm water issue due to no easement for discharge water. This water currently already runs through Lot 1 to Lot 25 to Lot 2, followed by connecting neighbours before entering the creek. This causes a wash away effect to this line, causing soil degradation and damage to housing. The proposed 4 Units will greatly impact on this issue due to the large surface area of roofing and its run off.

There is a substantial overcrowding impacting to Lot 25, Lot 275 and Lot 2 due to the direction of the 4 units, it's balconies and the boundary line development.

There is insufficient street frontage to provide for the numerous amenities that are needed to provide adequate living to all of these lots.

We find this development extremely traumatic, as we did not move to Lot 2 to be next to a complex such as this. We feel that the safety of our children and others will be severely impacted due to the high amount of cars and people using this strata development. This is a developer whom is seeking compensation from an elevated block price and won't be dealing with the effects that it will cause to its neighbouring properties, the families and the fabric of East Jindabyne in the future.

We would like to ask for an extension of the notification period to allow neighbours and other community members to make a submission on the proposed development.

Submission 4 - Amended Plans

[REDACTED]

Sent: Sunday, 3 July 2022 6:47 PM
To: Sarah Brown
Cc: [REDACTED]
Subject: Objection submission Lot 1 DP 1228821, Application No. 10.2022.60.1
Attachments: EPSON004.PDF; EPSON005.PDF

03 July 2022

Hi Sarah & Sophie
Comments regarding the proposed development.

RE: Objection Submission to Plans for Development Application:

FOUR, THREE BEDROOM TOWNHOUSES 30C Kunama Drive, East Jindabyne NSW 2627

Lot: 1, DP 1228821
Application No.10.2022.60.1

General Comment:

The proposed development does not fit within the established character of the area and is considered out of context for the locality and community. We have moved to this area out of town to be removed from high density living and have our children raised in a family orientated community.

The proposed development results in a substantial impact on the privacy of the neighbour surrounding and community.

Does not take into consideration of neighbours with car headlights coming up and down the proposed driveway shining into homes at night.

Proposed development does not take into consideration noise impact on neighbours and community.

Proposed development does not take into consideration of car fumes into neighbours windows. Cars sitting outside during winter require time to warm engines, defrost windows to be safe to drive on roads.

This is a family area filled with local children whom already navigate the area without sidewalks, narrow streets, no off street parking. Adding of proposed cars on continual rotation, whom aren't aware of local children/families, narrow roads will create safety issues and will have impact on the local traffic network already under strain.

The proposed development will dominate the proposed driveway, impacting on the other residence that use the driveway for access to and from their homes.

The council is considering development for this size block but is it considering if it is viable for the capacity at 1000m2 taking into consideration easement. Why are developers trying to squeeze these buildings into a local community area? The developers talk about no housing for visitors but the council must also remember that the local people that live here also service these visitors and it is imperative to look after the welfare and consider why the local people live in this area. The capacity and overdevelopment of this site can not handle the vehicles and visiting vehicles and also provide safe access for pedestrians.

There are many more new subdivisions happening in Jindabyne which is an opportunity for the council planning team to accommodate housing that will not effect families that moved to an area that don't want to live in high development areas.

This development is taking away the capacity for the existing homes using the driveway to also add a dual occupancy. As stipulated when our property was purchased as more than 6 developments using this driveway will need to become a road. The driveway at present does not allow enough width for two cars.

It can not be disputed that each town house will have the minimum of 4 cars each. There is no capacity for extra parking.

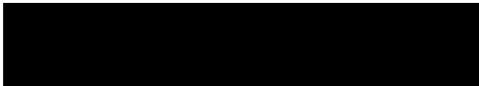
Reversing onto the road can not be disputed once parking spots are filled and the potential for dangers to happen.

Reversing onto a driveway that is also used for residences other than the townhouses is a potential for serious incidents to happen. This will be increased due to the amount of cars reversing for each townhouse.

As from Transport NSW. On average, more than five children are killed and 47 seriously injured in driveways each year across Australia. In NSW, six children have been killed and 15 seriously injured in driveways since January 2013.

<https://roadsafety.transport.nsw.gov.au/campaigns/theyre-counting-on-you/driveway-safety.html>

A photo [REDACTED] home that was not consented to shows a small north facing balcony. This home was built before the development of smaller blocks surrounding and unfair that the developer uses this as an example of why they can have north facing balconies looking over another persons home. Our north facing balcony also is of greater distance to the next block than the one proposed in the new development.



Submission 5

17.3.2022

Hi Sarah & Sophie,
Comments regarding the proposed development.

RE: Objection Submission to Plans for Development Application:

FOUR X THREE BEDROOM TOWNHOUSES
30C Kunama Drive, East Jindabyne 2627
Lot: 1, DP 1228821
Application No.10.2022.60.1

General Comment:

- The proposed development does not fit within the established character of the area and is considered out of context for the locality and community.
- The proposed development results in a substantial impact on the privacy of the neighbour surrounding and community.
- Does not take into consideration of neighbours with car headlights coming up and down the proposed driveway shining into homes at night.
- Proposed development does not take into consideration noise impact on neighbours and community.
- This is a family area filled with local children whom already navigate the area without sidewalks, narrow streets, no off street parking. Adding of proposed cars on continual rotation, whom aren't aware of local children/families, narrow roads will create safety issues and will have impact on the local traffic network already under strain.

SMRC DCP 2013 Comments

Areas of Objection:

C2.2-1 Site and Building Layout

(a) The design of new development should allow for natural surveillance to and from the street and between individual dwellings, accommodation units or commercial units within the site.

The proposed development has no natural surveillance to and from the street

(b) All entries within the site are to be clearly visible to avoid confusion.(from the street)

The proposed development fails to be clear from the street as noted on DACC E4 east elevation.

(d) Windows, doorways and balconies are to be offset to allow for natural surveillance while at the same time protecting privacy.

The proposed development has no offset .

C3.1-2 Rights of Carriageway for Subdivision

What is the legal arrangement of the ROC with the existing landowners?

Safety for the legal right to walk and access. As the documents submitted show DACC E1, northern elevation demonstrates the vehicle pressure on the ROC and how will that be managed for other occupants needing to have access pass the proposed dwelling to existing properties in vehicles and as pedestrians.



D1.5-1 Car Parking & Access:

a Carparking is to be provided to meet the number of dwellings and the occasional need for overflow and visitor parking and must be designed and located to provide easy access and on-site maneuverability and may include underground or semi-basement parking.

The carparking provided has would need further detailing to show that manoeuvrability is possible when all car spaces are occupied. Keeping in mind that other occupants need to have access pass the proposed dwelling to existing properties in vehicles and as pedestrians. Failing to meet SMRC DCP

Controls D1.4-3 Visual Privacy

b) The windows to the main living and dining rooms must be oriented away from the adjacent dwellings wherever possible, for example oriented to the front or rear of the allotment or a side courtyard.

The proposed development on sheet DACC E4 is showing the windows of each dwelling overlooking the neighbouring dwelling. Failing to meet SMRC DCP

c) Upper floor balconies should be focused to the street or rear yard. Any elevated balconies or balcony returns on the side façade must have a narrow width to minimise privacy impacts on adjoining properties.

The proposed balconies x 4 are facing the north neighbour not the street. Failing to meet SMRC DCP.

d) First floor decks, balconies and roof top terraces are not supported where they overlook or have the potential to directly overlook habitable rooms or private open space.

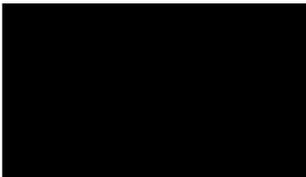
The proposed balconies x 4 are facing the north neighbour will have direct view into the habitable rooms. Failing to meet SMRC DCP.

6.3 Visual Privacy

The design of buildings can optimize privacy by minimising cross viewing and overlooking to adjoining dwellings. The emphasis of the control is on minimising cross viewing and overlooking from the indoor and outdoor living areas of dwellings to maintain the amenity of the neighbours.

The proposed development on sheet DACC E4 is showing the windows of each dwelling overlooking the neighbouring dwellings and adjoining dwellings. Failing to meet SMRC DCP

Thank you for having the opportunity to review this submission. I hope you consider favourably with the existing residents and community.



Submission 5 - Amended Plans



Hi Sarah & Sophie,
Comments regarding the proposed development.

RE: Objection Submission to Plans for Development Application:

FOUR X THREE BEDROOM TOWNHOUSES
30C Kunama Drive, East Jindabyne 2627
Lot: 1, DP 1228821
Application No.10.2022.60.1

General Comment:

- The proposed development does not fit within the established character of the area and is considered out of context for the locality and community.
- The proposed development results in a substantial impact on the privacy of the neighbour surrounding and community.
- Does not take into consideration of neighbours with car headlights coming up and down the proposed driveway shining into homes at night.
- Proposed development does not take into consideration noise impact on neighbours and community.
- This is a family area filled with local children whom already navigate the area without sidewalks, narrow streets, no off street parking. Adding of proposed cars on continual rotation, whom aren't aware of local children/families, narrow roads will create safety issues and will have impact on the local traffic network already under strain.

SMRC DCP 2013 Comments

Areas of Objection:

C2.2-1 Site and Building Layout

(a) The design of new development should allow for natural surveillance to and from the street and between individual dwellings, accommodation units or commercial units within the site.

The proposed development has limited natural surveillance to and from the street

(b) All entries within the site are to be clearly visible to avoid confusion.(from the street)

The proposed development fails to be clear from the street as noted on DACC G2.

(d) Windows, doorways and balconies are to be offset to allow for natural surveillance while at the same time protecting privacy.

The proposed development has no offset .

C3.1-2 Rights of Carriageway for Subdivision

What is the legal arrangement of the ROC with the existing landowners?

Safety for the legal right to walk and access. As the documents submitted show DACC E1, northern elevation demonstrates the vehicle pressure on the ROC and how will that be managed for other occupants needing to have access pass the proposed dwelling to existing properties in vehicles and as pedestrians.

1.7.2022
PO Box 468 or
2 Lakeview Terrace
Jindabyne NSW 2627

D1.5-1 Car Parking & Access:

a Carparking is to be provided to meet the number of dwellings and the occasional need for overflow and visitor parking and must be designed and located to provide easy access and on-site maneuverability and may include underground or semi-basement parking.

The carparking provided has, would need further detailing to show that manoeuvrability is possible when all car spaces are occupied. Keeping in mind that other occupants need to have access pass the proposed dwelling to existing properties in vehicles and as pedestrians. Failing to meet SMRC DCP



63 Kunama Dr East Jindabyne Demonstration Parking & Vehicle pressure:

- 7 Cars Shown at
- 30C Kunama, 4 units x 7 vehicles/cars = 28
- How does SMRC allow 28 vehicles to park and allow safe pedestrian movement?



Controls D1.4-3 Visual Privacy

1.7.2022

PO Box 468 or

2 Lakeview Terrace

Jindabyne NSW 2627

b) The windows to the main living and dining rooms must be oriented away from the adjacent dwellings wherever possible, for example oriented to the front or rear of the allotment or a side courtyard.

The proposed development on sheet DACC E5 is showing the windows of each dwelling overlooking the neighbouring dwelling. Failing to meet SMRC DCP

c) Upper floor balconies should be focused to the street or rear yard. Any elevated balconies or balcony returns on the side façade must have a narrow width to minimise privacy impacts on adjoining properties.

The proposed balconies x 4 are facing the north neighbour not the street. Failing to meet SMRC DCP.

d) First floor decks, balconies and roof top terraces are not supported where they overlook or have the potential to directly overlook habitable rooms or private open space.

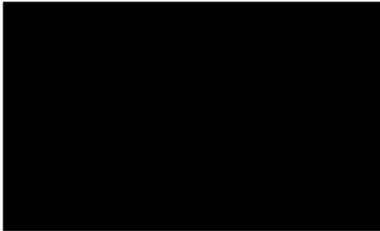
The proposed balconies x 4 are facing the north neighbour will have direct view into the habitable rooms. Failing to meet SMRC DCP.

6.3 Visual Privacy

The design of buildings can optimize privacy by minimising cross viewing and overlooking to adjoining dwellings. The emphasis of the control is on minimising cross viewing and overlooking from the indoor and outdoor living areas of dwellings to maintain the amenity of the neighbours.

The proposed development on sheet DACC E4 is showing the windows of each dwelling overlooking the neighbouring dwellings and adjoining dwellings. Failing to meet SMRC DCP

Thank you for having the opportunity to review this submission. I hope you consider favourably with the existing residents and community.



Submission 6

Chief Executive Officer
Snowy Monaro Regional Council
Email: council@snowymonaro.nsw.gov.au

March 18, 2022

Dear Mr Bascomb

Submission on DA 10.2022.60.001 (30C Kunama Drive, East Jindabyne)

Thank you for the opportunity to comment on the above Development Application.

Trees

Seven trees are to be removed. It is stated that the replacement of these is dealt with in the landscape plan but no landscape plan was provided with the DA documents put on exhibition.

Will Council really ensure that these seven trees are replaced with the equivalent once the buildings are in place?

Traffic and parking impacts

The impact on traffic of adding four 3-bedroom houses to the busy Kunama Drive has not been addressed in the DA through a traffic impact study. This assessment should have been provided with the DA.

Related to this is the fact that Council has recently approved the building of many serviced apartments in this area without addressing the overall impact of them on road traffic, the safety of pedestrians and the (in)adequacy of the infrastructure that serves the whole area. This includes the Kunama Drive intersection with Jerrara Drive, the Jerrara Drive intersection with the highway, the narrow bridge across the creek on Kunama Drive, the under-width roads in the recent Kunama subdivisions and the lack of footpaths throughout.

It is not acceptable for Council to approve the development in question here and other developments along Kunama Ridge without a proper evaluation of the traffic and safety impacts, and formulation of a road and streetscape plan that will cope with the population increase. Decisions on individual developments in isolation and, quite possibly, in isolation from other planning staff, are failing to address these needs with consequent community-wide negative impacts.

Over-development for a residential area

Squeezing four two-storey houses onto one block with colour-bond fencing in between, as proposed in this development, is creating the sort of over-crowded housing found in the Jerrara Drive – Old Kosciuszko Road development. The latter development continues to draw enormous criticism from the local community as well as the many visitors to East Jindabyne. This is because it is out of keeping with the rest of the village which retains a relaxed, lifestyle and rural feel that is highly valued by the many families who live in this area over many years. The RU5 Zoning objective in the Snowy River 2013 LEP includes 'conserving the character and scenic quality of rural village settings'. The development proposed here is more suited to an inner city suburb which aims to maximise beds per unit area with low priority on scenic values and community cohesion.

Effective Minimum Lot Size

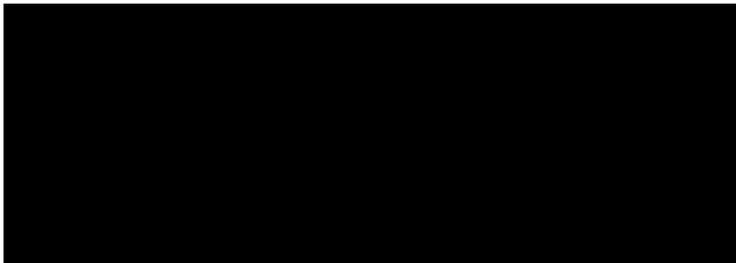
The minimum lot size for RU 5 Zoning is 1050 m². By adding 4 residences to this 1690 m² lot and separating them with color-bond fences, this plot is effectively being divided into four, giving a lot size per dwelling of approximately 420 m² each. This is well below the RU5 threshold and the acceptable level of density in a rural village setting by most people's standards.

Overshadowing

The shadow diagram in the DA shows a significant overshadowing for much of the day on an adjacent residence (32 Kunama Drive) during winter. This is an unacceptable impact on this neighbour and the development should not be approved for this reason alone.

Declaration

I declare that I have not made a political donation or gift to Councillors or Council staff within the past 2 years.



Submission 6 - Amedned Plans

Chief Executive Officer
Snowy Monaro Regional Council
Email: council@snowymonaro.nsw.gov.au

June 21, 2022

Dear Mr Bascomb

Submission on DA 10.2022.60.001 – revised plans (30C Kunama Drive, East Jindabyne)

Thank you for the opportunity to comment on the revised version of the above Development Application.

Trees

Will Council really ensure that the seven trees that will be removed are actually replaced, as per the now-provided landscape plan?

Traffic and parking impacts

I maintain that there should be a traffic impact study submitted with this application to determine the impact on traffic of adding four 3-bedroom houses to the busy Kunama Drive.

Council has recently approved the building of many serviced apartments in this area without addressing the overall impact of them on road traffic, the safety of pedestrians and the (in)adequacy of the infrastructure that serves the whole area. This includes the Kunama Drive intersection with Jerrara Drive, the Jerrara Drive intersection with the highway, the narrow bridge across the creek on Kunama Drive, the under-width roads in the recent Kunama subdivisions and the lack of footpaths throughout.

It is not acceptable for Council to approve the development in question here and other developments along Kunama Ridge without a proper evaluation of the traffic and safety impacts, and formulation of a road and streetscape plan that will cope with the population increase. Decisions on individual developments in isolation and, quite possibly, in isolation from other planning staff, are failing to address these needs with consequent community-wide negative impacts.

Over-development for a residential area

I maintain my view that squeezing four two-storey houses onto one block, with an average of 420m² per dwelling, with colour-bond fencing in between, as proposed in this development, is inconsistent with the RU5 Zoning objective in the Snowy River 2013 LEP includes 'conserving the character and scenic quality of rural village settings'. The argument that Council has approved other developments that crowd people and buildings into a family residential rural area does not justify repeating this mistake

Overshadowing

The revised shadow diagrams indicate that a portion of the north facing windows on the eastern side of the dwelling on 32 Kunama Drive will receive the required 3 hours of winter sunlight, as required. However, this portion is low and no one window will receive 3 hours of sunlight. The shadowing impact of this development is, in my view, unacceptable and yet another example of developers taking advantage of a weak and poorly worded DCP at the

expense of liveability of neighbours. I would like to see Council negotiate with the developer for a better outcome for the neighbours at 32 Kunama Drive.



Submission 7

11 August 2015

General Manager
Snowy River Shire Council
PO Box 143
BERRIDALE NSW 2628

(sent via email to records@snowyriver.nsw.gov.au)

To the General Manager,

**RE: OBJECTION TO DEVELOPMENT APPLICATION NO. DA0006/2016 FOR A 4
LOT SUBDIVISION AT 30 KUNAMA DRIVE EAST JINDABYNE.**

I refer to your letter dated 24 July 2015 in relation to the notification of the above
Development Application (DA).

Please consider my objections to the proposed subdivision based on the following:

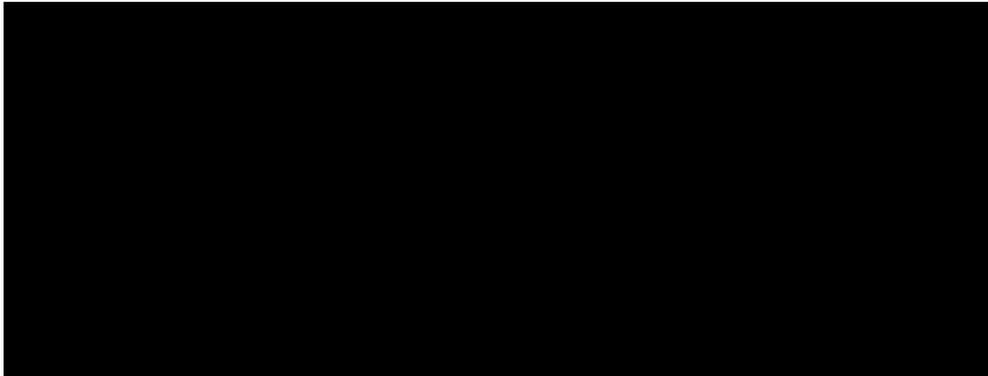
1. The potential residential amenity impacts to the adjoining properties have not been identified and mitigated.
2. The location of the proposed right of carriageway will have adverse impacts on the adjoining Lot 275.
3. The proposed development does not allow for any buffer zones to adjoining properties.
4. Adverse noise impacts will be generated particularly by vehicles entering and exiting the proposed development.
5. Adverse visual impacts will be generated through loss of native trees and no provision for landscaping.
6. The maximum vehicle capacity of the 6 metre wide right of carriageway has not been specified.
7. Adverse traffic impacts will be generated by intensifying the number of vehicles entering and exiting the development site. The full extent of this impact is not known given the future use of each proposed lot is not identified.
8. The future use of each proposed lot should be specified in the current application to ensure that a new purchaser does not seek to overdevelop one of the sites which would intensify impacts on adjoining properties.
9. View sharing options must be considered.
10. The loss of native trees will adversely affect residential amenity. Significant trees and the tree island at the site should be identified and retained.
11. Waste and recycling practices particularly on council collection days has the potential to cause amenity impacts.
12. There is a general lack of information in relation to the proposed development which creates uncertainty for adjoining property owners.

I have included an attachment with a detailed explanation of my concerns along with a diagram to demonstrate how potential adverse impacts can be mitigated.

The site has development potential given that it is a larger parcel of land that is zoned RU5. However any proposed development must have due consideration for the existing features of the site, the adjoining properties and residential amenity.

I would be happy to meet with Council Staff and the Applicant to discuss the above issues and investigate possible solutions that will result in an acceptable development for all parties.

I am aware that this information may be made public. I also confirm that I have not made any political donations nor have I given any gifts to any local councillors.



SUBMISSION ATTACHMENT

The plans and Statement of Environmental Effects (SEE) submitted with the development application are insufficient and have not adequately addressed or responded to the environmental impacts of the proposed development.

Plans

The plans do not include the information required by the Schedule 1 of the EP&A Regulations and A2 Part 3 of the Snowy River Development Control Plan 2013 (SRDCP). The lack of information makes it difficult to understand all aspects of the proposal. The following information would assist adjoining property owners to better understand any potential impacts associated with the proposal:

- A plan showing the location of existing vegetation and trees including the identification of any trees that are proposed to be removed.
- A plan showing the existing levels of the land and any changes to the land either by cutting or filling.
- A plan showing the location and use of buildings on adjoining properties to ensure they are not adversely affected by the proposed subdivision layout.
- Plans identifying any proposed works including construction of driveways, drainage works and sewer works.
 - If a new driveway is to be constructed what material will it consist of? Gravel has the potential to generate noise impacts as vehicles pass over the loose surface. A concrete driveway would lessen the impact.
 - Preliminary designs of any proposed stormwater drainage works (including drainage within the right of carriageway) should be provided particularly if any future easements are required to discharge stormwater onto adjoining properties.
 - Preliminary designs of the proposed sewerage works should be provided particularly if any future easements are required to discharge sewer through adjoining properties (e.g. any existing or proposed easements over the properties to the west of proposed Lot 3).
 - If sewerage will be disposed of onsite consideration should be given to the suitability of the land and the proposed means of effluent disposal for future development of the lots. This should include an analysis of soil types and if there is sufficient area on each proposed lot to ensure that sewerage can be treated appropriately.
- Is any landscaping proposed to provide buffers to adjoining properties and visual screens? If so, a plan should be prepared. Existing trees (particularly native trees) should remain as landscaping wherever possible.
- A statement of the intended use of each of the proposed allotments should be provided as the future use has the potential to increase the impacts on adjoining properties. For example dwellings would have less impact than dual occupancies and tourist development.
- The location of existing easements on the land and also any existing easements on adjoining land that the development relies on should be shown on the plans.

Statement of Environmental Effects (SEE)

The SEE appears to have followed a standard template. However in this instance a detailed SEE in accordance with section 79C(1) of the EP&A Act and schedule 1 of the EP&A Regulations should be provided to adequately identify and respond to the impacts of the proposed development.

Section 79C(1)(a)(i) – Environmental Planning Instruments

The applicant should be aware of and respond to the Snowy River Local Environmental Plan (SRLEP). Matters such as zone objectives, protecting amenity and the environment, preservation of native vegetation and trees, minimum lot size requirements, permissible uses and essential services should be considered. The applicant may be assuming that only dwellings will be constructed on each of the proposed lots but this cannot be guaranteed once each lot is sold.

A new purchaser may seek to overdevelop one of the proposed lots which would intensify impacts on adjoining properties. The RU5 zone allows for dual occupancies (attached and detached), multiple dwelling housing, residential flat buildings and tourist development. The 6 metre wide right of carriageway would be insufficient if any such development was proposed and the impacts on the amenity of the locality would be adverse.

Section 79C(1)(a)(iii) – Development Control Plans (DCP)

The applicant should be aware of and respond to the Snowy River Development Control Plan (SRDCP). There is insufficient information contained in the application to demonstrate that the design of the proposed subdivision layout has had due consideration to the matters listed in C1 Part 1.2 of the SRDCP. In particular:

- Residential amenity – the proposed subdivision layout has the potential to adversely impact on the amenity of the adjoining properties. The location of the right of carriageway will impact the adjoining Lot 275 in terms of noise and traffic. Bedrooms and a living area within the existing dwelling on Lot 275 are located within 1 metre of the right of carriageway as currently proposed. Noise from vehicles will cause a significant impact. Vehicle headlights at night will shine into windows. Relocation of the right of carriageway, consideration of the maximum vehicle capacity of the right of carriageway and defining the likely future development of the lots could address this issue and would ensure impacts are minimised.
- Views to and from site – the proposed Lot 4 has the potential to obstruct views from the adjoining Lot 275 and Lot 276. Consideration of a building envelope on Lot 4 could address this issue and would ensure that a future dwelling is appropriately located to minimise impacts.
- Privacy (acoustic and visual) – noise from pedestrians and vehicles will have a significant impact on Lot 275. The proximity of the right of way to Lot 275 will also mean that people will be able to look straight into the windows of the existing dwelling on Lot 275. Consideration should be given to moving the right of carriageway a minimum of 6 metres away from the boundary of Lot 275 to address this issue.
- Vegetation removal required – significant vegetation at the site has not been identified and adequately located on the subdivision plan. There is no indication of any vegetation that will be removed or specifically retained. Up to 60 native trees would potentially be removed if the location of the right of carriageway is to remain in the location proposed. Consideration should be given to moving the right of carriageway a minimum of 6 metres away from the boundary of Lot 275 to retain as many trees as possible. A number of trees on proposed Lot 4 at the rear of adjoining Lot 275 and Lot 276 should also be retained to provide screening of any new dwellings.
- Excavation and fill required – no driveway design has been included so it is uncertain if any cut/fill will be required. It also appears that the existing dam will need to be filled.

- Effluent disposal techniques – it is assumed that proposed Lot 1 will have the benefit of the existing 3 metre wide sewerage easement at the rear of the property. It is unclear how Lot 2, Lot 3 and Lot 4 will manage sewerage. Will they discharge via an existing easement on an adjoining property? Do the proposed lots have the benefit of any such easement? The subdivision should not proceed until it is certain that the applicant has legal arrangements in place for the use of any such easement. If onsite treatment is proposed then a thorough investigation of soil types, adequate areas for disposal and preliminary designs should be undertaken.
- Stormwater disposal – it is unclear how the lots will manage stormwater. Will they discharge via an existing easement on an adjoining property? Do the proposed lots have the benefit of any such easement? The subdivision should not proceed until it is certain that the applicant has legal arrangements in place for the use of any such easement. If onsite filtration is proposed then a thorough investigation and preliminary designs should be undertaken.
- Easements, rights of carriageway and access arrangements – all existing and proposed easements should be identified. Any easements that need to be obtained to allow the development to proceed should be obtained before the application is determined. Consideration should be given to moving the right of carriageway a minimum of 6 metres away from the boundary of Lot 275.
- Pedestrian and vehicle access – consideration should be given to moving the right of carriageway a minimum of 6 metres away from the boundary of Lot 275. This would limit the opportunity for people walking along the driveway to look straight into the dwelling on Lot 275. It would also minimise the impacts of vehicle noise.
- Significant noise sources on or around the site – noise from pedestrians and vehicles will have a significant impact on Lot 275. Consideration of the maximum vehicle capacity of the right of carriageway and the likely future development of the lots could address this issue and would ensure impacts are minimised. Consideration should also be given to moving the right of carriageway a minimum of 6 metres away from the boundary of Lot 275.
- Location and height of neighbouring buildings – the proposed subdivision plan is based on an outdated aerial photograph that does not show the buildings on the adjoining properties.
- Surface levels of the land and adjoining sites – no levels or contours have been provided. This information would inform sewerage and stormwater disposal options, overland flow drainage paths, cut/fill required (e.g. for vehicle access and possible dwelling site on Lot 1, Lot 3 and Lot 4. Currently during rain events the existing driveway acts as an overland flow path for stormwater. If each of these matters are not adequately addressed it could cause adverse impacts to the adjoining properties.
- Accessibility to services – the application should not proceed until access arrangements, maximum vehicle capacity, sewerage disposal and stormwater management are adequately addressed.

An objective of C1 Part 2.1 of the SRDCP is that development does not adversely impact on landscape features and amenity. The proposed subdivision has the potential to generate amenity, noise and traffic impacts to adjoining properties. The loss of native trees will intensify these adverse impacts. As many trees as possible should be retained on the site. The proposed right of carriageway should be relocated to assist in achieving this outcome.

There are a number of other sections in the SRDCP that are also relevant to the proposed subdivision. These include:

- Consideration of significant features of the site including vegetation and the location of future dwellings in accordance with C1 Part 2.2 / C1.2-2.
- Consideration of building exclusion zones in accordance with C1 Part 2.2 / C1.2-6 to ensure that the amenity of the adjoining properties is protected. This should include consideration of view from Lot 275 and Lot 276. The proposed right of carriageway over Lot 1 that provides access to Lot 2, Lot 3 and Lot 4 should also be moved a minimum of 6 metres away from the boundary of Lot 275.
- Consideration of retention of significant vegetation in accordance with C2 Part 1.3 / C2.1-6.
- Consideration of view sharing options in accordance with C2 Part 1.4 / C2.1-7. If the location of future development on Lot 4 is restricted by creating a building envelope it would ensure that view corridors are maintained.
- Consideration of appropriate vehicle access in accordance with C2 Part 3 which would include standard of construction and responsibilities for ongoing maintenance. The capacity of the vehicle access should also be defined to guide future development of the proposed lots. A design of the driveway within the 6 metre wide right of carriageway should be provided which shows surface materials and landscape buffers. The driveway should be located to ensure that no traffic nuisance is caused to the adjoining properties. The proposed right of carriageway over Lot 1 that provides access to Lot 2, Lot 3 and Lot 4 should be moved a minimum of 6 metres away from the boundary of Lot 275 to ensure impacts are minimised. Moving the right of carriageway will also reduce the loss of native trees.
- Consideration of future car parking requirements in accordance with C3 Part 6. It is reasonable to assume that if Lot 2, Lot 3 and Lot 4 each contain a dwelling then 2 or 3 permanent vehicles would be contained on each site (mum/dad with a vehicle each or mum/dad & teenage driver with a vehicle each) giving the potential for 9 vehicles. It would be possible for each vehicle to perform 2 trips per day (in/out giving 4 vehicle movements). This being the case there could be 36 vehicle movements per day going past the adjoining Lot 275. This number could increase significantly if any new purchaser attempt to overdevelop by proposing a traffic generating development such as tourist accommodation.
- Consideration of retention of trees for the significant amenity and aesthetic values in accordance with C5 Part 1.8. The native tree island on the southern side of Lot 275 has significant value along with the trees within close proximity to the western boundaries of Lot 275 and Lot 276. If as many trees as possible can be retained it will ensure a buffer zone and visual screening of any new dwellings on the proposed lots.
- Consideration of landscaping in accordance with C5 Part 2 which would assist in ensuring a buffer zone to adjoining properties and visual screening of any new dwellings on the proposed lots.
- If onsite sewerage disposal is necessary for any of the proposed lots an analysis of soil suitability and topography should be undertaken to demonstrate that the land is suitable for on-site effluent disposal in accordance with C9 Part 3.2 / C9.3-1.
- Consideration of waste storage, recycling and collection in accordance with C10 Part 3 which should include bin storage locations and council pick up locations. Proposed Lot 2, Lot 3 and Lot 4 do not have any street frontage to put bins out on pick up night. On a waste and recycling night 6 bins must be put out. Where will the bins be collected from? On the street in front of a neighbouring property? This would cause amenity impacts for the adjoining property. Would the council collection truck enter the right of carriageway? This would cause noise impacts

for Lot 275. These matters need to be considered to ensure impacts to adjoining properties are minimised.

The rationale for moving the right of carriageway a minimum of 6 metres away from the boundary of Lot 275 is based on the following:

- The front setback identified in D1 Part 4.3 / D1.2-3 for a dwelling house is 6 metres. If a 2-3 metre width is assumed for the council footpath/road shoulder then it is likely that there would be a separation distance of 8-9 metres between a dwelling and a vehicle travelling along a road.
- In this case there is a 1 metre setback from the existing dwelling to the side boundary. If the right of carriageway is located a minimum of 6 metres away from the boundary and then a driveway is constructed 1-2 metres inside the right of carriageway it would result in an 8-9 metre separation distance between the existing dwelling on Lot 275 and any vehicle on the access driveway of the proposed subdivision.

Section 79C(1)(b) the likely impacts of the development, including environmental impacts on both the natural and built environments, and social and economic impacts in the locality.

The documentation submitted with the development application does not currently identify the likely impacts of the proposed development. The proposed subdivision layout has the potential to adversely impact on the amenity of the adjoining properties.

A diagram is attached that provides a number of options to mitigate any adverse impacts. The key features of the diagram include:

- Approximate locations of the existing dwellings on Lot 275 and Lot 276.
- Approximate location of tree island on proposed Lot 1 (in excess of 60 native trees within tree island).
- Approximate location of existing gravel driveway that services the existing dwelling on the development site.
- View sharing corridor identified.
- Buffer zones identified.
- Some significant trees identified.
- Relocated right of carriageway identified.
- Lot 4 building envelope identified.

The site has development potential given that it is a larger parcel of land that is zoned RU5. However any proposed development must have due consideration for the existing features of the site, the adjoining properties and residential amenity.

Section 79C(1)(c) the suitability of the site for the development.

The documentation submitted with the development application does not currently demonstrate that the site is suitable for the proposed subdivision and any future development.

The applicant may be assuming that only dwellings will be constructed on each of the proposed lots but this cannot be guaranteed once each lot is sold. A new purchaser may seek to overdevelop one of the proposed lots which would intensify impacts on adjoining properties. The RU5 zone allows for dual occupancies (attached and detached), multiple dwelling housing, residential flat buildings and tourist development. The 6 metre wide right of carriageway would be insufficient if any such

development was proposed and the impacts on the amenity of the locality would be adverse.

The documentation submitted with the application lacks sufficient information to adequately demonstrate that potential impacts can be mitigated.

Section 79C(1)(d) any submissions made in accordance with this Act or the regulations.

This submission and any other submissions should be considered by the Council and the Applicant. I would be happy to meet with Council Staff and the Applicant to discuss the above issues and investigate possible solutions that will result in an acceptable development for all parties.

Section 79C(1)(e) the public interest.

The impacts of the subdivision layout as currently proposed including the location of the right of carriage way are such that the development is not in the public interest.

The EP&A Regulations

Schedule 1 of the EP&A Regulation requires a statement of environmental effects to indicate:

- the environmental impacts of the development,
- how the environmental impacts of the development have been identified, and
- the steps to be taken to protect the environment or to lessen the expected harm to the environment.

Summary table below identifies some of the environmental impacts associated with the development and raises a number of questions that are unclear in the SEE and documentation that has been provided with the current application. In addition a number of possible mitigation measures have been outlined for consideration to ensure that the residential amenity of the locality is maintained at an acceptable level

Table 1

Lot 1	<ul style="list-style-type: none"> • The minimum lot size for a dwelling (connected to SRSC sewerage system) in the RU5 zone is 700 sqm. This lot has the benefit of a sewerage easement. The right of carriageway could be moved a minimum of 6 metres away from the boundary of Lot 275 without impacting on the development potential of the lot. An approximate frontage of 15 metres would still remain. As a compromise this lot could be given the benefit of the right of carriageway to enable it to be used to provide vehicle access. This would also limit the number of driveways to 1 (not 2 as would currently be required). • The maximum vehicle capacity of the right of carriageway should be defined now to ensure future development maintains the residential amenity of the adjoining properties. • What material will the driveway within the right of carriageway be constructed of? Concrete would be less noisy than gravel. • Will trees be removed from this lot to make way for a driveway? • Is any additional landscaping proposed on this lot? • The large/significant tree towards the rear of the lot should be retained. • The majority of the native tree island should be retained.
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<p>Lot 2</p>	<ul style="list-style-type: none"> • Lots greater than 2000 sqm in the RU5 zone are able to dispose of sewerage onsite. Is this appropriate in this circumstance? • Attached dual occupancy can be constructed on lots with a minimum size of 700 sqm, detached dual occupancy can be constructed on lots with a minimum size of 850 sqm, and multiple dwelling housing and residential flat buildings can be constructed on lots with a minimum size of 1050 sqm in the RU5 zone. Is this appropriate in this circumstance? • Future development on this lot should be defined and limited now. It would be reasonable to expect development of a scale equal to a dwelling and granny flat with up to 3 permanent vehicles. • Any intensification of a dual occupancy or above should not be allowed at this site if the access is only 6 metres wide. • No home business, significant tourist development or traffic generating activities should be allowed at this site as the access is only 6 metres wide. • Where will waste and recycle bins for this lot be located during council collection times?
<p>Lot 3</p>	<ul style="list-style-type: none"> • Does this lot have access to SRSC sewerage system? Are any additional easements required? • Future development on this lot should be defined and limited now. It would be reasonable to expect development of a scale equal to a dwelling and granny flat with up to 3 permanent vehicles. • Any intensification of a dual occupancy or above should not be allowed at this site if the access is only 6 metres wide. • No home business, significant tourist development or traffic generating activities should be allowed at this site the access is only 6 metres wide. • Where will waste and recycle bins for this lot be located during council collection times?
<p>Lot 4</p>	<ul style="list-style-type: none"> • Will the existing dam be filled in? • Will trees be removed from this lot? • Does this lot have access to SRSC sewerage system? Are any additional easements required? Onsite treatment may not be appropriate for this lot even though it meets the minimum lot size of 2000 sqm metres. If an easement to dispose of sewerage is require and cannot be obtained then this lot should be excluded from the proposed subdivision. • Is any additional landscaping proposed on this lot? • Has view sharing been considered? • Can a buffer zone be provided to Lot 275 and Lot 276? • Could a building envelope be considered for this lot? • Could any height restrictions be considered for this lot e.g. the southern section of the lot could be designated a maximum of 2 storey, the middle/rear section of the lot could be single storey only and a restriction of no buildings (including garages and shed) be applied to the rear (or northern section) of the lot. This would ensure views are shared and privacy is maintained. • The medium sized/significant trees within close proximity to the boundary of Lot 275 and Lot 276 should be retained. • Future development on this lot should be defined and limited now. It would be reasonable to expect development of a scale equal to a dwelling and granny flat with up to 3 permanent vehicles.

	<ul style="list-style-type: none">• Any intensification of a dual occupancy or above should not be allowed at this site if the access is only 6 metres wide.• No home business, significant tourist development or traffic generating activities should be allowed at this site the access is only 6 metres wide.• Where will waste and recycle bins for this lot be located during council collection times?
General	<ul style="list-style-type: none">• Maintenance responsibilities for the driveway, landscaping and drainage within the right of carriageway need to be defined now.• Stormwater management within the right of carriageway should be designed now.



ATTACHMENT A

ISSUE	OBJECTION
<p>The original subdivision development application (DA0006/2016) approved 4 January 2016.</p> <ul style="list-style-type: none"> • Conditions of consent (ATTACHMENT B) • Approved plan (ATTACHMENT C) 	<p>At the time of the original subdivision a submission was made (ATTACHMENT D) because it was foreshadowed that environmental and residential amenity issues could arise when each of the allotments were developed.</p> <p>In relation to the original submission, the proposed design of DA 10.2022.60.1 on Lot 1 now results in the following issues:</p> <ol style="list-style-type: none"> 1. The potential residential amenity impacts to the adjoining properties have not been identified and mitigated. 2. The location of the proposed right of carriageway will have adverse impacts on the adjoining Lot 275. DA10.2022.60.1 proposes to many vehicles on the right of way. 3. The proposed development does not allow for any buffer zones to adjoining properties. DA10.2022.60.1 seeks to remove part of the buffer. 4. Adverse noise impacts will be generated particularly by vehicles entering and exiting the proposed development. 5. Adverse visual impacts will be generated through loss of native trees and no provision for landscaping. 6. The maximum vehicle capacity of the 6 metre (approved as 4 metre wide) wide right of carriageway has not been specified. 7. Adverse traffic impacts will be generated by intensifying the number of vehicles entering and exiting the development site. The full extent of this impact is not known given the future use of each proposed lot is not identified. The proposed development of Lot 1 is now known and it is considered an overdevelopment of the site.

	<p>8. The future use of each proposed lot should be specified in the current application to ensure that a new purchaser does not seek to overdevelop one of the sites which would intensify impacts on adjoining properties. The proposed development of Lot 1 is now known and it is considered an overdevelopment of the site.</p> <p>9. View sharing options must be considered.</p> <p>10. The loss of native trees will adversely affect residential amenity. Significant trees and the tree island at the site should be identified and retained. The proposed development of Lot 1 seeks to remove the last remaining native trees.</p> <p>11. Waste and recycling practices particularly on council collection days has the potential to cause amenity impacts. The potential for 8 bins associated with the development of Lot 1 causes significant locations issues.</p>
<p>The original subdivision development application (DA0006/2016) approved 4 January 2016.</p> <ul style="list-style-type: none"> • Condition 11 – Right of way / concrete drive was to provide access to Lot 2, Lot 3 and Lot 4. <ul style="list-style-type: none"> ○ <u>Comment:</u> Lot 1 (30C Kunama Drive) had its own separate driveway directly to the road adjacent to 32 Kunama Drive. 	<p>DA 10.2022.60.1 is inconsistent with the original subdivision DA0006/2016.</p> <p>Access for four dwellings is proposed off the right of way / concrete drive which was only intended for Lot 2, Lot 3, and Lot 4. This will result in the following adverse impacts:</p> <ul style="list-style-type: none"> • Traffic impacts <ul style="list-style-type: none"> ○ The 4 metre driveway width is insufficient for the number of vehicles and vehicle movements proposed. ○ There are no vehicle turning or vehicle passing areas. • Amenity and noise impact <ul style="list-style-type: none"> ○ Vehicle light shining into adjoining properties. ○ Excessive vehicles will create noise impacts • Safety issues

	<ul style="list-style-type: none"> ○ Pedestrian / children utilise the driveway. Additional vehicles and a driveway bound by visitor parking on one side and garages on the other will increase safety risks. <p>Access for Lot 1 should be off its approved driveway adjacent to 32 Kunama Drive. Not the right of way.</p>
<p>The original subdivision development application (DA0006/2016) approved 4 January 2016.</p> <ul style="list-style-type: none"> • Condition 12 – 4.5 metres landscape buffer to Lot 275 (28 Kunama Drive). <ul style="list-style-type: none"> ○ <u>Comment:</u> the whole strip from the edge of the concrete to the boundary of Lot 275 is meant to be a landscape buffer. 	<p>DA 10.2022.60.1 is inconsistent with the original subdivision DA0006/2016.</p> <p>Visitor car parking is not appropriate in the approved and designated landscape buffer. This will result in the following adverse impacts:</p> <ul style="list-style-type: none"> • Loss of landscape buffer and reduced separation from vehicles for Lot 275. • Traffic impacts <ul style="list-style-type: none"> ○ There are no vehicle turning areas for the visitor parking ○ The spaces are only 2.4 metres wide – vehicle doors open directly onto driveway • Amenity and noise impact <ul style="list-style-type: none"> ○ Visitor parking approx. 50 metres in length which could mean up to 8 vehicles parked along the boundary of Lot 275 ○ Gravel surface will have an adverse noise impact when vehicles arrive / depart. • Safety issues <ul style="list-style-type: none"> ○ Pedestrian / children – the landscape buffer also functions as an open space pathway when vehicles are travelling on the driveway. This opportunity will be lost if the area is taken up with visitor parking.

<p>The original subdivision development application (DA0006/2016) approved 4 January 2016.</p> <ul style="list-style-type: none"> • Conditions 26 – restriction on use / dwelling numbers. Particularly numbers accessing off right of way. Lot 2 dwelling or dual occ, Lot 3 dwelling or dual occ and Lot 4 dwelling. <ul style="list-style-type: none"> ○ <u>Comment:</u> the number of dwellings accessing off the right of way was meant to be a total of not more than 5. All five have already been allocated in accordance with condition 26. 	<p>DA 10.2022.60.1 is inconsistent with the original subdivision DA0006/2016.</p> <p>Condition 26 is a clear indication that Council did not intend for Lot 1 to utilise the right of way / concrete drive. The maximum 5 dwellings off the access way have already been allocated to Lot 2, Lot 3 and Lot 4 as described in the condition.</p> <p>Access for Lot 1 should be off its approved driveway adjacent to 32 Kunama Drive. Not the right of way.</p>
<p>The original subdivision development application (DA0006/2016) approved 4 January 2016.</p> <ul style="list-style-type: none"> • Condition 29 – restriction of no further subdivision. <ul style="list-style-type: none"> ○ Comment: this condition prevents any further subdivision of Lot 1 	<p>DA 10.2022.60.1 is inconsistent with the original subdivision DA0006/2016.</p> <p>By definition in the Environmental Planning and Assessment Act “subdivision” of land includes a strata plan or a strata plan of subdivision within the meaning of the <i>Strata Schemes Development Act 2015</i>.</p> <p>The proposed development includes the strata subdivision of Lot 1 into 5 allotments. However, condition 29 of the original subdivision approval restricts any further subdivision of Lot 1.</p> <p>Council should not support the proposed subdivision.</p>
<p>Snowy River Local Environmental Plan 2013</p> <p>The site is zoned RU5 Village under the Snowy River LEP 2013. Key objectives of the RU5 zone include:</p> <ul style="list-style-type: none"> • To provide for a range of land uses, services and facilities that are associated with a rural village. 	<p>DA 10.2022.60.1 is inconsistent with the objectives of the RU5 zone.</p> <p>Four dwellings are out of character and an overdevelopment of the site particularly given that this part of Kunama Drive consists primarily of single dwellings.</p> <p>The proposed development is much more dense than the existing rural village character of this part of East Jindabyne and the loss of native vegetation at the site adversely impacts the scenic quality of the area.</p>

<ul style="list-style-type: none"> To protect and conserve the historical significance, character and scenic quality of rural village settings. 	<p>A dual occupancy development accessed off the designated Lot 1 driveway (i.e. not the right of way) would result in a much more acceptable development.</p>
<p>Snowy River Local Environmental Plan 2013</p> <p>The statement of environmental effects (SEE) does not address key LEP clauses in relation to lot size.</p> <p><i>4.1A Minimum lot size for dual occupancies, multi dwelling housing and residential flat buildings in certain rural and residential zones</i></p> <p><i>(4) For the purposes of this clause, if a lot is a battle-axe lot or other lot with an access handle, the area of the access handle is not to be included in calculating the lot size.</i></p>	<p>DA 10.2022.60.1 is inconsistent with parts of the LEP.</p> <p>The statement of environmental effects should thoroughly consider and assess the proposed development against the LEP. The right of way and landscape buffer should not be included in the minimum lots size for the purposes of clause 4.1A.</p>
<p>Snowy River Local Environmental Plan 2013</p> <p>The statement of environmental effects (SEE) does not address key LEP clauses in relation to lot size and subdivision.</p> <p><i>4.1B Exceptions to minimum subdivision lot sizes for certain residential development</i></p> <p><i>(1) The objective of this clause is to encourage housing diversity without adversely impacting on residential amenity.</i></p> <p><i>(2) This clause applies to development on land in the following zones that is serviced by a sewage reticulation system—</i></p> <p><i>(a) Zone R1 General Residential,</i></p> <p><i>(b) Zone RU5 Village.</i></p> <p><i>(3) Development consent may be granted to a single development application for development to which this clause applies that is for consent to both of the following—</i></p>	<p>DA 10.2022.60.1 is inconsistent with parts of the LEP</p> <p>The statement of environmental effects should thoroughly consider and assess the proposed development against the LEP. The proposed strata subdivision of one lot into 5 lots adversely affects the existing residential amenity in this part of Kunama Drive.</p> <ul style="list-style-type: none"> The proposed dwelling density is out of character and the strata allotment sizes are too small. Traffic and parking adversely impact the other residents using the right of way and surrounding neighbours. <p>Two of the five lots do not meet the minimum 250 sqm required by clause 4.1B.</p> <ul style="list-style-type: none"> Pt 2 – 217.64 sqm Pt 3 – 236.09 sqm

<p><i>(a) the subdivision of land into 3 or more lots,</i></p> <p><i>(b) the erection of a dwelling house, an attached dwelling or a semi-detached dwelling on each lot resulting from the subdivision, if the size of each lot is equal to or greater than 250 square metres.</i></p>	
<p>Snowy River Local Environmental Plan 2013</p> <p>The statement of environmental effects (SEE) does not address key LEP clauses in relation to floor space ratio and site area.</p> <p>4.4 Floor space ratio</p> <p><i>(1) The objectives of this clause are as follows—</i></p> <p><i>(a) to ensure that buildings are compatible with the bulk and scale of the streetscape and the existing and desired future character of the locality,</i></p> <p><i>(b) to minimise adverse environmental effects on the use or enjoyment of adjoining properties, including heritage items, and the public domain,</i></p> <p><i>(c) to establish the maximum development density, accounting for the availability of infrastructure and generation of traffic.</i></p> <p><i>(2) The maximum floor space ratio for a building on any land is not to exceed the floor space ratio shown for the land on the Floor Space Ratio Map.</i></p> <p>4.5 Calculation of floor space ratio and site area</p> <p><i>In addition, subclauses (4)–(7) apply to the calculation of site area for the purposes of applying a floor space ratio to proposed development.</i></p> <p>(4) Exclusions from site area <i>The following land must be excluded from the site area—</i></p>	<p>DA 10.2022.60.1 is inconsistent with parts of the LEP</p> <p>The statement of environmental effects should thoroughly consider and assess the proposed development against the LEP.</p> <p>Lot 1 in DP 1228821 is constrained by a range of easements which by virtue of “other law” prohibit the erection of buildings on them. Clause 4.5 allows the easement to be excluded from the site area. This means the floor space ratio (FSR) exceeds 0.5:1.</p> <p>The available building area is only approximately 1009 sqm which results in an FSR of 0.56:1. This does not comply with the LEP.</p>

<p><i>(a) land on which the proposed development is prohibited, whether under this Plan or any other law,</i></p>	
<p>Snowy River Local Environmental Plan 2013</p> <p>The statement of environmental effects (SEE) does not address key LEP clauses in relation to terrestrial biodiversity.</p> <p>7.2 Terrestrial biodiversity</p> <p><i>(1) The objective of this clause is to maintain terrestrial biodiversity by—</i></p> <p><i>(a) protecting native fauna and flora, and</i></p> <p><i>(b) protecting the ecological processes necessary for their continued existence, and</i></p> <p><i>(c) encouraging the conservation and recovery of native fauna and flora and their habitats.</i></p> <p><i>(2) This clause applies to land identified as “Biodiversity” on the Terrestrial Biodiversity Map.</i></p> <p><i>(3) Before determining a development application for development on land to which this clause applies, the consent authority must consider—</i></p> <p><i>(a) whether the development is likely to have—</i></p> <p><i>(i) any adverse impact on the condition, ecological value and significance of the fauna and flora on the land, and</i></p> <p><i>(ii) any adverse impact on the importance of the vegetation on the land to the habitat and survival of native fauna, and</i></p> <p><i>(iii) any potential to fragment, disturb or diminish the biodiversity structure, function and composition of the land, and</i></p>	<p>Lot 1 is partly mapped as terrestrial biodiversity.</p> <p>The statement of environmental effects should be supplemented with a flora and fauna report. Any healthy native trees should be retained to preserve ecological processes and native habitat.</p> <p>Any trees that are proposed to be removed should be supported by a detailed arborist report that clearly demonstrates that the trees are a risk to people or property in the locality.</p> <p>Any trees proposed to be removed should be offset by planting equivalent replacement native trees in deep soil landscape zones.</p>

<p>(iv) any adverse impact on the habitat elements providing connectivity on the land, and</p> <p>(b) any appropriate measures proposed to avoid, minimise or mitigate the impacts of the development.</p> <p>(4) Development consent must not be granted to development on land to which this clause applies unless the consent authority is satisfied that—</p> <p>(a) the development is designed, sited and will be managed to avoid any significant adverse environmental impact, or</p> <p>(b) if that impact cannot be reasonably avoided by adopting feasible alternatives—the development is designed, sited and will be managed to minimise that impact, or</p> <p>(c) if that impact cannot be minimised—the development will be managed to mitigate that impact.</p>	
<p>Snowy River Development Control Plan 2013</p> <p>C1 Subdivision</p> <p>1.2. Design Considerations</p> <p>.... Every subdivision application lodged with Council will need to demonstrate that the following matters have been taken into consideration in the design of the subdivision:</p> <ul style="list-style-type: none"> • Solar access to and from site 	<p>DA 10.2022.60.1 is inconsistent with parts of the DCP</p> <p>The statement of environmental effects should thoroughly consider and assess the impacts of the proposed subdivision.</p> <p>Four dwellings are out of character and an overdevelopment of the site particularly given that this part of Kunama Drive consists primarily of single dwellings.</p>

<ul style="list-style-type: none"> • Privacy (acoustic and visual) • Overshadowing • Vegetation removal required • Stormwater disposal, including impacts on upstream and downstream properties, waterways and lakes • Easements, rights of carriageway and access arrangements • Pedestrian and vehicle access <p>The Environmental Planning and assessment Act defines subdivision.</p> <p>6.2 Meaning of “subdivision” of land</p> <p>(1) For the purposes of this Act, subdivision of land means the division of land into 2 or more parts that, after the division, would be obviously adapted for separate occupation, use or disposition. The division may (but need not) be effected—</p> <p>(a) by conveyance, transfer or partition, or</p> <p>(b) by any agreement, dealing, plan or instrument rendering different parts of the land available for separate occupation, use or disposition.</p> <p>(2) Without limiting subsection (1), subdivision of land includes the procuring of the registration in the office of the Registrar-General of—</p> <p>(a) a plan of subdivision within the meaning of section 195 of the <i>Conveyancing Act 1919</i>, or</p> <p>(b) a strata plan or a strata plan of subdivision within the meaning of the <i>Strata Schemes Development Act 2015</i>.</p>	<ul style="list-style-type: none"> • The proposed two storey dwellings limit solar access outdoor areas and lower-level living areas of the neighbour at 32 Kunama Drive. <ul style="list-style-type: none"> ◦ The shadow diagrams show that most of the northern side of 32 Kunama Drive is in shadow all day. • The proposed development including upper level living areas and balconies are oriented to the north directly facing the neighbour at 28 Kunama Drive causing visual privacy issues. • The location of the proposed visitor car parking will cause acoustic privacy issues of the neighbour at 28 Kunama Drive. • Native vegetation is proposed to be removed without detailed assessment and/or adequate justification. • There is no stormwater easement and stormwater can not be discharged to the street. Absorption trenches are proposed. However, in the absence of any detailed hydraulic and soil analysis the success of the trenches may not be able to be relied upon. Any overflow of stormwater will adversely affect down slope properties. • The 4 metre driveway width is insufficient for the number of vehicles and vehicle movements proposed. There are no vehicle turning or vehicle passing areas. Access for Lot 1 should be off its approved driveway adjacent to 32 Kunama Drive. Not the right of way. • The safety issues associated with pedestrians / children utilising the driveway have not been adequately addressed. Additional vehicles and a driveway bound by visitor parking on one side and garages on the other will increase safety risks. The landscape buffer should not be used for visitor parking. It must function as an open space pathway when vehicles are travelling on the driveway.
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	A dual occupancy development accessed off the designated Lot 1 driveway (i.e. not the right of way) would result in a much more acceptable development.
<p>2. General Subdivision Requirements</p> <p>2.1. Objectives</p> <p>The objectives for the subdivision of land are:</p> <ul style="list-style-type: none"> To ensure that dwelling construction provides quality outcomes for the built environment of the Shire To ensure that development of lots does not adversely impact on landscape features and amenity. 	<p>DA 10.2022.60.1 is inconsistent with these objectives.</p> <p>A quality outcome for the built environment has not been achieved. Four dwellings are out of character and an overdevelopment of the site particularly given that this part of Kunama Drive consists primarily of single dwellings.</p> <p>Native vegetation is proposed to be removed without detailed assessment and/or adequate justification.</p> <p>The amenity of the adjoining neighbours will be impacted by traffic and parking, visual and acoustic privacy, overshadowing, and stormwater drainage issues.</p> <p>A dual occupancy development accessed off the designated Lot 1 driveway (i.e., not the right of way) would result in a much more acceptable development.</p>
<p>C1.2-4 Flora and Fauna Protection</p> <p>(a) If the subdivision includes any land significant for flora and fauna protection a targeted survey for threatened species must be carried out and an assessment of significance prepared by a suitably qualified person demonstrating that the subdivision will not have an adverse effect on flora and fauna.</p>	<p>The statement of environmental effects should be supplemented with a flora and fauna report. Any healthy native trees should be retained to preserve ecological processes and native habitat.</p> <p>Any trees that are proposed to be removed should be supported by a detailed arborist report that clearly demonstrates that the trees are a risk to people or property in the locality.</p> <p>Any trees proposed to be removed should be offset by planting equivalent replacement native trees in deep soil landscape zones.</p>
<p>C3.1-2 Rights of Carriageway for Subdivision</p>	<p>The statement of environmental effects has not demonstrated any exceptional circumstances that would allow an additional four</p>

<p>a) Where access to the allotment is via an existing right of carriageway, the subdivision will only be permitted in exceptional circumstances as follows, where:</p> <ul style="list-style-type: none"> - the subdivision is for large rural property where the cost of providing public road access would be prohibitive; or - the subdivision is in remote rural localities of the Shire. <p>b) Access may be provided by a vehicular right of carriageway for development involving subdivision of land into up to five (5) additional residential lots (or development where traffic generation has a similar or greater impact) if:</p> <ul style="list-style-type: none"> - the right of carriageway is constructed to a standard approved by the Council; and - where relevant, the consent of all adjoining land owners, whose land is burdened by the vehicular right of way, has been gained. <p>c) Access may be provided by a vehicular right of carriageway for new development (other than that referred to in sub-clauses a) and b) above) where traffic will have a minimal impact if:</p> <ul style="list-style-type: none"> - the right of way is constructed to a standard agreed to by Council; and - where relevant, the consent of all adjoining land owners, whose land is burdened by the vehicular right of way, has been gained. <p>d) If further subdivision takes place utilising the right of carriageway and increasing the number of lots utilising the right of carriageway to more than six (6) allotments, the right of carriageway is to be replaced with a public road (refer below).</p>	<p>dwellings to be accessed off a narrow right of way that already allows for the maximum capacity of five.</p> <p>If approved, a total of nine dwellings using the driveway would have significant traffic and parking impacts.</p> <ul style="list-style-type: none"> • The 4 metre driveway width is insufficient for the number of vehicles and vehicle movements proposed. • There are no vehicle turning or vehicle passing areas • Excessive vehicles will create noise impacts • There would be pedestrian and vehicle conflicts. <p>A public road is required for 6 allotments however there is insufficient space in this location to construct a road. Also, given the proximity to adjoining properties a new public road would result in adverse impacts.</p> <p>Access for Lot 1 should be off its approved driveway adjacent to 32 Kunama Drive. Not the right of way.</p>
<p>5. Car Parking Design Objectives</p>	<p>The statement of environmental effects has not considered the relevant conditions of consent and approved plans from the original subdivision DA.</p>

<ul style="list-style-type: none"> • To integrate the location and design of car parking in the design of the development. • To ensure that car parking and service vehicle areas are pleasant and safe areas to park. • To minimise vehicle and pedestrian conflict and improve pedestrian safety. • To ensure that the location and design of car parking does not result in detrimental affects on the streetscape and adjoining or nearby properties. 	<p>Visitor car parking is not appropriate in the approved and designated landscape buffer. This will result in the following adverse impacts:</p> <ul style="list-style-type: none"> • Loss of landscape buffer and reduced separation from vehicles for Lot 275. • Traffic impacts <ul style="list-style-type: none"> ○ There are no vehicle turning areas for the visitor parking ○ The spaces are only 2.4 metres wide – vehicle doors open directly onto driveway • Amenity and noise impact <ul style="list-style-type: none"> ○ Approx. 50 metres in length which could mean up to 8 vehicles parked along the boundary of Lot 275 ○ Gravel surface will have an adverse noise impact when vehicles arrive / depart. • Safety issues <ul style="list-style-type: none"> ○ Pedestrians / children – the landscape buffer also functions as an open space pathway when vehicles are travelling on the driveway. This opportunity will be lost if the area is taken up with visitor parking.
<p>C3 3-1 Car Parking Design</p> <p>b) The design of car parking areas, including entry and exit points, is not to create traffic conflicts or impact on pedestrian and cyclists movements.</p> <p>d) All car parking spaces must be designed to enable vehicles to enter and exit a site in a forward direction.</p> <p>i) Parking spaces and areas are to be designed in accordance with the following diagrams: AS/NZS 2890.1 2004 Figure 2.2.</p>	<p>DA 10.2022.60.1 is inconsistent with these DCP design requirements and the statement of environmental effects has not adequately addressed these issues.</p> <p>The traffic conflicts will result from the 4 metre driveway width which is insufficient for the number of vehicles and vehicle movements proposed. In addition, there are no vehicle turning or vehicle passing areas</p> <p>Pedestrian, children and cyclist safety issues are due to additional vehicle usage (increased trip frequency), and a driveway bound by</p>

	<p>visitor parking on one side and garages on the other will increase safety risks. The landscape buffer currently functions as an open space pathway when vehicles are travelling on the driveway. This gives non-vehicle users a safe space to walk or stand to avoid conflicts with oncoming vehicles.</p> <p>Insufficient design detail has been provided for the visitor parking. Approx. 50 metres in length which could mean up to 8 vehicles parked along the boundary of Lot 275</p> <p>Visitor parking should be removed from the landscape buffer and access for Lot 1 should be off its approved driveway adjacent to 32 Kunama Drive. Not the right of way.</p>
<p>C3 3-2 Safety</p> <p>a) Car parking is to be designed to providing clear, safe and easily accessible paths of travel for both cars and pedestrians.</p>	<p>The driveway is too narrow for the number of vehicles and vehicle movements proposed. In addition, there are no vehicle turning or vehicle passing areas.</p> <p>The visitor parking seeks to remove the open space accessible path of travel that is currently available for pedestrians.</p>
<p>C10 Waste Management & Recycling</p> <p>2. Objectives</p> <p>The objectives for waste management, waste minimisation and recycling are:</p> <ul style="list-style-type: none"> • To ensure quality design of waste management facilities that complement the building design and minimise noise, odour and visual impacts on adjacent uses and the public domain. • To ensure sufficient, accessible and efficient waste storage, recycling and collection areas in all development. 	<p>The original subdivision currently allows for up to five dwellings on Lot 2, Lot 3 and Lot 4. This would result in 10 bins. The proposed four dwelling development would result in an additional 8 bins.</p> <p>There is insufficient street frontage to allow for this number of bins to be appropriately located for collection by Council's truck. Waste and recycling practices, particularly on council collection days, have the potential to cause amenity impacts.</p>

<p>Chapter D – Residential Development</p> <p>D1 Residential Accommodation</p> <p>2. Aims</p> <p>The aims of this Chapter are to:</p> <ul style="list-style-type: none"> • Encourage good design and residential amenity in new development by encouraging a comprehensive design orientated approach. • Set appropriate environmental criteria for energy efficiency, privacy, noise, vehicular access, parking and open space. • Improve urban design and residential amenity in new housing developments. • Promote high standards of design that respect the character of existing neighbourhoods and rural areas and minimises loss of amenity to adjacent residents. 	<p>DA 10.2022.60.1 is inconsistent with these DCP aims for residential development and the statement of environmental effects has not adequately addressed these issues.</p> <p>The proposed four dwelling design:</p> <ul style="list-style-type: none"> • is out of character and an overdevelopment of the site particularly given that this part of Kunama Drive consists primarily of single dwellings; • is much more dense than the existing rural-village character of this part of East Jindabyne and the loss of native vegetation at the site adversely impacts the scenic quality of the area; and • does not respect the amenity of the adjacent residents particularly in relation to privacy, noise, vehicle access, parking and overshadowing. <p>A dual occupancy development accessed off the designated Lot 1 driveway (i.e., not the right of way) would result in a much more acceptable development.</p>
<p>3.1. Site Planning</p> <p>The site planning and layout should integrate the development with the surrounding environment through:</p> <ul style="list-style-type: none"> • Adequate pedestrian, cycle and vehicle links to the street and any open space networks • Buildings facing streets and open space networks • Buildings, streetscape and landscape design taking into account on-site features identified in the site analysis • Maintaining streetscape and amenity • Ensuring solar access to living areas 	<p>DA 10.2022.60.1 is inconsistent with these DCP site planning controls for residential development and the statement of environmental effects has not adequately addressed these issues.</p> <p>The proposed four dwelling design:</p> <ul style="list-style-type: none"> • Will result in traffic conflicts due to the 4 metre driveway width which is insufficient for the number of vehicles and vehicle movements proposed. In addition, there are no vehicle turning or vehicle passing areas • Will result in pedestrian, children and cyclist safety issues due to additional vehicle usage (increased trip frequency), and a driveway bound by visitor parking on one side and garages on the other will increase safety risks. The landscape buffer currently functions as an open space pathway when vehicles are travelling on the

<ul style="list-style-type: none"> • Designing open space areas that are easily maintained, manage stormwater and contribute to the character of the development. <p>D1.1-1 Site Planning</p> <p>a) Development should be appropriately located on the site to:</p> <ul style="list-style-type: none"> • consider the amenity of neighbouring properties is maintained or enhanced; • consider the impact of the development on views and view sharing; • facilitate solar access; • protect significant landscape and vegetation; • allow for the provision of landscaping and provide room for additional tree plantings to grow to maturity; • facilitate the efficient use of the site; and • minimise bushfire hazard by preserving 'fuel free' zone (where development is adjacent to high bushfire hazard areas). 	<p>driveway. This gives non-vehicle users a safe space to walk or stand to avoid conflicts with oncoming vehicles.</p> <p>The buildings are oriented north south whereas all of the other dwellings in this part of Kunama Drive are oriented east west to face the street. The proposed development is out of character and incompatible with the streetscape due to the side of the dwelling facing the road.</p> <p>Neighbour amenity will be adversely impacted rather and maintained or enhanced as required by the DCP:</p> <ul style="list-style-type: none"> • Traffic and parking impacts are described above. • The shadow diagrams show that most of the northern side of 32 Kunama Drive is in shadow all day. • The proposed development including upper-level living areas and balconies are oriented to the north directly facing the neighbour at 28 Kunama Drive causing visual privacy issues. • The location of the proposed visitor car parking will cause acoustic privacy issues of the neighbour at 28 Kunama Drive. • There is no stormwater easement and stormwater cannot be discharged to the street. Absorption trenches are proposed. However, in the absence of any detailed hydraulic and soil analysis the success of the trenches may not be able to be relied upon. Any overflow of stormwater will adversely affect down slope properties <p>Four dwellings on a site of this size and in this location are far too many and not consistent in the locality. The proposal is an overdevelopment of the site that does not protect local amenity. A dual occupancy development accessed off the designated Lot 1 driveway (i.e., not the right of way) would result in a much more acceptable development.</p>
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<p>D1.1-4 Private Open Space</p> <p>e) Private open space above ground level is to:</p> <ul style="list-style-type: none"> • Not be located facing directly towards adjoining development impacting on their privacy and amenity <p>f) Where possible existing trees and natural landscape features (eg rock outcrops) are to be retained and incorporated into landscape design.</p>	<p>The buildings are oriented north south whereas all of the other dwellings in this part of Kunama Drive are oriented east west to face the street.</p> <p>The proposed development including upper-level living areas and balconies are oriented to the north directly facing the neighbour at 28 Kunama Drive in contravention of this DCP requirement.</p> <p>Lot 1 is partly mapped as terrestrial biodiversity. The statement of environmental effects should be supplemented with a flora and fauna report. Any healthy native trees should be retained to preserve ecological processes and native habitat.</p> <p>Any trees that are proposed to be removed should be supported by a detailed arborist report that clearly demonstrates that the trees are a risk to people or property in the locality.</p> <p>Any trees proposed to be removed should be offset by planting equivalent replacement native trees in deep soil landscape zones.</p>
<p>D1.2-1 Building Height</p> <p>d) Shadow diagrams should be prepared and submitted for two storey buildings to illustrate the potential impact on sunlight to adjoining properties.</p>	<p>The shadow diagrams show that most of the northern side of 32 Kunama Drive is in shadow all day.</p>
<p>D1.2-2 Floor Space Ratio</p> <p>The maximum floor space ratio for a building on a particular site is identified in the Snowy River LEP 2013 Clause 4.4 – Floor space ratio and accompanying Floor Space Ratio Maps.</p>	<p>The proposed development does not comply with Councils FSR controls in the LEP/DCP as previously discussed.</p>

<p>5.1 Building Form</p> <p>Objectives</p> <ul style="list-style-type: none"> To ensure that the form, scale, massing and proportions of dwellings recognise and adapt to the characteristics of the site including topography, orientation and the surrounding natural and built environment. To ensure building facades are designed to complement or enhance the existing streetscape and neighbourhood character. <p>D1.3-1 All Residential Development</p> <p>a) New development should respect adjoining development and display “good manners” by:</p> <ul style="list-style-type: none"> • Maintaining an appropriate distance between buildings to protect privacy; • Maintaining a sympathetic scale relationship; and • Ensuring a reasonable sharing of solar access. 	<p>DA 10.2022.60.1 is inconsistent with these DCP built form controls for residential development. The statement of environmental effects has not adequately addressed these issues or demonstrated “good manners”.</p> <p>The proposed four dwelling design:</p> <ul style="list-style-type: none"> • is out of character and an overdevelopment of the site particularly given that this part of Kunama Drive consists primarily of single dwellings; • is much more dense than the existing rural-village character of this part of East Jindabyne and the loss of native vegetation at the site adversely impacts the scenic quality of the area; • has the orientation of the buildings as north south whereas all of the other dwellings in this part of Kunama Drive are oriented east west to face the street; • has visitor car parking in the approved and designated landscape buffer which reduced separation from vehicles for Lot 275, and • does not respect the amenity of the adjacent residents particularly in relation to privacy, noise, vehicle access, parking and overshadowing.
<p>6.3 Visual Privacy</p> <p>The design of buildings can optimize privacy by minimising cross viewing and overlooking to adjoining dwellings. The emphasis of the control is on minimising cross viewing and overlooking from the indoor and outdoor living areas of dwellings to maintain the amenity of the neighbours.</p> <p>The privacy of buildings can be maximised by building design, layout, location and the design of windows and balconies, screening devices and landscaping.</p>	<p>All four proposed dwellings are oriented north south whereas all of the other existing dwellings in this part of Kunama Drive are oriented east west to face the street.</p> <p>The proposed development including upper-level living areas and balconies are oriented to the north, directly facing the neighbour at 28 Kunama Drive causing visual privacy and overlooking issues.</p> <p>The proposed development fails these objectives in that adjoining residential amenity will be adversely affected by overlooking.</p>

<p>Objectives</p> <ul style="list-style-type: none"> To ensure development minimises overlooking or cross viewing to the neighbouring dwellings to maintain reasonable levels of privacy. <p>D1.4-3 Visual Privacy</p> <p>b) The windows to the main living and dining rooms must be oriented away from the adjacent dwellings wherever possible, for example oriented to the front or rear of the allotment or a side courtyard.</p> <p>c) Upper floor balconies should be focused to the street or rear yard. Any elevated balconies or balcony returns on the side façade must have a narrow width to minimise privacy impacts on adjoining properties.</p> <p>d) First floor decks, balconies and roof top terraces are not supported where they overlook or have the potential to directly overlook habitable rooms or private open space.</p> <p>D1.4-4 Acoustic Privacy</p> <p>d) Building setbacks are to be varied to ensure adjoining residents feel an adequate sense of acoustic privacy when using rooms fronting driveways, accessways, pathways and the street.</p>	<p>The development lacks landscaping, deep soil plantings and adequate room for mature trees which would assist to mitigate overlooking impacts.</p> <p>Adjoining residential amenity will be adversely affected by vehicle headlights and noise. The excessive number of vehicles, including up to 8 parked in the visitor spaces, will create noise impacts. In addition, the proposed gravel surface will have an adverse noise impact when vehicles arrive / depart.</p>
<p>6.5 Landscape Design</p> <p>D1.4-6 Tree Replenishment</p> <p>a) Development proposals should contribute to the retention and replenishment of trees so as to retain the predominant character for the area that provides for large canopy trees. A list of recommended</p>	<p>The statement of environmental effects should be supplemented with a flora and fauna report and a Category 2 landscape plan by a Landscape Designer.</p> <p>Any healthy native trees should be retained to preserve ecological processes and native habitat.</p>

<p>landscape species is included in Chapter C5 Tree Preservation and Landscaping (Appendix C5-1).</p> <p>b) Lots with the following sizes should support a minimum number of trees capable of attaining a minimum height of 13 metres on decomposed granite soils:</p> <ul style="list-style-type: none"> o Lots less than 850m² = one (1) tree o Lots 850 – 1000m² = three (3) trees o Lots 1000 – 1500m² = five (5) trees o Lots over 1500m² = seven (7) trees 	<p>Any trees that are proposed to be removed should be supported by a detailed arborist report that clearly demonstrates that the trees are a risk to people or property in the locality.</p> <p>Any trees proposed to be removed should be offset by planting equivalent replacement native trees in deep soil landscape zones with adequate room for mature trees.</p>
<p>7. Car Parking & Access</p> <p>D1.5-1 Car Parking & Access</p> <p>c) Car parking areas, driveways, garages and carports are not to visually dominate the site and should be sympathetic to existing adjacent development and the streetscape.</p>	<p>Visitor car parking is not appropriate in the approved and designated landscape buffer. This will result in the following adverse impacts:</p> <ul style="list-style-type: none"> • Loss of landscape buffer and reduced separation from vehicles for Lot 275. • Traffic impacts <ul style="list-style-type: none"> o There are no vehicle turning areas for the visitor parking o The spaces are only 2.4 metres wide – vehicle doors open directly onto driveway • Amenity and noise impact <ul style="list-style-type: none"> o Approx. 50 metres in length which could mean up to 8 vehicles parked along the boundary of Lot 275 o Gravel surface will have an adverse noise impact when vehicles arrive / depart. • Safety issues <ul style="list-style-type: none"> o Pedestrians / children – the landscape buffer also functions as an open space pathway when vehicles are travelling on

	<p>the driveway. This opportunity will be lost if the area is taken up with visitor parking.</p>
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Development Assessment
 Razorback Plaza Gippsland Street Jindabyne
 PO Box 143 Berridale NSW 2628
 Ph: 64511550 Fax: 64562534
 www.snowyriver.nsw.gov.au

NOTICE OF DETERMINATION OF DEVELOPMENT APPLICATION

Issued under Section 80(1)(a) and Section 78A(5) of the Environmental Planning and Assessment Act 1979

APPLICANT	APPLICATION	DA0006/2016
Mr S D Paxton	Determination	Consent subject to conditions
C/- Peter Burns	Approval Authority	Delegated authority
PO Box 737	Endorsement Date	04/01/2016
COOMA NSW 2630		

The development application described below has been determined:

Development Proposal	Four (4) Lot subdivision
Property Address	30 Kunama Drive EAST JINDABYNE NSW 2627
Legal Description	Lot 274 DP 1136190 Ph Jinderboine
Estimated Cost	0
Property Number	107429

CONSENT has been granted subject to the following conditions:

ADMINISTRATIVE CONDITIONS

Approved Plans and Documentation

- The developer is to ensure that the development complies fully with DA0006/2016 as submitted to Council on the 22/07/2015 4:33:52 PM with supporting documentation including, but not limited to the development plans being:

Reference No.	Title/Description	Prepared By	Date/s
SK1	Site Plan with Site Analysis	MJD Design + Drafting	17/09/2015
SK2	Driveway Access Handle Detail	MJD Design + Drafting	17/09/2015
SK3	Concept Services Plan	MJD Design + Drafting	17/09/2015
SK4	Contour & Detail Survey	Peter W. Burns	30/07/2015
SK5	Contour & Detail Survey (Aerial)	Peter W. Burns	10/08/2015

as stamped by the Snowy River Council and attached to this Notice, except

where amended by the following conditions of consent **(and as amended in red by Council)**.

Inconsistency between documents

2. In the event of any inconsistency between conditions of this consent and the drawings/documents referred to above, the conditions of this consent prevail.

Prescribed Conditions

3. The developer shall comply with any relevant prescribed conditions of development consent under clause 98 of the Environmental Planning and Assessment Regulation. For the purposes of section 80A(11) of the Environmental Planning and Assessment Act, the following conditions are prescribed in relation to a development consent for development that involves any building work:

- The work must be carried out in accordance with the requirements of the Building Code of Australia
- A sign must be erected in a prominent position on any site on which building work, subdivision work or demolition work is being carried out:
 - (a) showing the name, address and telephone number of the principal certifying authority for the work, and
 - (b) showing the name of the principal contractor (if any) for any building work and a telephone number on which that person may be contacted outside working hours, and
 - (c) stating that unauthorised entry to the work site is prohibited.

Any such sign is to be maintained while the building work, subdivision work or demolition work is being carried out, but must be removed when the work has been completed.

Approval to Clear Native Vegetation

4. Nothing in this development consent permits the applicant to clear native vegetation (groundcover, shrubs, mid-storey or trees), without the prior consent of the Southern Rivers Catchment Management Authority who is the consent authority under the Native Vegetation Act 2003 (NVA).

OTHER APPROVALS

Separate Section 138 Permit – Roads Act 1993

5. Notwithstanding the issue of this development consent, separate consent from Council under Section 138 of the Roads Act 1993, must be obtained prior to any works taking place on a public road including the construction of a new driveway access (or modification of access) or intersection. Applications for consent under Section 138 must be submitted on Council's standard application form and be accompanied by the required attachments and prescribed fee.

PRIOR TO ISSUE OF CONSTRUCTION CERTIFICATE

Certificate of Compliance under the s307 of the Water Management Act 2000

6. A construction certificate must not be issued until the developer obtains a certificate of compliance under s307 of the Water Management Act 2000 from the Council (the Water Supply Authority).

Note - This condition relates to the payment of Sewer and Water Contributions for information regarding the certificate of compliance please contact Councils Department of Water and Waste Services.

Monetary Contributions

7. Pursuant to Section 94 of the Environmental Planning and Assessment Act, 1979 and Council's adopted Contributions plans, the following contributions apply to the development:

The developer must, pursuant to Section 94 of the Environmental Planning and Assessment Act, 1979 and Council's Contributions Plans, pay to Council the above monetary contributions. The contributions are to be paid prior to release of the Subdivision Certificate.

Jindabyne Area Shared Trails	\$ 1851
Community Services and Facilities	\$ 1743
Regional Waste	\$ 2094
Bushfire Services	\$ 507
Sportsfield and Recreation Facilities	\$ 528
Open Space and Public Art	\$ 255
Pathways	\$ 291
Total	\$ 7269

Note: The above-specified Contribution Plans may be inspected at Council's Department of Environmental Services offices at Berridale and Jindabyne. The contributions stated in this consent are calculated on the basis of the s94 contribution rates determined in accordance with plan in force on the date of this consent. If the contributions are not paid within the quarter in which the consent is granted, they may be subject to an increase by CPI.

The above contributions are based on an additional three (3) residential allotments.

Where the development is to be connected to Councils water and/or sewage system a certificate of compliance under Section 64 of the Local Government Act (1993) must be obtained from the Council.

This may involve payment of a charge authorised under Division 5 of Part 2 of Chapter 6 of the Water Management Act 2000 to recover costs of works constructed to serve the development.

SUBDIVISION ENGINEERING

Construction Certificate

8. Construction of subdivision works (including clearing, earthworks, demolition or other works) must not commence until a Construction Certificate for those works has been issued in conformity with the relevant provisions of the Environmental Planning and Assessment Act and related Regulations.

Pre-commencement Meeting

9. Prior to the commencement of subdivision works for each stage of development, the developer and contractor shall meet on site with Council's representative to review the scope of works, soil and water management control measures and the inspection and testing regime. The developer or his representative shall make arrangements with Council for this meeting not less than seven days in advance.

Traffic Control

10. The developer shall ensure that traffic control measures are implemented for all works within public roads in conformity with Traffic Control Plans prepared and approved by a competent person accredited by Roads and Maritime Services. A traffic control plan prepared and approved by a competent person accredited by the Roads and Maritime Services must be submitted to Council for each stage of development if working on a public road prior to the issue of an approved construction certificate.

Right of Carriageway

11. The plan of subdivision shall include the creation of a right-of-carriageway to provide access to proposed lots 2, 3 & 4 as shown on the Approved Development Plan. Constructed access within this right of carriageway shall be constructed in conformity with Council's Development Design and Construction Specifications to include the following:
- (a) a 4.0 metre wide sealed pavement – comprising of a 2 coat bitumen sealed surface;
 - (b) minimum concrete thickness of 150 mm;
 - (c) minimum concrete strength grade 25MPA;
 - (d) Minimum reinforcement SL72 steel mesh;
 - (e) suitable drainage works
 - (f) suitable erosion protection measures
 - (g) the pavement (sub-base and base course) under a bitumen sealed surface must conform to the specification for a bitumen sealed road.
12. The right of carriageway will be setback a minimum of 4.5 metres away from Lot 275 DP 1136190. Mature planting will be located within the setback to replenish all trees removed from the site and to create a suitable buffer north of the right of carriageway.
13. For each tree removed, one (1) mature plant shall be planted on the northern side of the right of carriageway.

Note: All replenished plants will come from Snowy River Shire Council's list of *Recommended Species for Landscaping* contained within the Snowy River Shire DCP 2013 C5: Tree Preservation & Landscaping.

Servicing

14. Each allotment in the proposed subdivision shall be serviced in line with the *Concept Services Plan* (SK3) and to the satisfaction of Snowy River Shire Council or the relevant infrastructure authority.

Electricity Servicing

15. Each allotment in the proposed subdivision shall be serviced with electricity at no cost to Council. A letter from Country Energy advising that its requirements have been met

for each proposed lot shall be sufficient to establish compliance with this condition.

Telephone Servicing

16. The developer shall make arrangements for the provision of telephone services to the lots in the subdivision. Prior to the endorsement of a subdivision certificate, the developer shall submit to the Principal Certifying Authority written notification from a recognized telecommunications carrier to confirm that arrangements have been undertaken for each proposed lot to satisfy this condition.

Existing Services

17. All public utility service connections to the existing building on lot 2 shall be contained within that lot or within suitable easements for services.

Maintenance Period for Subdivision Works

18. The developer shall carry out any maintenance works required to the completed subdivision works and shall rectify any defects becoming apparent within a period of twelve months after the date that Council accepts that the works have reached practical completion.

Prior to the release of the Subdivision Certificate, the developer shall provide Council with financial security (cash bond or unconditional bank guarantee) for compliance with this condition in an amount of five percent of the value of the subdivision works.

The developer shall pay to Council a Bond Administration Fee in accordance with Council's Fees and Charges.

Soil and Water Management

19. The developer shall prepare and implement an effective Soil and Water Management Plan in conformity with Council's Development Design and Construction Specifications prior to the commencement of any works on site and shall maintain the control measures until after the effective stabilisation and revegetation of the site.

No Construction Certificate shall be issued for this development until the certifying authority is satisfied that the Soil and Water Management Plan satisfies this condition.

Revegetation Works

20. The developer is to ensure that at the completion of site works the following landscaping works are carried out:

- (a) topsoil is spread over all disturbed areas* with priority given to cut and fill batters;
- (b) all disturbed areas* are re-vegetated using drylands grass mix with a complete fertiliser;
- (c) all disturbed areas* are to be weed free hay mulched.

(* including all footpath areas and adjoining properties where applicable)

Protection of Trees

21. All street trees and vegetation located within the vegetation buffer will be protected at all times during construction. Any tree on the footpath, which is damaged or removed during construction, will be replaced, to the satisfaction of Council.

PRIOR TO ISSUE OF SUBDIVISION CERTIFICATE

Subdivision Certificate Application

22. The developer is to submit to Council a completed Subdivision Certificate application form together with:
- a) The original linen plan/s and six (6) copies;
 - b) Any required or relevant Section 88B instrument under the Conveyancing Act 1919;
 - c) Subdivision Certificate application form fully completed and accompanied with the applicable fee;
 - d) Certificate from a recognised telecommunications carrier certifying that telephone connection has been provided to the site;
 - e) Certificate from a recognised power authority certifying that electricity connection has been provided to the site;
 - f) Certificate from Snowy River Shire Council certifying that all necessary and appropriate weed eradication work has been completed on all lots in the subdivision.

Road Maintenance – Deed of Agreement

23. The applicant will develop a Road Maintenance Agreement that will put in place a requirement for the proposed lots to satisfactorily maintain the rights of carriageway to a standard agreed upon by the council.
24. The applicant will include the maintenance of the mature tree planting within the deed of agreement. This agreement will put in place a requirement for the proposed lots to satisfactorily maintain the mature tree planting that forms a buffer to the boundary of Lot 275 DP 1136190.
25. A Section 88B instrument shall be put in place for this Road Maintenance Agreement indicating the requirement for the proposed lots to satisfactorily maintain the access right of carriageway to a standard agreed upon by the Council. Any expenses involved in the upgrade of the right of carriageway to the required standard will be met by the applicant or equivalent.

Restriction on Use

26. A restriction on use will be placed on the future allotments restricting the future land usages to the following:
- Lot 1 – Any permissible land usage
 - Lot 2 – Dwelling House or Dual Occupancy

Lot 3 – Dwelling House or Dual Occupancy

Lot 4 – Dwelling House only

These restrictions on use will be reflected on the plan of subdivision and the related Section 88B instrument.

Reason: The Snowy River DCP 2013 only permits a right of carriageway to be used to access a maximum of 5 allotments.

27. No tourist and visitor accommodation will be permitted on lots 2 – 4, excepting serviced apartments. This restriction on use will be reflected on the plan of subdivision and the related Section 88B instrument.

Reason: Serviced Apartments are the only tourist and visitor accommodation that will result in a similar, and suitable, level of traffic as accessed via a right of carriageway.

28. The plan of subdivision and section 88B instrument shall set out a building exclusion zone for all land within 6 metres of the eastern boundary on proposed Lot 4.

Reason: To minimise the visual impact of future dwellings on the lots located to the east facing Kunama Drive as well as allowing for the preservation of existing trees and vegetation on the allotment.

Restrictive Covenant

29. The plan of subdivision and the related Section 88B instrument shall establish the following restrictive covenants; with the Council having the benefit of this covenant and having sole authority to release, vary or modify this covenant. Wherever possible the extent of the land affected by this covenant shall be defined by bearings and distances shown on the plan of subdivision.

(a) No further subdivision of the land is permitted

Property Numbers/House Numbers

30. Prior to the submission of the application for the Subdivision Certificate for each stage of the subdivision, the developer shall obtain a property number or house number for each lot from Council's Rates/Property Officer in conformity with Council's numbering system.

(For information only - this is NOT a condition of consent)

Compliance Certificate Inspections

The developer must obtain a Compliance Certificate, either from Council or from an Accredited Certifier to demonstrate that all subdivision works have been completed. The

subdivision works must be inspected either by Council's inspector, or by an Accredited Certifier at each of the following stages of construction to confirm compliance with the standards set out in Council's Development Design and Construction Specifications.

- (a) After placement of all signs in accordance in with the approved Traffic Control Plan.
- (b) After stripping of topsoil from roads and fill areas, all Soil and Water Management Plan controls shall be in place at this stage.
- (c) After completion of road subgrade.
- (d) During field density testing, string line checking and proof rolling of the finished subgrade.
- (e) After placement and compaction of each layer of gravel pavement material.
- (f) During field density testing, string line checking and proof rolling of each finished gravel pavement layer.
- (g) After laying and jointing of all storm water pipelines prior to backfilling.
- (h) After completion of all storm water pits or culverts.
- (i) After completion of works prior to acceptance and commencement of "on-maintenance" period.
- (j) During the "off-maintenance" period inspection.
- (k) As otherwise required to confirm that the works are satisfactorily executed and in conformity with environmental controls.

It should be noted that Council charges fees for inspections and Compliance Certificates. These fees must be paid prior to the endorsement of a Subdivision Certificate.

The reasons for the imposition of the conditions are:

- 1 To minimise any likely adverse environmental impact of the proposed development.
- 2 To ensure the protection of the amenity and character of land adjoining and in the locality.
- 3 To ensure the proposed development satisfies the relevant statutory requirements.
- 4 To ensure the development does not conflict with the public interest.
- 5 To ensure development proceeds in accordance with approved plans.

Notes Relating to the Determination

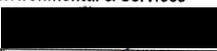
1. This consent becomes effective and operates from the date shown as "**Endorsement Date**" on the front page of this notice. This consent will lapse 5 years from the date of commencement of consent, unless the development has physically commenced.
2. Section 82A of the *Environmental Planning and Assessment Act 1979* confers on an applicant who is dissatisfied with the determination of a consent authority a right to request the consent authority to review the determination. The request for review must be made within six (6) months after the date on which the applicant received the notice of determination and must be accompanied by the fee set

by the Regulations; it does not apply to an application in respect of Designated Development or Integrated Development.

- 3 Section 97 of the *Environmental Planning and Assessment Act 1979* confers on an applicant who is dissatisfied with the determination of a consent authority a right of appeal to the Land and Environment Court exercisable within six (6) months from the date of receipt of this notice.
- 4 Pursuant to *Snowy River Local Environmental Plan 2013*, no tree may be ringbarked, cut down, topped, lopped or wilfully destroyed except with the prior consent of Council which may be given subject to such conditions as Council considers appropriate. However, unless specified otherwise in this consent, those trees which are specifically designated to be removed on the plans approved under this consent or are within 3 metres of an approved building footprint may be removed, provided that a Construction Certificate has been issued for the development the subject of this consent and a Principal Certifying Authority appointed.
- 5 In this consent the developer means the applicant for development consent and any person or corporation who carries out the development pursuant to that consent.
- 6 The applicant is solely responsible for ensuring that all additional consents, permits and/or agreements are obtained from other authorities, as relevant.
- 7 Headings are for convenience only and do not affect the interpretation of any condition of this development consent.

Signed on behalf of Dennis Trezise
Director of Community & Environmental & Services

Signature:



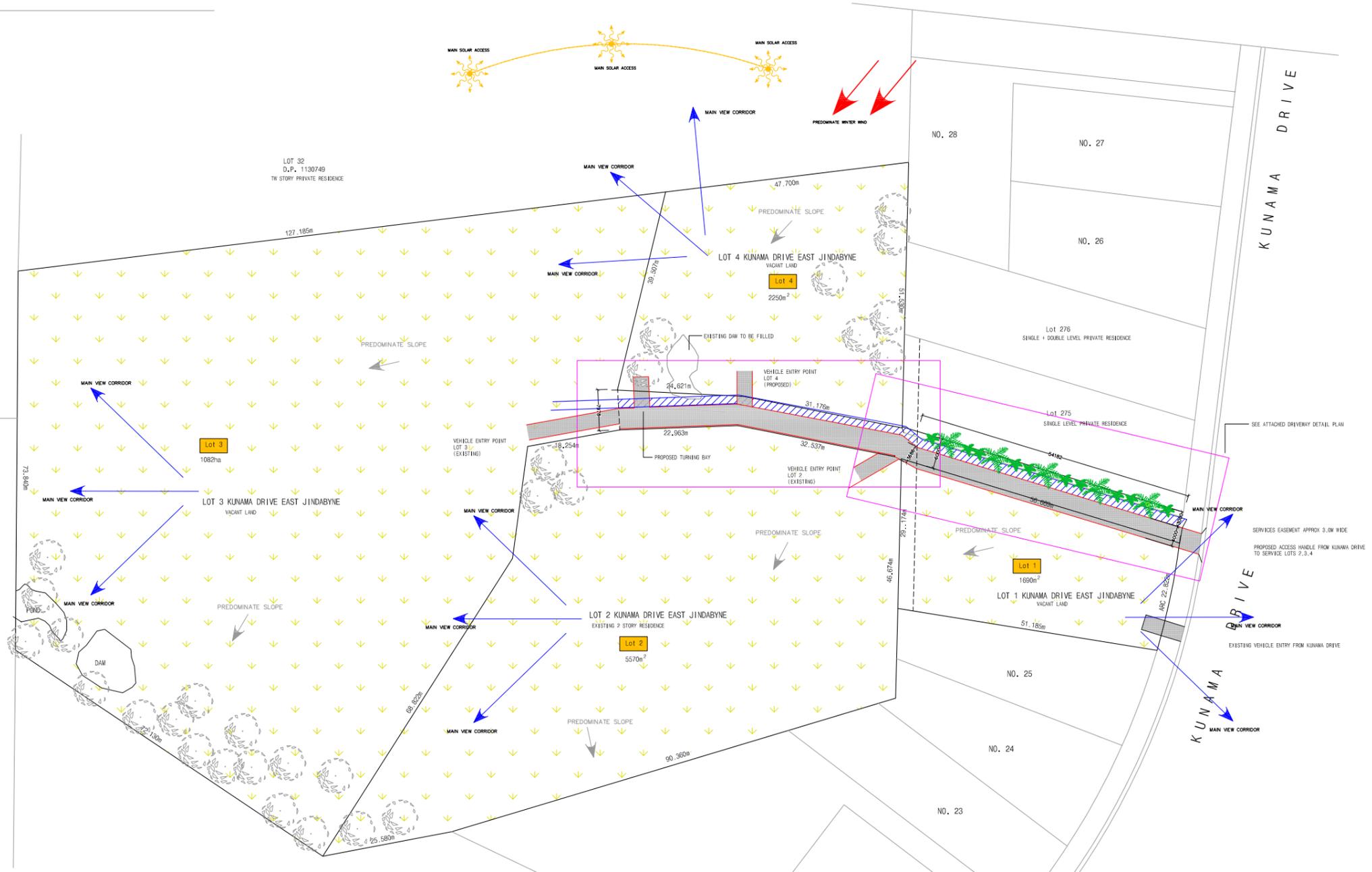
A black rectangular box redacting the signature of Dennis Trezise. Two thin lines extend from the bottom corners of the box to the signature line.

Delegated Officer: Rohan Graham

SITE PLAN WITH SITE ANALYSIS

scale: 1 : 400

NOTE:
 PLAN TO BE READ AS ADDITIONAL
 INFORMATION TO PLANS ALREADY SUBMITTED
 UNDER DA-0006/2016



AREAS

PARCEL IDENTITY	AREA
LOT 1 D.P. 1130190	1690 sqm
LOT 2 D.P. 1130190	5572 sqm
LOT 3 D.P. 1130190	1,082 ha
LOT 4 D.P. 1130190	2250 sqm



GENERAL NOTES

- Read these drawings in conjunction with all relevant architectural and engineering drawings, including any DA-0006/2016.
- Do not scale plans to obtain measurements.
- All dimensions to be verified on the ground unless stated otherwise.
- Dimensions are given in millimetres unless otherwise stated.
- All measurements are to be taken from the centre of the lot.
- All work is to be done in accordance with the relevant standards.



PROJECT NO.	DA-0006/2016
PROPOSED SUBMISSION	DA-0006/2016
CLIENT NAME	MR. SHAY PATTON
DATE	15/08/2023
SCALE	1:400 (PLAN)
BY	MJD
CHECKED BY	MJD
DATE	15/08/2023
PROJECT LOCATION	LOT 1, 2, 3 & 4, KUNAMA DRIVE EAST JINDABYNE
PROJECT TYPE	MULTI DWELLING HOUSING

MJD
 DESIGN + DRAFTING

Submission 7 - Amended plans
Response

3 July 2022



CEO, Snowy Monaro Council
PO Box 714
COOMA NSW 2630

(sent via email to council@snowymonaro.nsw.gov.au)

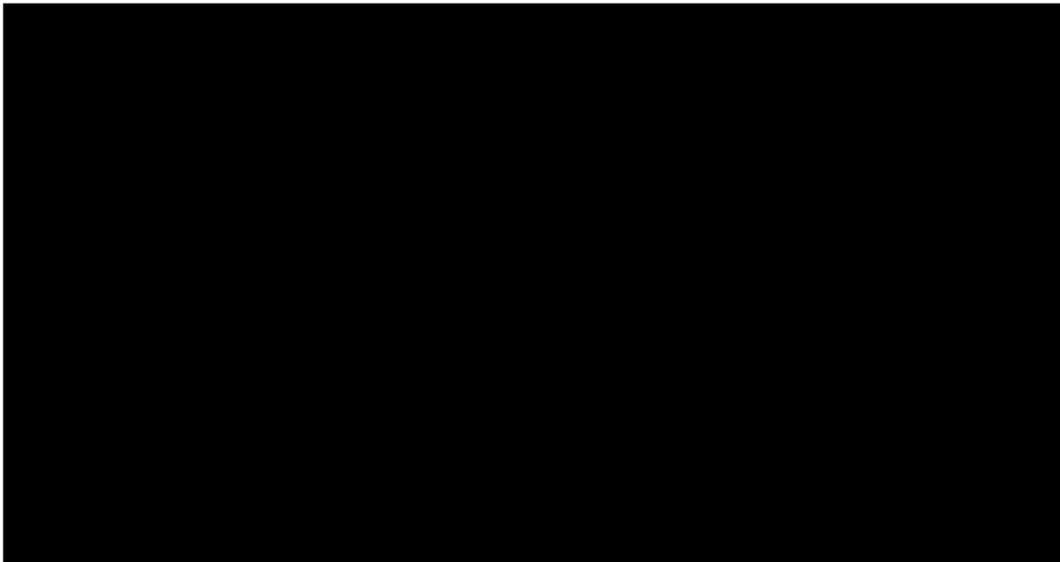
To the CEO,

**RE: OBJECTION TO ADDITIONAL INFORMATION FOR DEVELOPMENT APPLICATION
NO. DA 10.2022.60.1 FOR MULTI DWELLING HOUSING (4 UNITS) & STRATA SUB
DIVISION AT 30C KUNAMA DR, EAST JINDABYNE 2627 NSW (LOT: 1 DP: 1228821)**

I refer to the additional information and re-notification of the above Development Application.

Please consider my objections to the amended proposal. **Attachment A** includes a detailed explanation of my concerns along with the reasons why I believe that the design changes have not addressed the adverse impacts to the existing residential amenity in the locality. Further, the Applicant's additional written information has not properly considered or mitigated the adverse impacts to the environment and adjoining properties.

I maintain my position that the site has some development potential given that it is zoned RU5. However, any proposed development must have due consideration for the intent of the original subdivision approval, the existing features of the site, the adjoining properties and residential amenity. A dual occupancy development accessed off the designated Lot 1 driveway (i.e. not the right of way) is the maximum density at the site that could result in an acceptable development.



ATTACHMENT A

Council is urged to consider the below overwhelming reasons that DA 10.2022.60.1 and a multi dwelling housing development is not appropriate at the site and either refuse the development application (DA) or advise the Applicant that the proposal must be significantly re-designed and the density reduced.

1. The proposed development is not consistent with the original subdivision development consent DA0006/2016 approved by Council on 4 January 2016.

Members of the community must be able to have confidence that Council will abide by past planning approvals and consider the public interest when assessing DAs. This includes the interests of neighbours as well as the developers. In 2016, the objectors diligently engaged in the planning process and made submissions to the original subdivision DA. The issues raised in the 2016 submissions were balanced and well founded. The objectors recognised that the site had subdivision potential and future allotments would have development potential. The objectors were not trying to prevent or stop development occurring they were just seeking an appropriate compromise that would protect the environment and the residential amenity of the precinct.

Section A1.1 provides an outline of the key conditions of DA0006/2016 and a sufficient evidence base for Council to again conclude that access for Lot 1 should be off its approved driveway adjacent to 32 Kunama Drive (not the right of way).

The design of DA 10.20022.60.1 is fundamentally flawed as it relies on an access driveway that Council previously resolved was for Lot 2, 3 and 4 only. This matter alone would allow Council to refuse the DA.

2. The proposed four (4) occupancy multi dwelling housing development is undeniably out of character in the locality.

Any proper character analysis that adheres to the NSW Land and Environment Court Planning Principles will clearly arrive at the conclusion that a four (4) occupancy multi dwelling housing development is undeniably out of character in the locality. More details are provided in **Section A1.2**

Council can refuse the DA on the basis that it is out of character in the precinct.

3. The Snowy Special Activation Precinct project (Snowy SAP) does not create or promote the opportunity for this proposal and must not be used as grounds for supporting the development.

As described in **Section A1.3**, the Applicant's written documentation has misrepresented the Snowy SAP project and how it applies to East Jindabyne. This is either an uneducated error or an attempt to mislead Council. If adequate research of the publicly available documentation is undertaken it is clear that any SAP objectives for East Jindabyne are located to the north of the subject site and definitely do not include the subject site.

4. The proposed multi dwelling housing development is inconsistent with the objectives of the RU5 zone.

As demonstrated in **Section A1.4**, the proposed development does not meet the zone objective that seeks to protect and conserve the character and scenic quality of the rural village setting of The Ridge precinct of East Jindabyne.

The precincts character is predominantly single storey single dwellings that are oriented East West on Torrens Title parcels of land that exceed 800 square metres in area. No multi dwelling housing developments exist in this precinct. No occupancies in the precinct have

sites of less than 350 square metres. The density and site size proposed in DA 10.2022.60.1 is drastically out of character and adversely impacts the residential amenity of the precinct.

A dual occupancy development accessed off the designated Lot 1 driveway (i.e. not the right of way) would result in a much more acceptable development.

5. Secondary permissible land uses are harder to justify

Multi dwelling housing is not a primary permissible land use that is specifically listed in the land use table for the RU5 zone. It is only a secondary permissible land use via the inclusion of the reference *Any other development not specified in item 2 or 4.*

Primary permissible land uses are recognised as more readily acceptable in the zone and hence their specific listing. Whereas, secondary permissible land uses are much harder to justify and more weight must be given to the character of area, objectives of the zone, development control plan (DCP) provisions and strategic planning documents when assessing DA for these uses. More details are provided in **Section A1.5**

This is sufficient evidence for Council to seek a complete redesign of the DA.

6. The amended Statement of Environmental Effect still does not adequately address key development standards in Part 4 of the Snowy River LEP 2013

In 4.1 of the LEP, a strata plan or strata plan of subdivision is expressly excluded. However, no such exclusion exists in 4.1B of the LEP and therefore, these provisions apply to both Torrens Title and Strata Title subdivision.

More details are provided in **Section A1.6** including the failings of DA 10.2022.60.1 to comply with a key development standard in Part 4 of the Snowy River LEP 2013.

This is sufficient evidence for Council to refuse the DA.

7. Loss of native trees impacting on character of the precinct and residential amenity

Council must seek to retain health mature native gums trees that contribute to the fabric and character of the precinct. Trees being removed to facilitate an overdevelopment of the site is a very poor planning and environmental outcomes. More details are provided in **Section A1.7**

This is sufficient evidence for Council to seek a complete redesign of the DA.

8. Subdivision and required public road

Unacceptable site outcomes exist as a result of the proposed subdivision and requirement for the construction of a public road. Council must not allow this extent of impacts to the neighbour properties. Refer to **Section A1.8**

This is sufficient evidence for Council to seek a complete redesign of the DA.

9. Other matters

The design changes and additional written information have not addressed the adverse impacts to the environment or existing residential amenity in the locality. Refer to **Section A1.9**

These matters identify numerous non-compliances that would allow Council to seek a complete redesign of the DA.

A1.1 Original subdivision consent

The proposed development (DA 10.2022.60.1) is not consistent with the original subdivision development consent DA0006/2016 approved by Council on 4 January 2016.

At the time of the original subdivision, a submission was made because it was foreshadowed that adverse environmental and residential amenity impacts could arise when each of the allotments were developed in the future. The key concerns related to:

- traffic impacts generated by intensifying the number and frequency of vehicles using the right of way / concrete driveway which has a narrow width of only 4 metres;
- noise impacts and resident safety impacts being generated particularly by an excessive number of vehicles entering, exiting and using the driveway;
- the future use of each proposed lot to ensure that a new purchaser did not seek to overdevelop any of the sites, and
- the loss of native trees adversely affecting residential amenity.

The Council Assessing Officer at the time, Mr Rohan Graham, considered the submissions and consulted with the objectors. The subdivision DA ended up being approved with a number of unique and specific conditions of consent that were intended to protect the environment and residential amenity in the precinct. Mr Graham assured the objectors that their concerns would be addressed with the following:

- Condition 11 established the access driveway for Lots 2, 3 and 4 only (not Lot 1). The approved plan has the access for Lot 1 off its own approved driveway adjacent to 32 Kunama Drive (not the right of way).
- Condition 12 required a 4.5 metre wide landscape buffer to Lot 275 (28 Kunama Drive).
- Condition 13 required offset tree plantings to compensate for any trees removed.
- Condition 26 set the capacity of the access driveway relative to its width (a maximum of five (5) occupancies on Lot 2, 3 and 4 – no access for Lot 1). It was not necessary to place any land use restriction on Lot 1 given that Lot 1 had its own separate access driveway and therefore Lot 1 traffic would not affect the right of way / concrete driveway for Lot 2, 3 and 4.
- Condition 29 prevented any further subdivision (regardless of Torrens or Strata title) to ensure that no additional allotments or occupancies (other than those contemplated under Condition 26) would seek to utilise the right of way / concrete driveway.

The objectors urge Council to adhere to the conditions of consent for DA0006/2016 and the intent of the original subdivision in its assessment of DA 10.2022.60.1. The combination of Condition 11, Condition 26 and Condition 29 are a clear indication that Council did not intend for Lot 1 to utilise the right of way / concrete driveway. The maximum five (5) dwellings off the access way were allocated to Lot 2, 3 and 4 as described in the conditions. Council must again conclude that access for Lot 1 should only be off its approved driveway adjacent to 32 Kunama Drive (not the right of way).

With respect to Condition 29, it is a concern that Council is under the illusion that Strata Title subdivision is limited to buildings only. By definition in the Environmental Planning and Assessment Act “subdivision” of land includes a strata plan or a strata plan of subdivision within the meaning of the Strata Schemes Development Act 2015. Therefore, strata subdivision applies to land as well as buildings.

The proposed development (DA 10.2022.60.1) includes the strata subdivision of Lot 1 into 5 allotments (4 allotments with occupancies and a common lot) resulting in land sizes of Pt 1 – 348.95 square metres, Pt 2 – 223.24 square metres, Pt 3 – 236.09 square metres, Pt 4 – 330.48 square metres and Pt 5 (common) – 551.36 square metres. This demonstrates that the Applicant is attempting to subdivide the land via Strata. However, Condition 29 of the original subdivision approval restricts any further subdivision of Lot 1. The purpose of Condition 29 is

again related to traffic and access impacts to the right of way / concrete driveway for Lot 2, 3 and 4. In accordance with C3.1-2(b) of the DCP up to five (5) occupancies can be served by a right of way. However, when the number of occupancies exceed six (6), a public road is required by C3.1-2(d) of the DCP. The proposed multi dwelling housing development seeks to increase the already allocated five (5) occupancies (as per Condition 26) by four (4) more occupancies taking the total up to nine (9) occupancies and therefore requiring a public road. The impacts to the residential amenity of the adjoining properties in this location would be devastating if a public road was constructed. This is a clear evidence base that the capacity of the narrow 4 metre wide right of way has already been maximised and that access for Lot 1 should be off its approved driveway adjacent to 32 Kunama Drive.

Modification of original subdivision

It also appears that Council has been misled in respect of MOD 10.2016.3000006.3 that applies to the original subdivision DA and is a modification application made over Lot 1, Lot 2, Lot 3 and Lot 4 in DP 1228821 and the now superseded Lot 274 in DP 1136190.

Council can only legally determine this modification application once all of the land owners have provided land owners consent (s 98(1) of the EP&A Reg 2021) and only after the Applicant (for MOD 10.2016.3000006.3) has undertaken their consultation duties in accordance with s 98(4) of the EP&A Reg 2021. Two separate owners have confirmed that they were not consulted and have not provided owners consent to the application. The validity of Council's determination is therefore called into question as no individual owner has the legal right to modify the original subdivision DA.

The power to modify the application under s 4.55(1) of the EP&A Act is also called into question. Condition 29 is and always was intended to capture both Torrens and Strata title subdivision. The key concern that Condition 29 is trying to address is any further allotments or occupancies (regardless of Torrens or Strata) trying to access their site off the right of way / concrete driveway for Lot 2, 3 and 4. Council has made a serious mistake in judgement when determining that any minor error or misdescription occurred in the drafting of the original Condition 29 of DA0006/2016.

Council should investigate its powers under s 4.57 of the EP&A Act and revoke MOD 10.2016.3000006.3 due a lack of land owners consent and the fact that no minor error or misdescription exists.

A1.2 Character analysis

The Applicants additional written information includes a selective and targeted broad scale analysis of the suburb to seek out favourable examples in an attempt to justify an overdevelopment of the site at 30C Kunama Drive. This type of analysis is disrespectful towards the local community of The Ridge precinct and does not truly seek to analyse the potential impacts to the neighbours that will have to live with the proposed development.

A proper detailed character analysis has been undertaken in **Attachment B**.

The subject site (30C Kunama Drive) is located just to the south of the centre of The Ridge precinct.

The character of The Ridge precinct of East Jindabyne can be appropriately described as predominantly single storey single dwellings that are oriented East West on Torrens Title parcels of land that exceed 800 square metres in area. A secondary theme within the character of the precinct are part two storey dwellings that are oriented to the East West. Some dual occupancy developments exist in the precinct.

The proposed four (4) occupancy multi dwelling housing development is fundamentally flawed and radically inconsistent with the character of The Ridge precinct.

No multi dwelling housing developments exist in this precinct.

The development is completely two storey and orientated North South. This is not compatible with the character and is disrespectful as it directly faces the adjoining neighbours. In addition, 75% of the second storey floor area is located in the rear half of the allotment. This drastically impacts the character and residential amenity of the precinct.

No occupancies in the precinct have sites of less than 350 square metres. This density and site size is drastically out of character and adversely impacts the residential amenity of the precinct.

Strata Title subdivision is out of character in the precinct.

The relevant Land and Environment Court Planning Principles have been considered in the **Table 1** below (<https://www.lec.nsw.gov.au/lec/practice-and-procedure/principles.html>).

Table 1

EXTRACT	OBJECTORS RESPONSE
<i>Planning principle: compatibility in the urban environment</i>	
<i>There are many dictionary definitions of compatible. The most apposite meaning in an urban design context is capable of existing together in harmony. Compatibility is thus different from sameness. It is generally accepted that buildings can exist together in harmony without having the same density, scale or appearance, though as the difference in these attributes increases, harmony is harder to achieve.</i>	The character analysis in Attachment B has demonstrated that the proposed development is not in harmony with surrounding development. The density, height and orientation of the proposed development drastically impacts the character and residential amenity of the precinct.
<i>It should be noted that compatibility between proposed and existing is not always desirable. There are situations where extreme differences in scale and appearance produce great urban design involving landmark buildings. There are situations where the planning controls envisage a change of character, in which case compatibility with the future character is more appropriate than with the existing. Finally, there are urban environments that are so unattractive that it is best not to reproduce them.</i>	<p>The character of The Ridge precinct of East Jindabyne has been developing since 2008 and is nearing completion. Only seven (7) parcels remain vacant and some of these have planning approvals from Council.</p> <p>The existing character is desirable, consistent and in harmony. The character can be described as predominantly single storey single dwellings that are oriented East West on Torrens Title parcels of land that exceed 800 square metres in area.</p> <p>No current or future planning controls of either Local or State Government seek to alter or intervene in the existing character.</p> <p>Any brutal or intense change in this character such as the introduction of a four (4) occupancy multi dwelling housing development would drastically impact the character and residential amenity of the precinct.</p>

<p><i>Where compatibility between a building and its surroundings is desirable, its two major aspects are physical impact and visual impact. In order to test whether a proposal is compatible with its context, two questions should be asked.</i></p> <ul style="list-style-type: none"> • <i>Are the proposal's physical impacts on surrounding development acceptable? The physical impacts include constraints on the development potential of surrounding sites.</i> • <i>Is the proposal's appearance in harmony with the buildings around it and the character of the street?</i> 	<p>The following unacceptable physical impacts are associated with the proposed development:</p> <ul style="list-style-type: none"> • Loss of native trees • Over shadowing of adjoining properties • Overlooking of adjoining properties • Adverse stormwater run-off impacts to adjoining properties • Poor traffic and access outcomes that result in excessive numbers of vehicles and high frequency of vehicle movements. <p>The appearance of the proposed development is radically inconsistent with the character of the precinct. The development is completely two storey and orientated North South. This is not compatible with the character and is disrespectful as it directly faces the adjoining neighbours. In addition, 75% of the second storey floor area is located in the rear half of the allotment. This drastically impacts the character and residential amenity of the precinct.</p>
<p><i>The physical impacts, such as noise, overlooking, overshadowing and constraining development potential, can be assessed with relative objectivity. In contrast, to decide whether or not a new building appears to be in harmony with its surroundings is a more subjective task. Analysing the existing context and then testing the proposal against it can, however, reduce the degree of subjectivity.</i></p>	<p>A detailed character analysis has been undertaken in Attachment B.</p> <p>This analysis provides an evidence base for Council to determine that the proposed development is not desirable, consistent or in harmony with the character of the precinct.</p>
<p><i>For a new development to be visually compatible with its context, it should contain, or at least respond to, the essential elements that make up the character of the surrounding urban environment. In some areas, planning instruments or urban design studies have already described the urban character. In others (the majority of cases), the character needs to be defined as part of a proposal's assessment. The most important contributor to urban character is the relationship of built form to surrounding space, a relationship that is created by building height, setbacks and landscaping. In special areas, such as conservation areas, architectural style and materials are also contributors to character.</i></p>	<p>The essential elements that make up the character of The Ridge precinct of East Jindabyne are single storey single dwellings that are oriented East West on Torrens Title parcels of land that exceed 800 square metres in area.</p> <p>The existing occupancies in the precinct have adequate setbacks from the road and each other. Building heights respect the undulating landscape and adjoining properties by being either single storey or only part two storey. Buildings have large curtilages and site areas for appropriate landscaping and open space.</p> <p>The proposed development is a brutal and intense intrusions of the character of the precinct. No multi dwelling housing developments exist in this precinct.</p> <p>The development is completely two storey and orientated North South. This is not compatible with the character and is disrespectful as it directly faces the adjoining neighbours. In addition, 75% of the second storey floor area is located in the rear half of the allotment. This drastically impacts the character and residential amenity of the precinct.</p>

	<p>No occupancies in the precinct have sites of less than 350 square metres. This density and site size is drastically out of character and adversely impacts the residential amenity of the precinct.</p> <p>Strata Title subdivision is out of character in the precinct.</p>
<p><i>Buildings do not have to be the same height to be compatible. Where there are significant differences in height, it is easier to achieve compatibility when the change is gradual rather than abrupt. The extent to which height differences are acceptable depends also on the consistency of height in the existing streetscape.</i></p>	<p>The height of the proposed development is significant and abrupt when compared to the character of the precinct.</p> <p>The development is completely two storey and orientated North South. This is not compatible with the character and is disrespectful as it directly faces the adjoining neighbours. In addition, 75% of the second storey floor area is located in the rear half of the allotment. This drastically impacts the character and residential amenity of the precinct.</p>
<p><i>Front setbacks and the way they are treated are an important element of urban character. Where there is a uniform building line, even small differences can destroy the unity. Setbacks from side boundaries determine the rhythm of building and void. While it may not be possible to reproduce the rhythm exactly, new development should strive to reflect it in some way.</i></p>	<p>The side and rear setbacks along with the distribution of building footprint over the developable area of the site are out of rhythm with the rest of the precinct.</p> <p>No occupancies in the precinct have sites of less than 350 square metres. This density and site size is drastically out of character and adversely impacts the residential amenity of the precinct.</p>
<p><i>Landscaping is also an important contributor to urban character. In some areas landscape dominates buildings, in others buildings dominate the landscape. Where canopy trees define the character, new developments must provide opportunities for planting canopy trees.</i></p>	<p>The proposed development seeks to remove healthy mature native gum trees that contribute to the fabric and character of the precinct.</p> <p>The proposed density and the distribution of building footprint over the developable area of the site does not allow for any quality compensatory landscape outcomes.</p>

A1.3 Snowy SAP

The Snowy SAP project was publicly exhibited by the Department of Planning and Environment (DPE) from 28/06/2021 to 23/08/2021 and the documentation remains available for public viewing (<https://www.planningportal.nsw.gov.au/snowymountainssap>).

The exhibition material includes the draft East Jindabyne – Alternative Plan Snowy Mountains Special Activation Precinct Draft Master Plan (July 2021) (https://shared-drupal-s3fs.s3.amazonaws.com/master-test/fapub_pdf/EJ_DocuMerge_20210727.pdf). It is important to note that the Snowy SAP project does not seek to alter the zoning of The Ridge precinct of East Jindabyne (**Figure 1**). This precinct will retain its RU5 Village zoning and continue to be a rural village characterised by single dwelling and dual occupancy developments. Any intensification of development in East Jindabyne via the Snowy SAP will occur to the north of The Ridge precinct as shown in the extracted diagram below. This is where change may occur and the demand for a variety of long term housing options at a greater density may be appropriate.

The Applicant’s written documentation has misrepresented the Snowy SAP project which does not apply to the whole of East Jindabyne and should not be used as justification for the overdevelopment of 30C Kunama Drive. Multi dwelling housing is not appropriate and is out of character both now and in the future in The Ridge precinct.

The below statement that occurs on a number of pages in the Applicant’s additional written documentation is misleading.

*The proposed multi dwelling housing **complies** with the requirements outlined in the Snowy River LEP and Snowy River DCP 2013, and successfully contributes to desired development outcomes outlined for East Jindabyne within the Snowy Mountains SAP.*

Multi dwelling housing in The Ridge Precinct of East Jindabyne is not a desired development outcome under Snowy SAP.

Introduction of Snowy Mountains Special Activation Precinct Addendum No. 1

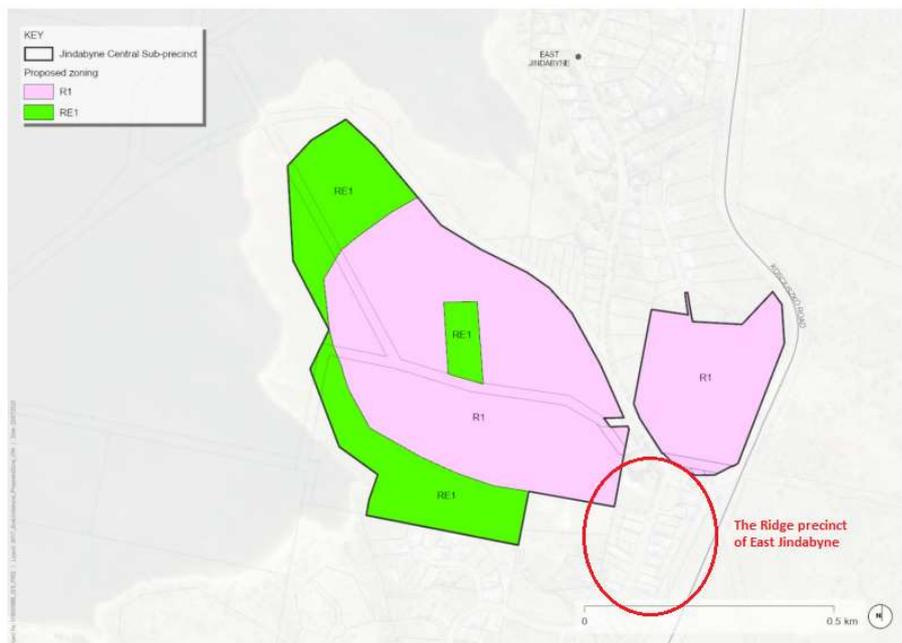


Figure 2 – Proposed land use zoning: East Jindabyne Sub-Precinct

Figure 1: Extract of Figure 2 from draft East Jindabyne – Alternative Plan

A1.4 Zoning and zone objective

As established above, The Ridge precinct of East Jindabyne will retain its RU5 Village zoning and continue to be a rural village.

The subject site (30C Kunama Drive) is located just to the south of the centre of The Ridge precinct (Figure 2). A detailed character analysis has been undertaken in Attachment B and provides a sufficient evidence base to describe the precincts character as predominantly single

storey single dwellings that are oriented East West on Torrens Title parcels of land that exceed 800 square metres in area. A secondary theme within the character of the precinct are part two storey dwellings that are oriented to the East West. Some dual occupancy developments exist in the precinct.

The key objectives of the Snowy River LEP 2013 for the RU5 zone include:

- To provide for a range of land uses, services and facilities that are associated with a rural village.
- To protect and conserve the historical significance, character and scenic quality of rural village settings.

DA 10.2022.60.1 is inconsistent with the objectives of the RU5 zone.

A four (4) occupancy multi dwelling housing development is out of character and an overdevelopment of the site particularly given that this precinct consists predominantly of single dwellings.

No occupancies in the precinct have sites of less than 350 square metres. The proposed development is much more dense than the existing rural village character of The Ridge precinct and the loss of native vegetation at the site adversely impacts the scenic quality of the area.

A dual occupancy development accessed off the designated Lot 1 driveway (i.e. not the right of way) would result in a much more acceptable development.

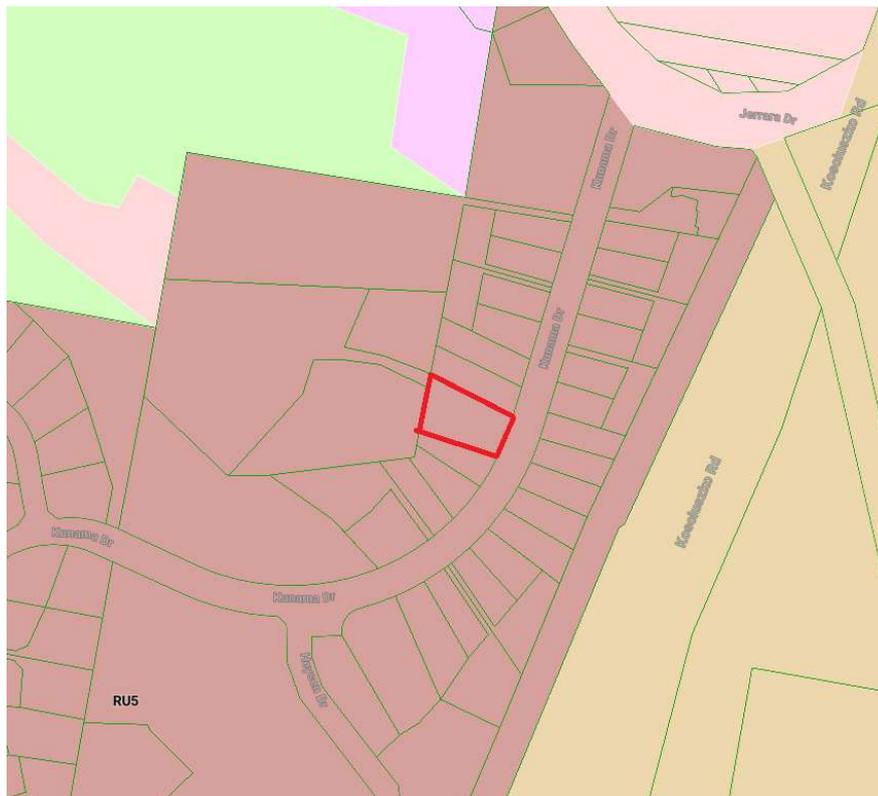


Figure 2: RU5 zoning and context of subject site (shown red) within the precinct.

A1.5 Secondary permissible land uses are harder to justify

Secondary permissible land uses are much harder to justify and more weight must be given to the, the character of area, objectives of the zone, development control plan (DCP) provisions and strategic planning documents when assessing DA for these uses. Approval should only be given if

- all environmental and residential amenity impacts can be mitigated;
- a superior design response had been developed; and
- the development has been adequately justified.

Multi dwelling housing is not a primary permissible use that is specifically listed in the land use table for the RU5 Village zone. It is only a secondary permissible use via the inclusion of the reference *Any other development not specified in item 2 or 4.*

The only form of residential accommodation that Council has listed as a primary permissible use in the RU5 zone are dwelling houses. It is also important to note that multi dwelling housing is permitted in the R1 General Residential zone, prohibited in the R2 Low Density Residential zone and prohibited in the R5 Large Lot Residential zone.

The objectives of R1 General Residential zone include:

- To provide for the housing needs of the community.
- To provide for a variety of housing types and densities.
- To enable other land uses that provide facilities or services to meet the day to day needs of residents.
- To encourage residential development that has regard to local amenity and in particular public and private views.
- To provide for a range of tourist and visitor accommodation compatible with the surrounding residential character.

The objectives of R2 Low Density Residential zone include:

- To provide for the housing needs of the community within a low density residential environment.
- To enable other land uses that provide facilities or services to meet the day to day needs of residents.
- To ensure development maintains residential amenity and contributes to the small-scale residential character of the zone.
- To enable short-term, low impact tourist and visitor accommodation compatible with the surrounding residential character of the zone.

The objectives of R5 Large Lot Residential zone include:

- To provide residential housing in a rural setting while preserving, and minimising impacts on, environmentally sensitive locations and scenic quality.
- To ensure that large residential lots do not hinder the proper and orderly development of urban areas in the future.
- To ensure that development in the area does not unreasonably increase the demand for public services or public facilities.
- To minimise conflict between land uses within this zone and land uses within adjoining zones.
- To provide a buffer between urban development and broad acre rural and environmental areas.

In the Snowy Monaro Draft Settlements Strategy (2020), Council states

On the Eastern shores of Lake Jindabyne sits Tyrolean Village, East Jindabyne and Kalkite, three distinct communities undergoing growth and challenges which accompany this. Many are concerned that the close community networks and peri-urban lifestyle is being eroded by new

development. These communities are not anti-development, rather wish to see development in keeping with the character of the area, complementing the spectacular landscape rather than detracting from it. (Page 94)

East Jindabyne

As with Tyrolean Village, East Jindabyne was initially planned to cater for tourism accommodation, however, due to its distance to the town centre and sweeping views of Lake Jindabyne, has been taken up largely by residential accommodation for permanent residents.

The suburb is located approximately 10 km from the centre and is predominately zoned a mix of RU5 Village, R5 Large Lot Residential and an undeveloped portion of R1 General Residential. These zones vary significantly in objectives and intended uses; this is reflected in its permissible land uses. This had led to a relatively inconsistent settlement pattern with the southern area centred on Kunama Drive zoned RU5 Village smaller lots and higher density developments than seen in the northern areas generally zoned R5 General Residential. In part, this is due to land constraints such as slope 105 and vegetation and also reflective of different eras of development. Greater consistency in zoning and land uses is required to mitigate current and future land use conflicts. (Page 104)

Infill Residential development occurs within an already established area. This may involve building a second dwelling (dual occupancy) on an existing lot or could come in the form of multi-dwelling housing whether townhouses, units/apartments, terrace housing, villas or mixed-use developments. There are many advantages to infill development, including that infrastructure is existing. That development tends to occur close to shops, services and employment. Negatives of this type of development are that it may impact on streetscape, character or heritage value, particularly in established low-density areas.

The zones which are utilised to facilitate infill development include R1 General Residential and B4 Mixed Use. Infill development may occur in other zones, including B2 Local Centre and B3 Commercial Core; however, the primary purpose of this zone is commercial development. As such residential development should only be part of a mixed-use development with a retail component such as 'shop top housing'. (Page 227)

It is considered that east Jindabyne character is more consistent with zone R2 Low density residential. (Page 237)

A number of conclusions can be drawn from the Council statements in the Snowy Monaro Draft Settlements Strategy (2020):

- The concerns of the community, who wish to see development in keeping with the character of the area complementing the spectacular landscape rather than detracting from it, are known by Council
- In East Jindabyne Council recognises that there is significant variation in, zones, zone objectives and intended uses.
- Council recognises that greater consistency in zoning and land use is required to mitigate current and future land use conflicts.
- Council knows infill Residential development (including multi dwelling housing) will continue to occur within an already established area.
 - Infill development (particularly higher density development), has advantages when located near shops, services and employment.
 - Negatives of this type of development are that it may impact on streetscape, character or heritage value, particularly in established low-density areas.
- Council is focusing its infill development efforts in the R1 General Residential and B4 Mixed Use. Infill development may occur in other zones, including B2 Local Centre and B3 Commercial Core.
- Council considered that east Jindabyne character is more consistent with zone R2 Low density residential (where multi dwelling housing is prohibited).

There is overwhelming evidence to allow Council to either refuse the DA or advise the Applicant that the proposal must be significantly re-designed and the density reduced. As a secondary permitted use, the proposed four (4) occupancy multi dwelling housing development is out of character in the Ridge precinct of East Jindabyne (**Section A1.2** and **Attachment B**) is inconsistent with the objectives of the zone (**Section A1.4**) and it is clearly an overdevelopment of the site. Numerous departures of the LEP and DCP are identified throughout this submission providing further evidence of a non-compliant development. In Council's most recent strategic planning document, Snowy Monaro Draft Settlements Strategy (2020), a multi dwelling housing development a 30C Kunama Drive East Jindabyne is recognised as being out of character and not appropriate.

A1.6 Applicable development standards under Part 4 of the Snowy River LEP 2013.

Council must consider the definition of subdivision which includes a strata plan or strata plan of subdivision (as demonstrated below) and the implications for 4.1B of the LEP. In Councils DCP, C1 1.1 also describes subdivision as including both Torrens Title and Strata Title.

Given that two of the proposed allotments do not comply with the minimum size requirements Council should not support the proposal.

Environmental Planning and Assessment Act 1979

6.2 Meaning of "subdivision" of land

(1) For the purposes of this Act, **subdivision** of land means the division of land into 2 or more parts that, after the division, would be obviously adapted for separate occupation, use or disposition. The division may (but need not) be effected—

(a) by conveyance, transfer or partition, or

(b) by any agreement, dealing, plan or instrument rendering different parts of the land available for separate occupation, use or disposition.

(2) Without limiting subsection (1), **subdivision** of land includes the procuring of the registration in the office of the Registrar-General of—

(a) a plan of subdivision within the meaning of section 195 of the [Conveyancing Act 1919](#), or

(b) a strata plan or a strata plan of subdivision within the meaning of the [Strata Schemes Development Act 2015](#).

<p>Snowy River Local Environmental Plan 2013</p> <p>The statement of environmental effects (SEE) still does not address key LEP clauses in relation to lot size and subdivision.</p> <p><i>4.1B Exceptions to minimum subdivision lot sizes for certain residential development</i></p> <p>(1) <i>The objective of this clause is to encourage housing diversity without adversely impacting on residential amenity.</i></p> <p>(2) <i>This clause applies to development on land in the following zones that is serviced by a sewage reticulation system—</i></p>	<p>DA 10.2022.60.1 is inconsistent with parts of the LEP</p> <p>The statement of environmental effects should thoroughly consider and assess the proposed development against the LEP. The proposed strata subdivision of one lot into 5 lots adversely affects the existing residential amenity in this part of Kunama Drive.</p> <ul style="list-style-type: none"> • The proposed dwelling density is out of character and the strata allotment sizes are too small. • Traffic and parking adversely impact the other residents using the right of way and surrounding neighbours.
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<p>(a) Zone R1 General Residential, (b) Zone RU5 Village.</p> <p>(3) Development consent may be granted to a single development application for development to which this clause applies that is for consent to both of the following—</p> <p>(a) the subdivision of land into 3 or more lots, (b) the erection of a dwelling house, an attached dwelling or a semi-detached dwelling on each lot resulting from the subdivision, if the size of each lot is equal to or greater than 250 square metres.</p>	<p>Two of the five lots do not meet the minimum 250 sqm required by clause 4.1B.</p> <ul style="list-style-type: none"> • Pt 2 – 217.64 sqm (initially) and now 223.24 sqm in the amended design • Pt 3 – 236.09 sqm and now 236.09 sqm in the amended design
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A1.7 Loss of native trees impacting on character of the precinct and residential amenity

The continual loss of native trees is detrimental to the character and residential amenity of the precinct. As a result of the original subdivision in 2016, approximately 60 native trees covering an area of approximately 400 square metres were removed from what is now Lot 1.

A healthy tree island exists in the location of dwelling B (Figure 3) and no justification has been provided to demonstrate that removal of this island is appropriate. This vegetation contributes to character and residential amenity and must be retained.

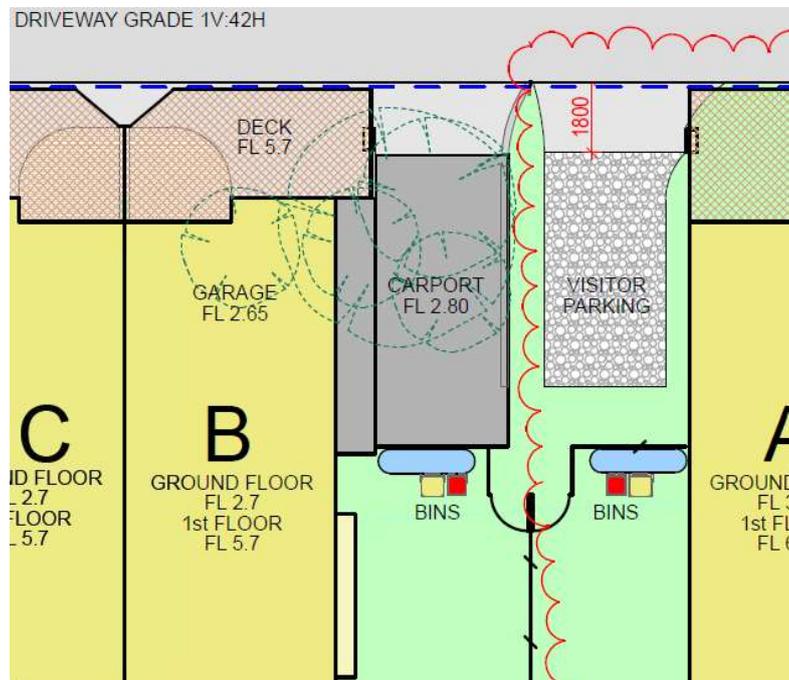


Figure 3: Location of tree island

Lot 1 (in the location of the tree island) is partly mapped as terrestrial biodiversity and therefore 7.2 of the LEP applies. The objective of the clause is to protect and conserve native flora. The principles of *avoid, minimise or mitigate* within the clause have not been adhered to. C1.2-4 Flora and Fauna Protection and D1.4-6 Tree Replenishment of the DCP also apply and have not been appropriately addressed by the Applicant.

The statement of environmental effects must be supplemented with a flora and fauna report that appropriately assesses the ecological values and considers the avoid, minimise and mitigate principles. Any healthy native trees should be retained to preserve ecological processes and native habitat. Any trees that are proposed to be removed should be supported by a detailed arborist report that clearly demonstrates that the trees are a risk to people or property in the locality. Any trees proposed to be removed should be offset by planting equivalent replacement native trees in deep soil landscape zones.

The proposed development should be completely redesign to retain the tree island.

A1.8 Subdivision and required public road

Subdivision

The 2.1 Objective in the General Subdivision Requirements of the DCP are clear and Council must use these to either refuse the DA or advise the Applicant that the proposal must be significantly re-designed and the density reduced.

The objectives for the subdivision of land are:

- To ensure that dwelling construction **provides quality outcomes for the built environment** of the Shire
- To ensure that development of lots **does not adversely impact on landscape features and amenity**.

The definition of subdivision includes a strata plan or strata plan of subdivision. In Councils DCP, C1 1.1 also describes subdivision as including both Torrens Title and Strata Title.

DA 10.2022.60.1 is inconsistent with these objectives.

A quality outcome for the built environment has not been achieved. Four dwellings are out of character and an overdevelopment of the site particularly given that The Ridge precinct of East Jindabyne consists predominantly single storey single dwellings that are oriented East West on Torrens Title parcels of land that exceed 800 square metres in area. No occupancies in the precinct have sites of less than 350 square metres. This density and site size is drastically out of character and adversely impacts the residential amenity of the precinct.

Native vegetation that contributes to character and residential amenity of the precinct is proposed to be removed without detailed assessment and/or adequate justification. The amenity of the adjoining neighbours will be impacted by traffic and parking, visual and acoustic privacy, overshadowing, overlooking and stormwater drainage issues.

A dual occupancy development accessed off the designated Lot 1 driveway (i.e., not the right of way) would result in a much more acceptable development.

Public Road

The DCP also requires consideration of C3.1-2 Rights of Carriageway for Subdivision. Of the utmost concern is the fact that the proposed development requires a public road to be constructed.

d) If further subdivision takes place utilising the right of carriageway and increasing the number of lots utilising the right of carriageway to more than six (6) allotments, the right of carriageway is to be replaced with a public road

The existing right of way is already at the maximum capacity of five (5) occupancies which have been allocated to Lot 2, Lot 3 and Lot4 in the conditions of consent for the original subdivision DA006/2016. The proposed multi dwelling housing development seeks to increase the capacity of the right of way by four (4) more occupancies taking the total up to nine (9) occupancies which requires a public road. Council's Development Design Specification D1 Geometric Road Design requires a minimum road width of 15 metres and either a turning head or cul-de-sac.

The impacts to the residential amenity of the adjoining properties in this location would be devastating if a public road were to be constructed. This is a clear evidence base that the capacity of the right of way has already been maximised and that access for Lot 1 should be off its approved driveway adjacent to 32 Kunama Drive

The statement of environmental effects has not demonstrated any exceptional circumstances that would allow an additional four (4) dwellings to be accessed off a narrow right of way that already allows for the maximum capacity of five (5).

If approved without a public road, a total of nine dwellings using the driveway would have significant traffic and parking impacts.

- The 4 metre driveway width is insufficient for the number of vehicles and vehicle movements proposed.
- There are no vehicle turning or vehicle passing areas
- Excessive vehicles will create noise impacts
- Vehicle light shining into adjoining properties.
- There would be pedestrian and vehicle conflicts.
- Children utilise the driveway. Additional vehicles will increase safety risks.
- Visitor parking is poorly located and defined which increases the likelihood that visitors will attempt to park in an unsafe manner on the gravel area within the landscape buffer.

A public road is required for 6 allotments however there is insufficient space in this location to construct a road. Also, given the proximity to adjoining properties a new public road would result in adverse impacts.

Access for Lot 1 should be off its approved driveway adjacent to 32 Kunama Drive. Not the right of way.

A1.9 Other matters

The following other matters are also relevant and assist in demonstrating that a four (4) occupancy multi dwelling housing development is an overdevelopment of the site.

Visitor parking

The location of visitor parking not appropriate (**Figure 4**). It presents as exclusive to the nearest unit, the space is not visible from street and it contains poor sight lines when reversing. Visitor vehicles have to enter the site (access driveway) to determine if the space is freely available. If the space is occupied there is not a designated turning area for a visitor to turn their vehicle around and exit safely in a forward direction. There are very poor sight lines when reversing out of the space due to the two storey development on either side. This impacts pedestrian safety.

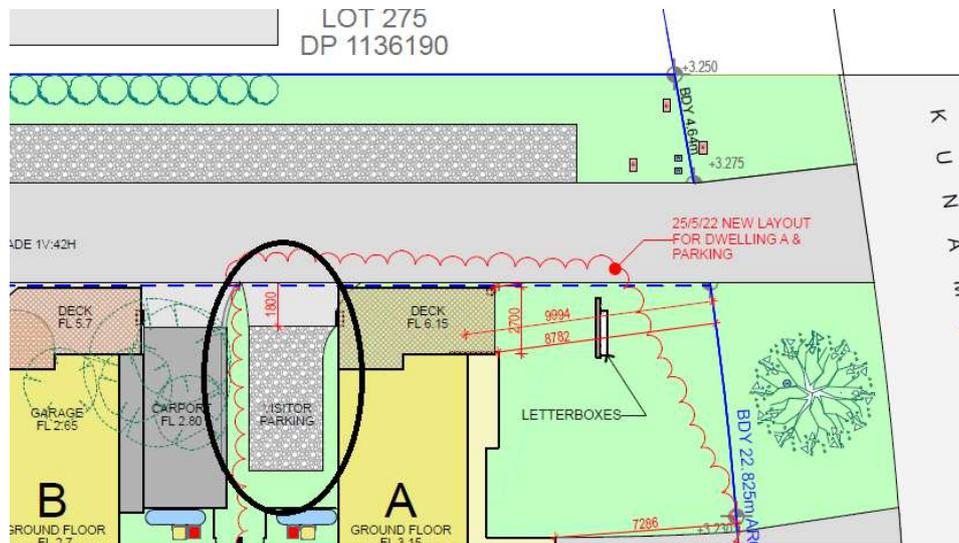


Figure 4: Poorly located visitor parking

Gravel strip in landscape buffer

Gravel strip on northern side of existing access driveway will encourage use and parking of vehicle in an unsafe manner (Figure 5) – cars, boats, trailer, visitors and the like. This area is a designated landscape buffer. The current design and gravel surface material is not appropriate / not consistent with original subdivision approval. Landscape features (planting and boulder) and/or decorative fencing in keeping with rural character (post and rail) should be utilised to ensure vehicles can not enter this area.

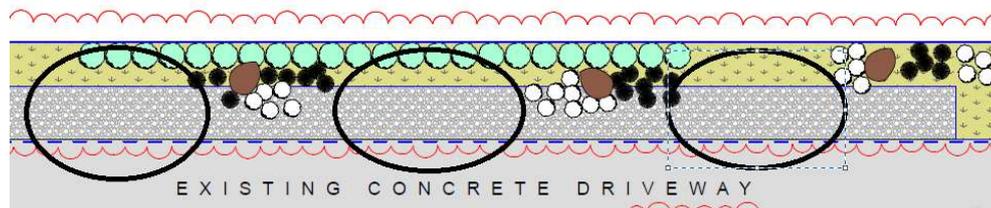


Figure 5: Vehicles will attempt to park unsafely in these locations.

Vehicle turning templates

The vehicle turning templates are extremely tight and it is unclear if an appropriately sized vehicle in accordance with the relevant Australian Standard has been utilised. The diagrams show wheels of vehicle on (or over) the edge of the driveway and vehicles hitting garage walls and car port posts. The fact that there is insufficient room to complete vehicle turning movements safely is further evidence base that the proposed development is an overdevelopment of the site.

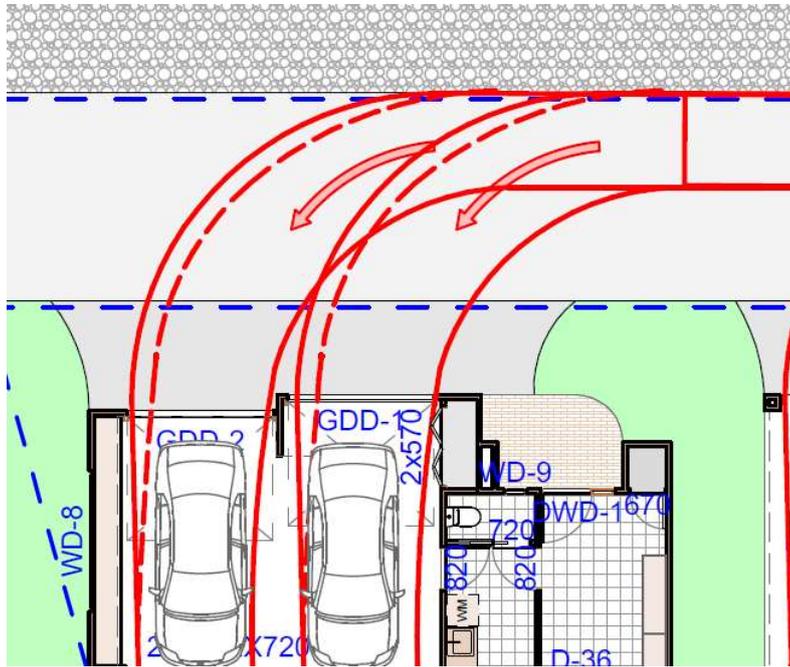


Figure 6: One example of vehicles that hit garage walls and go over edge of driveway.

Stormwater drainage

There is no stormwater easement and stormwater cannot be discharged to the street. Absorption trenches are proposed (Figure 7). However, in the absence of any detailed hydraulic and soil analysis the success of the trenches may not be able to be relied upon. Any overflow of stormwater will adversely affect down slope properties.

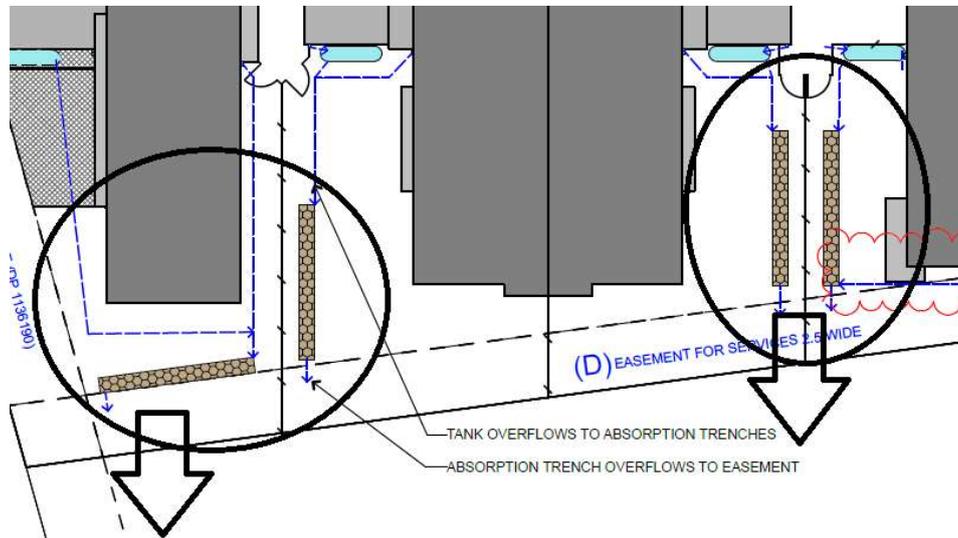


Figure 7: Overflow from absorption trenches discharges into adjoining property

Existing drainage at the site is a significant issue. There are already surface flow problems during rain events. Absorption trenches are not adequate particularly given no calculations are provided and no additional mitigation measures are proposed for escaping runoff once absorption trenches reach capacity. Failure of existing absorption trenches in nearby properties are a clear example that there are risks associated with this method of management stormwater.

Overshadowing

The proposed two storey dwellings limit solar access to outdoor areas and lower-level living areas of the neighbour at 32 Kunama Drive. The shadow diagrams show that most of the northern side of 32 Kunama Drive is in shadow all day (**Figure 8**).

The proposed dwellings are orientation North South which is inconsistent with the rest of dwellings in the street that are oriented East West toward the street frontage. In addition, 75% of the second storey floor area of the proposed development is located in the rear half of the allotment. This drastically impacts the residential amenity and exacerbates overshadowing impacts.



Figure 8: Prime morning sunlight for 32 Kunama Drive will be lost.

Waste collection

Waste and recycling practices particularly on council collection days has the potential to cause amenity impacts. The potential for 8 bins associated with the development of Lot 1 causes significant locations issues. The 4.8 metres wide section of street frontage identified for the locations of bins for collection night is not adequate (**Figure 9**).

Most NSW councils recommend between 500mm and 1000mm separation between bins for safe collection by trucks. The bins themselves are approximately 550mm in width.

On collection night, Lot 1 requires a linear distance of more than 7.9 metres along the street frontage for eight (8) bins.

On collection night, Lot 2, Lot 3 and Lot 4 (once the five-occupancy capacity is reached) requires a linear distance of more than 10 metres along the street frontage for ten (10) bins.

The total combined linear distance required for bins associated with Lot 1, Lot 2, Lot 3 and Lot 4 on collection night is more than 18 metres. Excluding driveways, only 17.4 metres lineal of street frontage exists. This will result in significant adverse impacts to adjoining properties.

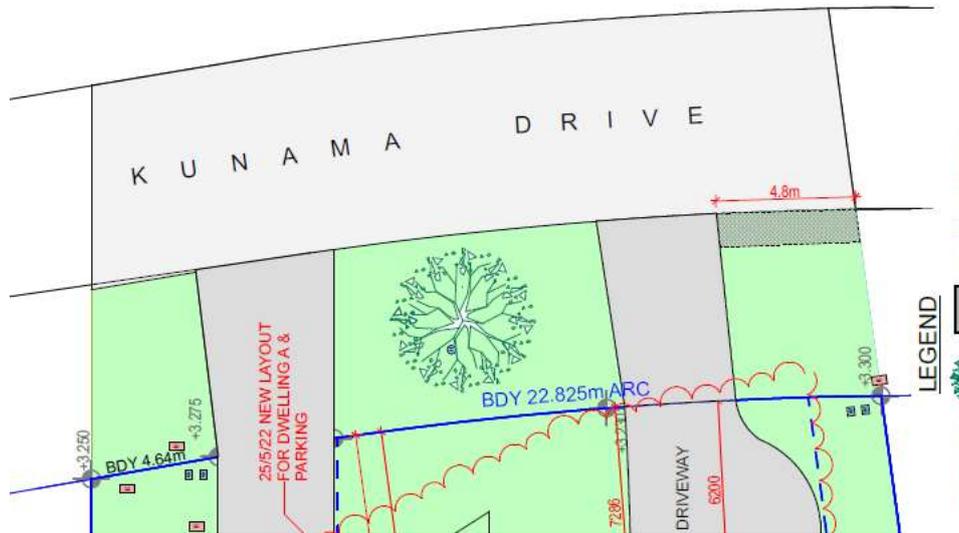


Figure 9: Limited availability of street frontage for collection of bins.

ATTACHMENT B – CHARACTER ANALYSIS

Analysis tools and resources

This analysis has been performed using the below and visual observations during a site inspection.

<https://maps.six.nsw.gov.au/>

<https://www.mecore.com.au/mosaic/>

<https://masterview.snowymonaro.nsw.gov.au/>

<https://www.onthefhouse.com.au/property/nsw/east-jindabyne-2627/kunama-drive>

STEP 1 – Describe and define the location

The Ridge precinct of East Jindabyne (**Figure 1** and **Figure 2**) is defined as follows:

- Bound by Jerrara Drive to the north
- Bound by Kosciuszko Road to the east
- Bound by the creek line to the south (adjacent to 38, 39, 40 and 43 Kunama Drive)
- Bound by the Alpine Sands development and large parcel of vacant land (Lot 29 DP 236875) to the west
- Includes both the eastern and western sides of Kunama Drive
- Largely made up of parcels of land that were released at “The Ridge” subdivision (DP 1130749 register in late 2008)

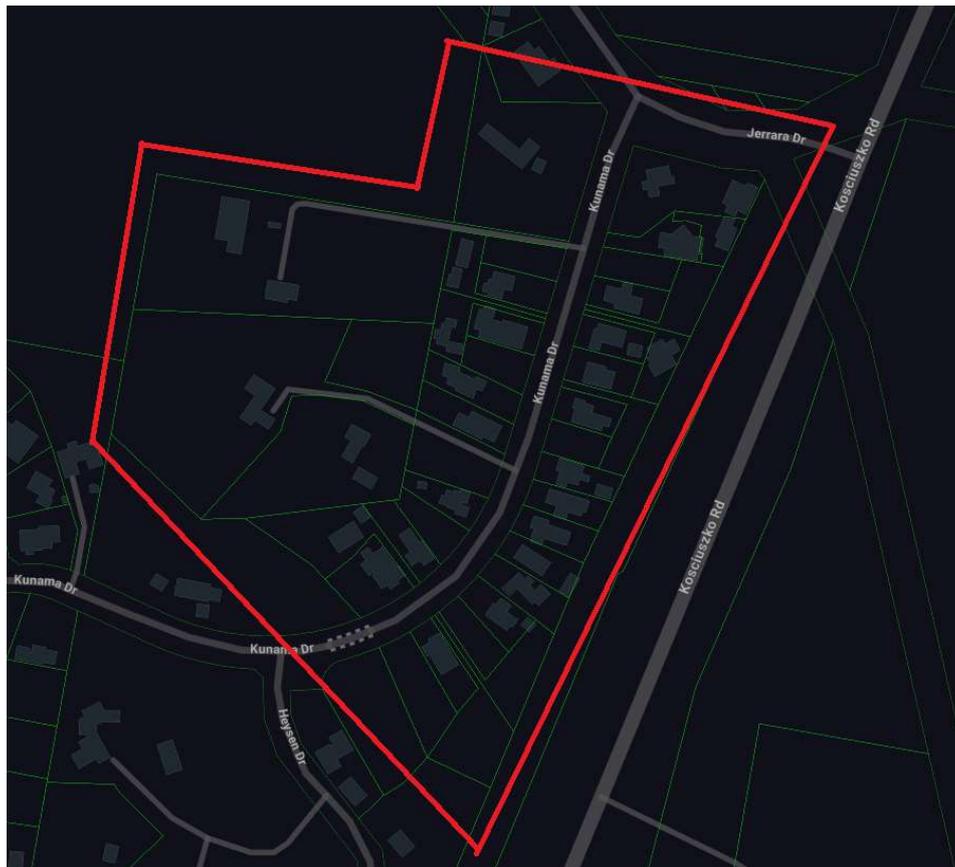


Figure 1: The Ridge precinct of East Jindabyne



Figure 2: The Ridge precinct of East Jindabyne

STEP 2: Describe and define the land, housing stock and built form

The precinct includes approximately 41 parcels of land

- 7 parcels still vacant (may have Council approvals)
- 34 parcels have been developed

It is estimated that to date approximately 39 occupancies have been constructed across the 34 developed parcels. These comprise only dwellings and dual occupancies. **No multi dwelling housing developments exist in this precinct.**

- 5 existing dual occupancy sites (10 occupancies)
- 29 existing single dwelling sites

The land sizes in the precinct range from 659 square metres (3B Kunama Drive) to 12500 square metres (12 Kunama Drive).

- The smallest site area containing a dual occupancy development is 815 square metres (22 Kunama Drive)
- 17 parcels have a site area that exceeds 1000 square metres
 - 3 vacant
 - 4 dual occupancy
 - 10 single dwellings
- Approximately half (21 out of 41) of the parcels have areas ranging from 800 square metres to 930 square metres.

Currently there is only one strata development in the precinct at 22 Kunama Drive. The development comprises a modest single storey dual occupancy on an allotment of 815 square metres (approx. 407 square metres of site per occupancy).

The predominant orientation of building in the precinct is East West (25 out of 41 sites).

The predominant built form is single storey (17 out of 41 sites) followed by part two storey buildings (11 out of 41 sites). Only six (6) sites have a complete two storey built form.

When considering the combination of built form and orientation, 14 out of 41 sites are single storey with East West orientation and 6 out of 41 sites are part two storey with East West orientation. Only 1 site (30 Kunama Drive) has a two storey dwelling that is oriented North South.

The data is recorded in the table below.

Street No.	Lot / DP No	Description	Lot size (sqm)	Built form	Orientation
1	Lot 1 DP 1064970	Dual Occ	2855	Single storey and two storey	NS
2-10	Lot 3 DP844857	Dwelling	5903	Part two storey	EW
3A/3B	Lot 1 & 2 DP 1255700	Dual Occ	887 & 659	Two storeys	EW
5	Lot 1 DP 1130749	Vacant	845		
7	Lot 2 DP 1130749	Dwelling	819	Single storey	EW
9	Lot 3 DP 1130749	Dwelling	1096	Part two storey	NS
11	Lot 4 DP 1130749	Dwelling	917	Single storey	NS
12	Lot 32 DP 1130749	Dwelling	12500	Single storey	NS
13	Lot 5 DP 1130749	Dwelling	832	Single storey	EW
14	Lot 31 DP 1130749	Vacant	837		
15	Lot 6 DP 1130749	Dwelling	845	Two storey	EW
16	Lot 30 DP 1130749	Dwelling	841	Part two storey	EW
17	Lot 9 DP 1130749	Dwelling	929	Part two storey	NS
18	Lot 29 DP 1130749	Dwelling	857	Part two storey	NS
19	Lot 7 DP 1130749	Dwelling	773	Single storey	EW
20	Lot 28 DP 1130749	Dwelling	889	Part two storey	NS
21	Lot 8 DP 1130749	Vacant	706		
22	SP 99483	Dual Occ	815	Single storey	EW
23	Lot 10 DP 1130749	Dwelling	814	Single storey	EW
	Lot 26 DP 1130749	Vacant	837		
25	Lot 11 DP 1130749	Dwelling	818	Single storey	EW
26	Lot 276 DP 1136190	Dwelling	1058	Part two storey	EW
27	Lot 12 DP 1130749	Dwelling	871	Single storey	EW
28	Lot 275 DP 1136190	Dwelling	1026	Single storey	EW
29	Lot 13 DP 1130749	Dwelling	917	Single storey	EW
30	Lot 2 DP 1228821	Dwelling	5551	Two storey	NS
30A	Lot 4 DP 1228821	Vacant	2266		
30B	Lot 3 DP 1228821	Dwelling	10900	Single storey	NS
30C	Lot 1 DP 1228821	Vacant	1697		
31	Lot 14 DP 1130749	Dwelling	1005	Single storey	EW
32	Lot 25 DP 1130749	Dwelling	771	Part two storey	EW
33	Lot 15 DP 1130749	Dwelling	886	Single storey	EW
34	Lot 24 DP 1130749	Dwelling	808	Two storey	EW
35	Lot 16 DP 1130749	Dwelling	807	Part two storey	EW
36	Lot 23 DP 1130749	Dwelling	837	Single storey	EW
37	Lot 20 DP 1130749	Dual Occ	1329	Two storey	EW
38	Lot 222 DP 120236	Dwelling	1939	Part two storey	EW
39	Lot 19 DP 1130749	Dual Occ	1737	Two storey	EW

40	Lot 221 DP 1208236	Dwelling	1295	Single storey	EW
41	Lot 17 DP 1130749	Dwelling	852	Single storey	EW
43	Lot 18 DP 1130749	Vacant	1466		

STEP 3: Analyse the data and summarise the existing character

A proper analysis of The Ridge precinct data shows:

- 71% single dwelling, 12% dual occupancy and zero multi dwelling housing
- 40% single storey, 27% part two storey and only 15% full two storey
- 61% orientated East West and only 22% orientated North South
- 34% single storey with East West orientation, 15% part two storey with East West orientation and on 0.02% two storey with North South orientation
- Of the 17 parcels that have a site area that exceeds 1000 square metres, 59% single dwelling and 24% dual occupancy
- 51% have a site area between 800 square metres to 930 square metres.
- 82% of the occupancy sites have a site area that exceed 800 square metres
- 99.98% Torrens title and 0.02% Strata Title

The character of The Ridge precinct of East Jindabyne can be described as predominantly single storey single dwellings that are oriented East West on Torrens Title parcels of land that exceed 800 square metres in area.

A secondary theme within the character of the precinct are part two storey dwellings that are oriented to the East West.

A minor theme within the character of the precinct is dual occupancy development.

STEP 4: Compare the proposed development with the existing character

The subject site (30C Kunama Drive) is located just to the south of the centre of The Ridge precinct. The proposed development included:

- Four (4) units
 - Two storey
 - Oriented North South
- A site area of approximately 1700 square metres. However, due to easements and restrictions the developable area is only 1000 square metres.
- The development footprint covers 58% of the developable area.
- The floor space ratio when compared to the developable area is 0.56:1
- The development has a gross floor area of 567.83 square metres
 - Approximately 292 square metres of floor area is located at the two storey level
 - 75% is located in the rear half of the allotment.
- Five (5) strata lots are proposed with sizes
 - Pt 1 – 348.95 square metres
 - Pt 2 – 223.24 square metres
 - Pt 3 – 236.09 square metres
 - Pt 4 – 330.48 square metres
 - Pt 5 (common) – 551.36 square metres.

The proposed four occupancy multi dwelling housing development is fundamentally flawed and radically inconsistent with the character of The Ridge precinct as follows:

- Development that is completely two storey and orientated North South is not compatible with the character. The majority of the development in the precinct is respectfully orientated East West so as not to directly face the adjoining neighbours.

- No developments in the precinct have 75% of their second storey floor area located in the rear half of their allotment. This drastically impacts the character and residential amenity of the precinct.
- No multi dwelling housing developments exist in this precinct. This type of development is not compatible with the character.
- The development footprint and floor space ratio when compared to the actual developable area are far greater than anything else in the precinct and are not compatible with the character.
- No occupancy in the precinct have a site of less than 350 square metres. This density and site size is drastically out of character and adversely impacts the residential amenity of the precinct.
- Strata Title subdivision is out of character in the precinct.

Submission 8

1 July 2022

Snowy Mountains Regional Council
council@snowymonaro.nsw.gov.au

Attn: Sarah Brown

RE: OBJECTION TO DEVELOPMENT APPLICATION NO. DA 10.2022.60.1 FOR MULTI DWELLING HOUSING (4 UNITS) & STRATA SUB DIVISION AT 30C KUNAMA DR, EAST JINDABYNE 2627 NSW (LOT: 1 DP: 1228821)

Dear Ms Brown

After reviewing the original DA and the revised version available on Council's website and consulting with a number of neighbours we wish to submit our objection to this proposal.

Non Compliance with Development Rules and Standards

We agree completely with the highly detailed and professional assessments and analysis' already provided to Council by other neighbouring residents as to why the application fails to comply with both the requirements and objectives of both the *Snowy River Local Environment Plan 2013* and *Snowy River Development Control Plan 2013* (DCP). Especially the first two objectives of the plan that state:

- To provide for a range of land uses, services and facilities that are associated with a **rural village.**
- To protect and conserve the historical significance, **character and scenic quality of rural village settings.**

The proposed building fails to comply with either of those objectives. As with a number of similar DAs that propose to plonk a bunch of cheap little apartments (see the BASIX & ENERGY NOTES) on this small lot is a disgrace and completely out of character with the surrounding area.

Note: Just because Council has previously failed to insist on compliance with **ALL** planning controls in the past by approving a range of completely incompatible lumps of building materials thrown together and called a building, does not mean it will happen in this instance.

The Strata title proposal

As referred to in other objections the proposal appears to also be seeking approval to Strata Title the block into 5 lots, none of which meet the minimum lot size. Including an area cited as Pt 5 (COMMON) which covers an existing easement for access to Lots 2, 3, and 4. The current easement appears to give no rights what so ever to Lot 1 and should be rejected. If Council agreed to

this, it would impinge on the access rights to the other lots. If this were to occur it is very likely that some or all of the other lot owners were to seek a remedy at law to Councils failure to act in accordance with the planning controls Council may well end up have to fund the construction a public road to these lots.

As Lot 1 has no rights of access on the easement, any proposal for Lot 1 **must** use the access directly to the road.

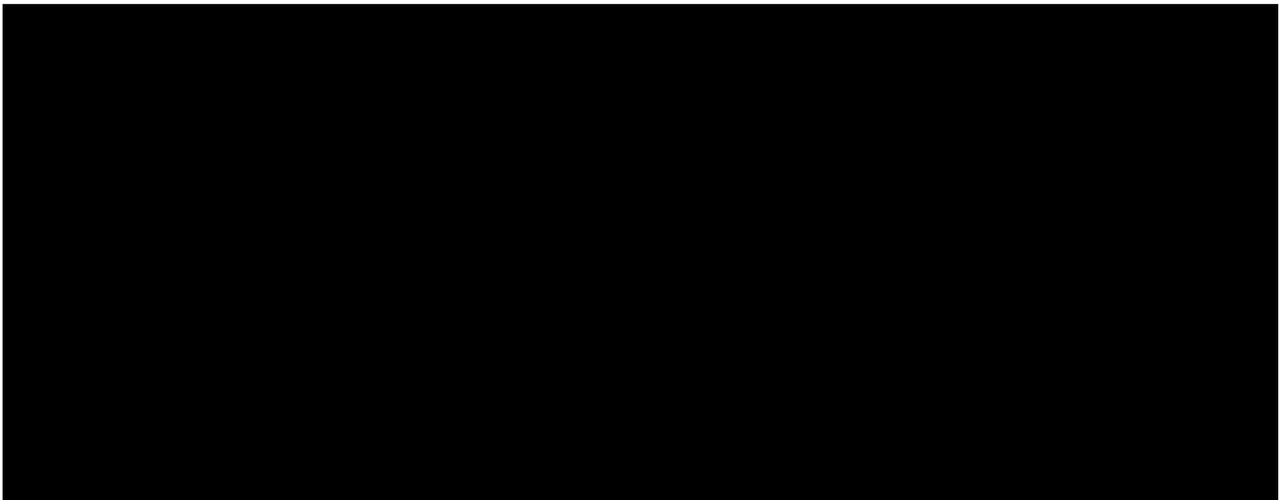
The proposal is completely out of character for this area of east Jindabyne.

- The original development of this area was established as a rural village development which is sympathetic to the East Jindabyne rural village concept.
- The sheer scale of the proposing 4 town houses on such a small block amongst the established family homes is completely incompatible with a suburban street scape.
- The proposal seeks to insert a high density, purely commercial centre of high activity of industrial proportions in to a street scape of family homes.
- As Council would be fully aware, many commercial holiday properties in the Jindabyne area regularly exceed the licenced person per room ratio. The fact that these apartments are 3 bedrooms means that when rented out for short stay holidays it is certain that they will be accommodating well in excess of 2 people per room. Which will undoubtedly result in far more cars than the available parking in the developments.
- As the Jindabyne area is being promoted as an adventure sport destination many guests in these sorts of developments will driving in and out of the proposed building at all times of the day and night which will have a detrimental impact on the amenity of many residents in the whole street.

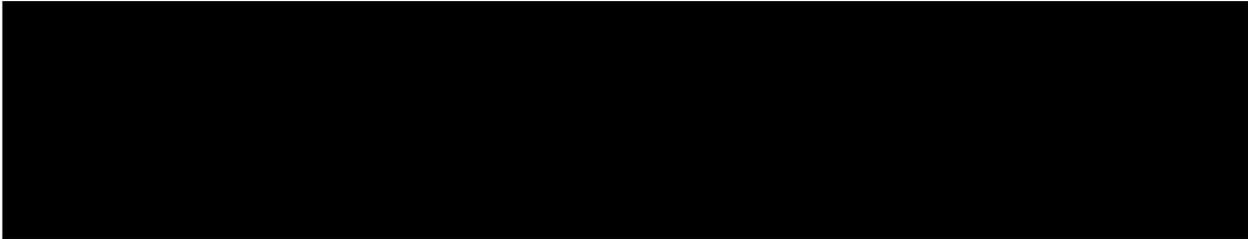
Conclusion

To approve this Application or any like proposal on this site would be a complete failure of Councils role in the DCP process and would create a precedent for greedy developers that would allow an "anything goes" reputation for all future development applications for this area.

Should this matter proceed to court action, Council as the Consent Authority, would find it very difficult to convince a court of competent jurisdiction that its decisions complied with all the relevant legislation.



Submission 9



Hello,

We are making a submission re the development application at 30C Kunama Drive, East Jindabyne (Lot 1 DP 1228821) for a multi dwelling housing (4 units) and strata sub division. The application number is 10.2022.60.1 We have several issues with this proposal. The access for this lot should be off the approved driveway and not off the right of way which currently exists for lots 2,3 and 4 which was in the original subdivision approval. The provision for a GRAVEL visitors parking between the fence (up against my neighbours property) and the access driveway is just plain dumb in a residential setting. The noise of vehicle movements and people at any hour of the day up against a fence is not good planning. Pedestrian safety is also of concern with the constant movement of cars along this 4 m wide corridor.

Most of Kunama drive consists of single or dual occupancy dwellings and so we find that this proposal of four dwellings (plus potentially 12 cars owned by occupants) to be very much out of character with what has been approved and built in the past. The dwellings should face the street and not other properties. In this proposal the privacy of adjoining properties seems have been totally ignored.

Other issues need to be addressed such as garbage (8 bins on the street), stormwater runoff (where does it go) and what provisions have been made for retaining of existing trees and/or landscaping.

We thank you for allowing us to express our concerns,



30c Kunama Drive, East Jindabyne, NSW, 2627

Response to Email of 13 April 2022 outlining Submissions Objecting to the Development.

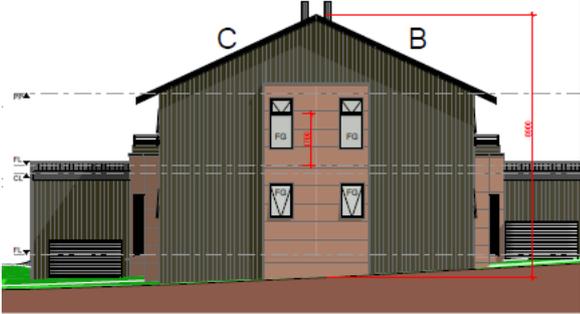
Please see the below table grouping the main concerns of the submissions received. The below responses outline the developer’s willingness to comply with Council’s development standards as set out in the Snowy River DCP 2013 and Snowy River LEP and to achieve a positive development for the area.

Objection Point	Relevant Legislation	Response
<p>Access</p>	<p><i>Snowy River Development Control Plan 2013: Chapter C3 – Car Parking Traffic & Access</i></p>	<p>Vehicle access for each new dwelling has been integrated with site planning to minimise any potential conflicts with pedestrians, Streetscape requirements and traffic patterns.</p> <p>Accompanying letter from Alpine Law dated 4 May 2022 provides a legal overview of the use of the existing concrete driveway as access for Lot 1 noting <i>“The legal position is that our client as the registered proprietor of the freehold land also has the right to go across the ROC easement lands at any time and may additionally in fact use that land for their own purposes provided, they do not substantially obstruct their neighbours’ rights.”</i></p> <p>Unit A, B and C within the development will have a single garage with an attached single car carport, Unit D will have a two-car garage, there is also space for visitor parking between Unit A and B that complies with the requirements of the Snowy River Development Control Plan 2013.</p> <p>The Right of Carriageway (ROC) existing on Lot 1 currently services Lots 2, 3 and 4 DP1228821 (total of 3 lots). The multi dwelling housing design and strata title subdivision proposes to have an additional 3 lots (Unit B, C and D) accessing the ROC. Unit A has direct vehicular access from Kunama Drive via the existing driveway on the lot. Section C3.1-2 of the Snowy River DCP outlines:</p> <p style="padding-left: 40px;">(d) <i>“If further subdivision takes place utilising the right of carriageway and increasing the number of lots utilising the right of carriageway to more than six (6) allotments, the right of carriageway is to be replaced with a public road (refer below).”</i></p> <p>The addition of the three lots will create a total of six (6) allotments utilising the ROC but not more than six. For this reason, the existing ROC does not require to be upgraded to a public road.</p> <p>Sweep paths have been added to the plans by David Law.</p> <p>Access for each of the dwellings within the multi dwelling housing development complies with the requirements outlined in the Snowy River DCP 2013.</p>

<p>Overdevelopment</p>	<p><i>Snowy Mountains Special Activation Precinct Master Plan.</i></p> <p><i>Snowy River Development Control Plan 2013</i></p> <p><i>Snowy River LEP</i></p>	<p>East Jindabyne has been identified as being part of the Jindabyne Growth Precinct within the Snowy Mountains SAP. East Jindabyne is a 'new residential growth area', the key drivers for change for East Jindabyne is to increase housing supply within close proximity to Lake Jindabyne. One of the main strategic outcomes for the SAP is to increase housing diversity within the selected residential growth areas (including East Jindabyne).</p> <p>The proposed multi dwelling housing increases both the supply and diversity of housing in the locality whilst also maintaining the low density residential alpine character of the region.</p> <p>The development will improve housing supply and diversity and will help enable more affordable housing options for residents within the locality. The proposed multi dwelling housing meets the requirements of permitted development within the R5 zone and is a permissible use within the zone.</p> <p>80 Kunama Drive (which is approximately 500m from the subject allotment) has eight, 3-bedroom serviced apartments on a 1911 sqm lot. The proposed multi dwelling housing at 30c Kunama Drive is approximately half the density, on a similar sized allotment and can provide affordable permanent housing not just tourist accommodation.</p> <p>The proposed multi dwelling housing offers residential housing that is compatible with the existing streetscape and character of East Jindabyne, and is consistent with other developments along Kunama Drive, and within East Jindabyne as a whole.</p> <p>The proposed multi dwelling housing complies with the requirements outlined in the Snowy River LEP and Snowy River DCP 2013, and successfully contributes to desired development outcomes outlined for East Jindabyne within the Snowy Mountains SAP.</p>
<p>Traffic and Pedestrian Safety</p>	<p><i>Snowy River Development Control Plan 2013: Chapter C3 – Car Parking Traffic & Access</i></p>	<p>Vehicle access and associated traffic movement is in accordance and complies with the objectives of <i>Chapter C3 of the Snowy River DCP 2013</i>. The driveway and Right-of-Carriageway are not identified as a public through road or pedestrian pathway.</p> <p>The proposed multi dwelling housing has safe pedestrian and vehicular access, with adequate manoeuvring space on site that allows vehicles to safely enter and exit the lot in a forward-facing direction. The car parking and driveway design for the development has been designed thoughtfully to prevent any traffic and/or pedestrian conflict by providing more than adequate site lines between car parking areas, the driveway and the street. For this reason, the development will not impact the social fabric of Kunama Drive and will maintain the existing safe neighbourhood character.</p> <p>The proposed multi dwelling housing will not be detrimental to the existing traffic flows of Kunama Drive, due to the nature and scale of the development, a</p>

		<p>Traffic Impact Assessment is not required to be submitted as part of this application. Accompanying letter from Alpine Law dated 4 May 2022 notes compliance with the controls set out in Snowy River DCP C3.1:</p> <p><i>“The ROC easement registered on title is not and cannot be construed as simply for the exclusive use of the nominated neighbouring registered proprietors. It is not and cannot be viewed as a restriction on use by the owner of the land for their own purposes provided such purposes do not obstruct the neighbours’ rights. When the courts have determined such matters up to date, it has been held that an obstruction to a ROC can occur to a minimal degree; the case law shows that the courts will only interfere if there is “substantial interference with the enjoyment of the right of way (carriageway)”.</i></p> <p>As illustrated within the architectural plans and accompanying letter from Alpine Law, the proposed development complies with traffic and pedestrian safety requirements outlined in the Snowy River DCP 2013.</p>
<p>Parking</p>	<p><i>Snowy River Development Control Plan 2013: Chapter C3 – Car Parking Traffic & Access</i></p>	<p>The allocated parking for each dwelling complies with the vehicle parking requirements as outlined in C3.3 of the Snowy River DCP 2013. The parking for each dwelling has been designed to provide a clear, safe and easily accessible paths of travel for both cars and pedestrians, this has been achieved by providing sufficient parking for each dwelling, whilst also providing adequate turning areas in order for vehicle to safely enter and exit the lot in a forward-facing direction.</p> <p>David Law has updated plans with version F showing car sweep paths.</p>  <p>The proposed development as illustrated above, complies with the parking requirements outlined in the Snowy River DCP 2013.</p>
<p>Compatibility</p>	<p><i>Snowy Mountains Special Activation Precinct Master Plan.</i></p>	<p>A key aim for the desired future growth of East Jindabyne, as outlined in the Snowy Mountains SAP is to ensure SMRC and the DPE provide a range of growth areas that provide a diversity of housing types to</p>

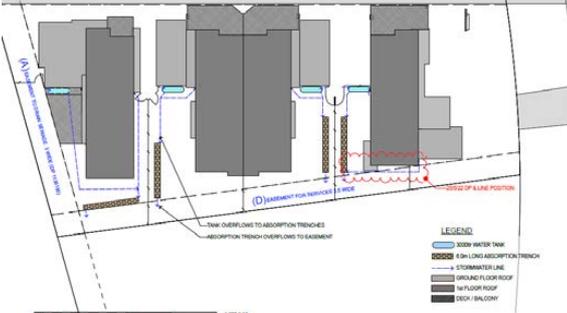
		<p>support the long-term prosperity of Jindabyne and surrounds. The proposed multi dwelling housing is not only compatible with the existing character of East Jindabyne, but it also enhances the existing character by providing a sympathetic, articulated design that will complement the existing streetscape. There is a serious lack of housing diversity and supply in the region, and in East Jindabyne in particular. This development aims to enhance the supply diversity of housing stock, which aims to enable more affordable housing options for residents within the locality.</p> <p>The proposed multi dwelling housing complies with the requirements outlined in the Snowy River LEP and Snowy River DCP 2013, and successfully contributes to desired development outcomes outlined for East Jindabyne within the Snowy Mountains SAP.</p>
Existing Road Infrastructure	<i>Snowy River Development Control Plan 2013: Chapter C3 – Car Parking Traffic & Access</i>	<p>The minimal scale and nature of the proposed development does not have the potential to impact the existing road infrastructure. The development is utilising existing driveways on site in order to minimise the impact on the existing road infrastructure. The development is for the purposes of residential housing and is <u>not</u> a commercial development. This proposal will have minimal impact to the existing road infrastructure, it should be noted that the implementation of the Snowy Mountains SAP, will encourage further development in East Jindabyne. This has the potential to create a greater generation of traffic throughout East Jindabyne. Any new significant developments that will cause an impact to existing infrastructure should be assessed accordingly.</p> <p>Based on the points outlined above, the proposed development will not impact existing road infrastructure in East Jindabyne and it complies with Chapter C3 of the Snowy River DCP 2013.</p>
Visual and Acoustic Privacy	<i>Control Plan 2013: Chapter 6 - Amenity</i>	<p>Site layout and building design of the proposed multi dwelling housing ensures the protection of internal living and sleeping areas from uncontrollable high levels of external noise and minimises the transmission of sound through the building structure. All windows in each dwelling will be double glazed, this will further enhance the acoustic privacy for each dwelling and ensure minimal noise disturbance to surrounding dwellings. The proposed multi dwelling housing building layout, location and design of windows and balconies, screening devices and landscaping all prevent the direct overlooking of main internal living areas and private open spaces. The North-facing balconies in each unit, have been placed strategically at the front of each unit to minimise direct overlooking to neighbouring developments. All windows are strategically placed to prevent any direct views between living area windows, bedroom windows and private open spaces.</p> <p>The windows at the rear of Unit B and C have been amended in order to limit any overlooking to the neighbouring dwelling. Please see updated design below, and within the updated architectural plans.</p>

		 <p>The bathroom windows on the lower floor will be frosted in order to enhance privacy. The windows on the upper floor will also be frosted to 1700mm above floor level in order to enhance visual privacy and prevent onlooking between the new multi dwelling housing and the existing neighbouring dwelling.</p> <p>As illustrated within the Visual and Acoustic Privacy Impact Statement and the updated architectural plans, the proposed multi dwelling housing demonstrates that it complies with the requirements of Chapter 6 of the Snowy River DCP 2013.</p>
Surveillance	<i>Snowy River Development Control Plan 2013: Chapter 6 - Amenity</i>	<p>The orientation of Unit A towards Kunama Drive, provides a direct line of sight from the multi dwelling to the street which allows for passive surveillance of the street. The siting and location of each building also allows for the safe access by residents and visitors. The multi dwelling housing has been sited and designed to increase the perception that people can see and be seen from the dwellings, which helps to limit loitering on residential blocks.</p> <p>The front setback area and development design provides ample opportunities for casual surveillance and complies with the requirements outlined in Chapter 6 of the Snowy River DCP 2013.</p>
Holiday Letting	<i>Snowy River Local Environmental Plan 2013.</i>	<p>Tourist and Visitor Accommodation or 'Holiday Letting' is not the intended use for the site and an application for serviced apartments is not part of this application. As outlined in the development application, the proposed multi dwelling housing will be for residential housing that will provide additional accommodation within East Jindabyne in a large lot residential setting.</p> <p>The proposed multi dwelling housing complies with the permissible uses of the zone outlined in the Snowy River LEP.</p>
Trees/Landscaping	<i>Snowy River Development Control Plan 2013: Chapter 6 - Amenity</i>	<p>The increased front setback area and backyard areas for each unit provide more than adequate space to replenish trees on site. Seven trees will be removed in order to have a clear building site. However, and additional 8 eucalypts will be established on site to maintain East Jindabyne's leafy character and soften the appearance of the development to the street. Landscaping for the development has been thoughtfully chosen and sited in order to soften the appearance of the new multi dwelling housing and to establish local</p>

	<p>eucalypt species on site. Due to the site being greater than 1500 sqm, it must be demonstrated that the lot can support seven (7) trees on site. As demonstrated in the landscape plan included as part of this application, 8 eucalypts (White Gum/Snow Gum) that are capable of attaining a minimum height of 13 metres will be planted on site as part of this application. Complies with the requirements of D1.4-6 of the Snowy River DCP.</p> <p>The removal of the trees displayed does not exceed the biodiversity offset threshold for the allotment, and it is therefore permissible and meets the requirements of the Snowy River LEP and Snowy River DCP 2013.</p> <p>The lot does not contain any areas of high biodiversity value, as illustrated by the <i>Biodiversity Values Map</i> below:</p>  <p>The subject lot shows terrestrial biodiversity upon searching within the NSW Planning Portal. The mapping is incorrect and has overlaid the presence of terrestrial biodiversity on the lot, when in fact there is no terrestrial biodiversity on the lot. There are discrepancies present in this NSW Planning Portal mapping system, which is clearly demonstrated in this instance.</p>  <p>Despite this, the applicant has committed to planting a number of native species on site, in order to promote local native species, and to soften the appearance of the development. Please see updated landscape plan that illustrates new plant species to be planted.</p> <p>The proposed development complies with the requirements outlined in the Snowy River LEP and Snowy River DCP 2013.</p>
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<p>Overshadowing/Solar Access</p>	<p><i>Snowy River Development Control Plan 2013: Chapter 6 - Amenity</i></p>	<p>As outlined in the acoustic and visual privacy impact statement, the proposed development has been sited and designed so as to not impede or impact upon the existing streetscape, whilst being sympathetic to surrounding development by providing articulation between each building to allow for greater sun exposure throughout the day.</p> <p>As shown in the shadow diagrams, the proposed multi dwelling housing will not have adverse impacts on surrounding development and will not significantly reduce the availability of sunlight to these dwellings. As illustrated in the shadow diagrams, the North facing living area windows and private open space of Unit D will receive at least 3 hours of direct sunlight between 8am and 4pm on the 21st of June.</p> <div style="text-align: center;">  <p>UNIT D- June1 1pm</p> </div> <div style="text-align: center;">  <p>UNIT D- June1 2pm</p> </div> <div style="text-align: center;">  <p>UNIT D- June1 3pm</p> </div>
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		 <p style="text-align: right;">UNIT D- June 1 4pm</p> <p>The siting and design of the multi dwelling housing will not detriment the solar access to neighbouring dwellings, please see updated shadow diagrams DACC SHAD5 and DACC SHAD6 for updated shadow diagrams that illustrate the shadows to the neighbouring lot.</p> <p>The overshadowing and solar access for the proposed multi dwelling housing complies with the Snowy River DCP 2013.</p>
<p>Solar Access to Unit D</p>	<p><i>Snowy River Development Control Plan 2013: Chapter 6 - Amenity</i></p>	<p>Unit D complies with the outlined solar access requirements achieving the 3 hours of sunlight to the private open space.</p>  <p style="text-align: right;">UNIT D- June 1 1pm</p>  <p style="text-align: right;">UNIT D- June 1 2pm</p>

		 <p>UNIT D solar access complies with the requirements outlined in the Snowy River DCP 2013.</p>
<p>Bins</p>	<p><i>Snowy River Development Control Plan 2013: Chapter 8 – Services & Site Facilities</i></p>	<p>There is sufficient space between the closest wall of Unit A and Kunama Drive to accommodate for each garbage bin per existing dwelling and per new dwelling. The increased front setback area not only softens the appearance and reduces the bulk of the development from the street, it also allows for increased line-of-sight when exiting the driveway, and provides adequate space for each dwellings bins.</p> <p>The proposed multi dwelling housing complies with the requirements of Chapter 8 of the Snowy River DCP 2013.</p>
<p>Stormwater</p>		<p>Each unit has a water tank attached that will help to reduce the discharge of stormwater onto adjoining allotments. The multi dwelling housing design has adequate drainage on site, the design has retained large private open space areas, as well as an increased front setback area that will allow for stormwater infiltration on site.</p> 

		<p>Stormwater drainage will be constructed so no runoff to adjoining neighbours will occur.</p> <p>The stormwater infrastructure for the proposed multi dwelling housing meets the requirements outlined in the Snowy River DCP 2013.</p>
FSR	<p><i>Snowy River Local Environmental Plan 2013: Clause 4.4 – Floor Space Ratio</i></p>	<p>The maximum allowable floor space ratio (FSR) for the subject allotment is 0.5:1. The FSR is the ratio of the gross floor area to the size of the lot, Gross Floor Area (GFA) as defined in the Snowy River LEP is: <i>the sum of the floor area of each floor of a building measured from the internal face of external walls, or from the internal face of walls separating the building from any other building, measured at a height of 1.4 metres above the floor, and includes—</i></p> <ul style="list-style-type: none"> (a) <i>the area of a mezzanine, and</i> (b) <i>habitable rooms in a basement or an attic, and</i> (c) <i>any shop, auditorium, cinema, and the like, in a basement or attic,</i> <p>but excludes—</p> <ul style="list-style-type: none"> (d) <i>any area for common vertical circulation, such as lifts and stairs, and</i> (e) <i>any basement—</i> (i) <i>storage, and</i> (ii) <i>vehicular access, loading areas, garbage and services, and</i> (f) <i>plant rooms, lift towers and other areas used exclusively for mechanical services or ducting, and</i> (g) <i>car parking to meet any requirements of the consent authority (including access to that car parking), and</i> (h) <i>any space used for the loading or unloading of goods (including access to it), and</i> (i) <i>terraces and balconies with outer walls less than 1.4 metres high, and</i> (j) <i>voids above a floor at the level of a storey or storey above.</i> <p>The GFA for the proposed multi dwelling housing is 567.82 square metres and the total site area is 1690 square metres. This results in a FSR of 0.335:1.</p> <p>The proposed multi dwelling housing complies with the FSR and GFA requirements outlined in the Snowy River LEP and Snowy River DCP 2013.</p>
Developer Contributions	<p>SMRC Fees and Charges. https://www.snowymonaro.nsw.gov.au/files/assets/public/council/fees-and-charges-13.07.2021.pdf</p>	<p>The Developer contributions fees and charges are outlined within councils 'Fees and Charges' Report 2021-2022. Council will determine the appropriate developer contribution fees for the development during the assessment of the DA. The applicant has no issue paying the developer contributions that will be required as part of the development application.</p>

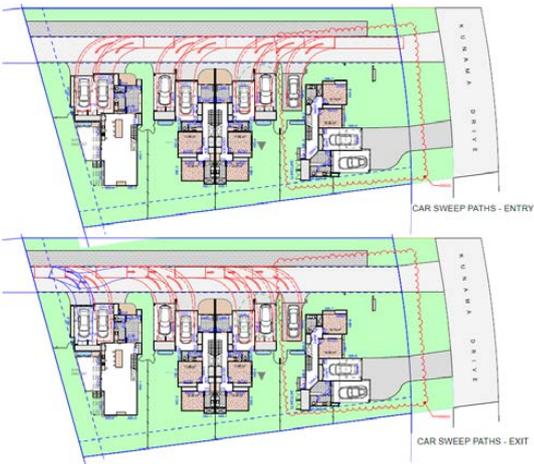
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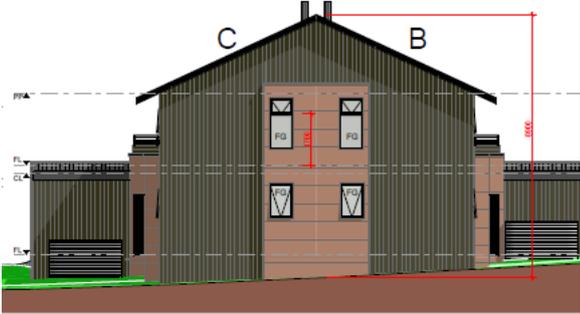
Please see the below table grouping the main concerns of the submissions received. The below responses outline the developer's willingness to comply with Council's development standards as set out in the Snowy River DCP 2013 and Snowy River LEP and to achieve a positive development for the area.

Objection Point	Relevant Legislation	Response
<p>Access</p>	<p><i>Snowy River Development Control Plan 2013: Chapter C3 – Car Parking Traffic & Access</i></p>	<p>Vehicle access for each new dwelling has been integrated with site planning to minimise any potential conflicts with pedestrians, Streetscape requirements and traffic patterns.</p> <p>Accompanying letter from Alpine Law dated 4 May 2022 provides a legal overview of the use of the existing concrete driveway as access for Lot 1 noting <i>“The legal position is that our client as the registered proprietor of the freehold land also has the right to go across the ROC easement lands at any time and may additionally in fact use that land for their own purposes provided, they do not substantially obstruct their neighbours’ rights.”</i></p> <p>Unit A, B and C within the development will have a single garage with an attached single car carport, Unit D will have a two-car garage, there is also space for visitor parking between Unit A and B that complies with the requirements of the Snowy River Development Control Plan 2013.</p> <p>The Right of Carriageway (ROC) existing on Lot 1 currently services Lots 2, 3 and 4 DP1228821 (total of 3 lots). The multi dwelling housing design and strata title subdivision proposes to have an additional 3 lots (Unit B, C and D) accessing the ROC. Unit A has direct vehicular access from Kunama Drive via the existing driveway on the lot. Section C3.1-2 of the Snowy River DCP outlines:</p> <p style="padding-left: 40px;">(d) <i>“If further subdivision takes place utilising the right of carriageway and increasing the number of lots utilising the right of carriageway to more than six (6) allotments, the right of carriageway is to be replaced with a public road (refer below).”</i></p> <p>The addition of the three lots will create a total of six (6) allotments utilising the ROC but not more than six. For this reason, the existing ROC does not require to be upgraded to a public road.</p> <p>Sweep paths have been added to the plans by David Law.</p> <p>Access for each of the dwellings within the multi dwelling housing development complies with the requirements outlined in the Snowy River DCP 2013.</p>

<p>Overdevelopment</p>	<p><i>Snowy Mountains Special Activation Precinct Master Plan.</i></p> <p><i>Snowy River Development Control Plan 2013</i></p> <p><i>Snowy River LEP</i></p>	<p>East Jindabyne has been identified as being part of the Jindabyne Growth Precinct within the Snowy Mountains SAP. East Jindabyne is a 'new residential growth area', the key drivers for change for East Jindabyne is to increase housing supply within close proximity to Lake Jindabyne. One of the main strategic outcomes for the SAP is to increase housing diversity within the selected residential growth areas (including East Jindabyne).</p> <p>The proposed multi dwelling housing increases both the supply and diversity of housing in the locality whilst also maintaining the low density residential alpine character of the region.</p> <p>The development will improve housing supply and diversity and will help enable more affordable housing options for residents within the locality. The proposed multi dwelling housing meets the requirements of permitted development within the R5 zone and is a permissible use within the zone.</p> <p>80 Kunama Drive (which is approximately 500m from the subject allotment) has eight, 3-bedroom serviced apartments on a 1911 sqm lot. The proposed multi dwelling housing at 30c Kunama Drive is approximately half the density, on a similar sized allotment and can provide affordable permanent housing not just tourist accommodation.</p> <p>The proposed multi dwelling housing offers residential housing that is compatible with the existing streetscape and character of East Jindabyne, and is consistent with other developments along Kunama Drive, and within East Jindabyne as a whole.</p> <p>The proposed multi dwelling housing complies with the requirements outlined in the Snowy River LEP and Snowy River DCP 2013, and successfully contributes to desired development outcomes outlined for East Jindabyne within the Snowy Mountains SAP.</p>
<p>Traffic and Pedestrian Safety</p>	<p><i>Snowy River Development Control Plan 2013: Chapter C3 – Car Parking Traffic & Access</i></p>	<p>Vehicle access and associated traffic movement is in accordance and complies with the objectives of <i>Chapter C3 of the Snowy River DCP 2013</i>. The driveway and Right-of-Carriageway are not identified as a public through road or pedestrian pathway.</p> <p>The proposed multi dwelling housing has safe pedestrian and vehicular access, with adequate manoeuvring space on site that allows vehicles to safely enter and exit the lot in a forward-facing direction. The car parking and driveway design for the development has been designed thoughtfully to prevent any traffic and/or pedestrian conflict by providing more than adequate site lines between car parking areas, the driveway and the street. For this reason, the development will not impact the social fabric of Kunama Drive and will maintain the existing safe neighbourhood character.</p> <p>The proposed multi dwelling housing will not be detrimental to the existing traffic flows of Kunama Drive, due to the nature and scale of the development, a</p>

		<p>Traffic Impact Assessment is not required to be submitted as part of this application. Accompanying letter from Alpine Law dated 4 May 2022 notes compliance with the controls set out in Snowy River DCP C3.1:</p> <p><i>“The ROC easement registered on title is not and cannot be construed as simply for the exclusive use of the nominated neighbouring registered proprietors. It is not and cannot be viewed as a restriction on use by the owner of the land for their own purposes provided such purposes do not obstruct the neighbours’ rights. When the courts have determined such matters up to date, it has been held that an obstruction to a ROC can occur to a minimal degree; the case law shows that the courts will only interfere if there is “substantial interference with the enjoyment of the right of way (carriageway)”.</i></p> <p>As illustrated within the architectural plans and accompanying letter from Alpine Law, the proposed development complies with traffic and pedestrian safety requirements outlined in the Snowy River DCP 2013.</p>
<p>Parking</p>	<p><i>Snowy River Development Control Plan 2013: Chapter C3 – Car Parking Traffic & Access</i></p>	<p>The allocated parking for each dwelling complies with the vehicle parking requirements as outlined in C3.3 of the Snowy River DCP 2013. The parking for each dwelling has been designed to provide a clear, safe and easily accessible paths of travel for both cars and pedestrians, this has been achieved by providing sufficient parking for each dwelling, whilst also providing adequate turning areas in order for vehicle to safely enter and exit the lot in a forward-facing direction.</p> <p>David Law has updated plans with version F showing car sweep paths.</p>  <p>The proposed development as illustrated above, complies with the parking requirements outlined in the Snowy River DCP 2013.</p>
<p>Compatibility</p>	<p><i>Snowy Mountains Special Activation Precinct Master Plan.</i></p>	<p>A key aim for the desired future growth of East Jindabyne, as outlined in the Snowy Mountains SAP is to ensure SMRC and the DPE provide a range of growth areas that provide a diversity of housing types to</p>

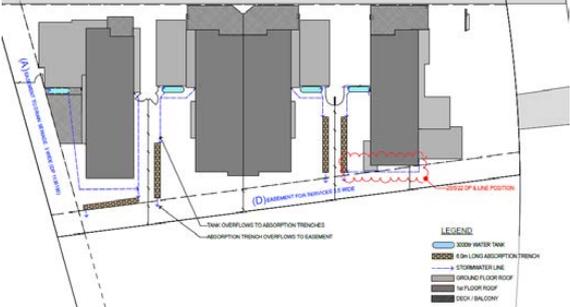
		<p>support the long-term prosperity of Jindabyne and surrounds. The proposed multi dwelling housing is not only compatible with the existing character of East Jindabyne, but it also enhances the existing character by providing a sympathetic, articulated design that will complement the existing streetscape. There is a serious lack of housing diversity and supply in the region, and in East Jindabyne in particular. This development aims to enhance the supply diversity of housing stock, which aims to enable more affordable housing options for residents within the locality.</p> <p>The proposed multi dwelling housing complies with the requirements outlined in the Snowy River LEP and Snowy River DCP 2013, and successfully contributes to desired development outcomes outlined for East Jindabyne within the Snowy Mountains SAP.</p>
Existing Road Infrastructure	<i>Snowy River Development Control Plan 2013: Chapter C3 – Car Parking Traffic & Access</i>	<p>The minimal scale and nature of the proposed development does not have the potential to impact the existing road infrastructure. The development is utilising existing driveways on site in order to minimise the impact on the existing road infrastructure. The development is for the purposes of residential housing and is <u>not</u> a commercial development. This proposal will have minimal impact to the existing road infrastructure, it should be noted that the implementation of the Snowy Mountains SAP, will encourage further development in East Jindabyne. This has the potential to create a greater generation of traffic throughout East Jindabyne. Any new significant developments that will cause an impact to existing infrastructure should be assessed accordingly.</p> <p>Based on the points outlined above, the proposed development will not impact existing road infrastructure in East Jindabyne and it complies with Chapter C3 of the Snowy River DCP 2013.</p>
Visual and Acoustic Privacy	<i>Control Plan 2013: Chapter 6 - Amenity</i>	<p>Site layout and building design of the proposed multi dwelling housing ensures the protection of internal living and sleeping areas from uncontrollable high levels of external noise and minimises the transmission of sound through the building structure. All windows in each dwelling will be double glazed, this will further enhance the acoustic privacy for each dwelling and ensure minimal noise disturbance to surrounding dwellings. The proposed multi dwelling housing building layout, location and design of windows and balconies, screening devices and landscaping all prevent the direct overlooking of main internal living areas and private open spaces. The North-facing balconies in each unit, have been placed strategically at the front of each unit to minimise direct overlooking to neighbouring developments. All windows are strategically placed to prevent any direct views between living area windows, bedroom windows and private open spaces.</p> <p>The windows at the rear of Unit B and C have been amended in order to limit any overlooking to the neighbouring dwelling. Please see updated design below, and within the updated architectural plans.</p>

		 <p>The bathroom windows on the lower floor will be frosted in order to enhance privacy. The windows on the upper floor will also be frosted to 1700mm above floor level in order to enhance visual privacy and prevent onlooking between the new multi dwelling housing and the existing neighbouring dwelling.</p> <p>As illustrated within the Visual and Acoustic Privacy Impact Statement and the updated architectural plans, the proposed multi dwelling housing demonstrates that it complies with the requirements of Chapter 6 of the Snowy River DCP 2013.</p>
Surveillance	<i>Snowy River Development Control Plan 2013: Chapter 6 - Amenity</i>	<p>The orientation of Unit A towards Kunama Drive, provides a direct line of sight from the multi dwelling to the street which allows for passive surveillance of the street. The siting and location of each building also allows for the safe access by residents and visitors. The multi dwelling housing has been sited and designed to increase the perception that people can see and be seen from the dwellings, which helps to limit loitering on residential blocks.</p> <p>The front setback area and development design provides ample opportunities for casual surveillance and complies with the requirements outlined in Chapter 6 of the Snowy River DCP 2013.</p>
Holiday Letting	<i>Snowy River Local Environmental Plan 2013.</i>	<p>Tourist and Visitor Accommodation or 'Holiday Letting' is not the intended use for the site and an application for serviced apartments is not part of this application. As outlined in the development application, the proposed multi dwelling housing will be for residential housing that will provide additional accommodation within East Jindabyne in a large lot residential setting.</p> <p>The proposed multi dwelling housing complies with the permissible uses of the zone outlined in the Snowy River LEP.</p>
Trees/Landscaping	<i>Snowy River Development Control Plan 2013: Chapter 6 - Amenity</i>	<p>The increased front setback area and backyard areas for each unit provide more than adequate space to replenish trees on site. Seven trees will be removed in order to have a clear building site. However, and additional 8 eucalypts will be established on site to maintain East Jindabyne's leafy character and soften the appearance of the development to the street. Landscaping for the development has been thoughtfully chosen and sited in order to soften the appearance of the new multi dwelling housing and to establish local</p>

	<p>eucalypt species on site. Due to the site being greater than 1500 sqm, it must be demonstrated that the lot can support seven (7) trees on site. As demonstrated in the landscape plan included as part of this application, 8 eucalypts (White Gum/Snow Gum) that are capable of attaining a minimum height of 13 metres will be planted on site as part of this application. Complies with the requirements of D1.4-6 of the Snowy River DCP.</p> <p>The removal of the trees displayed does not exceed the biodiversity offset threshold for the allotment, and it is therefore permissible and meets the requirements of the Snowy River LEP and Snowy River DCP 2013.</p> <p>The lot does not contain any areas of high biodiversity value, as illustrated by the <i>Biodiversity Values Map</i> below:</p>  <p>The subject lot shows terrestrial biodiversity upon searching within the NSW Planning Portal. The mapping is incorrect and has overlaid the presence of terrestrial biodiversity on the lot, when in fact there is no terrestrial biodiversity on the lot. There are discrepancies present in this NSW Planning Portal mapping system, which is clearly demonstrated in this instance.</p>  <p>Despite this, the applicant has committed to planting a number of native species on site, in order to promote local native species, and to soften the appearance of the development. Please see updated landscape plan that illustrates new plant species to be planted.</p> <p>The proposed development complies with the requirements outlined in the Snowy River LEP and Snowy River DCP 2013.</p>
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<p>Overshadowing/Solar Access</p>	<p><i>Snowy River Development Control Plan 2013: Chapter 6 - Amenity</i></p>	<p>As outlined in the acoustic and visual privacy impact statement, the proposed development has been sited and designed so as to not impede or impact upon the existing streetscape, whilst being sympathetic to surrounding development by providing articulation between each building to allow for greater sun exposure throughout the day.</p> <p>As shown in the shadow diagrams, the proposed multi dwelling housing will not have adverse impacts on surrounding development and will not significantly reduce the availability of sunlight to these dwellings. As illustrated in the shadow diagrams, the North facing living area windows and private open space of Unit D will receive at least 3 hours of direct sunlight between 8am and 4pm on the 21st of June.</p> <div style="text-align: right;">  <p>UNIT D- June1 1pm</p>  <p>UNIT D- June1 2pm</p>  <p>UNIT D- June1 3pm</p> </div>
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		 <p style="text-align: right;">UNIT D- June 1 4pm</p> <p>The siting and design of the multi dwelling housing will not detriment the solar access to neighbouring dwellings, please see updated shadow diagrams DACC SHAD5 and DACC SHAD6 for updated shadow diagrams that illustrate the shadows to the neighbouring lot.</p> <p>The overshadowing and solar access for the proposed multi dwelling housing complies with the Snowy River DCP 2013.</p>
<p>Solar Access to Unit D</p>	<p><i>Snowy River Development Control Plan 2013: Chapter 6 - Amenity</i></p>	<p>Unit D complies with the outlined solar access requirements achieving the 3 hours of sunlight to the private open space.</p>  <p style="text-align: right;">UNIT D- June 1 1pm</p>  <p style="text-align: right;">UNIT D- June 1 2pm</p>

		 <p>UNIT D solar access complies with the requirements outlined in the Snowy River DCP 2013.</p>
<p>Bins</p>	<p><i>Snowy River Development Control Plan 2013: Chapter 8 – Services & Site Facilities</i></p>	<p>There is sufficient space between the closest wall of Unit A and Kunama Drive to accommodate for each garbage bin per existing dwelling and per new dwelling. The increased front setback area not only softens the appearance and reduces the bulk of the development from the street, it also allows for increased line-of-sight when exiting the driveway, and provides adequate space for each dwellings bins.</p> <p>The proposed multi dwelling housing complies with the requirements of Chapter 8 of the Snowy River DCP 2013.</p>
<p>Stormwater</p>		<p>Each unit has a water tank attached that will help to reduce the discharge of stormwater onto adjoining allotments. The multi dwelling housing design has adequate drainage on site, the design has retained large private open space areas, as well as an increased front setback area that will allow for stormwater infiltration on site.</p> 

		<p>Stormwater drainage will be constructed so no runoff to adjoining neighbours will occur.</p> <p>The stormwater infrastructure for the proposed multi dwelling housing meets the requirements outlined in the Snowy River DCP 2013.</p>
FSR	<i>Snowy River Local Environmental Plan 2013: Clause 4.4 – Floor Space Ratio</i>	<p>The maximum allowable floor space ratio (FSR) for the subject allotment is 0.5:1. The FSR is the ratio of the gross floor area to the size of the lot, Gross Floor Area (GFA) as defined in the Snowy River LEP is: <i>the sum of the floor area of each floor of a building measured from the internal face of external walls, or from the internal face of walls separating the building from any other building, measured at a height of 1.4 metres above the floor, and includes—</i></p> <ul style="list-style-type: none"> (a) <i>the area of a mezzanine, and</i> (b) <i>habitable rooms in a basement or an attic, and</i> (c) <i>any shop, auditorium, cinema, and the like, in a basement or attic,</i> <p>but excludes—</p> <ul style="list-style-type: none"> (d) <i>any area for common vertical circulation, such as lifts and stairs, and</i> (e) <i>any basement—</i> (i) <i>storage, and</i> (ii) <i>vehicular access, loading areas, garbage and services, and</i> (f) <i>plant rooms, lift towers and other areas used exclusively for mechanical services or ducting, and</i> (g) <i>car parking to meet any requirements of the consent authority (including access to that car parking), and</i> (h) <i>any space used for the loading or unloading of goods (including access to it), and</i> (i) <i>terraces and balconies with outer walls less than 1.4 metres high, and</i> (j) <i>voids above a floor at the level of a storey or storey above.</i> <p>The GFA for the proposed multi dwelling housing is 567.82 square metres and the total site area is 1690 square metres. This results in a FSR of 0.335:1.</p> <p>The proposed multi dwelling housing complies with the FSR and GFA requirements outlined in the Snowy River LEP and Snowy River DCP 2013.</p>
Developer Contributions	<p>SMRC Fees and Charges. https://www.snowymonaro.nsw.gov.au/files/assets/public/council/fee-s-amp-charges/current-fees-and-charges-13.07.2021.pdf</p>	<p>The Developer contributions fees and charges are outlined within councils 'Fees and Charges' Report 2021-2022. Council will determine the appropriate developer contribution fees for the development during the assessment of the DA. The applicant has no issue paying the developer contributions that will be required as part of the development application.</p>

30c Kunama Drive, East Jindabyne, NSW, 2627

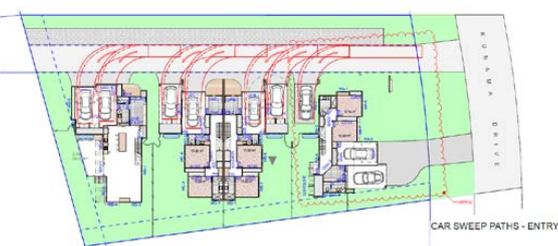
Response to Submissions Objecting to the Proposed Development.

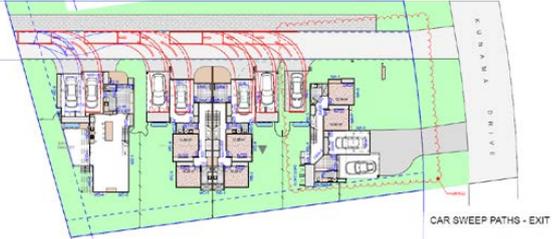
Please see the below table grouping the main concerns of the submissions received. The below responses outline the developer’s willingness to comply with Council’s development standards as set out in the Snowy River DCP 2013 and Snowy River LEP and to achieve a positive development for the area.

When assessing the broader planning and socio-economic context of the region, housing supply and affordability in the Snowy Monaro is becoming an increasingly complex issue. An improvement to the overall provision, suitability and resilience of the housing system is needed. New developments and housing types should aim to accommodate to changing demographics and should also address the critical issues of access and affordability. The proposed multi dwelling has been designed with all of these factors in mind. The proposed multi dwelling housing is anticipated to provide permanent residential accommodation to accommodate to the changing demographic in the Jindabyne area, whilst remaining sympathetic to the scale and design of existing developments in East Jindabyne. The proposed development contributes to a broader mix of housing types that can achieve a slightly increased density, without a significant shift in the urban form of the area.

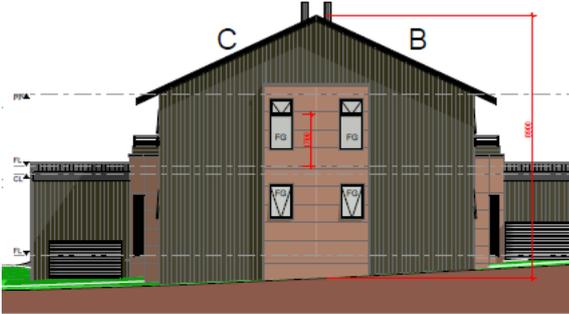
Objection Point	Relevant Legislation	Response
Access	<i>Snowy River Development Control Plan 2013: Chapter C3 – Car Parking Traffic & Access</i>	<p>Vehicle access for each new dwelling has been integrated with site planning to minimise any potential conflicts with pedestrians, Streetscape requirements and traffic patterns.</p> <p>Accompanying letter from Alpine Law dated 4 May 2022 provides a legal overview of the use of the existing concrete driveway as access for Lot 1 noting</p> <p><i>“The legal position is that our client as the registered proprietor of the freehold land also has the right to go across the ROC easement lands at any time and may additionally in fact use that land for their own purposes provided, they do not substantially obstruct their neighbours’ rights.”</i></p> <p>Unit A, B and C within the development will have a single garage with an attached single car carport, Unit D will have a two-car garage, there is also space for visitor parking between Unit A and B that complies with the requirements of the Snowy River Development Control Plan 2013.</p> <p>As indicated in discussions with Snowy Monaro Regional Council, the existing ROC will not require to be upgraded to a public road as part of this application. The proposed multi dwelling housing has the ability to utilise the existing ROC for Units B, C and D.</p> <p>Sweep paths have been added to the plans by David Law.</p> <p>Access for each of the dwellings within the multi dwelling housing development complies with the requirements outlined in the Snowy River DCP 2013.</p>
Overdevelopment	<i>Snowy River Development Control Plan 2013</i>	<p>The site (30c Kunama Drive) is suitable to cater for the proposed multi dwelling housing development, the site has sufficient space and access to allow for the proposed development. In addition to this, the proposed</p>

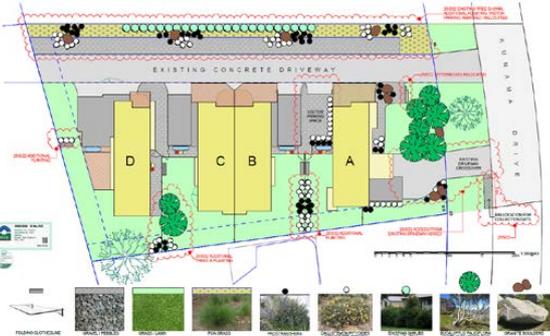
	<p><i>Snowy River LEP</i></p>	<p>multi dwelling housing has been architecturally and thoughtfully designed so as to not impose on surrounding development. This is clearly achieved, as the proposed development does not present to the street as multi dwelling housing. When viewed from Kunama Drive, the development will appear as a dual occupancy, this was a clear design direction for the development in order for it to blend seamlessly with existing development in the area.</p> <p>The proposed multi dwelling housing increases both the supply and diversity of housing in the locality whilst also maintaining the low density residential alpine character of the region.</p> <p>The development will improve housing supply and diversity and will help enable more affordable housing options for residents within the locality.</p> <p>The proposed multi dwelling housing meets the requirements of permitted development within the RU5 zone and is a permissible use within the zone.</p> <p>80 Kunama Drive (which is approximately 500m from the subject allotment) has eight, 3-bedroom serviced apartments on a 1911 sqm lot. The proposed multi dwelling housing at 30c Kunama Drive is approximately half the density, on a similar sized allotment and can provide affordable permanent housing not just tourist accommodation.</p> <p>The proposed multi dwelling housing offers residential housing that is compatible with the existing streetscape and character of East Jindabyne, and is consistent with other developments along Kunama Drive, and within East Jindabyne as a whole.</p> <p>The proposed multi dwelling housing complies with the requirements outlined in the Snowy River LEP and Snowy River DCP 2013, and successfully contributes to desired development outcomes outlined for East Jindabyne.</p>
<p>Traffic and Pedestrian Safety</p>	<p><i>Snowy River Development Control Plan 2013: Chapter C3 – Car Parking Traffic & Access</i></p>	<p>Vehicle access and associated traffic movement is in accordance and complies with the objectives of <i>Chapter C3 of the Snowy River DCP 2013</i>. The driveway and Right-of-Carriageway are not identified as a public through road or pedestrian pathway.</p> <p>The owners of 30c Kunama Drive are willing to implement appropriate signage along the driveway areas that demonstrate the ROC is a “shared zone”. This signage will increase awareness of the presence of a shared-zone and will encourage users to travel with care. Further measures to highlight the shared zone can be conditioned as part of the DA should Council deem appropriate.</p> <p>The proposed multi dwelling housing has safe pedestrian and vehicular access, with adequate manoeuvring space on site that allows vehicles to safely enter and exit the lot in a forward-facing direction. The car parking and driveway design for the development has been designed thoughtfully to prevent any traffic and/or pedestrian conflict by providing more than</p>

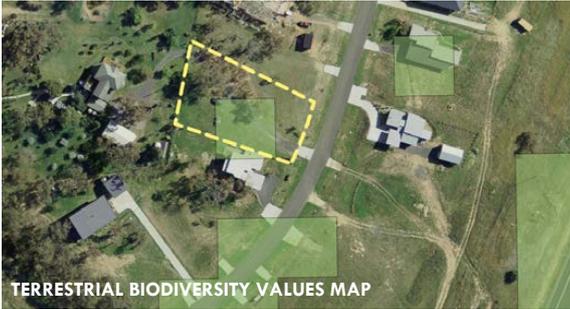
		<p>adequate site lines between car parking areas, the driveway and the street. For this reason, the development will not impact the social fabric of Kunama Drive and will maintain the existing safe neighbourhood character.</p> <p>The proposed multi dwelling housing will not be detrimental to the existing traffic flows of Kunama Drive, due to the nature and scale of the development, a Traffic Impact Assessment is not required to be submitted as part of this application.</p> <p>Accompanying letter from Alpine Law dated 4 May 2022 notes compliance with the controls set out in Snowy River DCP C3.1:</p> <p><i>“The ROC easement registered on title is not and cannot be construed as simply for the exclusive use of the nominated neighbouring registered proprietors. It is not and cannot be viewed as a restriction on use by the owner of the land for their own purposes provided such purposes do not obstruct the neighbours’ rights. When the courts have determined such matters up to date, it has been held that an obstruction to a ROC can occur to a minimal degree; the case law shows that the courts will only interfere if there is “substantial interference with the enjoyment of the right of way (carriageway)”.</i></p> <p>As illustrated within the architectural plans and accompanying letter from Alpine Law, the proposed development complies with traffic and pedestrian safety requirements outlined in the Snowy River DCP 2013.</p>
<p>Parking</p>	<p><i>Snowy River Development Control Plan 2013: Chapter C3 – Car Parking Traffic & Access</i></p>	<p>The allocated parking for each dwelling complies with the vehicle parking requirements as outlined in C3.3 of the Snowy River DCP 2013. The parking for each dwelling has been designed to provide a clear, safe and easily accessible paths of travel for both cars and pedestrians, this has been achieved by providing sufficient parking for each dwelling, whilst also providing adequate turning areas in order for vehicles to safely enter and exit the lot in a forward-facing direction.</p> 

		 <p>David Law has updated plans with version F showing car sweep paths.</p> <p>The proposed development as illustrated above, complies with the parking requirements outlined in the Snowy River DCP 2013.</p>
<p>Compatibility</p>	<p><i>Snowy River DCP 2013.</i></p>	<p>The proposed multi dwelling housing is not only compatible with the existing character of East Jindabyne, but it also enhances the existing character by providing a sympathetic, articulated design that will complement the existing streetscape.</p> <p>The initial subdivision along this section of Kunama Drive was first released between 2015-2017 when the surrounding development consisted primarily of large rural allotments. As housing supply and population increases in permanent residents in the Snowy Monaro region were not of concern at this time, the primary development type for the first subdivisions were single dwellings. Since these dwellings were built, East Jindabyne and the Snowy Monaro Region as a whole have transformed significantly.</p> <p>The population of the area has steadily increased in recent years, alongside the increasing popularity of tourism trade in the area, causing local pressures upon housing stock, supply, and affordability. For these reasons, new developments have demonstrated a significant increase in the variety of housing types/stock including attached dual occupancies, detached dual occupancies, multi dwelling housing, serviced apartments and residential apartments. The proposed multi dwelling housing is consistent with the new development types in East Jindabyne and in the Snowy Monaro Region as a whole. As the area continues to grow, and as local residents and developers aim to adequately address local issues such as lack of housing diversity and affordability, it is to be anticipated that a more diverse housing stock will occur in areas such as East Jindabyne.</p> <p>There is a serious lack of housing diversity and supply in the region, in East Jindabyne in particular. This development aims to enhance the supply and diversity of housing stock, which aims to enable more affordable housing options for residents within the locality.</p> <p>The proposed multi dwelling housing complies with the requirements outlined in the Snowy River LEP and Snowy River DCP 2013, and successfully contributes to desired development outcomes outlined for East Jindabyne.</p>

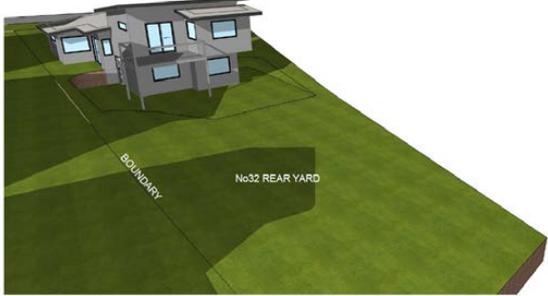
<p>Existing Road Infrastructure</p>	<p><i>Snowy River Development Control Plan 2013: Chapter C3 – Car Parking Traffic & Access</i></p>	<p>The minimal scale and nature of the proposed development does not have the potential to impact the existing road infrastructure. The development is utilising existing driveways on site in order to minimise the impact on the existing road infrastructure.</p> <p>The development is for the purposes of residential housing and is <u>not</u> a commercial development.</p> <p>This proposal will have minimal impact to the existing road infrastructure, it should be noted that the implementation of the Snowy Mountains SAP, will encourage further development in East Jindabyne. This has the potential to create a greater generation of traffic throughout East Jindabyne. Any new significant developments that will cause an impact to existing infrastructure should be assessed accordingly.</p> <p>Based on the points outlined above, the proposed development will not impact existing road infrastructure in East Jindabyne, and it complies with Chapter C3 of the Snowy River DCP 2013.</p>
<p>Visual and Acoustic Privacy</p>	<p><i>Control Plan 2013: Chapter 6 - Amenity</i></p>	<p>Site layout and building design of the proposed multi dwelling housing ensures the protection of internal living and sleeping areas from uncontrollable high levels of external noise and minimises the transmission of sound through the building structure.</p> <p>All windows in each dwelling will be double glazed, this will further enhance the acoustic privacy for each dwelling and ensure minimal noise disturbance to surrounding dwellings. The proposed multi dwelling housing building layout, location and design of windows and balconies, screening devices and landscaping all prevent the direct overlooking of main internal living areas and private open spaces.</p> <p>The North-facing balconies in each unit, have been placed strategically at the front of each unit to minimise direct overlooking to neighbouring developments. The handrails for each balcony have been raised in order to prevent on-looking to neighbouring developments. In addition to this, there is established vegetation along the north-eastern easement that provide appropriate screening between the proposed development and 28 Kunama Drive. This vegetation shields windows located along the side boundary of 28 Kunama Drive. The existing vegetation has the ability to mature and grow to a minimum 13m in height, and therefore has the ability to provide screening in perpetuity. This vegetation is proposed to be retained as part of this application.</p> 

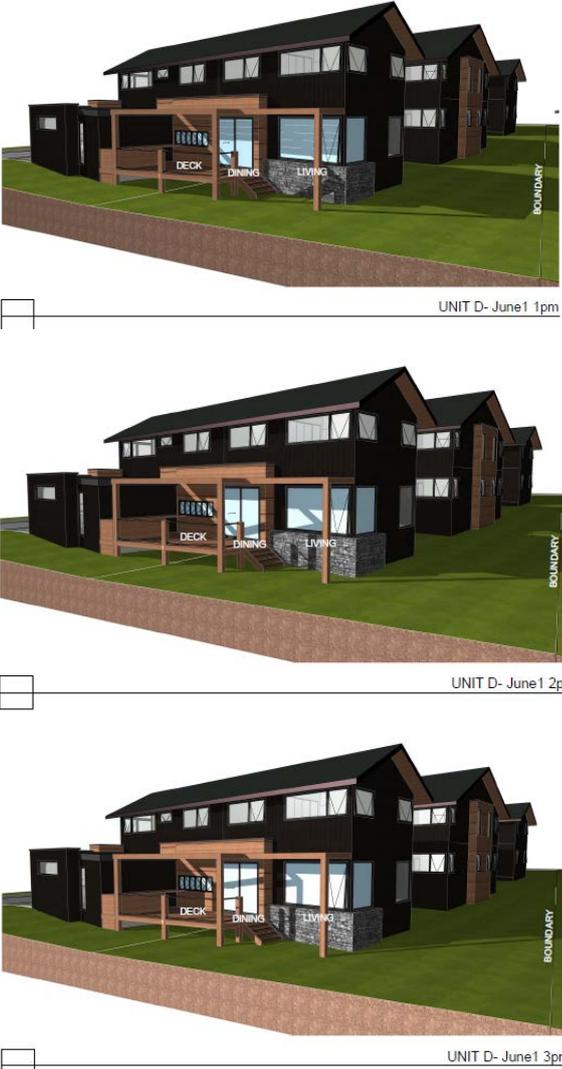
		 <p>All windows are strategically placed to prevent any direct views between living area windows, bedroom windows and private open spaces.</p> <p>The windows at the rear of Unit B and C have been amended in order to limit any overlooking to the neighbouring dwelling. Please see updated design below, and within the updated architectural plans.</p>  <p>The bathroom windows on the lower floor will be frosted in order to enhance privacy. The windows on the upper floor will also be frosted to 1700mm above floor level in order to enhance visual privacy and prevent onlooking between the new multi dwelling housing and the existing neighbouring dwelling.</p> <p>As illustrated within the Visual and Acoustic Privacy Impact Statement and the updated architectural plans, the proposed multi dwelling housing demonstrates that it complies with the requirements of Chapter 6 of the Snowy River DCP 2013.</p>
<p>Surveillance</p>	<p><i>Snowy River Development Control Plan 2013: Chapter 6 - Amenity</i></p>	<p>The orientation of Unit A faces towards Kunama Drive, which provides a direct line of sight from the multi dwelling to the street which allows for passive surveillance of the street. The siting and location of each building also allows for the safe access by residents and visitors. The multi dwelling housing has been sited and designed to increase the perception that people can see and be seen from the dwellings, which helps to limit loitering on residential blocks.</p> <p>The front setback area and development design provides ample opportunities for casual surveillance and complies with the requirements outlined in Chapter 6 of the Snowy River DCP 2013.</p>

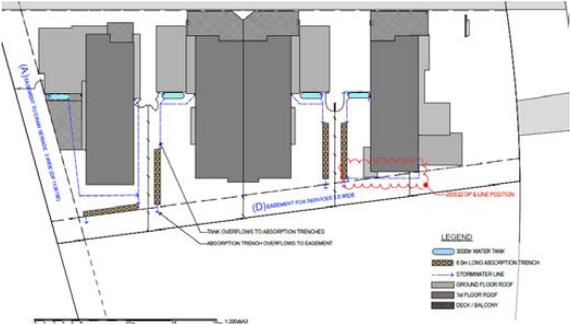
<p>Holiday Letting</p>	<p><i>Snowy River Local Environmental Plan 2013.</i></p>	<p>Tourist and Visitor Accommodation or 'Holiday Letting' is not the intended use for the site and an application for serviced apartments is not part of this application. As outlined in the development application, the proposed multi dwelling housing will be for residential housing that will provide additional accommodation within East Jindabyne in a large lot residential setting.</p> <p>The proposed multi dwelling housing complies with the permissible uses of the zone outlined in the Snowy River LEP.</p>
<p>Trees/Landscaping</p>	<p><i>Snowy River Development Control Plan 2013: Chapter 6 - Amenity</i></p>	<p>The increased front setback area and backyard areas for each unit provide more than adequate space to replenish trees on site. Seven trees will be removed in order to have a clear building site. However, and additional 8 eucalypts will be established on site to maintain East Jindabyne's leafy character and soften the appearance of the development to the street.</p> <p>Landscaping for the development has been thoughtfully chosen and sited in order to soften the appearance of the new multi dwelling housing and to establish local eucalypt species on site. Due to the site being greater than 1500 sqm, it must be demonstrated that the lot can support seven (7) trees on site. As demonstrated in the landscape plan included as part of this application, 8 eucalypts (White Gum/Snow Gum) that are capable of attaining a minimum height of 13 metres will be planted on site as part of this application. Complies with the requirements of D1.4-6 of the Snowy River DCP.</p>  <p>The removal of the trees displayed does not exceed the biodiversity offset threshold for the allotment, and it is therefore permissible and meets the requirements of the Snowy River LEP and Snowy River DCP 2013.</p> <p>The lot does not contain any areas of high biodiversity value, as illustrated by the <i>Biodiversity Values Map</i> below:</p>

		<p>BIODIVERSITY VALUES MAP</p>  <p>The subject lot shows terrestrial biodiversity upon searching within the NSW Planning Portal. The mapping is incorrect and has overlaid the presence of terrestrial biodiversity on the lot, when in fact there is no terrestrial biodiversity on the lot. There are discrepancies present in this NSW Planning Portal mapping system, which is clearly demonstrated in this instance.</p>  <p>TERRESTRIAL BIODIVERSITY VALUES MAP</p> <p>Despite this, the applicant has committed to planting a number of native species on site, in order to promote local native species, and to soften the appearance of the development. Please see updated landscape plan that illustrates new plant species to be planted.</p> <p>The proposed development complies with the requirements outlined in the Snowy River LEP and Snowy River DCP 2013.</p>
<p>Overshadowing/Solar Access</p>	<p><i>Snowy River Development Control Plan 2013: Chapter 6 - Amenity</i></p>	<p>As outlined in the acoustic and visual privacy impact statement, the proposed development has been sited and designed so as to not impede or impact upon the existing streetscape, whilst being sympathetic to surrounding development by providing articulation between each building to allow for greater sun exposure throughout the day.</p> <p>As shown in the shadow diagrams, the proposed multi dwelling housing will not have adverse impacts on surrounding development and will not significantly reduce the availability of sunlight to these dwellings.</p> <p>As illustrated in the shadow diagrams, the North facing living area windows and private open space of Unit D will receive at least 3 hours of direct sunlight between 8am and 4pm on the 21st of June.</p>



		 <p data-bbox="1161 703 1283 725">No32 June21 1pm</p>  <p data-bbox="1161 1084 1283 1106">No32 June21 2pm</p>  <p data-bbox="1161 1473 1283 1496">No32 June21 3pm</p>  <p data-bbox="1161 1863 1283 1886">No32 June21 4pm</p>
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		<p>The siting and design of the multi dwelling housing will not detriment the solar access to neighbouring dwellings, please see updated shadow diagrams DACC SHAD5 for updated shadow diagrams that illustrate the shadows to the neighbouring lot.</p> <p>The overshadowing and solar access for the proposed multi dwelling housing complies with the Snowy River DCP 2013.</p>
<p>Solar Access to Unit D</p>	<p><i>Snowy River Development Control Plan 2013: Chapter 6 - Amenity</i></p>	<p>Unit D complies with the outlined solar access requirements achieving the 3 hours of sunlight to the private open space.</p>  <p>UNIT D- June1 1pm</p> <p>UNIT D- June1 2pm</p> <p>UNIT D- June1 3pm</p>

		 <p style="text-align: right;">UNIT D- June 1 4pm</p> <p>Unit D solar access complies with the requirements outlined in the Snowy River DCP 2013.</p>
<p>Bins</p>	<p><i>Snowy River Development Control Plan 2013: Chapter 8 – Services & Site Facilities</i></p>	<p>There is sufficient space between the closest wall of Unit A and Kunama Drive to accommodate for each garbage bin per existing dwelling and per new dwelling. The increased front setback area not only softens the appearance and reduces the bulk of the development from the street, it also allows for increased line-of-sight when exiting the driveway, and provides adequate space for each dwellings bins.</p> <p>The proposed multi dwelling housing complies with the requirements of Chapter 8 of the Snowy River DCP 2013.</p>
<p>Stormwater</p>		<p>Each unit has a water tank attached that will help to reduce the discharge of stormwater onto adjoining allotments. The multi dwelling housing design has adequate drainage on site, the design has retained large private open space areas, as well as an increased front setback area that will allow for stormwater infiltration on site.</p>  <p>Stormwater drainage will be constructed so no runoff to adjoining neighbours will occur.</p> <p>The stormwater infrastructure for the proposed multi dwelling housing meets the requirements outlined in the Snowy River DCP 2013.</p>
<p>FSR</p>	<p><i>Snowy River Local Environmental Plan</i></p>	<p>The maximum allowable floor space ratio (FSR) for the subject allotment is 0.5:1. The FSR is the ratio of the gross floor area to the size of the lot, Gross Floor Area (GFA) as defined in the Snowy River LEP is: <i>the sum</i></p>

	<p>2013: Clause 4.4 – Floor Space Ratio</p>	<p>of the floor area of each floor of a building measured from the internal face of external walls, or from the internal face of walls separating the building from any other building, measured at a height of 1.4 metres above the floor, and includes—</p> <ul style="list-style-type: none"> (a) the area of a mezzanine, and (b) habitable rooms in a basement or an attic, and (c) any shop, auditorium, cinema, and the like, in a basement or attic, <p>but excludes—</p> <ul style="list-style-type: none"> (d) any area for common vertical circulation, such as lifts and stairs, and (e) any basement— (i) storage, and (ii) vehicular access, loading areas, garbage and services, and (f) plant rooms, lift towers and other areas used exclusively for mechanical services or ducting, and (g) car parking to meet any requirements of the consent authority (including access to that car parking), and (h) any space used for the loading or unloading of goods (including access to it), and (i) terraces and balconies with outer walls less than 1.4 metres high, and (j) voids above a floor at the level of a storey or storey above. <p>The GFA for the proposed multi dwelling housing is 567.82 square metres and the total site area is 1690 square metres. This results in a FSR of 0.335:1.</p> <p>The proposed multi dwelling housing complies with the FSR and GFA requirements outlined in the Snowy River LEP and Snowy River DCP 2013.</p>
<p>Developer Contributions</p>	<p>SMRC Fees and Charges.</p> <p>https://www.snowymonaro.nsw.gov.au/files/assets/public/council/fees-amp-charges/current-fees-and-charges-13.07.2021.pdf</p>	<p>The Developer contributions fees and charges are outlined within councils 'Fees and Charges' Report 2021-2022. Council will determine the appropriate developer contribution fees for the development during the assessment of the DA. The applicant has no issue paying the developer contributions that will be required as part of the development application.</p>



Pre-Lodgement Application Form

Portal Application number: PAN-194271

Applicant contact details

Title	Mr
First given name	Melvyn
Other given name/s	
Family name	Kroenert
Contact number	[REDACTED]
Email	info@completeplanning.com.au
Address	c/- PO Box 642 Jindabyne NSW 2627
Application on behalf of a company, business or body corporate	No
tion?	

Owner/s of the development site

Owner/s of the development site	There are multiple owners of the development site and I am one of them
Owner #	1
Title	Mr
First given name	Melvyn
Other given name/s	Paul
Family name	Kroenert
Contact number	[REDACTED]
Email	info@dovetail.net.au
Address	31 GIRVIN PLACE EAST JINDABYNE 2627
Owner #	2
Title	Mrs
First given name	Catherine
Other given name/s	May
Family name	Kroenert
Contact number	[REDACTED]
Email	info@dovetail.net.au
Address	31 GIRVIN PLACE EAST JINDABYNE 2627

I declare that I have shown this document, including all attached drawings, to the owner(s) of the land, and that I have obtained their consent to submit this application. - Yes

Note: It is an offence under Section 10.6 of the Environmental Planning and Assessment Act 1979 to provide false or misleading information in relation to this application.

Developer details

ABN	
ACN	
Name	
Trading name	
Address	
Email Address	

Development details

Application type	Development Application
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Site address #	1
Street address	30C KUNAMA DRIVE EAST JINDABYNE 2627
Local government area	SNOWY MONARO REGIONAL
Lot / Section Number / Plan	1/-/DP1228821 <input checked="" type="checkbox"/>
Primary address?	Yes
Planning controls affecting property	Land Application LEP Snowy River Local Environmental Plan 2013 Land Zoning RU5: Village Height of Building 9 m Floor Space Ratio (n:1) 0.5:1 Minimum Lot Size 700 m ² Heritage NA Land Reservation Acquisition NA Foreshore Building Line NA Terrestrial Biodiversity Biodiversity

Proposed development

Proposed type of development	Multi-dwelling housing Stratum / community title subdivision
Description of development	Construction of new multi dwelling housing with strata title subdivision.
Dwelling count details	
Number of dwellings / units proposed	4
Number of storeys proposed	2
Number of pre-existing dwellings on site	0
Number of dwellings to be demolished	0
Number of existing floor area	0
Number of existing site area	1,690
Cost of development	
Estimated cost of work / development (including GST)	\$1,347,810.00
Do you have one or more BASIX certificates?	Yes
BASIX Certificate Number	1267930M
Subdivision	
Number of existing lots	
Is subdivision proposed?	Yes
Type of subdivision proposed	Strata Title
Number of proposed lots	4
Proposed operating details	
Number of staff/employees on the site	
Number of parking spaces	
Number of loading bays	
Is a new road proposed?	No
Concept development	

Is the development to be staged?	No, this application is not for concept or staged development.
Crown development	
Is this a proposed Crown development?	No

Related planning information

Is the application for integrated development?	No
Is your proposal categorised as designated development?	No
Is your proposal likely to significantly impact on threatened species, populations, ecological communities or their habitats, or is it located on land identified as critical habitat?	No
Does the application propose a variation to a development standard in an environmental planning instrument (eg LEP or SEPP)?	No
Is the application accompanied by a voluntary planning agreement (VPA) ?	No
Section 68 of the Local Government Act	
Is approval under s68 of the Local Government Act 1993 required?	Yes
Have you already applied for approval under s68 of the Local Government Act?	No
Would you like to apply for approval under s68 of the Local Government Act?	Yes
10.7 Certificate	
Have you already obtained a 10.7 certificate?	No
Tree works	
Is tree removal and/or pruning work proposed?	Yes
Please provide a description of the proposed tree removal and/or pruning work	Removal of seven trees is proposed as part of this application to allow for a clear building site.
Number of trees to be impacted by the proposed work	7
Land area to be impacted by the proposed work	
Units	
Approximate area of canopy REQUESTED to be removed	20
Units	Square metres
Local heritage	
Does the development site include an item of environmental heritage or sit within a heritage conservation area.	No
Are works proposed to any heritage listed buildings?	No
Is heritage tree removal proposed?	No
Affiliations and Pecuniary interests	
Is the applicant or owner a staff member or councillor of the council assessing the application?	No

Does the applicant or owner have a relationship with any staff or councillor of the council assessing the application?	No
Political Donations	
Are you aware of any person who has financial interest in the application who has made a political donation or gift in the last two years?	No
Please provide details of each donation/gift which has been made within the last 2 years	

Payer details

Provide the details of the person / entity that will make the fee payment for the assessment.

The Environmental Planning and Assessment Regulation 2000 and Council's adopted fees and charges establish how to calculate the fee payable for your development application. For development that involves building or other works, the fee for your application is based on the estimated cost of the development.

If your application is for integrated development or requires concurrence from a state agency, additional fees will be required. Other charges may be payable based on the Council's adopted fees and charges. If your development needs to be advertised, the Council may charge additional advertising fees. Once this application form is completed, it and the supporting documents will be submitted to the Council for lodgement, at which time the fees will be calculated. The Council will contact you to obtain payment. Note: When submitting documents via the NSW Planning Portal, credit card information should not be displayed on documents attached to your development application. The relevant consent authority will contact you to seek payment.

The application may be cancelled if the fees are not paid:

First name	Melvyn
Other given name(s)	
Family name	Kroenert
Contact number	0492840626
Email address	info@completeplanning.com.au
Billing address	c/- PO Box 642 Jindabyne NSW 2627

Application documents

The following documents support the application.

Document type	Document file name
Architectural Plans	Kroenert - East Jindabyne DACC C Nathers stamped
BASIX certificate	Kroenert - Kunama BASIX certificate 1267930M
Cost estimate report	ESTIMATED COST OF WORKS
Other	AHIMS
Owner's consent	Owners Consent DA
Statement of environmental effects	21059DA_SEE_30c Kunama Drive, East Jindabyne

Applicant declarations

I declare that all the information in my application and accompanying documents is, to the best of my knowledge, true and correct.	Yes
I understand that the development application and the accompanying information will be provided to the appropriate consent authority for the purposes of the assessment and determination of this development application.	Yes
I understand that if incomplete, the consent authority may request more information, which will result in delays to the application.	Yes
I understand that the consent authority may use the information and materials provided for notification and advertising purposes, and materials provided may be made available to the public for inspection at its Offices and on its website and/or the NSW Planning Portal	Yes
I acknowledge that copies of this application and supporting documentation may be provided to interested persons in accordance with the Government Information (Public Access) 2009 (NSW) (GIPA Act) under which it may be required to release information which you provide to it.	Yes

I have read and agree to the collection and use of my personal information as outlined in the Privacy Notice	Yes
I agree to appropriately delegated assessment officers attending the site for the purpose of inspection.	Yes
I confirm that the change(s) entered is/are made with appropriate authority from the applicant(s).	