

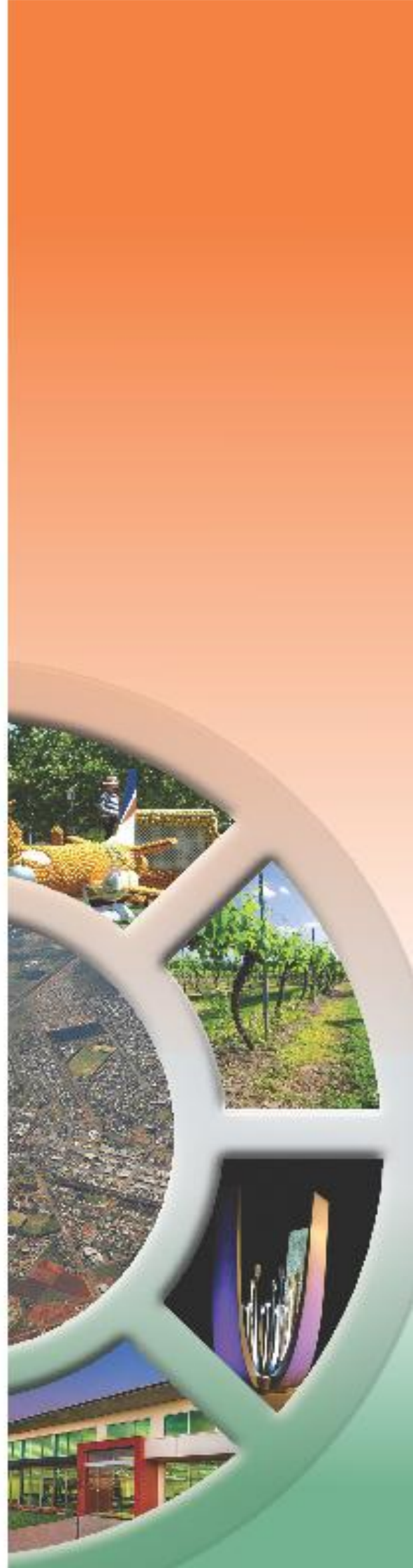


Ordinary Meeting

Tuesday, 10 June 2025

ATTACHMENTS UNDER SEPARATE COVER

- CL01** DA 172/2022 - 21 Large Lot Residential Subdivision, 2 Public Roads and Residue Lot
- CL02** DA 27/2025 - Co-Living Development Comprising Twenty-two (22) Accommodation Units, including demolition of existing development.



ATTACHMENTS UNDER SEPARATE COVER

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Attachment A – Draft Conditions of Consent

Administrative Conditions

The development must be carried out in accordance with the following conditions of consent.

(1) Approved Development

Development consent has been granted for Stage 4 twenty one (21) large lot residential subdivision, one (1) residue lot and creation of two (2) dedicated public roads at lot 223 DP 1298684, South Lake Drive LAKE WYANGAN.

It is advised that the proposed development has been assessed in regards to the provision of the Griffith Local Environmental Plan 2014 and is considered to be a subdivision.

The development must be implemented in accordance with Development Application No. 172/2022(1) accepted by Council on 12 October 2022 and the below mentioned plans and/or documents, except where amended in red on the attached plans or modified by the conditions of this consent.

Drawing / Plan	Date Accepted by Council	Prepared or Drawn By
Cover Sheet - Site Plan Sheet 1 of 5	12 March 2025 25/29135	Development Outcomes
Pelican Shores – Stage 4 Existing Conditions - Sheet 2 of 5	12 March 2025 25/29135	Development Outcomes
Pelican Shores – Stage 4 Development Application Drawings Sheet 3 of 5	12 March 2025 25/29135	Development Outcomes

Document	Date Accepted by Council	Prepared or Drawn By
Statement of Environmental Effects August 2022	12 October 2022 22/104965	Habitat
Revised Aboriginal Cultural Heritage Assessment Report - March 2024	28 June 2024 24/75656	OzArk Environment and Heritage
Biodiversity Development Assessment Report April 2024 PCT 26 - Weeping Myall open woodland of the Riverina Bioregion and NSW South Western Slopes Bioregion. 35 Credits only	28 June 2024 24/75657	OzArk Environment and Heritage

If there is any inconsistency between the approved plans and documents referred to above, the conditions shall prevail.

Note: Stages 5-7 and associated road layout plans have **not** been granted approval with the subject application. These stages are to be the subject of a separate application once the Lake Wyangan Flood Study has been finalised.

(2) Subdivision Works Certificate

In accordance with the provisions of Part 6, Divisions 6.2 and 6.4 of the Environmental Planning and Assessment Act 1979, a person must not carry out subdivision works until such time as:

- a) A Subdivision Works Certificate has been obtained from either Griffith City Council for each stage.
- b) A Principal Certifier has been appointed; and
- c) The person with the benefit of the development consent has given at least two (2) days notice to Griffith City Council and the Principal Certifier of the person's intention to commence the subdivision works.

Note: Should the plans submitted with the Subdivision Works Certificate differ substantially from the plans approved as part of the development consent then a Section 4.55 modification of consent will be required to be made to Council.

(3) Provision of Services

The applicant is to be responsible for all amplification, extension and adequate provision for connection to services at their own expense. The work is to be in accordance with Council's *Engineering Guidelines – Subdivisions and Development Standards* and relevant authorities' specifications.

(4) Lapsing of Consent

In accordance with Section 4.53 of the Environmental Planning and Assessment Act, 1979 this consent is valid for a period of five (5) years from the date of consent.

Note 1: Development consent for the purpose of the erection of a building or the subdivision of land or the carrying out of a work does not lapse if building, engineering or construction work relating to the development is lawfully and physically commenced on the land to which the consent applies before the date on which the consent would otherwise lapse.

Note 2: Development consent for the purpose of the use of the land, building or work the subject of the consent does not lapse if it is actually commenced the date on which the consent would otherwise lapse.

(5) Damage to Council property

If any damage is occasioned to Council property during construction and associated works, the cost of repairs will be recoverable. It is therefore requested that any damage which is obvious before works commence be immediately notified to Council to avoid later conflict.

(6) Existing Services

The applicant must check that the proposed works do not affect any Council, electricity, telecommunications, gas or other services. Any required alterations to services will be at the developer's expense.

(7) Tree Preservation

The applicant is advised that the land is subject to Council's Tree Policy and the requirements of that policy are to be strictly adhered to. Should the applicant/owner require advice in this regard they are to contact Council's Parks and Gardens Department.

(8) Clearing of Vegetation

Vegetation shall not be burned on the site. All vegetation that is approved to be cleared to allow the development shall be either relocated, chipped and/or mulched and removed from the site for disposal at an approved waste recycling or management depot.

(9) Aboriginal Heritage

No Aboriginal objects may be harmed without an approval from Heritage NSW under the National Parks and Wildlife Act 1974.

If any Aboriginal object is discovered and/or harmed in, or under the land, while undertaking the proposed development activities, the proponent must:

- (a) Not further harm the object(s).
- (b) Immediately cease all work at the particular location.
- (c) Secure the area so as to avoid further harm to the Aboriginal object(s).
- (d) Notify the NSW Environment Line as soon as practical by calling 131 555 or emailing: info@environment.nsw.gov.au, providing any details of the Aboriginal object and its location.
- (e) Not recommence any work at the particular location unless authorised in writing by Heritage NSW.

If harm to Aboriginal objects cannot be avoided, an application for an Aboriginal Heritage Impact Permit must be prepared and submitted to heritage NSW before work may continue. In the event that skeletal remains are unexpectedly encountered during the activity, work must stop immediately, the area secured to prevent unauthorised access and NSW Police and the Department contacted of Planning, Industry and Environment.

(10) Other Cultural Heritage

Should any cultural artefacts, archaeological relics or any object having interest due to its age or association with the past be located during the course of works, all works are to cease immediately and notification shall be provided to the Office of Environment and Heritage in accordance with the *National Parks and Wildlife Act 1974*. Work shall not recommence in the area until this is authorised by the Office of Environment and Heritage.

Note. Depending on the significance of the object uncovered, an archaeological assessment and excavation permit under the Heritage Act 1977 may be required before further the work can continue.

(11) Public Road Gazettal

The portion of land proposed to be a public road as part of the proposed development is to be gazetted as a road reserve in accordance with Section 9 of the NSW Roads Act 1993. The plan of the subdivision to be registered with the office of the Registrar-General is to include a statement of intention to dedicate the specified land as a public road.

Prior to the issue of a Subdivision Works Certificate

Prior to commencing subdivision works you will need a Subdivision Works issued by Council. Before this certificate can be issued, compliance with the following conditions is to be demonstrated.

(12) Subdivision Works Certificate

An application for a **Subdivision Works Certificate** shall be submitted to Council and approved for the stormwater, potable water, and roadworks to be constructed. Detailed engineering design plans shall be submitted to Council for approval and a **Subdivision Works Certificate is to be obtained prior to any Civil Works commencing**. Such plans shall include designs and specifications for all proposed works as required for approval by Council. The requirement must conform to Council's *Engineering Guidelines – Subdivisions and Development Standards*, and Austroads specifications.

(13) Soil Erosion and Silt Control

Control measures are to be utilised to prevent soil erosion and silt entering the drainage systems. **Prior to the issue of a Subdivision Works Certificate** details of the proposed measures utilising the principles outlined in following document, *Soils and Construction – Managing Urban Stormwater by Landcom (Blue Book)* are to be submitted to Council for approval and implemented before, during and after development works.

(14) Tile Drainage System

If tile drainage exists, then appropriate treatment is required to obviate the collection of underground waters in unwanted places.

Documentation shall be submitted to Council **prior to the issue of a Subdivision Works Certificate** confirming Murrumbidgee Irrigation's requirements for the existing tile drainage system to either remain or be removed.

Should Murrumbidgee Irrigation require the tile drainage system to remain, an easement shall be created in accordance with Section 88B of the Conveyancing Act over all existing tile drainage lines. Matters to be addressed in the instrument shall include the width and location of the easement.

Should Murrumbidgee Irrigation require the tile drainage system to be made redundant, the tile drainage shall be either removed or disconnected to the satisfaction of Murrumbidgee Irrigation and Council.

Details of the work to be carried out on the existing tile drainage system shall be submitted to Council for approval **prior to the issue of a Subdivision Works Certificate**.

(15) Stormwater Drainage

Adequate arrangements are to be made for the disposal of stormwater. Stormwater runoff shall be directed to Campbells Wetland via an onsite detention system and water quality treatment systems that aligns with best practice Water Sensitive Urban Design (WSUD) principles. Stormwater runoff shall not be permitted to flow over the property boundaries onto the adjoining properties unless legally created easements in accordance with Section 88B of the Conveyancing Act are created.

Detailed design drawings and hydraulic calculations for proposed overland swales and other stormwater diversion structures are to be submitted to Council for approval in accordance with Council's Engineering Guidelines – Subdivision and Development Standards **prior to the issue of a Subdivision Works Certificate**.

(16) Onsite detention

Stormwater detention is to be created onsite for all events up to and including the 1% AEP event. The maximum developed stormwater discharge shall not exceed the pre-development stormwater discharge from the site. Design and details including hydraulic calculations are to be submitted to Council for approval in accordance with *Council's Engineering Guidelines – Subdivision and Development Standards*, *Council's Onsite Detention Policy (CS-CP-404)* and *Council's Stormwater Drainage & Disposal Policy (CS-CP-310)* **prior to the issue of a Subdivision Works Certificate**.

A qualified Civil Engineer with experience in Hydraulic Analysis shall design and certify the Onsite Detention System, which shall be maintained for the life of the project. The consultant is to sign off all drawings and calculations.

(17) Stormwater Management Plan (SMP)

A Stormwater Management Plan (SMP) is to be submitted in conjunction with the detailed design drawings to ensure that the proposed stormwater infrastructure aligns with best practice Water Sensitive Urban Design (WSUD) principles. The SMP should provide an assessment of the proposed swale system, inlet pits, underground pipe network and any proposed treatment systems to confirm their effectiveness in managing both water quality and quantity. The plan must demonstrate how the stormwater treatment measures will mitigate pollutant loads, reduce peak flow rates, and prevent adverse impacts on Campbell Swamp. The SMP should also consider long-term maintenance requirements to ensure ongoing performance of the stormwater infrastructure and compliance with Council's *Engineering Guidelines – Subdivisions and Development Standards*, and Council's *Stormwater Drainage & Disposal Policy (CS-CP- 310)*. The Stormwater Management Plan is to be submitted to Council **prior to the issue of a Subdivision Works Certificate**.

(18) Fencing over open swale

Prior to the issue of a Subdivision Works Certificate a design for a permanent fence to be constructed on the rear boundary of proposed Lot 417 adjacent to Jones Road over the proposed open drainage swale are to be submitted to Council for approval. The design of the fence shall ensure that the flow of stormwater through the open drainage swale is not restricted.

(19) Pavement Design

Prior to the issue of a Subdivision Works Certificate, a pavement design and specifications for all roadworks along the proposed internal roads are to be prepared by a qualified Geotechnical Engineer and are to be submitted to Council and approved. The pavement design must provide a minimum 20 year design life and conform to Council's *Engineering Guidelines - Subdivisions and Development Standards*, the *Austroads Guide to Pavement Technology*.

(20) Roadworks Design Drawings

Design drawings for all roadworks shall be submitted to Council and approved **prior to the issue of a Subdivision Works Certificate**. Such plans shall include designs and specifications for all proposed works as required for approval by Council. The requirements must conform to Council's *Engineering Guidelines - Subdivisions and Development Standards*, the *Austroads Guide to Road Design* as amended by the supplements adopted by Transport for New South Wales (TfNSW) for the prevailing speed limit and TfNSW Technical Directions.

(21) Road 1 & 2 Construction

Road 1 and 2 are to be designed and constructed to the specifications outlined below:

- a. 20m wide road reserve,
- b. 6m wide carriageway,
- c. 7m wide verge on both sides of Road 1,

Detailed engineering design drawings for the roadworks are to be in accordance with Council's *Engineering Guidelines – Subdivisions and Development Standards* and are to be submitted to Council and approved **prior to the issue of a Subdivision Works Certificate**. Such plans shall include designs and specifications for all proposed works as required for approval by Council.

The surface of the proposed road is required to be a minimum standard of two coat spray bitumen seal consisting of double bitumen and double stone surface.

(22) Accessway designs

Design details for the construction of all accessways to lots created as part of the proposed subdivision is to be submitted in conjunction with the detailed design drawings to ensure that the proposed accessway infrastructure aligns with best practice Water Sensitive Urban Design (WSUD) principles. The accessway design should provide details regarding the materials of construction and dimensions of the crossings to be provided over the open drainage swales constructed along both sides of proposed Road 2. The accessway designs is to be in accordance with Council's *Engineering Guidelines – Subdivisions and Development Standards*, and is to be submitted to Council **prior to the issue of a Subdivision Works Certificate**.

(23) Street and Intersection Lighting

Provision is to be made for the installation of street lighting along the proposed internal roads within the subdivision and at the intersection of proposed Road 2 and Jones Road in accordance with Austroads specifications, *Australian Standard 1158* and any prescribed requirement of Essential Energy. Details shall be submitted to Council for approval, **prior to the issue of a Subdivision Works Certificate**. Lighting drawings are to be prepared by a suitably qualified lighting designer/consultant.

(24) Intersection Treatment

Prior to the issue of a Subdivision Works Certificate, detailed design plans are to be submitted to Council for approval for the construction of the intersection of Jones Road and Road 2. The intersection is to be designed to incorporate a sealed Basic Right Turn (BAR) intersection treatment.

The BAR is to be designed in accordance with the Austroads Guide to Road Design as amended by the supplements adopted by Transport for NSW for the posted speed limit and to accommodate the largest size vehicle likely to access the development. Designs are to comply with Council's Engineering Guidelines - Subdivisions and Development Standards and Austroads Guidelines. All costs are to be borne by the developer.

(25) Design of Intersections

Prior to the issue of a Subdivision Works Certificate, as a minimum, the intersections of South Lake Drive and Road 1, and Road 1 and Road 2 are to be designed as T-Intersections in accordance with Austroads *Guide to Road Design* as amended by the supplements adopted by Transport for New South Wales (TfNSW) for the prevailing speed limit. Appropriate road tapers at the intersections are required to be sealed and constructed to a width to accommodate the largest sized vehicle likely to access the proposed allotments. The intersections are to be installed with street lighting and linemarked in accordance with Austroads Guidelines and TfNSW Delineation.

(26) Concrete dish drain

Concrete dish drain is to be constructed along both sides of proposed Road 1 and proposed Road 2 to Council's approval. Detailed engineering design drawings for the dish drain shall be submitted to Council for approval **prior to the issue of a Subdivision Works Certificate**. Such plans shall include designs and specifications for all proposed works as required for approval by Council. The requirements must conform to Council's *Engineering Guidelines - Subdivisions and Development Standards*.

(27) Temporary Turning Bulb

A temporary turning bulb with a minimum radius of 9.5m is to be constructed at the end of proposed Road 2 where the road constructed as part of Stage 4 of the development terminates at a dead-end. The turning bulb is to be constructed of a minimum depth of 250mm compacted road building gravel. An approved road sign is to be installed at the end of the turning bulb to indicate a dead end. Detailed engineering design drawings for the turning bulb shall be submitted to Council and approved **prior to the issue of a Subdivision Works Certificate**. Such plans shall include designs and specifications for all proposed works as required for approval by Council.

(28) Potable Water Main Extension

Council's reticulated potable water system is to be extended from the existing 100mm potable water main located on the southern side of South Lake Drive throughout the internal roads to service all lots within the proposed subdivision. The potable water main is to connect to the existing trunk potable water main on the western side of Boorga Road via Jones Road. The design of all new mains and other associated components normally associated with water main installations are to conform to the standards prescribed in *Council's Engineering Guidelines - Subdivisions and Development Standards*, the *Water Services Association of Australia – Water Supply Code of Australia (WSA 03—2011)*. Details and designs are to be submitted to Council for approval **prior to the issue of a Subdivision Works Certificate**.

(29) Flow rate and pressure test (Potable Water Main)

Prior to the issue of a Subdivision Works Certificate, a flow rate and pressure test shall be carried out, at the applicant's expense, to justify connection to Council's existing potable water main on South Lake Drive. Where the existing potable water main on South Lake Drive cannot provide adequate flows and pressure for the proposed development, Council's reticulated water main system on South Lake Drive is to be upgraded to ensure Council's potable water system can supply the minimum requirements outlined in Council's *Water – Supply Levels of Service Policy (WS-CP-210)* for the existing and proposed developments serviced by this infrastructure. All costs associated for the water main upgrading will be borne by the applicant.

(30) Hydraulic Calculations (Potable Water Main)

The applicant is to submit to Council for approval, hydraulic calculations for potable water from a suitably qualified Hydraulic Engineer **Prior to the issue of a Subdivision Works Certificate**. The calculations shall detail, as a minimum, the average day demand, the maximum day demand, the maximum hour demand and the instantaneous demand for the potable water use for the development. The calculations must demonstrate that the additional tenements created as a result of the proposed development will not reduce the pressure and flow rate of Council's existing potable water main along South Lake Drive below the minimum required under *Water Services Association of Australia – Water Supply Code of Australia (WSA 03—2011)* and Council's requirements.

Should the calculations prove that the existing water main on South Lake Drive is not suitable for the proposed development, then upgrade and amplification Council's reticulated water main system on South Lake Drive is to be conducted at the applicant's expense. The design of all new mains and other associated components normally associated with water main installations are to conform to the standards prescribed in *Council's Engineering Guidelines – Subdivisions and Development Standards* and the *Water Services Association of Australia – Water Supply Code of Australia (WSA 03—2011)*.

(31) Potable Water Extension for Hydrant Installation

Prior to the issue of a Subdivision Works Certificate design details are to be provided for the extension of a potable water main to terminate with a hydrant from proposed Road 2 within the development to the end of the battle-axe handle of proposed Lots 413, 412, 416 and 417. The location of the hydrant is to ensure the entire allotment has a maximum coverage/distance of 150m from the hydrant. The extension of the potable water main from the proposed Road 2 is to include the installation of a backflow prevention device and bypass meter after the intersection of the water main on the internal road. All costs associated with this infrastructure are to be borne by the developer.

The design of all new mains and other associated components normally associated with water main installations are to conform to the standards prescribed in *Council's Engineering Guidelines - Subdivisions and Development Standards* and the *Water Services Association of Australia – Water Supply Code of Australia (WSA 03—2011)*.

(32) Extension of Council's sewer main

Prior to the issue of a Subdivision Works Certificate detailed sewer design plans are to be submitted to Council and approved for extending Council's low pressure sewerage system to service the proposed subdivision. Such plans shall include designs, calculations and specifications for all proposed works as required for acceptance and approval by Council. The requirements are to be in accordance Council's *Pressure Sewerage Policy (WS-CP-303)* and the *Water Services Association of Australia - Pressure Sewerage Code of Australia WSA 07—2007*. The design of the low-pressure system must be completed by or peer reviewed by an approved Council contractor as per Council's current Revenue Policy. All costs associated with the design and construction of the low-pressure sewerage system are to be borne by the applicant.

(33) Existing Sewer Pump Station

A hydraulic loading assessment of the existing Council owned LW2 sewer pump station is to be submitted to Council for approval to ensure that the existing sewer system can cater for the existing and additional demand created as part of the subject development **prior to the issue of a Subdivision Works Certificate**. In the event that the existing sewer pump station cannot handle the additional load, the sewer pump station is to be upgraded to cater for the additional loading. The detailed design and hydraulic calculations must be completed by or peer reviewed by an approved Council contractor as per Council's current Revenue Policy. All costs associated with the design and construction of the low-pressure sewerage system are to be borne by the applicant.

(34) Detailed Salinity Investigation

A detailed Salinity Investigation must be conducted **prior to the issue of a Subdivision Works Certificate**. The salinity investigation must:

- (a) Be prepared by a suitably qualified geotechnical engineer or soil scientist.
- (b) Be prepared in accordance with the former Department of Land and Water Conservation (2002) Site Investigations for Urban Salinity.
- (c) Include the excavation of test pits across the entire site including within or in proximity to each building envelope including laboratory testing, engineering analysis and reporting.
- (d) Provide classification of selected soil samples for soil texture, electrical conductivity (EC 1:5), pH, chloride, and sulphate, sodicity and Emerson crumb dispersibility tests at a NATA accredited analytical laboratory.
- (e) Provide a determination as to the suitability of each building envelope for the purposes of a dwelling given the findings of the investigation.

(35) Salinity Management Plan

Based on the findings and recommendations of the Salinity Investigation, a Salinity Management Plan must be prepared and **prior to the issue of a Subdivision Works Certificate**. The Salinity Management Plan must:

- (a) Incorporate soil conservation measures to minimise soil erosion and siltation during construction and following completion of development. Evidence of soil and water management in accordance with Managing Urban Stormwater – Soils and Construction (as amended).
- (b) Provide management measures to be implemented during bulk earthworks for the civil works associated with the subdivision of land.
- (c) Provide recommendations and management strategies for the construction and installation of roads, drainage works and services including the installation of subsoil drainage.
- (d) Provide general recommendations and management strategies for the future construction of dwellings and outbuildings on each lot.
- (e) Include soil and water management measures in accordance with Managing Urban Stormwater – Soils and Construction (as amended).

(36) Waste management Plan

Prior to the issue of a Subdivision Works Certificate, a waste management plan for the development must be prepared and provided to Griffith City Council.

The plan must be prepared:

(a) in accordance with:

- i. The Environment Protection Authority's (EPA) *Waste Classification Guidelines* as in force from time to time, and
- ii. A development control plan that provides for waste management that applies to the land on which the work or the clearing of vegetation is carried out, and

(b) Include the following information:

- i. The name and contact details of who is responsible for the plan and management of the waste onsite;
- ii. The name and contact details of the person(s) removing waste;
- iii. A description of each different waste type and an estimate of the quantity of each waste type expected to be produced;
- iv. How each waste type will be managed onsite and offsite, including whether the waste is expected to be reused, recycled or sent to landfill;
- v. Where any onsite management of waste will occur, such as for consolidation and collection;
- vi. How each waste type will be characterised and classified for waste management and transport;
- vii. Where each waste type is intended to be transported for disposal or other fate;
- viii. How the quantity of each waste type will be measured and recorded;
- ix. How each waste movement will be tracked;
- x. Contingencies including to managing unexpected finds, such as asbestos.

A copy of the waste management plan must be kept on-site at all times while work approved under the development consent is being carried out.

Waste material should be stockpiled on site for waste classification by an appropriately qualified person prior to disposal. Waste classification must be conducted in line with the six-step process outlined in the NSW EPA Waste Classification Guidelines – Part 1: Classifying Waste (2014), as follows:

- Step 1 – Establish if the waste is classified as special waste.
- Step 2 – If the waste is not classified as special waste, establish whether the waste is classified as liquid waste
- Step 3 – If the waste is not classified as special waste or liquid waste, establish whether the waste is of a type that is 'pre-classified'.
- Step 4 – If the waste is not classified as special waste, liquid waste or pre-classified (as set out in Step 3), establish if the waste has certain hazardous characteristics and therefore is classified as hazardous waste.
- Step 5 – Waste should be chemically assessed to determine whether it is hazardous, restricted solid or general solid waste. If the waste has not been classified after Steps 1 to 4 and is not chemically assessed under Step 5, it must be classified as hazardous waste.
- Step 6 – If the waste is chemically assessed under Step 5 as general solid waste, a further assessment is available to determine whether the waste is general solid waste putrescible or non-putrescible. If the waste is classified as general solid waste under Step 5 and this assessment is not undertaken, it must be classified as general solid waste (putrescible).

Sampling of waste material should be at a rate as specified by an appropriately qualified person. Waste should be tested for analytes detailed in Table 1 of the NSW EPA Waste classification guidelines Part 1: Classifying waste (2014). Once classified, the waste should be disposed of at a landfill facility licensed and able to accept the waste. Copies of all dockets, receipts and other documentation relevant to classification, transport and disposal should be kept on record.

Any fill material brought into the site as backfill or the like should undergo assessment for classification as Virgin Excavated Natural Material (VENM) or Excavated Natural Material (ENM). Assessment, sampling and analytical requirements for VENM and ENM material can be found in their respective NSW EPA resource recovery exemption.

(37) Environmental Management Plan

An environmental management plan (EMP) for the operation and ongoing management of the development is to be prepared. This shall include the monitoring details to ensure stormwater discharge to Campbell's Swamp meets Australian Standards and is acceptable at all times. The plan shall detail earthworks required for Campbell's Swamp for drainage and detail how the water will be discharged to the swamp. The plan shall detail monitoring required to be conducted by the applicant/developer until such time as the final maintenance period for all stages of this subdivision have ceased. The plan is to be approved by Council and documentary evidence of this is required to be submitted **prior to the issue of a Subdivision Works Certificate**.

The provisions of any Environmental Management Plan (EMP) approved as part of Development Consent No. 172/2022 are to be complied with at all times.

The EMP is to include information on managing conditions in the event that an aboriginal relic is encountered during the construction or life of the development.

(38) Roadside Vegetation Landscape Plan – Jones Road

Prior to the issue of the Subdivision Works Certificate a detailed landscaping plan shall be designed for the proposed development. The plan is submitted to and approved by Council or the Principal Certifier.

The landscaping plan shall be drawn to scale (minimum 1:200) by a suitably qualified person and include:

- (a) Identification of all trees to be retained or removed
- (b) The location of all existing and proposed tree and shrub species
- (c) Height and spread of selected species at maturity
- (d) Irrigation measures

A row of *Acacia pendula* Weeping Myall to be provided south side of the Jones Road, within the road reserve, adjoining the rear of proposed lots 412 and 413 and extending to the existing Miljee Tree.

Prior to Commencement of Works

The following conditions need to be met prior to the commencement of works. The necessary documentation and information must be provided to the Principal Certifying Authority (PCA), as applicable.

(39) Traffic Management Plan (TMP)

A Traffic Management Plan (TMP) with all supporting documentation, including all relevant Traffic Guidance Schemes (TGS), is to be submitted to Council for approval **prior to the commencement of work** within Council's road reserve. The TMP must comply with the requirements of Transport for New South Wales' Traffic Control at Work Sites Technical Manual (TCAWS Manual), Standards Australia's Manual of uniform traffic control devices, Part 3: Traffic control for works on roads (AS1742.3), and Austroads' Guide to Temporary Traffic Management (AGTTM).

The TMP must be prepared by a person/s with a 'Prepare a Work Zone Traffic Management Plan' qualification. Strict compliance to the TMP is to be maintained throughout the duration of the works. All inspections of the TMP and collection of records must comply with the requirements of the TCAWS Manual.

(40) Construction Management Plan (CMP)

Prior to the commencement of work, a Construction Management Plan is to be prepared by a suitably qualified professional detailing the proposed traffic control and traffic management arrangements during the construction of the development. The Construction Management Plan is to be submitted to Council for approval and is to address, but not be limited to, the following:

- a. the management of traffic during construction;
- b. the management of loading and unloading of construction materials on site;
- c. material stockpiling/storage;
- d. identify parking for construction worker vehicles;
- e. dust mitigation measures; and
- f. complaint management and contingency measures.

The construction management measures specified in the approved Construction Management Plan shall be implemented for duration of construction.

(41) Sedimentation and Erosion Controls

Effective dust, noise, sedimentation and erosion controls are to be implemented prior to the commencement of site works. This is to include (as a minimum):

- a. The installation of a sediment fence with returned ends across the low side of the works; and
- b. A temporary gravel driveway into the site. All vehicles needing to access the site are to use the temporary driveway.

The control measures are to be installed **prior to the commencement of site works** and maintained during works in order to ensure that site materials do not leave the site and/or enter the stormwater system and to maintain public safety/amenity.

(42) S138 Roads Act

Prior to the commencement of works within Council's road reserve, a Section 138 Roads Act application, including payment of fees, shall be lodged with Griffith City Council, as the Roads Authority for any works required within a public road. These works may include but are not limited to:

- a. vehicular crossings (including kerb reinstatement of redundant vehicular crossings)
- b. Road opening for utilities and stormwater (including stormwater connection to Council Infrastructure).
- c. Road Occupancy or road closures

All works shall be carried out with the Roads Act approval, the development consent including the stamped plans and Griffith City Council specifications.

(43) Aboriginal Heritage

Prior to the commencement of work, the following is to be undertaken:

- a. Inductions for construction workers and contractors is to include cultural heritage awareness procedure. The location of Aboriginal sites are to be shown on all relevant construction plans to ensure awareness of the protection of Aboriginal objects under the national Parks and Wildlife Act 1974.
- b. Fencing a buffer zone around Aboriginal site 49-2-0165 to ensure site protection and harm avoidance. The fencing is to remain in place until construction works have been completed.
- c. Demarcation through the placement of high-visibility flags along buffer points of the other aboriginal Cultural Heritage Assessment report; Stage 4, Lakeside Estate, Lake Wyangan prepared by OzArk, March 2024) to be erected prior to land maintenance works commencing. This includes for woody weed control (eg mechanical removal of boxthorn) and maintenance for bushfire control (eg Slashing) for the residue lot (Lot 146 DP 1214737).

During Construction

The following conditions of consent must be complied with at all times during the demolition, excavation and construction of the development.

(44) Sedimentation and Erosion Controls

The approved erosion and sediment control measures shall be implemented and maintained during works.

(45) Hours of Work

The principal certifier must ensure that building work, demolition or vegetation removal is only carried out between:

7.00am to 6.00pm on Monday to Saturday.

The principal certifier must ensure building work, demolition or vegetation removal is not carried out on Sundays and public holidays, except where there is an emergency.

Unless otherwise approved within a construction site management plan, construction vehicles, machinery, goods or materials must not be delivered to the site outside the approved hours of site works.

Note: Any variation to the hours of work requires Council's approval.

(46) Civil Construction Works

All civil construction works such as; the installation of stormwater infrastructure, potable water infrastructure and roadworks associated with the development are to be in accordance with Council's *Engineering Guidelines – Subdivisions and Development Standards*.

All works shall be inspected by Council Officers or Council Nominee during normal office hours as specified in Council's *Engineering Guidelines - Subdivisions and Development Standards (Part 1 - Section 4)*. All requests for inspection are to be made to Council's Customer Service Department.

Apart from these inspections various tests are to be conducted in conjunction with the works. Test guidelines and type of tests required are identified in Council's *Engineering Guidelines - Subdivisions and Development Standards*.

(47) Burning of Waste or Refuse

No waste or refuse shall be burned on site. All building waste, excavated material, broken concrete, or the like, shall be removed from the site and disposed of at an approved waste management depot.

(48) Contaminated land - unexpected finds

In the instance that works cause the generation of odours or uncovering of previously unidentified contaminants, works must immediately cease, Council is to be notified and a suitably qualified environmental consultant appointed to further assess the site.

The exposed material/excavation is to be assessed by the environmental consultant and determine an appropriate response in accordance with the requirements of State Environmental Planning Policy (Resilience and Hazards) 2021, and in consultation with the applicant, which is agreed to by Griffith City Council, in order to make the site safe from potential human health and environmental harm.

(49) Dust Control

The following measures must be implemented prior to the commencement of site works and during construction to control the emission of dust:

- (a) All stockpiles of materials that are likely to generate dust must be kept damp or covered. Water used for dust suppression must not be contaminated or allowed to enter the stormwater system.
- (b) All stockpiles of soil or other materials shall be placed away from drainage lines, gutters or stormwater pits or inlets.
- (c) All stockpiles of contaminated soil shall be stored in a secure area and be covered if remaining more than 24 hours or as directed by Griffith City Council.

(50) Waste management

While site work is being carried out:

- (a) All waste management must be undertaken in accordance with the waste management plan, and
- (b) Upon disposal or removal of the waste, records of the disposal or other fate (such as re-use on site) must be compiled and provided to the Principal Certifying Authority or Griffith City Council, detailing the following:
 - i. The name and contact details of the person(s) who removed the waste;
 - ii. The waste carrier vehicle registration;
 - iii. The date and time of waste collection;
 - iv. A description of the waste (type of waste, classification and estimated quantity) and whether the waste is to be reused, recycled, go to landfill or other fate;
 - v. The contact details and address of the disposal location or other offsite location(s) where the waste was taken;
 - vi. The corresponding tip docket/receipt from the site(s) to which the waste is transferred, noting date and time of delivery, description (type and quantity) of waste.
- (c) The waste generated on-site during construction must be classified in accordance with the EPA's Waste Classification Guidelines, 2014 (as amended from time to time) and disposed of to an approved waste management facility or otherwise lawfully managed. If waste has been removed from the site where the waste is under an EPA Resource Recovery Order or Exemption, records in relation to and required by that Order or Exemption must be maintained and provided to the Principal Certifier and Council.

(51) Removal of waste

Upon completion:

- (a) All refuse, spoil and material unsuitable for use on-site must be removed from the site and disposed of in accordance with the approved waste management plan, and
- (b) Written evidence of the waste removal must be provided to the satisfaction of Griffith City Council; and
- (c) Any chemical waste generated throughout construction must be disposed of to an approved waste management facility or otherwise lawfully managed.

(52) Salinity Management

The following management strategies relating to the management of those factors with potential to impact on the bulk earthwork's aspects of the development:

- (a) When possible, placement of excavated soils in fill areas with similar salinity characteristics (i.e., to place material onto in-situ soils with a similar or higher

aggressivity or salinity classification). Alternatively, materials of higher salinity and/or aggressivity classification can be placed on to in-situ soils with a lower aggressivity or salinity classification, provided the placement location is tracked and the management protocols are upgraded for this area of the site to reflect the higher classification. Where this is not possible or not tracked, all fill areas will require to be treated as mildly aggressive to concrete, moderately aggressive to steel and very saline.

- (b) With respect to any imported fill material required, testing should be undertaken prior to importation, to determine the salinity characteristics of the material, which should be non-aggressive and non-saline to slightly saline where possible, but in any case, not more aggressive or more saline than the adopted sited classifications.
- (c) Avoiding water collecting in low lying areas, in depressions, or behind fill. This can lead to water logging in the soils, evaporative concentrations of salts, and eventual breakdown in soil structure resulting in accelerated erosion.
- (d) Any pavements should be designed to be well drained of surface water. There should not be excessive concentrations of runoff or ponding that would lead to waterlogging of the pavement or additional recharge to the groundwater through any more permeable zones in the underlying filling material.
- (e) Surface drains should generally be provided along the top of batter slopes to reduce the potential for concentrated flows of water down slopes possibly causing scour.
- (f) Salt tolerant grasses and trees should be considered for landscaping, to reduce soil erosion and to maintain the existing evapo-transpiration and groundwater levels. Reference should be made to an experienced landscape planner or agronomist.

(53) Soil management

All fill material imported to the site must be:

- (a) Virgin Excavated Natural Material as defined in Schedule 1 of the *Protection of the Environment Operations Act 1997*, or
- (b) A material identified as being subject to a resource recovery exemption by the NSW EPA, or
- (c) A combination of Virgin Excavated Natural Material as defined in Schedule 1 of the *Protection of the Environment Operations Act 1997* and a material identified as being subject to a resource recovery exemption by the NSW EPA.

(54) Stormwater Discharge to Campbells Wetland

The applicant is to be responsible for the construction of all works associated with discharge of stormwater to Campbell's Wetland. Following any bonding period, Council shall resume responsibility for this infrastructure.

Note: The bonding period shall be twelve (12) months from the satisfactory completion of works.

(55) Excavation depth

Excavations are to be restricted to 2m in depth below the natural ground level to reduce the impact on the hydrogeology and groundwater movements. No excavations should be carried out where groundwater has been located at depths of not less than 2m.

Infrastructure should not be located where groundwater has been located at depths of less than 2m.

Prior to the issue of the Subdivision Certificate

Before Council will release the subdivision plan, you will need to demonstrate compliance with the following conditions. The necessary documentation and information must be provided to the Principal Certifying Authority (PCA), as applicable.

(56) Subdivision Certificate

A Subdivision Certificate must be issued prior to lodgement of the Final Plan of Survey with the Land Registry Services. An application for a Subdivision Certificate is required upon completion of all conditions of consent. The application is to be lodged with the Principle Certifier via the NSW Planning Portal.

(57) Compliance with Conditions of Consent

The applicant is to ensure that all conditions of Development Application No. 172/2022 are completed **prior to the issue of the Subdivision Certificate**.

(58) Section 7.12 Development Contributions

In accordance with Section 7.12 of the *Environmental Planning and Assessment Act 1979* (former S94A) and Council's Development Contribution Plan 2010, this development requires the payment of a 7.12 contribution. The Section 7.12 Contribution is required towards the provision of public amenities and services in accordance with Councils adopted *Section 94A Contributions Plan 2010 (Amendment 2013)*. A copy of this policy is publicly available from Council's website www.griffith.nsw.gov.au.

Total payment shall be **\$24,460.00** (1% of the proposed cost of carrying out the development). In accordance with Council's Section 94A Contributions Plan 2010 (Amended 2013) the total payment amount will be indexed by the Consumer Price Index (All Groups Index for Sydney as published by the Australian Bureau of Statistics), applicable at the date of payment. Update when new cost estimate provided

The contribution is to be paid **prior to the issue of the Subdivision Certificate**. Payment is to be in the form of cash or bank cheque. Where bonding is accepted a bank guarantee is required.

(59) Section 64 Water Supply, Sewerage and Drainage Contributions

Pursuant to Section 64 of the *Local Government Act 1993* and the *Water Management Act 2000*, this development requires a payment of a S64 contribution. The amount payable at the time of issue of this consent is set out in the table below.

Table of Contributions Required – Water, Sewerage & Drainage

Type of contribution	Amount per tenement	Number of tenements	Amount to be paid
Water supply	\$ 8,956.00	21 ET	\$182,595.00
Sewerage	\$ 6,276.00	21 ET	\$127,953.00
Total			\$ 310,548.00

The total amount payable will be subject to review in accordance with Council's Revenue Policy current at the time of payment.

The contribution is to be paid **prior to the issue of the Subdivision Certificate** unless other arrangements acceptable to Council are made.

The contribution is exclusive of the fees for the connection of water services to the individual allotments. Payment is to be in the form of cash or bank cheque. Where bonding is accepted a bank guarantee is required.

Reason: Pursuant to Section 64 of the *Local Government Act 1993* and the *Water Management Act 2000*, the applicant is required to apply to Council for a Compliance Certificate under the provisions of S305 of the *Water Management Act 2000*.

(60) Works As Executed Drawings

Works As Executed plans for approved civil works are to be submitted to Council upon completion of the development **prior to the issue of a Subdivision Certificate**. Works As Executed plans are to be in accordance with *Council's Engineering Guidelines – Subdivisions and Development Standards*.

(61) Maintenance Bond

A Bond Application and a monetary bond is to be submitted to Council to provide a twelve (12) month maintenance period for civil works relating to Council's infrastructure. It is the applicant's responsibility to notify the relevant departments regarding the commencement and finish of the maintenance period and adequate arrangements are to be made regarding any relevant inspections required.

A five percent (5%) bond of the total cost of works is to be submitted to Council for the works that need maintenance **prior to the issue of a Subdivision Certificate**.

(62) Engineering Inspections

The applicant is required to pay for all inspections carried out by Council's Engineers. Payment must be paid for all inspections as per Council's current Revenue Policy **prior to the issue of a Subdivision Certificate**.

(63) Civil Construction Works

All works specified on the approved Subdivision Works Certificate drawings are to be completed in accordance with Council's *Engineering Guidelines – Subdivisions and Development Standards* (and other authorities specifications outlined within this Development Application) and approved by Council **prior to the issue of a Subdivision Certificate**.

(64) S138 Roads Act Approval

Prior to the issue of a Subdivision Certificate, the Principle Certifying Authority shall ensure that all works associated with a S138 Roads Act approval have been inspected and signed off by Griffith City Council.

(65) Installation of stormwater infrastructure

Prior to the issue of a Subdivision Certificate, stormwater infrastructure is to be installed in accordance with the approved Subdivision Works Certificate drawings, Council's *Engineering Guidelines – Subdivisions and Development Standards*, and Council's *Stormwater Drainage & Disposal Policy (CS-CP- 310)*.

(66) Interallotment Stormwater Drainage

Proposed interallotment drainage systems are **NOT** to be granted to Council. It is to be the responsibility of the properties served. A Restriction to User in accordance with Section 88E of the Conveyancing Act requiring lot owners to maintain the interallotment drainage system shall be imposed upon the created allotments. The Instrument is to be submitted to Council for approval, **prior to the issue of a Subdivision Certificate**.

(67) Stormwater Drainage

The stormwater detention, associated floodways and flow paths are to be protected by a Section 88E covenant in favour of Griffith City Council. The Instrument is to be submitted to Council for approval, **prior to the issue of a Subdivision Certificate**.

(68) Fencing over open swale

Prior to the issue of a Subdivision Certificate a permanent fence is to be constructed on the rear boundary of proposed Lot 417 adjacent to Jones Road over the proposed open drainage swale in accordance with the approved Subdivision Works Certificate plans. The construction of the fence shall ensure that the flow of stormwater through the open drainage swale is not restricted.

(69) External Service Providers

Prior to the issue of a Subdivision Certificate written advice shall be obtained from the electricity supply authority, an approved telecommunications carrier and an approved gas carrier (where relevant) stating that satisfactory arrangements have been made to ensure provision of adequate services to each of the proposed lots.

(70) Road 1 & 2 Construction

Prior to the issue of a Subdivision Certificate, Road 1 and 2 are to be constructed to the specifications outlined below:

- a. 20m wide road reserve,
- b. 6m wide carriageway,
- c. 7m wide verge on both sides of Road 1,

Construction is to be in accordance with *Council's Engineering Guidelines – Subdivisions and Development Standards*. The surface of the proposed road is required to be a minimum standard of two coat spray bitumen seal consisting of double bitumen and double stone surface.

(71) Roadworks Construction

All road infrastructure construction works specified within this Development Application are to be completed in accordance with Council's *Engineering Guidelines – Subdivisions and Development Standards* (and other authorities specifications outlined within this Development Application) and approved by Council **prior to the issue of a Subdivision Certificate**.

(72) Street and Intersection Lighting

The installation of street lighting along the proposed internal roads within the subdivision and at the intersection of proposed Road 2 and Jones Road is to be in accordance with Austroads *Guide to Road Design*, Australian Standard 1158 and any prescribed requirement of Essential Energy. Street lights are to be installed in accordance with the approved design, **prior to the issue of a Subdivision Certificate**. Written approval is to be submitted to Council from Essential Energy to ensure that all works have been completed to their satisfaction.

(73) Intersection Treatment

Prior to the issue of a Subdivision Certificate, the intersection of Jones Road and Road 2 is required to be constructed to incorporate a sealed Basic Right Turn (BAR) intersection treatment.

The BAR is to be constructed in accordance with the approved construction plans, Austroads *Guide to Road Design* as amended by the supplements adopted by Transport for NSW for the posted speed limit and *Council's Engineering Guidelines - Subdivisions and Development Standards*.

(74) Concrete dish drain

Prior to the issue of a Subdivision Certificate concrete dish drain is to be constructed along both sides of proposed Road 1 and proposed Road 2 to Council's satisfaction in accordance with *Council's Engineering Guidelines – Subdivisions and Development Standards*.

(75) Internal Roads Signposting

Prior to the issue of a Subdivision Certificate, all proposed internal roads are to be appropriately delineated (linemarking, etc) in accordance with the signposting and line marking policy adopted by *Transport for New South Wales* and *Australian Standard 1742*.

(76) Naming of Roads

Separate written application must be made to Council requesting approval for naming of the internal road. Application will be made by Griffith City Council to the Geographical Names Board of New South Wales seeking approval for the road name, this approval must be given **prior to the issue of a Subdivision Certificate**.

Note: Ensure adequate lead time (approximately two months) for the naming of roads and associated process. Street Numbers will be allocated following the approval of road names.

(77) Street Name Plates

Street nameplates are to be provided to the proposed public roads to the colour arrangement as adopted by Council and the standard as prescribed by *Council's Engineering Guidelines – Subdivisions and Development Standards*. Council approval of street names must be obtained **prior to the issue of a Subdivision Certificate**.

(78) Gazetted Road Reserve

Prior to the issue of a Subdivision Certificate the portion of land proposed to be a public road as part of the proposed development is to be gazetted as a road reserve in accordance with Section 9 of the *NSW Roads Act 1993*. The plan of the subdivision to be

registered with the office of the Registrar-General is to include a statement of intention to dedicate the specified land as a public road.

(79) Construction of Intersections

Prior to the issue of a Subdivision Certificate, as a minimum, the intersections of South Lake Drive and Road 1, and Road 1 and Road 2 are to be constructed as T-Intersections in accordance with *Austroads Guide to Road Design* as amended by the supplements adopted by Transport for New South Wales (TfNSW) for the prevailing speed limit. Appropriate road tapers at the intersections are required to be sealed and constructed to a width to accommodate the largest sized vehicle likely to access the proposed allotments. The intersections are to be installed with street lighting and linemarked in accordance with Austroads Guidelines and TfNSW Delineation.

(80) Intersection Signposting

Prior to the issue of a Subdivision Certificate, the intersections of South Lake Drive and Road 1, and Road 1 and Road 2 are to be appropriately signposted and line marked in accordance with the signposting and line marking policy adopted by Transport for New South Wales (TfNSW) and Australian Standard 1742.

(81) Temporary Turning Bulb

Prior to the issue of a Subdivision Certificate a temporary turning bulb with a minimum radius of 9.5m is to be constructed at the end of proposed Road 2 where the road constructed as part of Stage 4 of the development terminates at a dead-end. The turning bulb is to be constructed of a minimum depth of 250mm compacted road building gravel. An approved road sign is to be installed at the end of the turning bulb to indicate a dead end.

(82) Internal driveway

Prior to the issue of a Subdivision Certificate the internal driveway to proposed Lots 412, 413, 416 and 417 is to be 2-coat bitumen sealed (as a minimum) for the full length of the battle-axe handle in accordance with Council's *Engineering Guidelines – Subdivisions and Development Standards* and Council's *Residential Development Control Plan 2020*. A minimum depth of 200mm of compacted road building gravel is to be installed in the driveway and inspected by Council prior to sealing.

(83) Accessway construction

Prior to the issue of a Subdivision Certificate, a concrete or bitumen sealed access is to be provided between the property boundary and the road carriageway off proposed Road 2 to proposed Lots 412, 413, 416 and 417. The accessway shall include a concrete culvert with concrete headwalls and guideposts. The accessway is to be constructed in accordance with *Council's Engineering Guidelines – Subdivisions and Development Standards*.

(84) Access Restriction

Vehicular access to proposed Lots 401, 412, 413, 416, 417 and 421 within the subdivision from Jones Road is not permitted at any time. **Prior to the issue of a Subdivision Certificate**, a restriction to user shall be created over proposed lots 401, 412, 413, 416, 417 and 421 within the development in accordance with Section 88E of the Conveyancing Act. The restriction is to specify that vehicular access to the created allotments off Jones Road is not permitted at any time.

(85) Potable Water Main Extension

Prior to the issue of the Subdivision Certificate, Council's reticulated potable water system is to be extended from the existing 100mm potable water main located on the southern side of South Lake Drive throughout the internal roads to service all lots within the proposed subdivision. The potable water main is to connect to the existing trunk potable water main on the western side of Boorga Road via Jones Road. All works are to be completed in accordance with Council's *Engineering Guidelines - Subdivisions and Development Standards*, the *Water Services Association of Australia – Water Supply Code of Australia (WSA 03—2011)*.

(86) Potable Water Extension for Hydrant Installation

Prior to the issue of a Subdivision Certificate a potable water main is to be extended to terminate with a hydrant from proposed Road 2 within the development to the end of the battle-axe handle of proposed Lots 413, 412, 416 and 417. The location of the hydrant is to ensure the entire allotment has a maximum coverage/distance of 150m from the hydrant. The extension of the potable water main from proposed Road 2 is to include the installation of a backflow prevention device and by-pass meter after the intersection of the water main on the internal road. All costs associated with this infrastructure are to be borne by the developer.

The construction of all new mains and other associated components normally associated with water main installations are to conform to the standards prescribed in *Council's Engineering Guidelines - Subdivisions and Development Standards* and the *Water Services Association of Australia – Water Supply Code of Australia (WSA 03—2011)*.

(87) Water Meters

Prior to the issue of a Subdivision Certificate, the developer is to provide a potable water service to each lot. Installation and location are to be in accordance with *Council's Engineering Guidelines - Subdivisions and Development Standards* and the *Water Services Association of Australia – Water Supply Code of Australia (WSA 03—2011)*.

(88) Extension of Council's sewer main

Prior to the issue of a Subdivision Certificate Council's pressure sewer system is to be extended to service all proposed Lots within the subdivision. All works shall be in accordance with the specifications outlined in *Council's Engineering Guidelines – Subdivision and Development Standards* and the *Water Services Association of Australia - Pressure Sewerage Code of Australia WSA 07—2007*.

(89) Extension of Council's sewer main

The applicant is required to pay for all 'On-Property Works' to be carried out by Council for the Pressure Sewerage System to be installed for each of the proposed allotments. "On-property works" include the Boundary Kit to (and including) the installation of the pumping unit. The amount, as per Council's current *Revenue Policy* is to be paid **prior to the issue of a Subdivision Certificate**.

(90) Murrumbidgee Irrigation Unconditional Consent

Murrumbidgee Irrigation's written unconditional approval for the entire development (Stage 4) is to be submitted to Council **prior to the issue of a Subdivision Certificate**.

(91) Schedule for planting

Prior to the issue of the Subdivision Certificate the applicant is to prepare a 'Schedule for Planting' for each of the allotments to guide purchasers in how to prepare, establish, plant and maintain groundcover areas and vegetation buffers in saline soils. This Schedule shall form part of any contract of sale. The Schedule should contain essential elements selected from baseline reports included within the Development Application such as the salinity report, hydrology report and landscape notes.

Species selection shall predominantly be local natives selected from the 'Native Vegetation Guide for the Riverina' Second Addition pg. 144-145 published by Holbrook Johnstone Centre, Charles Sturt University Wagga, available on line at: https://revegetation.org.au/wp-content/uploads/2024/12/RIV_Reveg_Guide_2ndEd_Compressed.pdf

(92) Biodiversity Development Assessment Report

An addendum to the Biodiversity Development Assessment Report is to be submitted to Council providing a breakdown of the Biodiversity Assessment Method (BAM) Credit Summary Report for Stage 4 of the development only. This is to be submitted and obligations for Stage 4 retired, **prior to the issue of a Subdivision Certificate**.

Should an addendum not be provided to Council, the whole of the credits generated for 'Weeping Myall open woodland of the Riverina Bioregion and NSW South Western Slopes Bioregion' for both the 'Endangered Ecological Community' and 'unlisted' be retired being a total of 35 Ecosystem credits.

(93) Roadside Vegetation – Jones Road

Prior to the issue of the Subdivision Certificate, a row of *Acacia pendula* Weeping Myall is to be planted in the south of the Jones Road, road reserve adjoining proposed lots 412 and 413. The approved landscaping areas shall be installed to the satisfaction of Council and is to be maintained for the duration of the maintenance period including watering, weeding and replacement (where required).

(94) Biosecurity Act

Weeds including African Boxthorn and Prickly Pear are to be controlled in accordance with the Biosecurity Act 2015 and Schedule 3 of the Biosecurity Regulation 2017. Reasonable efforts to control these weeds throughout the subject site and on adjoining roadsides shall be achieved **prior to the issue of the Subdivision Certificate**.

(95) Stormwater Drainage Easements

Stormwater shall not cross property boundaries unless legally created easements in accordance with Section 88B of the Conveyancing Act are created. The location and widths of the easements are to be specified in the instrument for the purpose of protecting and identifying the stormwater drainage system. The Instrument is to be submitted to Council for approval **prior to the issue of a Subdivision Certificate**.

(96) Restriction to user

Prior to the issue of a Subdivision Certificate, a restriction to user shall be created over proposed Lot 417 in accordance with Section 88E of the Conveyancing Act. The restriction is to specify that any fence constructed over the proposed open drainage swale located along the eastern boundary of proposed Lot 417 shall ensure that the flow of stormwater through the open drainage swale is not restricted. Any fence constructed over the drainage swale is to be approved by Council and shall be permeable from the top of the swale to the bottom of the swale.

(97) Easement for Services

Prior to the issue of the Subdivision Certificate easements shall be established pursuant to Section 88B of the *Conveyancing Act 1919* where services cross property boundaries. The location and widths of the easements are to be specified in the instrument for the purpose of protecting and identifying the services.

(98) Restriction to User

Vehicular crossings to all lots created as part of the subdivision is to be constructed in accordance with the approved Construction Drawings. **Prior to the issue of a Subdivision Certificate**, a restriction to user shall be created over all lots created as of the subdivision in accordance with Section 88E of the Conveyancing Act. The restriction is to specify that vehicular crossings are to be constructed as detailed on the approved construction drawings and that only one access per lots is permitted.

(99) Restriction to User for Potable Water Main

Prior to the issue of a Subdivision Certificate a Restriction to User in accordance with Section 88E of the Conveyancing Act is to be created over proposed Lots 413, 412, 416 and 417 for the ongoing ownership and maintenance of the potable water infrastructure located within the battle-axe portion of Lots 413, 412, 416 and 417.

(100) 88B Instrument

Prior to the issue of the Subdivision Certificate, the following matters are to be reflected on the section 88B instrument for each allotment:

- (a) That buffer areas within allotments are appropriately landscaped and maintained, with a total minimum of twenty five percent (25%) of each new allotment to be planted with predominantly local native, woody vegetation.
- (b) That ground covers on lots are effectively established and maintained for the life of the development so that there are no significant areas of visible salt scalding or denudation.
- (c) Ensure that the keeping of animals including livestock is in accordance with limits set within Council Policy 'Keeping of Animals' GC-CP-703. The control and management of domestic animals within the subdivision to ensure no adverse impact to adjacent wetlands, flora and fauna, threatened species and to other persons within the subdivision.
- (d) To ensure that the development does not result in adverse accessions to groundwater.
- (e) Landowners to maintain the drainage swales and interallotment drainage systems.
- (f) Comply with any Environmental Management Plan requirements.
- (g) Grey water systems and diversion devices will not be permitted to be used on any allotment. All kitchen, laundry, toilet and bathroom waste water must be directed to reticulated sewerage.

On-Going Requirements

The following conditions or requirements must be complied with at all times, throughout the use and operation of the development.

(101) Existing native vegetation

The tree plantation located on the residue lot in the north west of the site is to be retained and incorporated into public open space or the vegetation buffer zones of residential allotments during the next stage of the development.

(102) There is to be no vehicular or pedestrian access from the proposed development to the Lake Wyangan Crown Reserve land.

Exclusion of access includes access for the development of fire trails, boat ramps, walking trails or the like. Should fire trails, asset protection zones, walking trails or similar be required, these are to be constructed entirely within the subject development site.

(103) Fenced Reserve

Only controlled access is permitted to the fenced area of aboriginal significance which is to be maintained to restrict access.

(104) Site Maintenance

The development site including the residue lot shall be maintained in a manner that meets bush fire prevention measures of the Rural Fires Act 1997 and Rural Fires Regulation 2022.

Attachment C – Advisory Notes

The following information is provided for your assistance to ensure compliance with the *Environmental Planning & Assessment Act 1979*, *Environmental Planning & Assessment Regulation 2021*, or other relevant legislation and Council's policies. This information does not form part of the conditions of development consent pursuant to Section 4.16 of the Act.

- (1) Conditions for future development applications for individual allotments
 - (a) An additional Salinity Investigation and Salinity Management Plan must be prepared as part of the development application for the construction of a dwelling and ancillary development on the subject lands. The Salinity Investigation and Salinity Management Plan must:
 - i. Be prepared by a suitably qualified geotechnical engineer or soil scientist.
 - ii. Provide details as to how the recommendations in the Salinity Investigation and Salinity Management Plan for the subdivision of the land can be implemented on each lot.
 - iii. Provide recommendations and management measures for the siting, design and construction of a dwelling and outbuildings on the lot. Management measures would include, but not be limited to:
 - Avoiding over-watering gardens and lawns.
 - Planting large native trees and shrubs in landscape areas.
 - Ensuring that water drains away from buildings and hard stand areas to avoid ponding.
 - Monitoring changes to water table levels and groundwater quality by installing piezometer ('monitoring bore') networks.
 - Establishing gardens with low water requirements.
 - Provide locations for the dwelling within the building envelope to avoid salinity hotspots.
 - Provide construction methodologies to ensure dwellings can withstand the effects of salinity.
 - (b) Salt tolerant grasses and trees should be considered for landscaping, to reduce soil erosion and to maintain the existing evapo-transpiration and groundwater levels. Reference should be made to an experienced landscape-planner or agronomist.
 - (c) No wastewater is to be generated by the swimming pool filtration system. As such, a cartridge filter or similar which does not require backwashing is to be used. If any on-site disposal of wastewater from the pool filtration system is proposed this would require a separate approval from Council.

Reason: Reuse on land in this case is not considered an acceptable option as long-term disposal of backwash water (containing a range of treatment products, such as chlorine and salts) from the filter system is likely to damage the soil.
- (2) To minimise the risk of salt damage on building materials used in construction all proposed dwellings and buildings are to comply with Council's Building in a Saline Environment booklet.
- (3) The applicant is advised that further development approval may be required should any downstream drainage works be required within Campbell's Wetland, Lot 407 DP 751743.

(4) Essential Energy

Essential Energy makes the following general comments:

- a) As part of the subdivision, an easement is created for any existing electrical infrastructure. The easement is to be created using Essential Energy's standard easement terms current at the time of registration of the plan of subdivision;
- b) If the proposed development changes, there may be potential safety risks and it is recommended that Essential Energy is consulted for further comment;
- c) Any existing encumbrances in favour of Essential Energy (or its predecessors) noted on the title of the above property should be complied with;
- d) Council should ensure that a Notification of Arrangement (confirming satisfactory arrangements have been made for the provision of power) is issued by Essential Energy with respect to all proposed lots which will form part of the subdivision, prior to Council releasing the Subdivision Certificate. It is the Applicant's responsibility to make the appropriate application with Essential Energy for the supply of electricity to the subdivision, which may include the payment of fees and contributions;
- e) In addition, Essential Energy's records indicate there is electricity infrastructure located within the property. Any activities within this location must be undertaken in accordance with the latest industry guideline currently known as *ISSC 20 Guideline for the Management of Activities within Electricity Easements and Close to Infrastructure*;
- f) Prior to carrying out any works, a "Dial Before You Dig" enquiry should be undertaken in accordance with the requirements of *Part 5E (Protection of Underground Electricity Power Lines)* of the *Electricity Supply Act 1995* (NSW);
- g) Given there is electricity infrastructure in the area, it is the responsibility of the person/s completing any works around powerlines to understand their safety responsibilities. SafeWork NSW (www.safework.nsw.gov.au) has publications that provide guidance when working close to electricity infrastructure. These include the *Code of Practice – Work near Overhead Power Lines* and *Code of Practice – Work near Underground Assets*.

Attachment D – Other Council Approvals and Consents

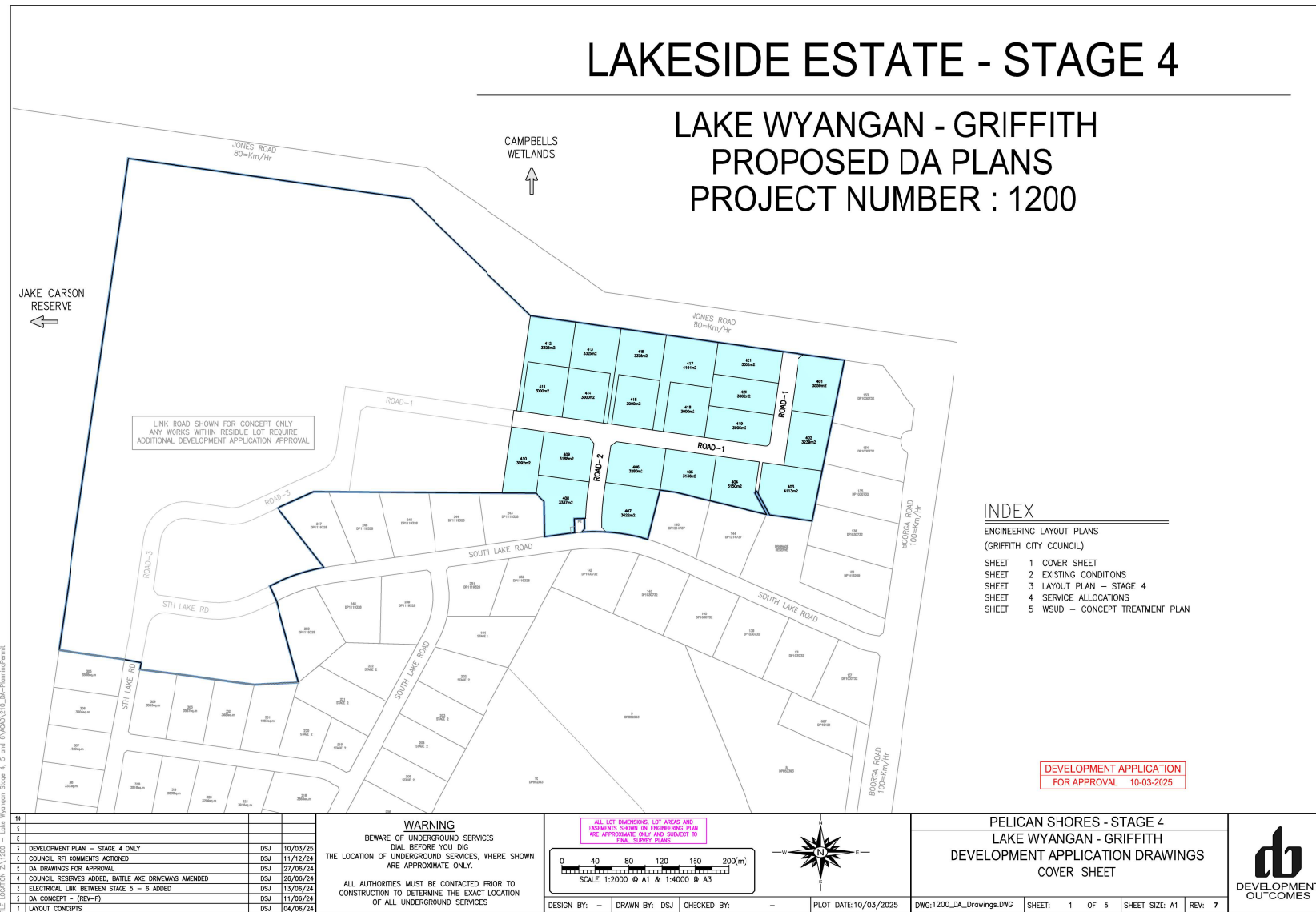
Section 68 Local Government Act 1993 Approvals

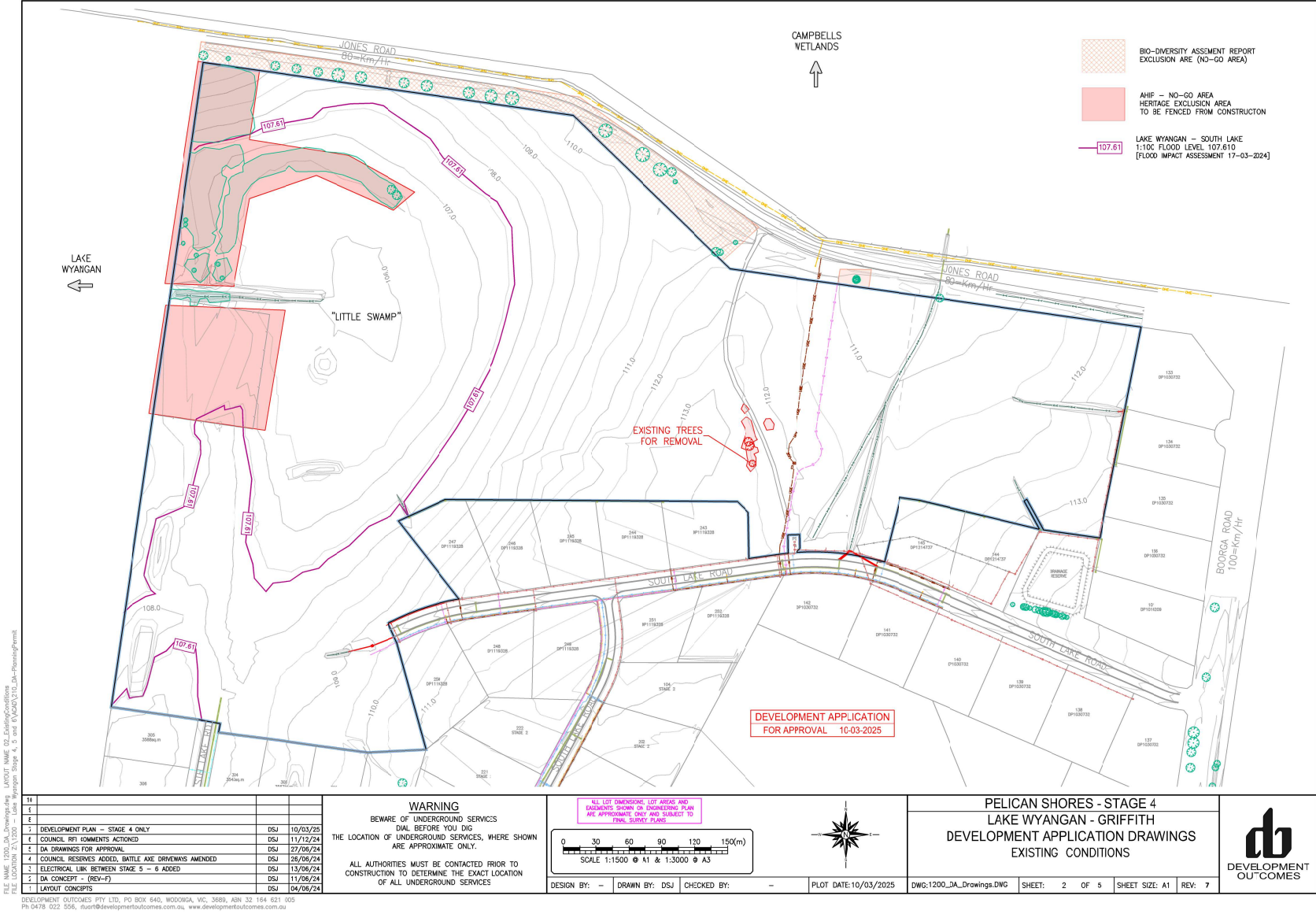
This consent includes the following approvals under Section 4.12 of the *Environmental Planning and Assessment Act 1979* and Section 68 of the *Local Government Act 1993*.

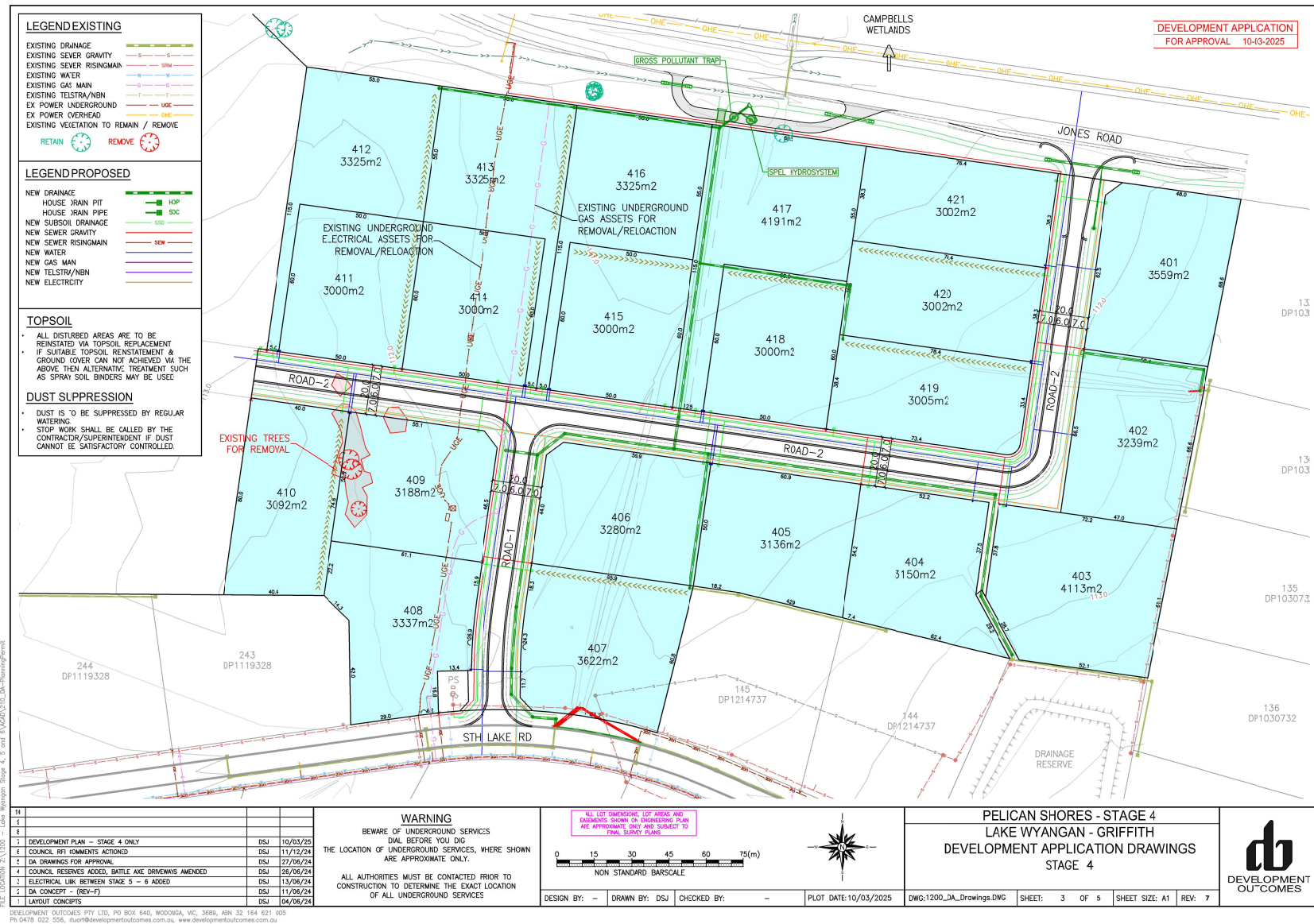
Nil

LAKESIDE ESTATE - STAGE 4

LAKE WYANGAN - GRIFFITH
PROPOSED DA PLANS
PROJECT NUMBER : 1200







Alana McGibbon

Sent: Wednesday, 31 July 2024 9:35 AM
To: GCC Admin Mailbox
Subject: Re: Proposed Development DA No. 172/2022(1) DP1214737 South Lake Drive Lake Wyangan

To whom it may concern,

I am writing in relation to the proposed development (DA 172/202 (1) at Lake Wyangan. When we originally purchased out block in 2015 the DA for the remaining blocks aligning with the blocks in this renewed submission had a significant green space running along the back of the blocks on South Lake Drive (northern side) and around the sewer substation.

This green space –

- Was proposed to be planted to trees by the developer (maintained by residents) and was there to assist in managing soil salinity levels so that the salinity didn't affect the structural integrity of our homes.
- Was to ensure that the lifestyle appeal of the blocks was enhanced by a natural vegetation break that gave a sense of privacy from blocks on the other side of the green space.
- Enhanced the "value" of our blocks both financially and in terms of livability due to the managed salinity and the natural, private setting.

I am certainly not against the development of the area in the DA, but I would like to see the original planned green spaces maintained so as not to devalue both financially and in terms of livability the value of properties we have invested in under the vision of the original DA. I feel it is unfair to devalue existing owners investments to the community against increasing the returns for new developers by squeezing blocks into every last cm of the area.

Kind regards,

MN

Freundliche Grüße / Best regards,

Mark Norbiato
Regional Sales Manager - Eastern Broadacre

////////////////////

Bayer CropScience Pty Limited
Regional Sales Manager – Eastern Broadacre

31 July 2024

To: Griffith City Council
Re: Development Application No. 172/2024 (1) for Lot 146 DP 1214737 South Lake Drive, Lake Wyangan.

Thanks for considering my submission regarding DA #172/2024.

I would like to commend the developer on keeping some of the natural wetland that is important habitat for many species, including some threatened species. Particularly for migratory birds such as the Australasian Bittern (*Botaurus poiciloptilus*) which is nationally and globally endangered.

I do also have a number of concerns and suggestions:

1. There is an easement for drainage that runs behind the current house lots 244-247. I live at Lot 247 where the easement turns to the NW then spreads out and follows the natural slope of the land towards the lowest area shown as sediment basin on the supplied maps. The drainage runs through what are shown as lots 506, 705, and possibly 706. I ask that consideration of the application ensure uninterrupted drainage from the easement behind the Lots 244-47.
2. All of Stage 7 and parts of Stages 5&6 have been under water in recent years. Water reached slightly beyond the 108m contour and was over 1.5m deep where some lots are proposed. See attached map and photos. Water has filled this area 3 times since we moved here in 2010. Lots below the 108m contour should not be developed as house lots. To reduce the danger from flooding, significant fill dirt would need to be added. This would reduce the capacity of the area to deal with flooding and may lead to flooding problems in other areas. It would be much better to increase the size of the constructed wetlands to include the areas prone to flooding.
3. Lot 506 should not be developed as mentioned above. If it is to be developed, it should be done as part of Stage 7 rather than Stage 5. Looking at the map this seems obvious. Lot 506 is crucial to the overall drainage and flood mitigation of the entire development. Particularly for the drainage easement that runs behind Lots 244-247. I ask that Lot 506 be switched to Stage 7 and not be developed until the drainage concerns have been resolved and works completed for all of Stage 7.
4. When the owners of Stage 2 Lots purchased their lots, it was with the understanding that there would be a nature strip approximately 30m wide behind Lots 243-247. There was also meant to be a connecting natural area to the west of Lot 247. These open spaces were important in the decision to purchase in the development. It was stipulated in the development application that the next stage was not to proceed until this had been completed.
5. It is good to see access to the constructed wetlands. If the wetlands are done well, it will be a strong selling point and showpiece of the development. I would like to see a bike/walking path connecting the east end of Court -2 to the south end of Road-2.

6. The sediment basin should be ceded to the city and made into a park. These were common where I grew up in California and were well used. Big ones often had soccer goals in them. The only maintenance required would mowing of the grass. Access gates were chained shut, but with enough room for people (not vehicles) to get through. Most of the time they were an open grassy park, but when big rains occurred, they doubled as a flood basin. Trees could be planted at the tops of the banks providing shade and helping to reduce salinity.

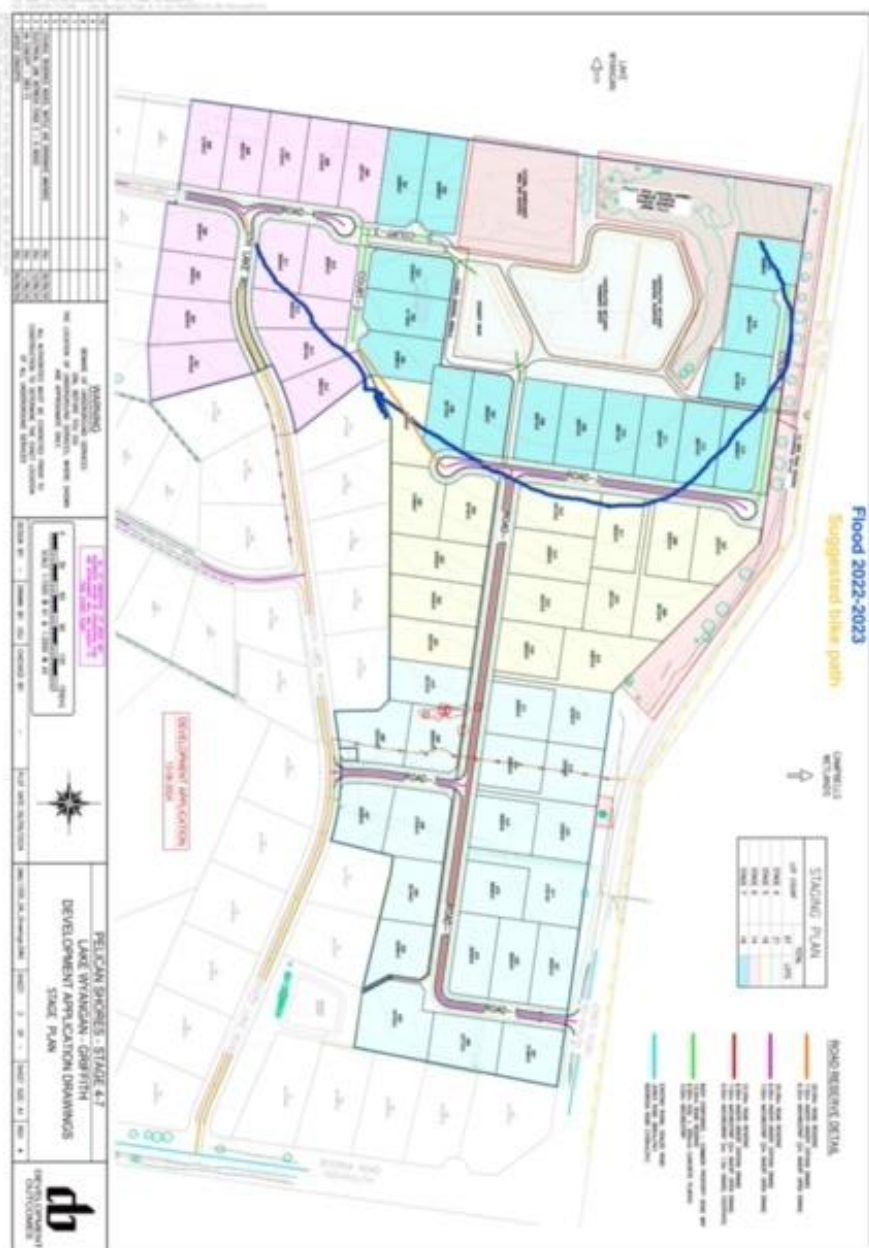
7. Stage 2 required a 10m buffer zone of native vegetation in each lot. This should be retained for the current development. It helps to lower the water table, reduces salinity, reduces summer temperatures, reduces water runoff, and provides corridors of habitat for species in this natural wetland environment.

Thank you for consideration of my submission. I am happy to be contacted by Griffith City Council or the developer if I can help to facilitate the proposed development.

Sincerely,
Rob Wepler



See attachments



Photos of 2022/2023 flood level:



Judith Pedler



31st July 2024

Re: Integrated Development Application No. 172/2022 (1) proposed for Lot 146 DP 1214737

Dear Griffith City Council and Councillors,

It is both disappointing and depressing to see yet another development plan for the Pelican Shores area that does not consider the inundations of 2012 and 2016, and most recently, 2022. Having had three (3) “one in one hundred year” events within the last fifteen years clearly indicates that the flood line needs to be drastically reassessed with regards to area in the suggested development, and perhaps other areas in the Lake Wyangan district. Our experiences of the inundations have shown consistently that the land below at least the 108-metre contour was flooded for over six (6) months each time, and in some irregular areas the land up to the 109-metre contour was saturated for extensive periods during those inundations.

The drainage easement that exists through the northern edge of the properties of 13, 15, 17, 19 and 21 South Lake Drive flows with water frequently in strong rain events, and back fills with water significantly when the area below the contour at 108 metres is inundated. Filled with water in October 2022 (Photo 2), the easement through 21 South Lake Drive did not drain fully or dry out until early February 2023. Considering this, and the vastly increased likelihood of mosquito borne disease due to standing water near our house, our household vaccinated against Japanese encephalitis that season.

There is no recognition in the proposal of the importance of this drainage easement for the drainage of storm water from the present houses. The proposed Block 506 and the proposed Block 706 lie across the easement drainage from the households on the northern side of South Lake Drive into the natural wetland and proposed created wetland (see Pelican Shores Stage 4-7 Staging Plan) . Our property would be particularly and profoundly affected by any change of the easement outflow into the wetland areas (Photos 1, 2 & 3).

From November 2022 until mid-January 2023 we could kayak on open water out through our back gate, across the proposed Stage 7 to Jones Road. In November 2022 I kayaked out and placed an aluminium stake through the water into the ground, approximately in the centre of the proposed block 506 (Photo 4) and later spray painted the water height (Photo 5). The spray paint mark is 157cm above ground (Photo 6 & 7). The area approximately encompassing the proposed blocks “behind” our house (506, 704, 705, 706 and 707) was

not free from open water until after April of 2023. Large parts of the proposed Stage 6 were also under water for months.

The whole of Stage 7, the proposed blocks in Stage 6 near Court 2, and Road 4 and the bottom of South Lake Drive and Block 506 in the proposed Stage 5 are untenable as areas to be developed for dwellings, without major land reclamation that would affect the natural drainage in to Lake Wyangan and possibly affect more present dwellings already in the neighbourhood. The known inundations and ephemeral lake formations in 2012, 2016 and 2022 occurred unexpectedly and very swiftly after rainstorms, allowing little time for evacuation or flood preparation. Houses in Stages 6 and 7 would be trapped between overflow from South Lake Wyangan, the channel draining out of the Lake Wyangan village and natural drainage from the land above the 109-metre contour. Finally, the high salinity and high sodicity of the soil in many of these proposed blocks may make engineering for dwellings prohibitively expensive.

Various parts of the proposed development are to be strongly applauded. Recognition of part of the area as having cultural significance and restricting access to that area is very important and strongly desired. Recognising the potential of the area for passive recreation through encouraging wetland development is a brilliant use. Planning pedestrian access laneways between house properties, linking the drainage areas, such as the Pelican Shores dam and with cul de sac ends and other roads or courts encourages active recreation, community engagement and enjoyment of the environment.



Photo 1: Back gate of 21 South Lake Drive, at NW corner of property. This is a panorama photo that also shows the flooded drainage easement. Photo taken 18th January 2023.



Photo 2 & 3: Drainage easement trench out of our property at NW corner of 21 South Lake Drive. October and December 2022



Photo 4 November 2022




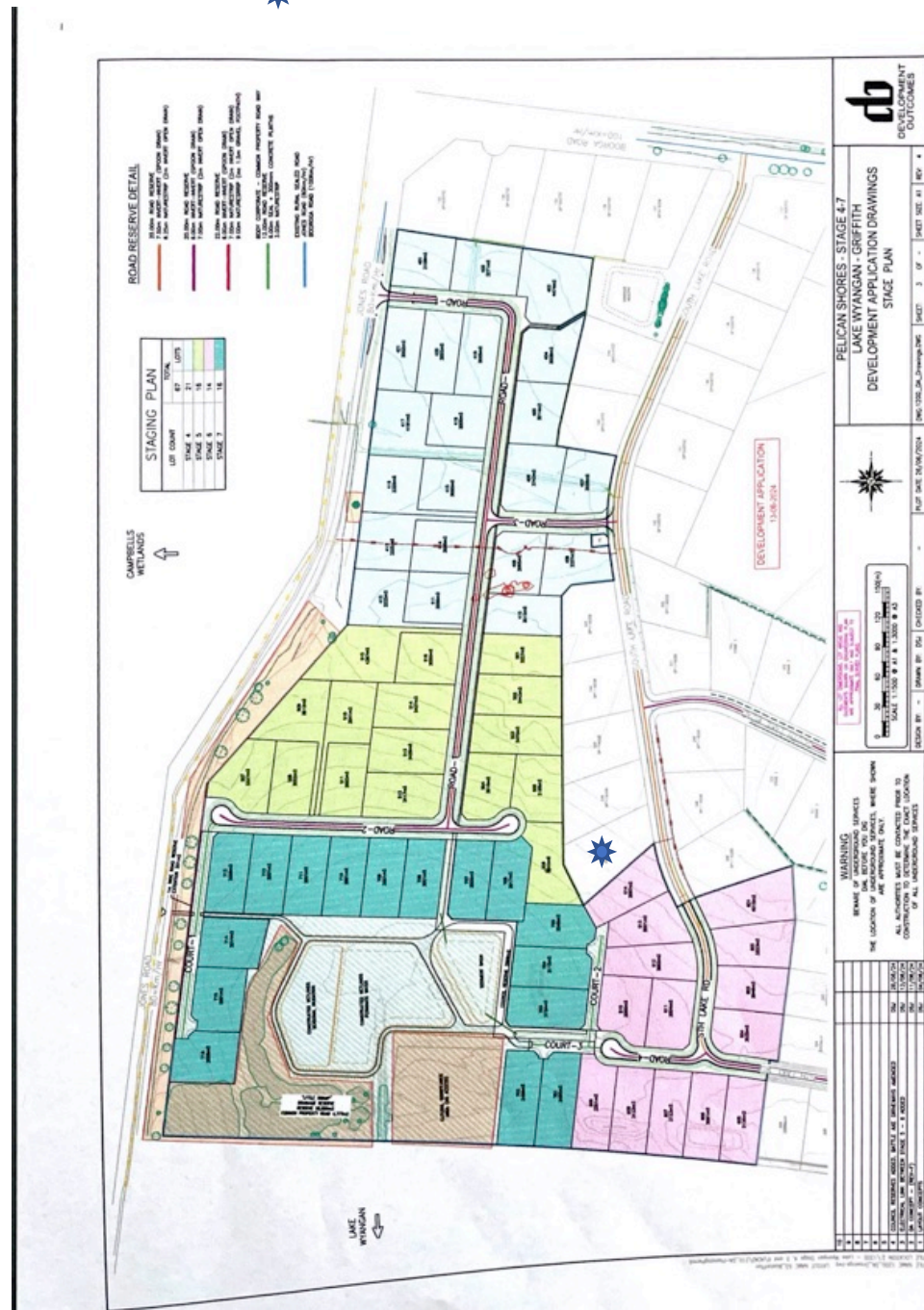
Photo 5 November 2022



Photo 6 & 7 July 2024

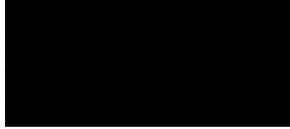


Pelican Shores Stage 4-7
21 South Lake Drive is at 



2 August 2024

Tim and Jenny Ellis



Brett Stonestreet
General Manager
Griffith City Council

Dear Mr Stonestreet,

RE: Integrated DA no 172/2022(1) on lot 146 DP 1214737

Thank you for your letter regarding DA 172/2022(1). As residents of 12 South Lake Drive, Lake Wyangan, we have four main concerns about this submission:

1. Proposed Road Placement:

- The proposed road to the east of the sewerage pump station will enter South Lake Drive directly opposite our living areas at 12 South Lake Drive, affecting our privacy and causing considerable disruption from car lights shining into our home.
- We suggest rerouting this road to the western side of the pump station to reduce the impact of lights or, preferably, retaining the land as open space according to the stage 2 landscaping plan.

2. Landscaping and Open Spaces:

- Condition 17 of the original stage 2 subdivision required landscaping associated Open Spaces before the subdivision certificate was issued. This was not done. This area should be open space as per stage 2 plans, extending behind houses 13-21 South Lake Drive.
- There is a stormwater easement at the rear of these blocks, and we believe the open spaces from stage 2 should be retained. The lack of open spaces and parklands in the current proposal needs to be addressed.

3. Increase in Lots:

- The original development limited the number of lots to about 85, while the current plan proposes over 130 lots. Condition 28 of the original DA emphasized sustainable development to prevent soil erosion, groundwater contamination, and to ensure a pleasant rural residential amenity. Condition 3 required 50% of the site to have woody vegetation.
- We are concerned about the impact of increased lots on nutrient-rich runoff into South Lake, which has previously contributed to blue-green algae, affecting lake usage and the lifestyle of the Griffith Community.
- The increase in lots and roads will also affect flood-prone areas, as evident from the 22/23 floods that encroached on many of the proposed and existing lots.

4. Ingress and Egress:

- The original plan included ingress and egress traffic access to Jones Road, which seems to be removed in the proposed plan, leaving only one ingress and egress for the entire estate.
- We are concerned about the impact on traffic on South Lake Drive and the exit onto Boorga Road, especially considering the increase in lots. Additionally, in case of a fire, having only one ingress/egress is a safety concern.

In summary, our concerns are the increase in the number of proposed lots, lack of open green spaces, positioning and increase of roads, single ingress/egress, potential increase in nutrient-rich runoff leading to more algae in the lakes, and increased flooding risk impacting many proposed and existing lots, particularly at 19 and 21 South Lake Drive.

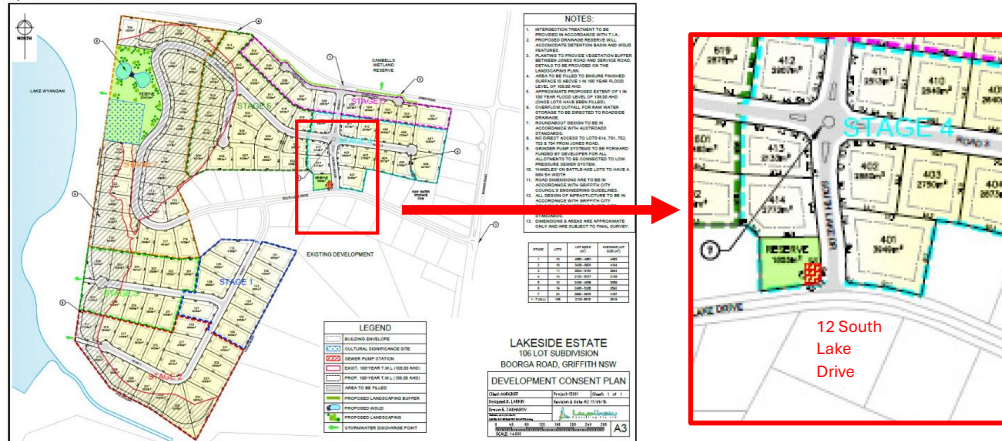
While the proposed DA may meet rural residential guidelines, the environmental concerns raised by the council in the original DA remain valid. The recent flooding and increase of blue-green algae in the lakes underscore the importance of the original development restrictions. We ask that similar considerations be applied to the proposed DA.

Sincerely,

Tim and Jenny Ellis

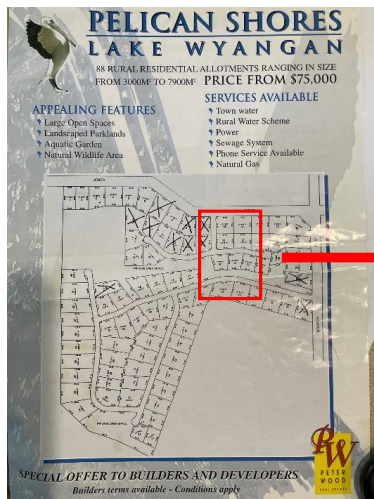
Proposed Road Opposite 12 South Lake Drive, Lake Wyangan

1.2 Development Consent Plan



Peter Meredith Consulting
Traffic Impact Assessment Lakeside Estate, Residential Subdivision, Boorga Road, Griffith NSW.

Original Design for Pelican Shores. 12 South Lake Drive was bought and developed in 2002 with the understanding that one day they would see the back fence of a house with green space in front. At no time was a road considered to be directed straight at their house.





The proposed road would mean headlights would be directed straight towards the living areas of 12 South Lake Drive.



The current dirt road leading from Jones Rd to South Lake Drive (which matches the original plan) is on the Western (lake side) side of the Sewer Pump Station. There would be negligible disturbance to both 12 and 14 Southlake Drive.

Pelican Shores Residents Association Inc.
PO Box 1600 GRIFFITH, NSW 2680



2nd August 2024

Griffith City Council

Att: Joanne Tarbit

RE: DA 172/2022 (1) Proposed development on Lot 146 DP 1214737

To Whom It May Concern,

We write on behalf of the 23 members of the Residents Association and forward consideration of the below for the proposed DA. The Association is excited and supportive of all proposed neighbouring development to the adjoining lots and look forward to the completion of the entire estate that has the opportunity to be a premier destination for families searching for opportunities to engage in a larger lot lifestyle choices.

The observations presented are a combination of thought for the sustainable development of the site and lifestyle aspect that can be created in the estate. Other thoughts are raised from knowledge in living in the area, various impacts on existing properties and previous unfulfilled conditions of DA consents over the years. It is the ambition of the Association to gain a full understanding to work in a proactive and mutually beneficial outcome for existing residents, developers and future landowners of the estate.

We draw consideration to the following areas of "objection" in the proposed plans;

- a) Existing properties 3 -5 and 13-21 as per the provided map, are subject to an existing drainage easement within the boundaries of these lots. Do the current design plans intend on utilising this service, if so, will it be piped? The question is raised given the flood events most recently in 2022 that had seen very high levels of flood water fill the swamp and back fill the existing drainage infrastructure in the existing properties and neighbouring vacant land to 21 Southlake Drive. The proposed number of lots, buildings and hard surfacing would be a concern on capacity for this existing service and the swamp itself.
- b) Existing DA consents had seen the requirement to beautification works to be completed to the entrance of the estate on South Lake Drive, a condition of stage 2 completion originally, in particular the "Dam" lot. Previous conditions of DA's include the requirement of parks, park equipment and green space in the subdivision plans that do not appear to be included in the proposed plans.
- c) Existing DA conditions included the requirement of green space and buffer zones to the rear of properties 3-5 and 13-21. Historic landowner's decision to purchase originally were heavily influenced by this condition. Would this be an area where green space could still be achieved and perhaps be a service area for new and required infrastructure for the subdivision as well as make good on previous DA conditions. Original design and DA consent plans had indicated no neighbouring lots to these boundaries and the green space allowing this to be achieved. 13 South Lake Drive originally had no neighbouring lots adjoining either

Pelican Shores Residents Association Inc.
PO Box 1600 GRIFFITH, NSW 2680



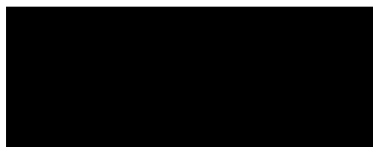
- boundary, currently vacant space. 21 South Lake Drive – Land to the east of this lot was originally identified to be green space given the low-lying levels of the land.
- d) Given likely expansion of the entire subdivision to be in excess of 100 lots when completed – it is the Associations opinion that consideration to green space and parks for lifestyle purposes should be a consideration of the Developers and Council. This will further align in delivering the lifestyle aspects expected by most in a modern subdivision design and ultimately choosing the location as a desired place to build homes.
 - e) Given the likely chance of families with school aged children considering the location, there does not appear to be consideration for services such as School buses or public transport stops in any design – could a consideration perhaps be included on the space currently owned by the Association on the Dam block? Currently children are required to wait on the roadside of Boorga Road. Increasing residential blocks will increase traffic further highlighting the safety issues with crossing main roads to utilise public services as well as having a suitable location for transport services to stop and allow passengers on and off a vehicle.
 - f) Ongoing vacant land management – There has been very little to no ongoing management of the subject site that has now seen it develop into thick scrub, weeds and potentially a fire danger in the warmer months. Is there a plan or condition attached to the need of maintaining this space on an ongoing basis?

On behalf of the Association, we ask that consideration in design, green space and practical lifestyle solutions be addressed in the process for approval of the proposed DA and also highlight the questions in relation to maintaining the sustainability of the area on both an environmental and lifestyle level.

On behalf of Pelican Shores Residents Association

Angelo Cirillo

President



2nd August 2024

Griffith City Council

Att: Joanne Tarbit

RE: DA 172/2022 (1) Proposed development on Lot 146 DP 1214737

To Whom It May Concern,

I am a neighbour to the proposed subdivision, my residential address is 17 South Lake Drive, Lake Wyangan.

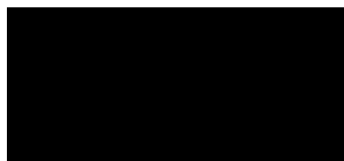
We support the potential subdivision, I am excited to see the area become established and potentially be one of the city's premier lifestyle residential areas. Whilst I do not object to the subdivision, I do have areas of concern in the planning designs provided based on historic DA consents granted at the time of my purchase of the property.

We draw consideration to the following areas of "objection" in the proposed plans;

- a) Our lot is subject to an existing drainage easement within the boundaries of these lots. Do the current design plans intend on utilising this service, if so, will it be piped? The question is raised given the flood events most recently in 2022 that had seen very high levels of flood water fill the swamp and back fill the existing drainage infrastructure in the existing properties and neighbouring vacant land to 21 Southlake Drive. The proposed number of lots, buildings and hard surfacing would be a concern on capacity for this existing service and the swamp itself.
- b) Existing DA conditions included the requirement of green space and buffer zones to the rear of properties 3-5 and 13-21. Our decision to purchase the property at the time was influenced by the DA conditions and this design plan at the time.
- c) Given the likely chance of families with school aged children considering the location, there does not appear to be consideration for services such as School buses or public transport stops in any design.
- d) Ongoing vacant land management – There has been very little to no ongoing management of the subject site that has now seen it develop into thick scrub, weeds and potentially a fire danger in the warmer months. Is there a plan or condition attached to the need of maintaining this space on an ongoing basis?

Thank you for your consideration.

Angelo Cirillo



2 August 2024

Tim and Jenny Ellis



Brett Stonestreet
General Manager
Griffith City Council

Dear Mr Stonestreet,

RE: Integrated DA no 172/2022(1) on lot 146 DP 1214737

Thank you for your letter regarding DA 172/2022(1). As residents of 12 South Lake Drive, Lake Wyangan, we have three main concerns about this submission:

1. Proposed Road Placement:

- The proposed road to the east of the sewerage pump station will enter South Lake Drive directly opposite our living areas at 12 South Lake Drive, affecting our privacy and causing considerable disruption from car lights shining into our home.
- We suggest rerouting this road to the western side of the pump station to reduce the impact of lights or, preferably, retaining the land as open space according to the stage 2 landscaping plan.

2. Landscaping and Open Spaces:

- Condition 17 of the original stage 2 subdivision required landscaping associated Open Spaces before the subdivision certificate was issued. This was not done. This area should be open space as per stage 2 plans, extending behind houses 13-21 South Lake Drive.
- There is a stormwater easement at the rear of these blocks, and we believe the open spaces from stage 2 should be retained. The lack of open spaces and parklands in the current proposal needs to be addressed.

3. Increase in Lots:

- The original development limited the number of lots to about 85, while the current plan proposes a grand total of over 130 lots. Condition 28 of the original DA emphasized sustainable development to prevent soil erosion, groundwater contamination, and to ensure a pleasant rural residential amenity. Condition 3 required 50% of the site to have woody vegetation.
- We are concerned about the impact of increased lots on nutrient-rich runoff into South Lake, which has previously contributed to blue-green algae, affecting lake usage and the lifestyle of the Griffith Community.
- The increase in lots and roads will also affect flood-prone areas, as evident from the 22/23 floods that encroached on many of the proposed and existing lots.

In summary, our concerns are the increase in the number of proposed lots, lack of open green spaces, positioning and increase of roads, potential increase in nutrient-rich runoff leading to more algae in the lakes, and increased flooding risk impacting many proposed and existing lots, particularly at 19 and 21 South Lake Drive.

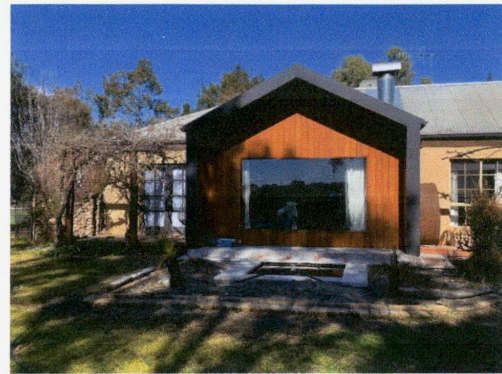
While the proposed DA may meet rural residential guidelines, the environmental concerns raised by the council in the original DA remain valid. The recent flooding and increase of blue-green algae in the lakes underscore the importance of the original development restrictions. We ask that similar considerations be applied to the proposed DA.

Sincerely,

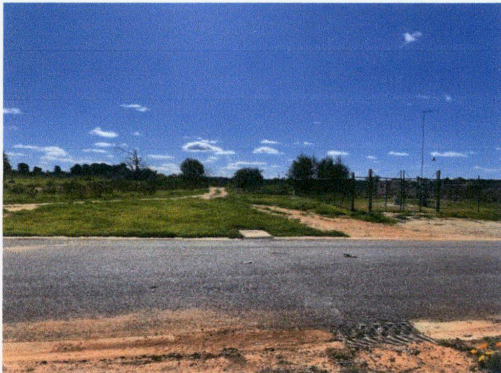


Tim and Jenny Ellis



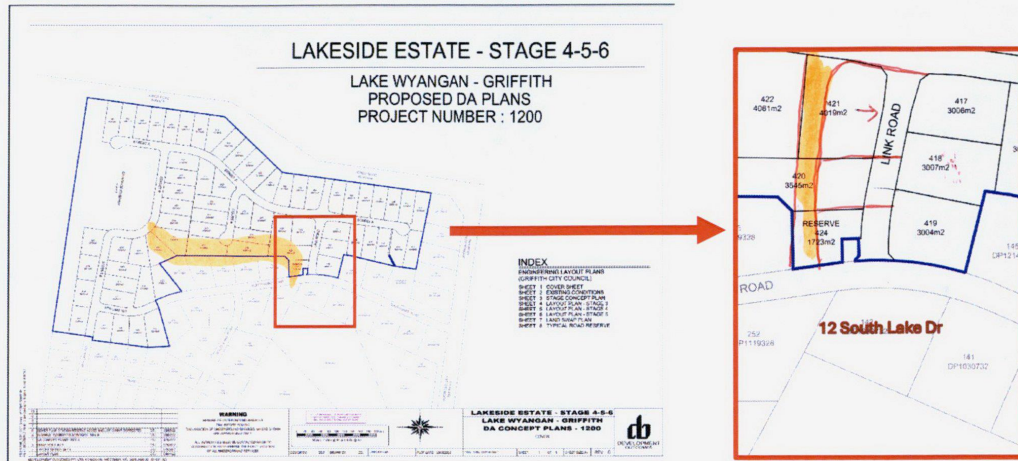


The proposed road would mean headlights would be directed straight towards the living areas of 12 South Lake Drive.

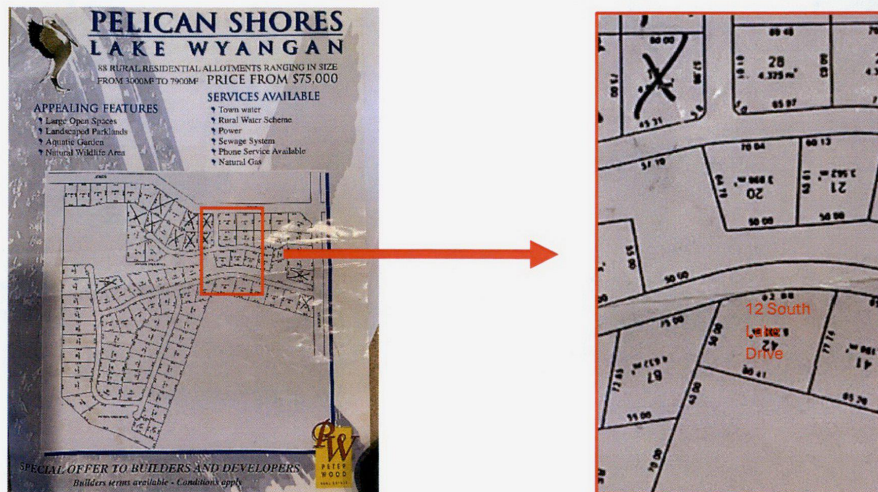


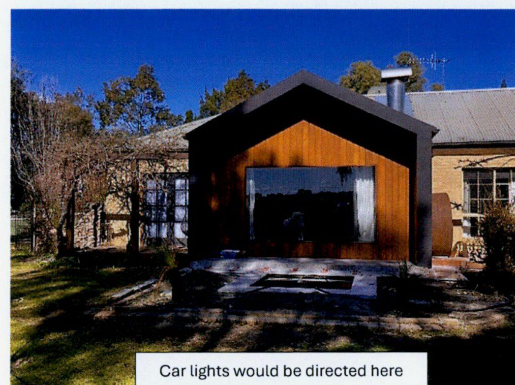
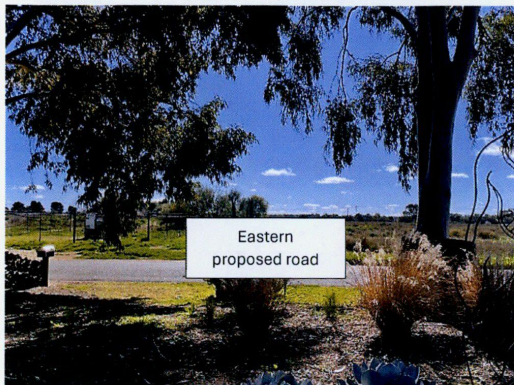
The current dirt road leading from Jones Rd to South Lake Drive (which matches the original plan) is on the Western (lake side) side of the Sewer Pump Station. There would be negligible disturbance to both 12 and 14 Southlake Drive.

Proposed Road Opposite 12 South Lake Drive, Lake Wyangan

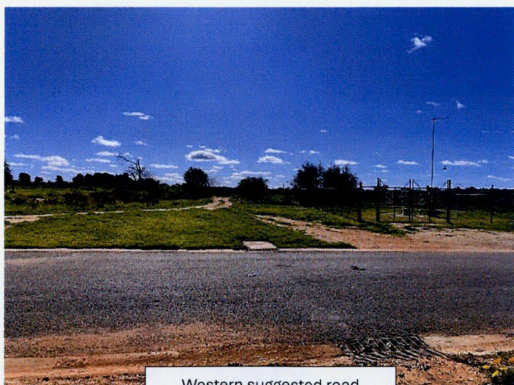


Original Design for Pelican Shores. 12 South Lake Drive was bought and developed in 2002 with the understanding that one day they would see the back fence of a house with green space in front. At no time was a road considered to be directed straight at their house.





The proposed road would mean headlights would be directed straight towards the living areas of 12 South Lake Drive.



The current dirt road leading from Jones Rd to South Lake Drive (which is similar to the original plan) is on the Western (lake side) side of the Sewer Pump Station. There would be negligible disturbance to both 12 and 14 Southlake Drive.



FORM

TRIM 14/14677

(SD-FO-212) POLITICAL DONATIONS AND GIFTS DISCLOSURE STATEMENT

Office use only:

Development Application No.

Date Received: 2 / 8 / 2024172 / 2022 (1)

PPIA DISCLAIMER – The personal information provided on this form is collected by Griffith City Council for the purposes of processing this application by Council employees and other authorized persons. This form will be stored within Council's record management system and may be available for public access and/or disclosure under various NSW Government legislation.

This form may be used to make a political donations and gifts disclosure under section 10.4 of the *Environmental Planning Assessment Act 1979* for applications or public submissions to a council.

Please read the following information before filling out the Disclosure Statement on pages 3 and 4 of this form. Also refer to the 'Glossary of terms' provided overleaf (for definitions of terms in *italics* below).

Once completed, please attach the completed declaration to your planning application or submission.

Explanatory information

Making a planning application to a council

Under section 10.4 of the Environmental Planning and Assessment Act 1979 ('the Act') a person who makes a *relevant planning application* to a council is required to disclose the following *reportable political donations and gifts* (if any) made by any *person with a financial interest* in the application within the period commencing 2 years before the application is made and ending when the application is determined:

- (a) all reportable political donations made to any local councillor of that council
- (b) all gifts made to any local councillor or employee of that council.

Making a public submission to a council

Under section 10.4 of the Act a person who makes a *relevant public submission* to a council in relation to a relevant planning application made to the council is required to disclose the following reportable political donations and gifts (if any) made by the person making the submission or any *associate of that person* within the period commencing 2 years before the submission is made and ending when the application is determined:

- (a) all reportable political donations made to any local councillor of that council
- (b) all gifts made to any local councillor or employee of that council.

A reference in sections 10.4 of the Act to a reportable political donation made to a 'local councillor' includes a reference to a donation made at the time the person was a candidate for election to the council.

How and when do you make a disclosure?

The disclosure of a reportable political donation or gift under section 10.4 of the Act is to be made:

- (a) in, or in a statement accompanying, the relevant planning application or submission if the donation or gift is made before the application or submission is made, or
- (b) if the donation or gift is made afterwards, in a statement of the person to whom the relevant planning application or submission was made within 7 days after the donation or gift is made.

What information needs to be in a disclosure?

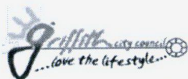
The information requirements of the disclosure are outlined in the Act under section 10.4 for political donations and gifts.

Pages 3 and 4 of this document include a Disclosure Statement Template which outlines the relevant information requirements for disclosures to a council.

Note: A separate Disclosure Statement Template is available for disclosures to the Minister or the Director-General of the Department of Planning.

Warning: A person is guilty of an offence under section 9.37 of the *Environmental Planning and Assessment Act 1979* in connection with the obligations under section 10.4 only if the person fails to make a disclosure of a political donation or gift in accordance with section 10.4 that the person knows, or ought reasonably to know, was made and is required to be disclosed under section 10.4. The maximum penalty for any such offence is the maximum penalty under Part 6 of the *Election Funding and Disclosures Act 1981* for making a false declaration of disclosures lodged under that Part. Note: The maximum penalty is currently 200 penalty units (currently \$22,000) or imprisonment for 12 months, or both.

Approved: Coordinator Planning and Compliance	Group / System: Sustainable Development	Document ID: SD-FO-212	Version: 2
Relevant To:	Date Issued: 31 Jan 2011	Revised: 12 Nov 2020	Status: Approved
			Page: 1 of 4



FORM

(SD-FO-212) POLITICAL DONATIONS AND GIFTS DISCLOSURE STATEMENT

Glossary of terms (under section 10.4 of the *Environmental Planning and Assessment Act 1979*)

gift means a gift within the meaning of Part 6 of the *Election Funding and Disclosures Act 1981*. Note. A gift includes a gift of money or the provision of any other valuable thing or service for no consideration or inadequate consideration.

Note: Under section 84(1) of the *Election Funding and Disclosures Act 1981* gift is defined as follows:

gift means any disposition of property made by a person to another person, otherwise than by will, being a disposition made without consideration in money or money's worth or with inadequate consideration, and includes the provision of a service (other than volunteer labour) for no consideration or for inadequate consideration.

local councillor means a councillor (including the mayor) of the council of a local government area.

relevant planning application means:

- a) a formal request to the Minister, a council or the Director-General to initiate the making of an environmental planning instrument or development control plan in relation to development on a particular site, or
 - b) a formal request to the Minister or the Director-General for development on a particular site to be made State significant development or declared a project to which Part 3A applies, or
 - c) an application for approval of a concept plan or project under Part 3A (or for the modification of a concept plan or of the approval for a project), or
 - d) an application for development consent under Part 4 (or for the modification of a development consent), or
 - e) any other application or request under or for the purposes of this Act that is prescribed by the regulations as a relevant planning application,
- but does not include:
- f) an application for (or for the modification of) a complying development certificate, or
 - g) an application or request made by a public authority on its own behalf or made on behalf of a public authority, or
 - h) any other application or request that is excluded from this definition by the regulations.

relevant period is the period commencing 2 years before the application or submission is made and ending when the application is determined.

relevant public submission means a written submission made by a person objecting to or supporting a relevant planning application or any development that would be authorised by the granting of the application.

reportable political donation means a reportable political donation within the meaning of Part 6 of the *Election Funding and Disclosures Act 1981* that is required to be disclosed under that Part. Note. Reportable political donations include those of or above \$1,000.

Note: Under section 86 of the *Election Funding and Disclosures Act 1981* reportable political donation is defined as follows:

86 Meaning of "reportable political donation"

- (1) For the purposes of this Act, a reportable political donation is:
 - (a) in the case of disclosures under this Part by a party, elected member, group or candidate—a political donation of or exceeding \$1,000 made to or for the benefit of the party, elected member, group or candidate, or
 - (b) in the case of disclosures under this Part by a major political donor—a political donation of or exceeding \$1,000:
 - (i) made by the major political donor to or for the benefit of a party, elected member, group or candidate, or
 - (ii) made to the major political donor.
- (2) A political donation of less than an amount specified in subsection (1) made by an entity or other person is to be treated as a reportable political donation if that and other separate political donations made by that entity or other person to the same party, elected member, group, candidate or person within the same financial year (ending 30 June) would, if aggregated, constitute a reportable political donation under subsection (1).
- (3) A political donation of less than an amount specified in subsection (1) made by an entity or other person to a party is to be treated as a reportable political donation if that and other separate political donations made by that entity or person to an associated party within the same financial year (ending 30 June) would, if aggregated, constitute a reportable political donation under subsection (1). This subsection does not apply in connection with disclosures of political donations by parties.
- (4) For the purposes of subsection (3), parties are associated parties if endorsed candidates of both parties were included in the same group in the last periodic Council election or are to be included in the same group in the next periodic Council election.

a person has a financial interest in a relevant planning application if:

- a) the person is the applicant or the person on whose behalf the application is made, or
- b) the person is an owner of the site to which the application relates or has entered into an agreement to acquire the site or any part of it, or
- c) the person is associated with a person referred to in paragraph (a) or (b) and is likely to obtain a financial gain if development that would be authorised by the application is authorised or carried out (other than a gain merely as a shareholder in a company listed on a stock exchange), or
- d) the person has any other interest relating to the application, the site or the owner of the site that is prescribed by the regulations.

persons are associated with each other if:

- a) they carry on a business together in connection with the relevant planning application (in the case of the making of any such application) or they carry on a business together that may be affected by the granting of the application (in the case of a relevant planning submission), or
- b) they are related bodies corporate under the *Corporations Act 2001* of the Commonwealth, or
- c) one is a director of a corporation and the other is any such related corporation or a director of any such related corporation, or
- d) they have any other relationship prescribed by the regulations

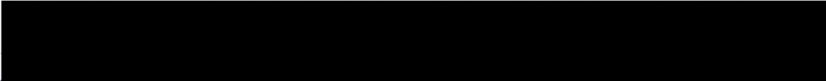
Approved: Coordinator Planning and Compliance	Group / System: Sustainable Development	Document ID: SD-FO-212	Version: 2
Relevant To:	Date issued: 31 Jan 2011	Revised: 1 Mar 2018	Status: Approved
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FORM

(SD-FO-212) POLITICAL DONATIONS AND GIFTS DISCLOSURE STATEMENT

If you are required under section 10.4 of the Environmental Planning and Assessment Act 1979 to disclose any political donations or gifts (see page 1 for details), please fill in this form and sign below.

Disclosure Statement Details					
Name of person making this disclosure statement <i>Tim & Jenny Ellis</i>			Planning application reference (e.g. DA number, planning application title or reference, property address or other description) <i>DA 172/2022(1)</i>		
Person's interest in the application (circle relevant option below)					
You are the APPLICANT YES / NO OR You are a PERSON MAKING A SUBMISSION IN RELATION TO AN APPLICATION YES / NO					
Reportable political donations or gifts made by person making this declaration or by other relevant persons					
<p>* State below any reportable political donations or gifts you have made over the 'relevant period' (see glossary on page 2). If the donation or gift was made by an entity (and not by you as an individual) include Australian Business Number (ABN).</p> <p>* If you are the applicant of a planning application state below any reportable political donations or gifts that you know, or ought reasonably to know, were made by any persons with a financial interest in the planning application, OR</p> <p>* If you are a person making a submission in relation to an application, state below any reportable political donations or gifts that you know, or ought reasonably to know, were made by an associate.</p>					
Donation or gift?	Name of donor (or ABN if an entity); or name of person who made the gift	Donor's residential address or entity's registered address or other official office of the donor; address of person who the made the gift or entity's address	Name of party or person for whose benefit the donation was made; or person to whom the gift was made	Date donation or gift was made	Amount/ value of donation or gift
<i>-</i>	<i>0</i>				
<i>-</i>	<i>0</i>				
<i>-</i>	<i>0</i>				
Please list all reportable political donations and gifts—additional space is provided overleaf if required.					
By signing below, I/we hereby declare that all information contained within this statement is accurate at the time of signing.					
Signature(s) and Date 					
Name(s) <i>Timothy Ellis & Jenny Ellis</i>					

Approved: Coordinator Planning and Compliance	Group / System: Sustainable Development	Document ID: SD-FO-212	Version: 2
Relevant To:	Date Issued: 31 Jan 2011	Revised: 1 Mar 2018	Status: Approved
			Page: 3 of 4



FORM

(SD-FO-212) POLITICAL DONATIONS AND GIFTS DISCLOSURE STATEMENT

Donation or gift?	Name of donor (or ABN if an entity); or name of person who made the gift	Donor's residential address or entity's registered address or other official office of the donor; address of person who the made the gift or entity's address	Name of party or person for whose benefit the donation was made; or person to whom the gift was made	Date donation or gift was made	Amount/ value of donation or gift

Approved: Coordinator Planning and Compliance	Group / System: Sustainable Development	Document ID: SD-FO-212	Version: 2
Relevant To:	Date Issued: 31 Jan 2011 Revised: 1 Mar 2018	Status: Approved	Page: 4 of 4

17 December 2023

Griffith City Council
1 Benerembah Street
Griffith NSW 2680

Attention: Joanne Tarbit, Development Assessment Planner

Via Planning Portal

Dear Joanne,

**Re: Response to Submissions Received
Development Application No. 172/2022 – Residential Subdivision
Lot 146 DP1214737 South Lake Drive, Lake Wyangan**

Habitat Planning continues to act on behalf of LWLE Pty Ltd in relation to Development Application No. 172/2022 for a proposed 67 lot staged residential subdivision at Lot 146, DP1214737 and addressed as South Lake Drive, Lake Wyangan.

The purpose of this letter is to respond to Council's previous requests for further information, as well as to provide a response to the issues raised during public notification.

Accompanying this response are amended plans and relevant technical sub-consultant reports.

Below is a summary of the key issues raised by Council and submitters and a response/s addressing each of these items.

1. Further Information Request Response

Table 1 | Further Information Response

Council Item	Response
1. Preliminary engineering design drawings for the subdivision including but is not limited to the preliminary design for potable water, stormwater and sewer.	Functional layout plans have been included for each stage showing applicable servicing. Service allocations have also been included. We note that Essential Energy has now adopted a standard 1.0m electrical offset for all of NSW
2. All properties draining into the proposed constructed wetland are to be part of the neighborhood association as they will all benefit and subsequently incur costs in relation to the maintenance such as cleaning of the sediment basin. An amended site plan indicating all lots draining to the basin is required. Where lots drain to the road reserve and/or inter-allotment drainage and this drainage then enters the wetland, these lots should also be included in the association	See separate response in relation to Community Title Subdivision.

T. 02 6021 0662 habitat@habitatplanning.com.au 409 Kiewa Street, Albury NSW 2640

<p>3. Preliminary design for the constructed wetland should include various zones in the main wetland such as the inlet pool, macrophyte zone and outlet pool and a high flow bypass. A preliminary design of the system including volumes of each basin, a cross section(s), location and depths of channels and suggested planting list is required.</p>	<p>Additional detail has been added for Little Swamp Constructed Wetlands.</p> <p>Plantings and vegetation comprise species outlined in Appendix A – Suggested Plant Species of Melbourne Water's Water Sensitive Urban Design Guideline.</p>
<p>4. Since the application was submitted, bushfire prone land mapping has changed and some of the site is now mapped as bushfire prone land buffer. Council requires consideration of the matter in terms of impact to the subdivision in the form of a Bushfire Assessment Report by a suitably qualified person.</p>	<p>See enclosed Bushfire Risk Assessment report.</p> <p>In summary, the development will require the establishment of a 10 metre wide Asset Protection Zone (APZ) along the northern and western boundaries of the site.</p>
<p>5. Water being directed from Stage 4 (inclusive of existing drainage from the site) to Campbell's Swamp will require pre-treatment to improve storm water quality prior to leaving the site.</p>	<p>It is clarified that water treatment measures have only been calculated in relation to the Stage 4, 5 and 6 catchment areas.</p> <p>Requests to also include existing drainage from the site as part of Stages 1, 2 and 3 are acknowledged, however we do not believe that water treatment methods for these stages should be addressed as part of the current application as they were addressed in previous approvals for the site.</p> <p>Stormwater run-off from Stage 4 of the proposed subdivision will be pre-treated prior to entering Campbell's Swamp.</p> <p>Specifically, this will be treated via a Spel Hydrosystem solution. This will ensure that water quality is maintained prior to entering this waterway.</p>
<p>6. Detailed plans for the treatment of stormwater from each catchment will be required prior to the Civil Works Construction Approval for each relevant stage, but type of treatment and basic details are required as preliminary plans for assessment (e.g. location of pipes, swales, basins, tanks). Note this could include MUSIC or other water sensitive urban design modelling.</p>	<p>Included with this further information response letter are detailed engineering plans identifying proposed stormwater treatment systems.</p> <p>Specifically, this includes water sensitive urban design techniques including the use of a hydrospeel system in Stage 4, as well as the construction of a wetland drainage basin as part of Stages 5-7.</p> <p>The estimated wetland areas have been calculated for treatment of each complete catchment area.</p>

	This will ensure that water leaving the site into nearby receiving bodies has been treated.
<p>7. The BMT Flood Impact Assessment Report for lot 146 South Lake Drive submitted on 28 June 2024, is based from the 2013 Lake Wyangan Flood Study. Confirmation is required as to the assumed lake water level, for both the pre and post development calculations for the modelled storm events as this is not stated in the report. The model has only been updated to compare predevelopment works and post development works. Although the conclusion of the report details that the development will have negligible impact on flood water behaviour, and the proposed floor levels are to be 500mm above the 1%AEP. This is based on the 2012 / 2013 flood study lakes initial water levels detailed below.</p>	<p>Matters regarding flooding are acknowledged and agreed.</p> <p>In order to achieve the relevant flood level, the enclosed set of plans do not include an earthworks level as this will be determined and applied once the latest flood study has been completed.</p> <p>Given the timeframe to complete this Study, it is requested that a minimum earthworks/ finished floor level be required as a condition either prior to the issue of a Construction Certificate, or as a Deferred Commencement condition.</p>
<p>8. With regards to the proposed staging of the subdivision whereby stages which drain to 'Little Swamp' are proposed to be released prior to the constructed wetland being developed, detailed plans for sedimentation and erosion control measures will be required prior to the Civil Works Construction Approval for each relevant stage. A robust system is to be implemented due to the potential for future stages to be delayed.</p>	<p>It is confirmed that the proposed wetland will be constructed as part of the initial stage of the subdivision.</p> <p>Appropriate sediment and erosion control measures will be implemented accordingly as part of each subsequent stage.</p>
<p>9. The proposed constructed wetland and surrounding land is not to be dedicated to Council. Community title subdivision appears to be the best way to manage the area with the greatest number of lots to be included to reduce costs per lot. If only the Stage 7 lots are to be included in the community title, details of how drainage from the stage 5 and 6 lots are going to work? We are aware that other existing lots will also drain into 'Little Swamp' via existing inter-allotment drainage and/or the road network, noting that it is not possible to include these lots in the proposed community title.</p>	<p>See separate response in relation to Community Title Subdivision.</p>

2. Response to Submissions Received

Table 2 | Response to Submissions Received

Issue Raised	Response
<p>Public Open Space</p> <p><i>Previous subdivision plans identified significant green space/public open space running along the rear of the lots fronting South Lake Drive.</i></p> <p><i>This public open space was to achieve a number of outcomes:</i></p> <ol style="list-style-type: none"> <i>1. Address ongoing issues regarding soil salinity;</i> <i>2. Provide a vegetated break and ensure privacy between individual allotments</i> <i>3. Enhance the liveability and value of blocks</i> 	<p>Matters regarding public open space have been considered and have informed the current subdivision design.</p> <p>Specifically, the development incorporates a very large public open space area of 5.8 hectares in the north western corner of the site, which is consistent with the requirements of Condition C(2) of the previous Development Consent issued for the site (Ref No. 286/2016(1)).</p> <p>This reserve achieves a number of outcomes, including stormwater drainage, flood storage, passive open space, as well as the protection of areas of both biodiversity and cultural heritage significance.</p> <p>As per Council's request, this reserve will form part of the Neighbourhood Association of the Community Title subdivision but will be required to be made publicly accessible to all other residents living within this estate.</p> <p>The applicant had previously requested that this reserve be transferred to Council consistent with similar drainage infrastructure associated with other urban subdivisions.</p> <p>Should Council change its mind, then this reserve could be made publicly available following the completion of relevant maintenance periods. Furthermore, the applicant is willing to embellish this open space area with playground equipment or the like, should the land be publicly owned.</p> <p>Lastly, matters regarding the need for a vegetated/landscaped buffer between existing and proposed future residents are acknowledged, but are considered not necessary in this instance due to the size of the proposed lots (3,000m²), as well as the fact that each allotment is to provide a 10 metre wide landscaped buffer around the perimeter of its site.</p> <p>Consequently, this will result in a 20 metre wide vegetated buffer between residents, which will effectively screen and soften the development.</p>
<p>Stormwater Drainage easement</p> <p><i>The proposed subdivision will disrupt existing drainage arrangements for Lots 244-247 fronting South Lake Road</i></p>	<p>The proposed subdivision has incorporated all relevant stormwater drainage requirements. Specifically, each of the proposed new allotments will be connected to a new internal drainage network that will discharge to the existing point of discharge or to the new stormwater detention basin.</p> <p>Existing stormwater drainage arrangements will be maintained and will remain unaffected by the new works subject to the completion of detailed engineering civil drawings.</p>

Flood impacts <i>All of Stage 7 and parts of Stages 5 & 6 have experienced flooding in recent years of up to 1.5 metres. In order to remove these lots from the flood area, this will require landfilling that may impact on existing residents.</i>	<p>A Flood Impact Assessment has recently been prepared for the subject land, which addressed both historical and recent flood data.</p> <p>Specifically, a number of flood models were prepared, which have demonstrated that the proposed stormwater drainage basin will achieve pre-development flows at the 1 in 100 year flood event. Consequently, these models have demonstrated that the filling of the proposed lots will not create additional flooding impacts.</p> <p>Council have advised that they are currently in the process of preparing an updated flood study based on recent flood event data. The timeframe for the completion of this study is still to be confirmed.</p> <p>Notwithstanding, the landowner/applicant has agreed to construct the proposed subdivision above the relevant 1 in 100 year flood level. Similarly, all future dwellings to be established on these lots will be constructed 500mm above the 1 in 100 year flood level.</p>
Walking paths <i>Support the proposed walking and cycling paths, but however request that a new bike/walking path be provided that connects to eastern end of Court 2 to the southern end of Road 2.</i>	<p>Requests to provide an additional walking/bike track connecting Court 2 to Road 2 are noted.</p> <p>Following a redesign, the revised subdivision now includes a loop road that that will connect Court 1 to Road 3 which will provide pedestrian connectivity in a north-south direction, which addressed the matters raised in this submission.</p> <p>Requests to include shared cycle pathways are acknowledged and have been provided in the stormwater drainage basin.</p>
Ownership of Drainage Basin <i>The drainage/sediment basin should be transferred/ceded to Council and made into a park.</i>	<p>Agreed, the applicants' preference is to transfer the drainage basin to Council following the completion of necessary maintenance periods.</p> <p>This will ensure that this basin is publicly available and appropriately maintained, rather than being maintained by a Neighbourhood Association.</p> <p>It is understood that this approach is common for R1 General Residential Zoned land, but is not commonplace for R5 Large Lot Residential zoned land.</p> <p>Given the size of the reserve, the minimal ongoing maintenance costs and the fact that it will serve a large number of residents, it is recommended that Council reconsider its position to take ownership of this reserve.</p>
Impacts of Road Access <i>The road to the east of the sewerage pump station will enter South Lake Drive directly opposite our living area [12 South Lake Drive] which will cause considerable disruption.</i>	<p>Opportunities to relocate proposed Road 3 are unfortunately limited due to the characteristics of the site and the need to provide a direct north-south connection to the proposed new stages of the subdivision.</p> <p>Nonetheless, as a means of reducing potential amenity impacts, the applicant is willing to undertake roadside landscaping works, which will screen headlight glare from cars utilising this intersection.</p>

Recommend rerouting this road to the western side of the pump station.	
Development Density Concern is raised regarding the increase in the number of lots as it will create additional groundwater contamination and soil erosion. An increase in lots will also affect existing flooding conditions.	<p>Concerns regarding an increase in the number of lots, whilst acknowledged are considered appropriate in this instance as they achieve the minimum lot size requirement (3,000m²) of the Griffith Local Environmental Plan 2010.</p> <p>Furthermore, each of the lots will be required to establish a 10m wide vegetated buffer zone around the perimeter of their lot is in place to address the issues of soil erosion, salinity and groundwater issues.</p> <p>Matters regarding flooding have been addressed above.</p>
Ingress and Egress The original plan included ingress and egress from Jones Road, which has been removed in the proposed plan, leaving only one internal access road within the estate, which will cause both amenity/traffic impacts for existing residents within this estate, as well as causing potential concern during a bushfire event.	<p>It is acknowledged that previous versions of the subdivision plan both included and then didn't include a direct ingress and egress point with the adjoining Jones Road to the north. It is noted that this road connector was previously removed at the request of Council.</p> <p>Nonetheless, it is confirmed that the latest attached plan reinstates this road connection point.</p> <p>Consequently, this will reduce traffic impacts on the existing internal road network and will help distribute traffic volumes out to Jones Road and Boorga Road. Furthermore, it has also been provided in accordance with the requirements of a Bushfire Risk Assessment prepared for the site.</p>
Collector Roads The plans do not appear to cater for school buses or public transport stops. Consideration should be given to providing this within the estate.	<p>The provision of collector roads, which can support both public transport (buses) and large articulated vehicles (emergency service vehicles and garbage collection vehicles) is supported.</p> <p>In response, the South lake Road loop within Stage 1, 2, 3 and 6 support ridged buses (14.5m). This loop road will ensure that the majority of proposed allotments (52 out of the 67 new lots proposed) will be within 400m walking distance of the bus stops.</p>
Ongoing vacant land management There has been very little to no ongoing management vacant land, which is causing a fire hazard. Is there a plan to maintain this space on an ongoing basis?	<p>Matters regarding vacant land management will largely be resolved once the subdivision has been completed and the lots sold.</p> <p>In the interim, the property owner will continue to maintain the land, however this has been restricted due to requests by the NSW Department of Climate Change, Energy, Environment and Water seeking to limit works on site due to the presence of items of Aboriginal Cultural Heritage Significance.</p> <p>Ongoing management of the proposed drainage reserve is currently identified as being the responsibility of those within the proposed Community Title subdivision.</p>

	<p>As outlined in response to other submissions received, the applicant has requested that Council take ownership of this reserve, subject to the completion of maintenance periods.</p> <p>See below further details regarding Community Title Subdivision.</p>
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3. Community Title Subdivision

It is noted that Council have requested that all lots draining into the proposed constructed wetland are to form part of a community title subdivision, which will manage the ongoing maintenance of this facility. A request had previously been made to dedicate this drainage reserve to Council, however Council have previously advised that it does not want to accept ownership of this reserve.

Notwithstanding, Council is requested to provide further consideration to this request based on the following:

- Of all the lots to be drained to this new drainage basin, it is noted that a number of these have already been approved and developed as part of the initial stages of the subdivision. As these properties already exist, there is no opportunity to now include them within a Community Title subdivision.

Consequently, full compliance with this request cannot be achieved, which undermines the intent of the request.

- Concern is raised regarding user rights and access to the reserve. For example, under a Community Title Scheme, affected owners would be responsible for contributing (financially) to the ongoing maintenance and upkeep of this facility.

Notwithstanding, as Council have requested that this reserve be made available for public open space purposes, the implications are that persons not subject to the Community Title will be able to have access to this reserve without contributing towards its upkeep.

A similar example of this situation currently exists within Albury, which has created ongoing conflicts between residents living within and outside of the Community Title Scheme. This has resulted in Council having to become involved and a portion of this estate being fenced off to prevent access by users outside of the scheme. This approach is not preferred by the landowner.

- It is understood that Council is reluctant to take on ownership of the proposed drainage basin as the land is zoned R5 Large Lot Residential. This is compared to R1 General Residential zone land, where it is commonplace for stormwater drainage to be dedicated to Council.

Whilst the zoning of the land is for large lot purposes, given the number of lots that this infrastructure will serve and its relative close proximity to the main urban area of Griffith, this request is considered to be consistent with other infrastructure dedicated to Council.

- Following a review of Council's Engineering Design Guidelines, no requirement could be found restricting the dedication of drainage reserves to Council based on their zone.
- Compliance/completion of required land management activities for the community title lot are also likely to be better achieved under Council ownership and can be included in an annual maintenance program as compared to private owners. Furthermore, the reserve contains items of Aboriginal Cultural Heritage Significance, which are considered to be more appropriately located on public land.

- In support of this request, the owner is willing to enter into an extended maintenance period to ensure that the level of ongoing maintenance imposed on Council is minimised. This maintenance period can accommodate any reasonable Council requests, but could include an extension of time to capture the likely construction window for any future dwellings.

Given the nature of the proposed drainage reserve design, the level of ongoing maintenance following post civil and housing construction works is expected to be minimal.

We trust that this information will enable Council to progress to a determination of this matter. Should you have any queries please contact the undersigned directly on 6021 0662 or matt@habitatplanning.com.au.



Matt Johnson
Associate



Development Assessment Report

PART A: GENERAL ADMINISTRATION

DA No:	172/2022(1)
Property Information:	LOT 223 DP 1298684, (Residue of previous stage 2 development of LOT 146 DP 1214737) South Lake Drive LAKE WYANGAN
Proposed Development:	Lodged as: 67 Lot Staged Large Lot Residential Subdivision & Associated Works Reduced to: Single Stage, 21 Large Lot Residential Development and associated works (including 1 residue lot)
Type of Development:	Integrated
Lodgement Date:	12 September 2022
Statutory Timeframe:	40 Days
Value of Development:	\$7,725,709.00
Applicant's Details:	Habitat Planning Pty Ltd 409 Kiewa Street ALBURY NSW 2640
Land Owner's Details:	The Trustee for Lake Wyangan Land Estate Trust T/A LWLE Pty Ltd 21 Bennu Circuit THURGOONA NSW 2640
Report Author/s:	Mrs J V Tarbit Development Assessment Planner



172/2022(1)

PART B: EXECUTIVE SUMMARY

- The application has been referred to the Ordinary Meeting of Council on the basis of six (6) submissions received.
- The proposed development is for a four stage, 67 large lot subdivision including Stages 4-7.
- Stage 4 drains to the Campbell's Wetland catchment and Stages 5-7 drain to the Lake Wyangan (South) catchment via Little Swamp.
- Stages 5-7 are located within the Lake Wyangan flood zone.
- Council staff do not support development of land within the Lake Wyangan flood zone until such time as the flood study has been completed and adopted. This is expected to occur within the next twelve months.
- It is recommended that the application be partially approved (Stage 4 only) based on the details contained in report.

PART C: PROPOSAL

The proposal originally sought approval to subdivide the northern portion of the subject site into sixty-seven (67) residential lots and carry out associated civil construction works including the creation of internal roads and infrastructure. The development will also include a biodiverse drainage reserve and protected indigenous land located towards the north western boundary.

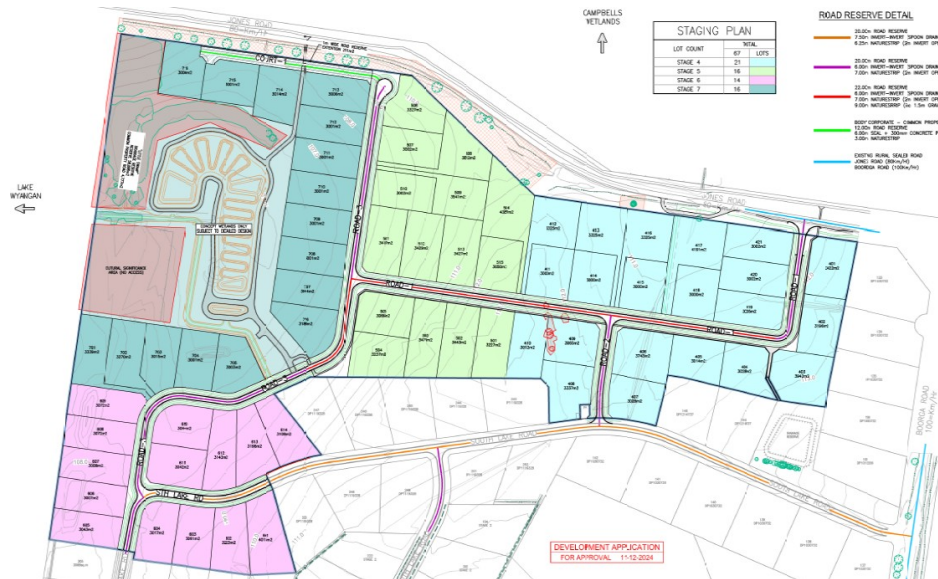
The remaining southern half of the 'Pelican Shores' site is currently undergoing civil works associated with the previously approved subdivision, and this part of the site is consequently not subject to this application.

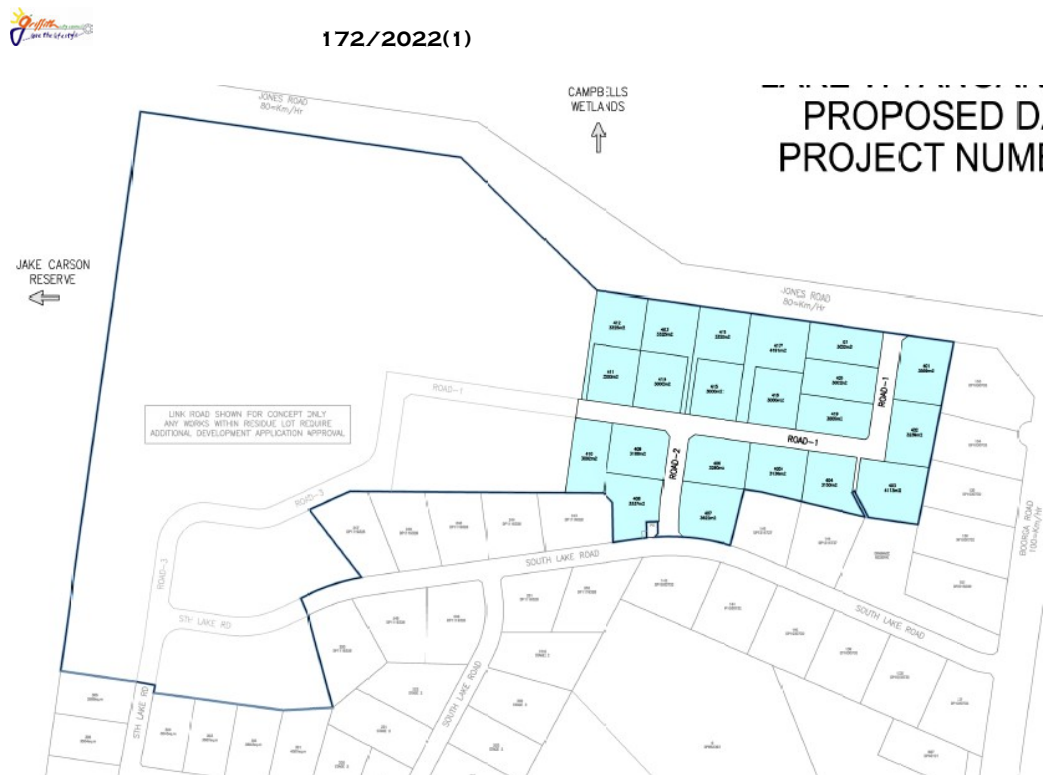
The works were proposed to be constructed in four (4) stages, representing Stages 4, 5, 6 and 7 of the overall 'Lakeside Estate' development, with the development to integrate South Lake Road and the approved internal road layout associated with former stages.

The most recent proposed plan of the Stage 4-7 subdivision submitted to Council on 13 December 2024 is provided below:



172/2022(1)





PART D: SITE DESCRIPTION AND LOCALITY

An inspection of the site and the locality was undertaken on multiple dates between 2022 and 2025, inclusive of the flood peak 22 November 2022. On this date, flood water was visible within the rear of existing of 247 DP 119328 and over Jones Road between the lakes.

The site is bounded by Jones Road to the north and South Lake Drive to the south and is approximately 1.3k north of the village of Lake Wyangan. The land proposed to be developed has an area of approximately 40 hectares of irregular shape and has a depth of approximately 880 metres and length of 590 metres and currently is vacant with a natural Wetland 'Little Swamp' and vegetated perimeter located in the north western corner. However the area of the land proposed to be developed in this 'Stage 4' application has an area of approximately 7.9 hectares is vacant. The site can be accessed via South Lake Drive with several informal tracks throughout the site connecting to Jones Road.

The eastern section of the site drains to Campbells Wetland to the north via a culvert under Jones Road. Campbell's Wetland is a significant environmental wetland of international importance, being part of the JAMBA, CAMBA and RoKAMBA Agreements for migratory shorebirds. The remainder of the site drains to Little Swamp which then overflows to Lake Wyangan (South).

The site is gently undulating and contains a variety of pasture grasses and weeds as the site had historically been cleared for agricultural grazing and associated dairy.

The locality comprises large lot residential adjoining Campbells Wetland and Lake Wyangan (south) and is adjoined by similar large lot residential development. To the north, Campbell's Wetland is a significant environmental protection area. To the west is Lake Wyangan (south) is a major water storage and catchment area. Over recent years the water of the lake has suffered



172/2022(1)

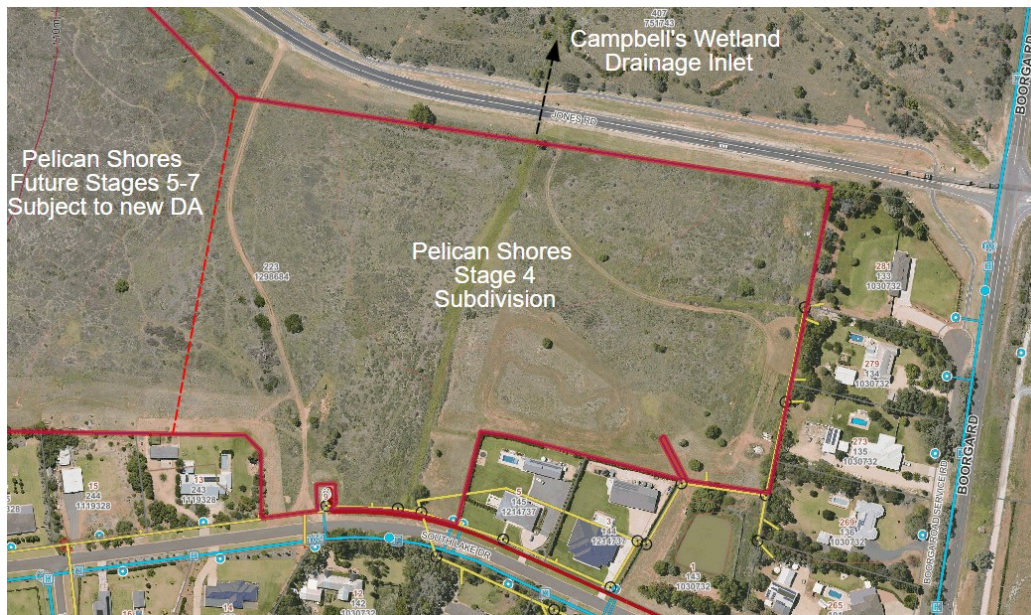
from a number of blue-green algal outbreaks and is currently part of a trial to improve water quality in the lakes.

The southern section of the site is currently under development with approval previously granted under DA 286/2016. The aerial photo provided below demonstrates the areas of the site which have existing approval and are currently under assessment for this stage of works.





172/2022(1)



Aerial image Stage 4 lands to be developed as part of this subdivision, indicating location where drainage water will leave the site and enter Campbells Wetland. The red dashed line represents the western boundary of the extent of works, and is located on a low rise which separates the land into Lake Wyanagn and Campbells Wetland Catchments. Water (blue) and Sewer (yellow) infrastructure are also shown on the plan.

PART E: BACKGROUND INFORMATION AND HISTORY OF THE SITE

Development Assessment Panel

The matter was considered at the Development Assessment Panel meeting on 13 September 2022 and the following matters were raised during the preliminary assessment of the application which are potential issues or where further information from the applicant is required:

- ASIC Extract for owners details & additional DA fees (integrated dev)
- Frost Fan buffer - condition for noise
- biodiversity assessment - clearing of native vegetation includes native grasses
- preliminary engineering designs for stormwater & sewer reticulation
- Filling of land
- Integrated development destroying Aboriginal Artefact
- Additional Information
- Other Issues ASIC extract for owners details
- preliminary engineering designs for stormwater & sewer reticulation
- (Hold add info until Joe Rizzo returns)



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Development History of Site

The development history of the subject site has been established following research of Council's electronic data management system and research of Council's physical archives. Based on the information available the following can be established:

S50/1999	DP 1016209 - Two lot subdivision
S38/1999	DP 1030732 - 10 lots plus water storage dam lot and residual lot DP 1119382 - 10 lots plus residue lot
DA126/2016	DP 1214737 – (Stage 1) 2 lot subdivision plus pump station lot and residue lot.
DA 286/2016(4)	DP 1298684 – (Stage 2) 21 lot subdivision plus residue lot Under construction – (Stage 3) 21 lot subdivision plus residue lot

PART F: STATUTORY REFERRALS

The following statutory referrals were considered as part of the assessment of the application:

AGENCY	LEGISLATION	APPLIES
DPI	Fisheries Management Act 1994 Mines Subsidence Compensation Act 1961 Mining Act 1992 Petroleum (Onshore) Act 1991	No
EE&S	National Parks, & Wildlife Act 1974 Protection of the Environment Operations Act 1997 Water Management Act 2000	No
NSW Heritage	Heritage Act 1977	Yes
Transport for NSW	Roads Act 1993 SEPP Infrastructure – Division 17 Roads and Traffic	No
RFS	Rural Fires Act 1997	No
Transport NSW	SEPP Infrastructure – Division 15 Railways	No

As part of the assessment of the application the development applications were referred to the following agencies:

- Essential Energy
- Heritage NSW

Submissions received in response to the abovementioned referrals are addressed in Part G: Matters for Consideration, s4.15(1)(d) – any Submissions Made in Accordance with the Act or Regulation.

Matters raised by each agency have been considered and incorporated into the conditions of consent.



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PART G: SECTION 4.15 EVALUATION

In determining a development application, a consent authority is to take into consideration Section 4.15 of the Environmental Planning and Assessment Act 1979. The following matters are of relevance to the development the subject of the development application.

SECTION 4.15(1)(a)(i) any environmental planning instrument.

Griffith Local Environmental Plan 2014

(a) Permissibility

The subject land is zoned R5 Large Lot Residential and under clause 2.6 of Griffith Local Environmental Plan 2014 *subdivision* is development that can only be permitted with the consent of Council. On this basis the proposed development is considered permissible.

(b) Aims and Objectives

The proposed development has been considered with regard to the aims of Griffith Local Environmental Plan 2014 as set down in Part 1, clause 1.2(2) which states:

- (a) *to prevent unnecessary urban sprawl by promoting business, industrial, rural and residential uses within and adjacent to existing precincts related to those uses,*
- (b) *to minimise land use conflict in general by creating areas of transition between different and potentially conflicting land uses,*
- (c) *to provide a variety of development options to meet the needs of the community with regard to housing, employment and services,*
- (d) *to manage and protect areas of environmental significance,*
- (e) *to recognise the historical development of the area and to preserve heritage items associated with it.*

The objectives for the R5 Large Lot Residential zone set down in the Land Use Table are as follows:

- 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.


It is considered that the proposed development satisfies the aims of Griffith Local Environmental Plan 2014 and the objectives of the zone.

(b) Principal Development Standards & other LEP Provisions

Clause	Assessment Comment
2.6 Subdivision	Satisfactory - The land is to be subdivided with development consent.
4.1 Minimum Lot Size	Satisfactory - The minimum lot size is 5 hectares, except where reticulated sewerage can be provided (Area C) in which case the minimum lot size is 3000m ² . All lots are greater with lots in Stage 4 ranging from 3000m ² to 4191m ²

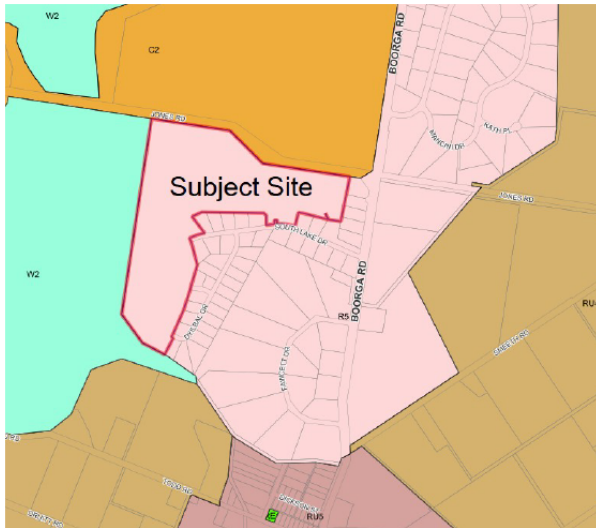


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Clause	Assessment Comment				
5.10 Heritage Conservation	<p>Clause 5.10 of Griffith Local Environmental Plan 2014 sets down objectives in respect to the conservation of environmental heritage within the Griffith local government area. Specifically, this clause applies to the protection of heritage items and heritage conservation areas; development affecting places or sites of known or potential Aboriginal heritage significance; development affecting known or potential archaeological sites of relics of non-Aboriginal heritage significance; development in the vicinity of a heritage item; provision of conservation incentives; and development in heritage conservation areas.</p> <p>While the subject site is not listed in Schedule 5 of Griffith LEP 2014 as containing a heritage item, the archaeological report and the NSW AHIMS database indicate a concentration of cultural heritage artefacts on the site, particularly closer to Lake Wyangan and Little Swamp.</p> <p><u>AHIMS Web Service search for the following area at Lot : 223, DP:DP1298684, Section : - with a Buffer of 50 meters, conducted by Joanne Tarbit on 04 March 2025.</u></p> <p>The context area of your search is shown in the map below. Please note that the map does not accurately display the exact boundaries of the search as defined in the paragraph above. The map is to be used for general reference purposes only.</p>  <p>A search of Heritage NSW AHIMS Web Services (Aboriginal Heritage Information Management System) has shown that:</p> <table border="1"> <tr> <td>9</td> <td>Aboriginal sites are recorded in or near the above location.</td> </tr> <tr> <td>0</td> <td>Aboriginal places have been declared in or near the above location. *</td> </tr> </table> <p>An Integrated referral was made under Section 90 of the National Parks and Wildlife Act 1974, with General Terms of Approval received on 9 August 2024. Given the plan was amended on 12 March 2025 to include Stage 4 only, an amended Heritage Report was requested and General Terms of Approval were again sought and received on 22 May 2025. These were provided as a condition set which has been inserted as conditions into the Notice of Determination.</p>	9	Aboriginal sites are recorded in or near the above location.	0	Aboriginal places have been declared in or near the above location. *
9	Aboriginal sites are recorded in or near the above location.				
0	Aboriginal places have been declared in or near the above location. *				



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Clause	Assessment Comment
5.16 Subdivision / dwellings on certain rural, residential & environmental protection land	<p>The objective of this clause is to minimise potential land use conflict between existing and proposed development on land in the rural, residential or conservation zones concerned (particularly between residential land uses and other rural land uses).</p> <p><i>(4) The following matters are to be taken into account —</i> <i>(a) the existing uses and approved uses of land in the vicinity of the development,</i></p> <p>The subject site has been incrementally subdivided for the purpose of rural residential with zoning of the land to 1(c) Rural Residential for this purpose in 2002 with a masterplan for the site and first twenty lots being approved by the Notice of Determination for S38/1999. Whilst this masterplan has been changed with each subsequent stage of the development, it has confirmed the intended use of the land.</p>  <p>Land use zoning provides a further clue to land use in the locality with land to the south, east and north east zoned R5 Large Lot Residential, land to the North and West zoned for Recreational waterways and environmental conservation and other lands in the locality zoned for primary production small lots and village use. It is considered unlikely that conflict will arise.</p> <p><i>(b) whether or not the development is likely to have a significant impact on land uses that, in the opinion of the consent authority, are likely to be preferred and the predominant land uses in the vicinity of the development,</i></p> <p>The proposed development is unlikely to impact on the predominant land uses in the vicinity of the development,</p> <p><i>(c) whether or not the development is likely to be incompatible with a use referred to in paragraph (a) or (b),</i></p> <p>The proposed development is unlikely to be incompatible with the predominant land uses in the vicinity of the development,</p>

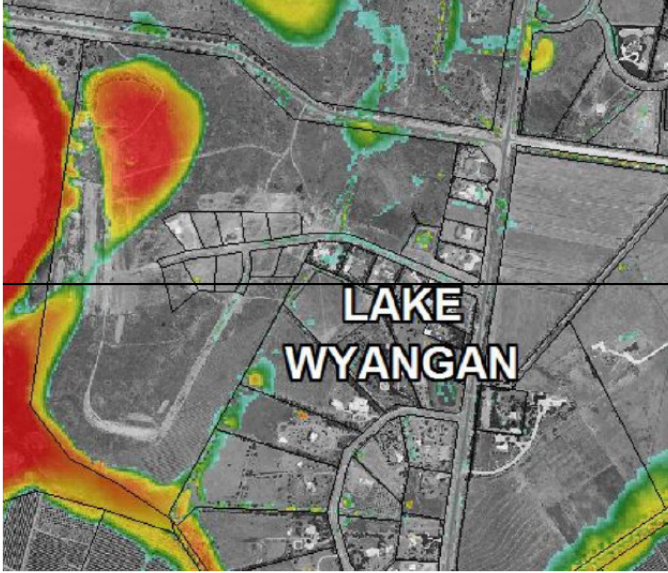


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Clause	Assessment Comment
	<p>(d) <i>any measures proposed by the applicant to avoid or minimise any incompatibility referred to in paragraph (c).</i></p> <p>No measures are required.</p>
5.21 Flood Planning	<p>The objectives of Griffith Local Environmental Plan 2014 in respect to flood planning are as follows:</p> <p>(a) <i>to minimise the flood risk to life and property associated with the use of land,</i></p> <p>(b) <i>to allow development on land that is compatible with the land's flood hazard, taking into account projected changes as a result of climate change,</i></p> <p>(c) <i>to avoid significant adverse impacts on flood behaviour and the environment.</i></p> <p>Clause 7.2(3) states that development consent must not be granted to development on land to which this clause applies unless the consent authority is satisfied that the development:</p> <p>(a) <i>is compatible with the flood hazard of the land, and</i></p> <p>(b) <i>will not significantly adversely affect flood behaviour resulting in detrimental increases in the potential flood affectation of other development or properties, and</i></p> <p>(c) <i>incorporates appropriate measures to manage risk to life from flood, and</i></p> <p>(d) <i>will not significantly adversely affect the environment or cause avoidable erosion, siltation, destruction of riparian vegetation or a reduction in the stability of river banks or watercourses, and</i></p> <p>(e) <i>is not likely to result in unsustainable social and economic costs to the community as a consequence of flooding.</i></p> <p>Council's Development Engineers have provided an extensive response to each matter of this clause in their assessment report dated 3 March 2025 CM 25/35072. A summary of this information is provided below.</p> <p>The Aerial Laser Survey (ALS) of Griffith and its surrounding area was carried out as part of the Griffith Lake Wyangan Floodplain Risk Management Study and Plan, completed in 2012. Flood level information for the site has been derived from this study. According to the flood mapping, the site is considered flood-prone for the 1% Annual Exceedance Probability (AEP), as shown in the Figure below.</p>



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Clause	Assessment Comment
	 <p><i>Lake Wyangan floodplain risk management study peak flood depths for 1% Aep</i></p> <p>Since the 2012 flood study by BMT, a major flood event in 2022 affected a larger area than previously modelled. This suggests that the current flood mapping and modelling may not accurately reflect the extent or severity of flooding at the site. The 2022 event caused widespread inundation beyond predicted levels, making it necessary to reassess the flood risk for the proposed development. Council is updating the flood study to incorporate the recent event and ensure development decisions are based on accurate, current information. Until the study is complete and reviewed, the full extent of flood impacts remains uncertain.</p> <p>Approving the subdivision in flood-prone areas now would be premature, as it could increase flood risk for future occupants. If the site were raised to achieve flood immunity, floodwater may be displaced, potentially worsening flooding on neighbouring properties or elsewhere in the floodplain. Without a thorough assessment of these impacts and a new flood study considering the 2022 event, there is no certainty that flood storage capacity will be maintained or that displaced water won't create additional risks downstream.</p> <p>Therefore, Council's Engineers will not approve the subdivision in flood-affected areas until the updated study is finalised and confirms that development can proceed safely without exacerbating flood risks. As such, Stages 5, 6, and 7 of the subdivision will not be recommended for approval, while Stage 4 is assessed, as it is not flood-affected for the 1% AEP and its stormwater will be directed to Campbell Wetlands, which won't impact flooding in south Lake Wyangan. See figure 2 below.</p>

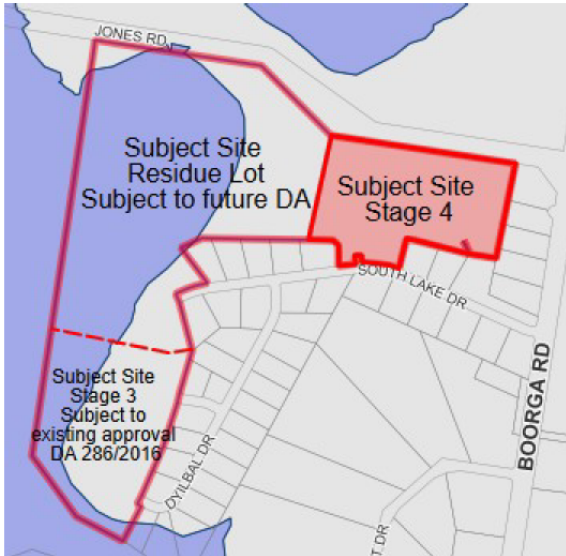


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Clause	Assessment Comment
	<p><i>Plan of stages recommended to be approved and not approved.</i></p> <p>Council is updating the flood study following the recent flood event to ensure development decisions are based on the most current and accurate flood risk data. Until the updated study is completed and reviewed, the full extent of flood impacts on the site remains uncertain. Approving the subdivision on flood-affected land now would be premature, as it could increase flood risk for future residents. Additionally, filling the site to achieve flood immunity could displace floodwater, potentially worsening flooding on neighbouring properties or elsewhere in the floodplain. Without a thorough assessment of these impacts and the 2022 flood events, there's no guarantee that flood storage capacity will be maintained or that displaced water won't cause further risks downstream. As a result, Council's Engineers will not recommend approval of the subdivision until the updated study is finalised, adopted, and confirms the development can proceed safely without increasing flood risks.</p> <p>The proposed stormwater system incorporates a swale drainage network on both sides of Road 1 and 2, which will serve as the primary method of stormwater conveyance. These swales are designed to collect and direct surface runoff toward inlet pits, which then channel the stormwater into a piped network. A stormwater line is proposed along the western boundary of Lot 417 which connects to an existing stormwater system on Jones Road. The stormwater is then conveyed through an existing earthen swale and pipe culverts across Jones Road before being discharged into Campbell Swamp.</p> <p>Stage 4 of the proposed development will result in the creation of 21 residential allotments and as a result, an increased stormwater runoff volume as well as higher peak discharge rates will be discharged from the subject site. This in turn increases potential export of pollutants from the site. In order to ameliorate the impacts associated with increased stormwater runoff and the increase of pollutants from the development the applicant has proposed to implement a Spel Hydrosystem and a Gross Pollutant Trap (GPT) into the stormwater treatment process to clean the stormwater runoff from the proposed subdivision. Additionally, the use of open swale drains on both sides of the road will result in the reduction of</p>

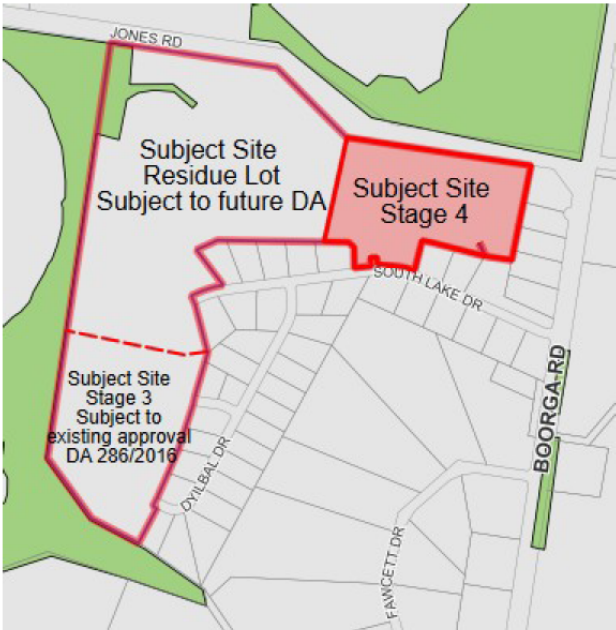


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Clause	Assessment Comment
	<p>pollutants introduced by the additional hardstand areas such as roads, by removing impurities prior to the water being discharged to the drainage systems external to the site.</p> <p>A Stormwater Management Plan (SMP) will be required alongside the detailed design drawings to ensure the stormwater infrastructure aligns with best-practice Water Sensitive Urban Design (WSUD) principles. The SMP should assess the effectiveness of the proposed systems, including the swale, inlet pits, underground pipes, Spel Hydrosystem, and Gross Pollutant Trap, in managing water quality and quantity. As the site is within an urban Water Sensitive Zone, the plan must show how the treatment measures will reduce pollutant loads, control peak flow rates, and protect Campbell Swamp. It should also address long-term maintenance to ensure ongoing effectiveness and compliance with Council's stormwater management goals.</p>  <p>Land indicated in blue is subject to flooding as demonstrated under the existing Lake Wyangan Flood Study.</p>
7.1 Earthworks	<p>The objective of this clause is to ensure that earthworks for which development consent is required will not have a detrimental impact on environmental functions and processes, neighbouring uses, cultural or heritage items or features of the surrounding land.</p> <p>The proposed development will require a Subdivision Works Certificate prior to the commencement of any earthworks, therefore the matters for consideration listed above will be addressed based on the information provided prior to the issue of a Subdivision Works Certificate.</p>
7.3 Terrestrial Biodiversity	<p>The subject site has been identified on the Terrestrial Biodiversity Map and in order to meet the objectives of Clause 7.3 the following matters have been taken into consideration:</p> <p>(a) <i>whether the development is likely to have:</i></p>



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Clause	Assessment Comment
	<p>(i) any adverse impact on the condition, ecological value and significance of the fauna and flora on the land, and</p> <p>(ii) any adverse impact on the importance of the vegetation on the land to the habitat and survival of native fauna, and</p> <p>(iii) any potential to fragment, disturb or diminish the biodiversity structure, function and composition of the land, and</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>Furthermore Clause 7.3(4) states that 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>The following map is an extract from Griffith LEP 2014 overlayed on an aerial photograph mapping the terrestrial biodiversity over the land.</p>  <p>Stage 4 of the development will not impact on the main areas of native vegetation</p>

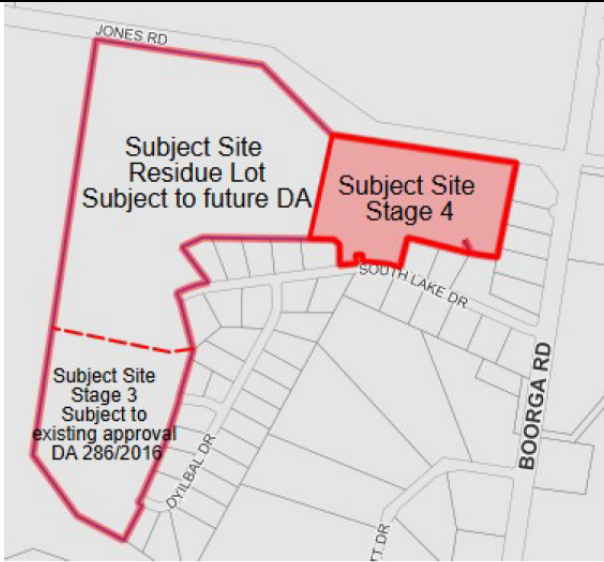


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Clause	Assessment Comment
	<p>at the north western corner of the site. Some scattered native vegetation, mainly derived from Weeping Myall Community, located near the raw water storage dam in the east of the site will be removed. The applicant has submitted a Biodiversity Development Assessment Report for the development, and credits have been calculated. Credits relating to the removal of native vegetation for the construction of the stage 4 development will need to be retired prior to the issue of the subdivision certificate.</p> <p>Council is satisfied that the proposed development is consistent with the provisions of section 7.3 and that the application may be supported subject to conditions in respect to tree perseverance and the removal of biosecurity weeds.</p>
7.4 Groundwater vulnerability	<p>The subject site has not been mapped as being groundwater vulnerable and therefore Clause 7.4(3) technically does not apply, however for the sake of thoroughness Council should take into consideration the potential impact on ground water given its proximity to Lake Wyangan and Campbell Swamp. Clause 7.4(3) states:</p> <ul style="list-style-type: none"> (a) <i>the likelihood of groundwater contamination from the development (including from any on-site storage or disposal of solid or liquid waste and chemicals),</i> (b) <i>any adverse impacts the development may have on groundwater dependent ecosystems,</i> (c) <i>the cumulative impact the development may have on groundwater (including impacts on nearby groundwater extraction for a potable water supply or stock water supply),</i> (d) <i>any appropriate measures proposed to avoid, minimise or mitigate the impacts of the development.</i> <p>Clause 7.4(4) goes on to state that development consent must not be granted to development on land to which this clause applies unless the consent authority is satisfied that:</p> <ul style="list-style-type: none"> (a) <i>the development is designed, sited and will be managed to avoid any significant adverse environmental impact, or</i> (b) <i>if that impact cannot be reasonably avoided—the development is designed, sited and will be managed to minimise that impact, or</i> (c) <i>if that impact cannot be minimised—the development will be managed to mitigate that impact.</i> <p>The site is not specifically mapped as groundwater vulnerability, however the development of the site is likely to influence the groundwater in the locality though due to the proximity of the wetland complex including direct influenced by water levels within Lake Wyangan. Measures are considered elsewhere in this assessment to ensure that the development is unlikely to impact on groundwater quality.</p>

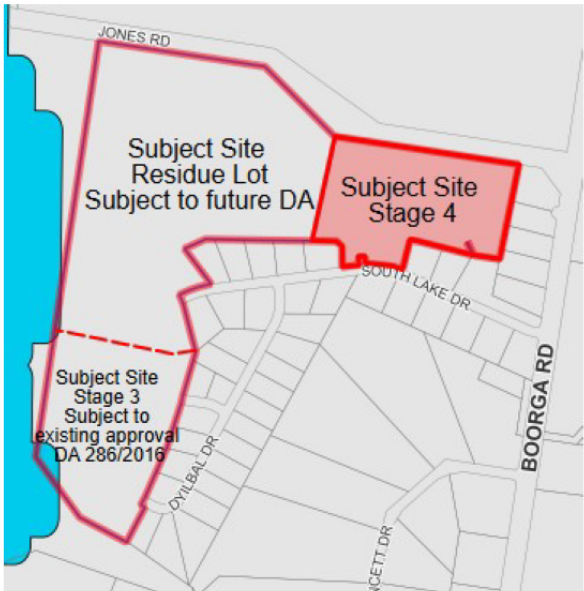


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Clause	Assessment Comment
	
7.5 Riparian Lands and water courses	<p>The objective of Clause 7.5 is to protect and maintain the water quality within watercourses; the stability of the bed and banks of watercourses; aquatic and riparian habitats; and ecological processes within watercourses and riparian areas. The subject site has been identified as being on riparian lands or is on land that is within 40 metres of the top of the bank of a watercourse</p> <p>Clause 7.5(4) states Development consent must not be granted to development on land to which this clause applies unless the consent authority is satisfied that:</p> <ul style="list-style-type: none"> (a) <i>the development is designed, sited and will be managed to avoid any significant adverse environmental impact, or</i> (b) <i>if that impact cannot be reasonably avoided—the development is designed, sited and will be managed to minimise that impact, or</i> (c) <i>if that impact cannot be minimised—the development will be managed to mitigate that impact.</i> <p>In deciding whether to grant development consent for development on land to which this clause applies, the consent authority must consider</p> <ul style="list-style-type: none"> (a) <i>whether or not the development is likely to have any adverse impact on the following:</i> <ul style="list-style-type: none"> (i) <i>the water quality and flows within the watercourse,</i> (ii) <i>aquatic and riparian species, habitats and ecosystems of the watercourse,</i> (iii) <i>the stability of the bed and banks of the watercourse,</i> (iv) <i>the free passage of fish and other aquatic organisms within or along the watercourse,</i> (v) <i>any future rehabilitation of the watercourse and riparian areas, and</i> (b) <i>whether or not the development is likely to increase water extraction from the watercourse, and</i>

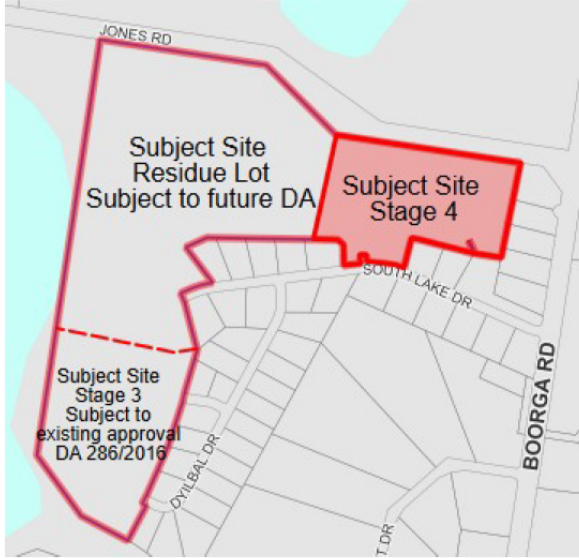


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Clause	Assessment Comment
	<p>(c) <i>any appropriate measures proposed to avoid, minimise or mitigate the impacts of the development.</i></p>  <p>The proposed development has potential to impact on the quality and quantity of water leaving the site given the increase in hardstand areas and change of site levels and ground surface cover.</p> <p>The Stage 4 development site drains to Campbells Wetland to the north rather than Lake Wyangan in the east and therefore drainage water will not have a direct impact on water quality within the mapped 'Riparian Land and Watercourses' area.</p> <p>Whilst not mapped, Campbell's Wetland is an important wetland of international significance. It also drains to Lake Wyangan (north) after prolonged wet seasons.</p> <p>To ensure the development does not create any adverse changes to water quality within Campbells Wetland council engineers have inserted a condition on the development to ensure that adequate stormwater detention systems are in place to capture runoff of water from the site and suitable filtration system where stormwater leaves the subject site.</p> <p>The proposed development will also collect and dispose of all stormwater to the lake with water sensitive urban design principles utilised to treat water prior to discharge. The applicant will need to demonstrate that the proposed measures will work given the site conditions, in particular the hot dry summer conditions which may not be conducive to retaining the filtering qualities of grassed drainage swales.</p> <p>In addition all allotments will require some landscaping with native woody vegetation within the buffer of the building envelope. This will provide an additional native vegetation in to locality.</p>



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Clause	Assessment Comment
7.6 Wetlands	<p>The subject site has been identified as draining to a mapped wetland (Campbell's Wetland) and as such needs to be preserved and protected from the impacts of development.</p>  <p>Prior to granting consent Council must be satisfied that</p> <ul style="list-style-type: none"> (a) <i>the development is designed, sited and will be managed to avoid any significant adverse environmental impact, or</i> (b) <i>if that impact cannot be reasonably avoided—the development is designed, sited and will be managed to minimise that impact, or</i> (c) <i>if that impact cannot be minimised—the development will be managed to mitigate that impact.</i> <p>In order to be satisfied Council must consider the following:</p> <ul style="list-style-type: none"> (a) <i>whether or not the development is likely to have any significant adverse impact on the following:</i> <ul style="list-style-type: none"> (i) <i>the condition and significance of the existing native fauna and flora on the land,</i> (ii) <i>the provision and quality of habitats on the land for indigenous and migratory species,</i> (iii) <i>the surface and groundwater characteristics of the land, including water quality, natural water flows and salinity, and</i> (b) <i>any appropriate measures proposed to avoid, minimise or mitigate the impacts of the development.</i> <p>The applicant has submitted a Biodiversity Development Assessment Report (BDAR) report with the application to address the removal and offsetting of remnant vegetation. The BDAR was written for the whole of the site, (including the what is now the residue). The following summary is provided in the report:</p>



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Clause	Assessment Comment
	<p><i>The proposal would clear up to 5.48 ha of native vegetation on Lot 146/-/DP1214737. The proposal triggers entry into the NSW Biodiversity Offsets Scheme (BOS) as it exceeds the vegetation clearance threshold of 0.50 ha; consequently, the proponent is required to prepare a Biodiversity Development Assessment Report (BDAR) and to offset impacts to biodiversity.</i></p> <p><i>This report documents the assessment, which has been completed in accordance with the Biodiversity Assessment Method 2020 (BAM 2020) and details the proponent's biodiversity offset requirement (number of ecosystem and species credits).</i></p> <p><i>The native vegetation present in the disturbance footprint consists of three Plant Community Types (PCTs):</i></p> <ul style="list-style-type: none"> <i>• PCT 16 – Black Box grassy open woodland wetland of rarely flooded depressions in south western NSW (mainly Riverina Bioregion and Murray Darling Depression Bioregion).</i> <i>• PCT 26 – Weeping Myall open woodland of the Riverina Bioregion and NSW South Western Slopes Bioregion.</i> <i>• PCT 181 – Common Reed - Bushy Groundsel aquatic tall reedland grassland wetland of inland river systems.</i> <p><i>In accordance with the BAM, PCTs were further stratified into vegetation zones based on observed condition. This process resulted in six vegetation zones being recognised:</i> <i>16_Moderate, 16_Low, 16_Derived, 26_Remnant, 26_Derived, and 181_Moderate.</i></p> <p><i>PCT 26 is associated with the following Threatened Ecological Communities (TECs):</i></p> <ul style="list-style-type: none"> <i>• NSW Biodiversity Conservation Act 2016 (BC Act)-listed Endangered Ecological Community (EEC): Myall Woodland in the Darling Riverine Plains, Brigalow Belt South, Cobar Peneplain, Murray-Darling Depression, Riverina and NSW South Western Slopes bioregions.</i> <i>• Commonwealth Environment Protection and Biodiversity Conservation Act 1999 (EPBC Act)-listed EEC: Weeping Myall Woodlands.</i> <p><i>Zone 26_Remnant was found to meet the thresholds to be considered an example of the BC Act-listed EEC but not the EPBC Act-listed equivalent. Zone 26_Derived did not meet the thresholds for either listing. In total, 0.09 ha of the BC Act-listed EEC will be impacted by this proposal.</i></p> <p><i>PCT 181 is associated with the following TEC: BC Act-listed Critically Endangered Ecological Community (CEEC): Artesian Springs Ecological Community in the Great Artesian Basin.</i></p> <p><i>PCT 181 does not meet the conditions to be considered an example of this CEEC as the site is not within the Great Artesian Basin and no artesian spring activity was noted.</i></p> <p><i>PCT 16 is not associated with any TEC.</i></p> <p><i>Impacts to native vegetation will generate an obligation to retire a total of 90</i></p>



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Clause	Assessment Comment
	<p><i>ecosystem credits.</i></p> <p><i>In total, 17 species credit species were generated by the BAM Calculator (BAM-C). The habitat suitability of the subject land for these species was assessed. According to the BAM, if suitable habitat for these species occurs on the subject land, they must be the subject of targeted survey according to recommended guidelines, or else assumed present. After consideration of geographical and habitat constraints, five species could be discounted due to the absence of features necessary for breeding and 12 species credit species were retained in the assessment. Surveys were conducted for all 12 of these species, following relevant and approved BAM survey methodologies. These species were not detected on site. Consequently, the proposal will not generate a requirement to offset any species credits.</i></p> <p><i>The proponent intends to satisfy their offset obligations by buying and retiring the necessary credits from the open market or, if appropriate credits are not available, by paying directly into the Biodiversity Conservation Fund.</i></p> <p><i>The significance of the proposed impact to EPBC Act-listed threatened, migratory, wetland and marine species, populations and communities predicted to occur within a 10 km search area was assessed. No significant impact to any threatened entity likely to result in the extinction of a local population was identified. The residual ecological impacts of the proposal would be adequately mitigated and offset using the management actions recommended and the offset requirements detailed within this BDAR. Therefore, a referral of the proposal to the Australian Government Department of Climate Change, Energy, the Environment and Water (DCCEEW) for these matters is not required.</i></p> <p><i>This assessment covers the current form of the proposal. Any change to the scope of work may require re-assessment.'</i></p> <p><u>Stage 4 Development Only – Retirement of Credits:</u> As the development has been reduced in scope to Stage 4 only, it has been identified that only 'PCT 26 – Weeping Myall open woodland of the Riverina Bioregion and NSW South Western Slopes Bioregion' will be impacted during the development of this stage. The two other identified vegetation communities requiring offsetting being located within the residue lot (previously known as Stage 5-7). As such a condition has been applied to the consent requiring only retirement of the credits relating to this vegetation community.</p> <p><u>Campbells Wetland:</u> Stormwater drainage water will be directed to Campbells Wetland via a pipe under Jones Road.</p> <p>Over 60 species of wetland birds have been recorded at Campbell's Wetland including Freckled Duck, Blue-billed Duck, Australian Spotted Crake, Australian Spotless Crake, Ballions Crake, Magpie Goose, Black Swan, Black-fronted Dotterel and red-kneed Dotterel. These species rely on the shallow waters for wading, feeding and habitat. A change in turbidity and nutrient levels could potentially alter algae, macroinvertebrates and vegetation in these zones making them unsuitable (or toxic) for use by these species.</p> <p>Vegetation surrounding Campbell's Wetland is considered to be of medium to high</p>



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Clause	Assessment Comment
	<p>habitat value, providing shrubland dominated by Yarran and Miljee wattles, native grass and saltbush on the slopes, grading into reed beds of Cumbungi and Phragmites for the breeding, shelter and feeding of waterbirds, fish and other wildlife. These reed beds provide bank stability and filter overland water flows entering the wetland. Native trees and shrubs which have been planted by direct seeding at the site to provide improved diversity and habitat value.</p> <p>Given the above, it is essential that it can be shown by the developer that adequate treatment of storm water can be achieved prior to the water leaving the estate Stage 4 development site. This is because storm water may contain increased nutrient loads picked up from runoff.</p> <p>The applicant has proposed to use an existing drainage point exiting from the north of Stage 4, under Jones Road and into Campbell's Wetland. Stormwater is to be collected in vegetated drainage swales within the Stage 4 development site and directed to a pre-treatment system, before exiting the site. The applicant will be required to ensure quality of stormwater entering the lake meets Australian Standards, with information to be submitted prior to the issue of the subdivision works certificate.</p> <p>A condition has been placed on the notice of determination to require the pre-treatment of stormwater leaving the site.</p>
7.7 Salinity	<p>The subject site has been identified and mapped as being affected by groundwater salinity and in determining the development application Council must take into consideration the following:</p> <ul style="list-style-type: none"> (a) <i>whether the development is likely to have any adverse impact on salinity processes on the land,</i> (b) <i>whether salinity is likely to have an impact on the development,</i> (c) <i>any appropriate measures proposed to avoid, minimise or mitigate the impacts of the development.</i> <p>In order for development consent to be granted Council must be satisfied that:</p> <ul style="list-style-type: none"> (a) <i>the development is designed, sited and will be managed to avoid any significant adverse environmental impact, or</i> (b) <i>if that impact cannot be reasonably avoided—the development is designed, sited and will be managed to minimise that impact, or</i> (c) <i>if that impact cannot be minimised—the development will be managed to mitigate that impact.</i> <p>Historical information of Council's groundwater monitoring bores nearby on Jones Road and Boorga Road suggest groundwater in some low-lying areas in the locality of less than 2m. These groundwater levels are controlled by regional groundwater gradients to Lake Wyangan. A shallow water table could potentially mobilise soil salts and contribute to the corrosion of infrastructure.</p> <p>Watertable depths of less than 2m can provide instability and corrosion of infrastructure and buildings. Conditions have been imposed to prevent the digging to greater than 2m or building within these areas.</p>



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	<p>Measures to control salinity at the site can be conditioned and include:</p> <ul style="list-style-type: none"> • Revegetation of the site with deep rooted woody plants including trees and shrubs. • Community awareness including an information package for residents. • Ensuring water drains away from infrastructure and does not pond at the site in drainage swales. • Encouraging residents to establish gardens with low water requirements. <p>Based on the above Council can be reasonably satisfied that the development accords with the aims and objectives set out in clauses 7.3 to 7.7 and the key environmental issues may be mitigated through appropriate conditions of consent.</p>
7.8 Air Space Operations	The Obstacle Limitation Surface will not be penetrated by the proposed development.
7.9 Aircraft Noise	<p>The objectives of this clause are to prevent certain noise sensitive developments from being located near the Griffith Airport and its flight paths, and to assist in minimising the impact of aircraft noise from that airport and its flight paths by requiring appropriate noise attenuation measures in noise sensitive buildings.</p> <p>The proposed development is not located on land near the Griffith Airport and is not on land in an ANEF contour of 20 or greater.</p>
7.10 Essential Services	<p>Clause 7.10 states that development consent must not be granted to development unless the consent authority is satisfied that any of the following services that are essential for the development are available or that adequate arrangements have been made to make them available when required:</p> <ul style="list-style-type: none"> (a) <i>the supply of water,</i> (b) <i>the supply of electricity,</i> (c) <i>the disposal and management of sewage,</i> (d) <i>stormwater drainage or on-site conservation,</i> (e) <i>suitable vehicular access.</i> <p>Assessment: the land is supplied with Council reticulated electricity, water and stormwater connection to the street network is satisfactory. A driveway is existing.</p> <p>(a) <i>the supply of water,</i></p> <p>A Council-owned 100mm oPVC potable water main runs along the southern side of South Lake Drive, covering the full frontage of Stage 4 of the proposed development. Currently, the site isn't connected to the Council's potable water system.</p> <p>Preliminary design drawings submitted by Development Outcomes on 13 December 2024 outline plans to extend the Council's potable water main to service the new lots in Stage 4. This extension will provide water service to each new allotment.</p> <p>The developer must prove that the new lots won't reduce the pressure and flow rate of the existing water system. They need to submit hydraulic calculations for</p>



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	<p>average, maximum, and instantaneous demand, prepared by a qualified engineer, for Council approval before getting a Subdivision Works Certificate for Stage 4. If the current system can't support the development, upgrades will be required at the developer's expense.</p> <p>Additionally, a potable water main will be extended from proposed Road 2 to the end of the battle-axe handle of proposed Lots 412, 413, 416, and 417, ensuring fire coverage. This extension will include a hydrant, backflow prevention device, and bypass meter. The developer will cover all associated costs, and this section of the main will be privately owned.</p> <p>Detailed design drawings must be approved by Council before issuing a Subdivision Works Certificate for Stage 4. All new mains and components must meet Council's standards and the Water Supply Code of Australia. Council is confident that these conditions will ensure a suitable water supply for the development.</p> <p><i>(b) the supply of electricity,</i></p> <p>The applicant is to make their own arrangements with the service provider for an adequate connection to electricity for the proposed development. All costs are to be borne by the applicant. Documentary evidence from Essential Energy is to be submitted to Council prior to the issue of a Subdivision Certificate for Stage 4 for Stage 4, confirming that satisfactory arrangements have been made for the provision of an adequate domestic electricity supply.</p> <p><i>(c) the disposal and management of sewage,</i></p> <p>The applicant hasn't detailed how sewage will be managed. The Statement of Environmental Effects mentions that reticulated sewer, water, and drainage are available from South Lake Road and can be extended to the new lots. Council expects a low-pressure system, similar to previous stages, will be used.</p> <p>For Stages 2 and 3, Pressure Systems Solutions Pty Ltd designed a pressure sewer system, which was deemed suitable for those stages. However, the pump capacity and emergency storage will need review for future stages. Detailed design drawings and hydraulic calculations for the LW2 sewer pump station must be submitted to Council for approval before a Subdivision Works Certificate for Stage 4 is issued. If the current system can't handle the additional load, it must be upgraded at the applicant's expense.</p> <p>The applicant must submit detailed sewer design plans for extending the low-pressure sewerage system to Stage 4. These plans must meet Council's standards and be approved before a Subdivision Works Certificate is issued. All design and construction costs are the applicant's responsibility.</p> <p>The applicant must also pay for all 'On-Property Works' for the Pressure Sewerage System, including the installation of the pumping unit. All sewerage infrastructure must comply with Council's guidelines and be approved before a Subdivision Certificate for Stage 4 is issued.</p>



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	<p><i>(d) stormwater drainage or on-site conservation,</i></p> <p>The Griffith Lake Wyangan Floodplain Risk Management Study from 2012 shows the site is flood-prone for the 1% AEP event. A significant flood in 2022 affected a larger area than the 2012 study predicted, suggesting the need for updated flood risk assessment.</p> <p>Council is updating the flood study to ensure accurate flood risk information. Approving the subdivision now could increase flood risk for future occupants. Filling the site to achieve flood immunity might displace water, worsening flooding elsewhere. Council won't recommend approval for Stages 5, 6, and 7 until the updated study confirms the development can be safely accommodated.</p> <p>Stage 4 isn't flood-affected for the 1% AEP event, and stormwater will be directed to Campbell Wetlands, not impacting South Lake Wyangan. Preliminary engineering drawings propose a swale drainage network on both sides of Roads 1 and 2 to manage stormwater. A stormwater line along Lot 417's western boundary will connect to an existing system on Jones Road, discharging into Campbell Swamp.</p> <p>Stage 4 will create 21 residential lots, increasing stormwater runoff and pollutant export. To mitigate this, the applicant proposes a Spel Hydrosystem and Gross Pollutant Trap (GPT) for stormwater treatment. Open swale drains will reduce pollutants from roads before discharge.</p> <p>A Stormwater Management Plan (SMP) must be submitted with detailed design drawings to ensure alignment with Water Sensitive Urban Design (WSUD) principles. The SMP should assess the effectiveness of the swale system, inlet pits, underground pipes, Spel Hydrosystem, and GPT in managing water quality and quantity. It must also consider long-term maintenance.</p> <p>Conditions will ensure onsite stormwater detention for events up to the 1% AEP event, maintaining pre- and post-development flows. Detailed design drawings and hydraulic calculations must be approved by Council before issuing a Subdivision Works Certificate for Stage 4. The stormwater system must meet Council's standards.</p> <p>Stormwater disposal arrangements must be made before issuing a Subdivision Certificate for Stage 4. Runoff shouldn't flow onto adjoining properties unless easements are created. Interallotment drainage systems won't be granted to Council and will be the responsibility of the properties served.</p> <p>Onsite detention, floodways, and flow paths must be protected by a Section 88E covenant in favour of Griffith City Council, ensuring they remain operational for the development's lifetime. Council believes these conditions will prevent adverse flood impacts on other properties.</p> <p><i>(e) suitable vehicular access.</i></p>



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Clause	Assessment Comment																																								
	<div></div> <p>Existing informal Accessways to the subject site.</p> <div><table><caption>STAGING PLAN</caption><tr><th>LOT COUNT</th><th>STAGE</th></tr><tr><td>10</td><td>STAGE 1</td></tr><tr><td>10</td><td>STAGE 2</td></tr><tr><td>10</td><td>STAGE 3</td></tr><tr><td>10</td><td>STAGE 4</td></tr><tr><td>10</td><td>STAGE 5</td></tr><tr><td>10</td><td>STAGE 6</td></tr><tr><td>10</td><td>STAGE 7</td></tr></table><table><caption>ROAD RESERVE DETAIL</caption><tr><th>ROAD NAME</th><th>RESERVE WIDTH (M)</th><th>RESERVE TYPE</th></tr><tr><td>STAGE 1 ROAD</td><td>10.0</td><td>STAGE 1 ROAD</td></tr><tr><td>STAGE 2 ROAD</td><td>10.0</td><td>STAGE 2 ROAD</td></tr><tr><td>STAGE 3 ROAD</td><td>10.0</td><td>STAGE 3 ROAD</td></tr><tr><td>STAGE 4 ROAD</td><td>10.0</td><td>STAGE 4 ROAD</td></tr><tr><td>STAGE 5 ROAD</td><td>10.0</td><td>STAGE 5 ROAD</td></tr><tr><td>STAGE 6 ROAD</td><td>10.0</td><td>STAGE 6 ROAD</td></tr><tr><td>STAGE 7 ROAD</td><td>10.0</td><td>STAGE 7 ROAD</td></tr></table></div> <p>Proposed Road Layout</p> <p>Figure 5 above details the proposed internal road layout and connection points of Stage 4 to Council's existing road network. The applicant has proposed to access the subdivision via Jones Road and South Lake Drive by constructing internal public roads to service the allotments to be created as part of the subdivision.</p> <p>Road 1 and Road 2 within the stage 4 component of the development is to be</p>	LOT COUNT	STAGE	10	STAGE 1	10	STAGE 2	10	STAGE 3	10	STAGE 4	10	STAGE 5	10	STAGE 6	10	STAGE 7	ROAD NAME	RESERVE WIDTH (M)	RESERVE TYPE	STAGE 1 ROAD	10.0	STAGE 1 ROAD	STAGE 2 ROAD	10.0	STAGE 2 ROAD	STAGE 3 ROAD	10.0	STAGE 3 ROAD	STAGE 4 ROAD	10.0	STAGE 4 ROAD	STAGE 5 ROAD	10.0	STAGE 5 ROAD	STAGE 6 ROAD	10.0	STAGE 6 ROAD	STAGE 7 ROAD	10.0	STAGE 7 ROAD
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	<p>designed and constructed to the specifications outlined below:</p> <ul style="list-style-type: none"> a. 20m wide road reserve, b. 6m wide carriageway, c. 7m wide verge on both sides of Road 1, <p>Kerb and gutter is not proposed within the subdivision. The applicant has proposed concrete dish drains along both sides of the road that will tail out to open swale drains on Jones Road.</p> <p>The intersections at Road 1 and Road 2, and Road 1 and South Lake Drive, will be designed and constructed as T-intersections according to Austroads Guide to Road Design and TfNSW supplements. They need to be sealed and wide enough for the largest vehicles accessing the lots, with street lighting and linemarking.</p> <p>The intersection of Jones Road and proposed Road 2 will be a Basic Turn Right (BAR) design, also following Austroads and TfNSW guidelines. It must accommodate large vehicles and ensure safe pedestrian and cyclist crossings.</p> <p>Street lighting is required for all internal roads and intersections, including Jones Road and Road 2, as per Australian Standard 1158 and Essential Energy requirements. Lighting plans must be prepared by a qualified designer.</p> <p>The land for the public road will be gazetted as a road reserve under the NSW Roads Act 1993. The subdivision plan must state the intention to dedicate this land as a public road.</p> <p>A separate application must be made to Council for naming the public road. Griffith City Council will seek approval from the Geographical Names Board of NSW. Street nameplates must meet Council's standards and be installed before issuing a Subdivision Certificate for Stage 4.</p>

State Environmental Planning Policies

The following is a list of State Environmental Planning Policies that apply to the Griffith City Council area. The table also identifies the applicability of the policy with respect to the subject development proposal. Where a policy has been identified as being applicable, further assessment is provided

SEPP TITLE	APPLIES
Exempt and Complying Codes 2008	No
Biodiversity and Conservation 2021	Yes
Housing 2021	No
Industry and Employment 2021	No
Planning Systems 2021	No
Primary Production	No
Resilience and Hazards 2021	Yes
Resources and Energy 2021	No
Transport and Infrastructure 2021	No
Building Sustainability 2022 (i.e. BASIX)	No



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State Environmental Planning Policy (Resilience and Hazards) 2021
Chapter 4 Remediation of land

The provisions of Chapter 4.1 State Environmental Planning Policy (Resilience and Hazards) 2021 state that a consent authority must not consent to the carrying out of any development on land unless it has considered whether the land is contaminated.

Clause 4.6 states that before determining an application for consent to carry out development that would involve a change of use on any of the land specified in subclause (4), the consent authority must consider a preliminary investigation of the land concerned carried out in accordance with the contaminated land planning guidelines.

With regard to sub-clause 4, it identifies triggers for a preliminary investigation, including:

- (a) land that is within an investigation area,
- (b) land on which development for a purpose referred to in Table 1 to the contaminated land planning guidelines is being, or is known to have been, carried out,
- (c) to the extent to which it is proposed to carry out development on it for residential, educational, recreational or child care purposes, or for the purposes of a hospital—land—
 - (i) in relation to which there is no knowledge (or incomplete knowledge) as to whether development for a purpose referred to in Table 1 to the contaminated land planning guidelines has been carried out, and
 - (ii) on which it would have been lawful to carry out such development during any period in respect of which there is no knowledge (or incomplete knowledge).

The subject site is not within an investigation area as set out in Clause 4.6, however it is land that is listed in Table 1 as being an activity that may have caused contamination.

The main objective of a preliminary investigation is to identify any past or present potentially contaminating activities and provide a preliminary assessment of any site contamination and, if required, provide the basis of a detailed investigation. The preliminary investigation contains a detailed appraisal of the site's history and a report based on a visual site inspection and assessment.

Of the activities listed in Table 1, agriculture is an activity that would potentially contaminate sites.

Sub-clause 4(c) identifies land uses which are considered sensitive to contamination, these being residential, educational, recreational, or child care purposes or for the purpose of a hospital.

The applicant of DA 286/2016 the most recent previous stages of the Pelican Shore subdivision, commissioned the authors of the Land Capability Study for the subject land in 1999 to undertake a review of that report as part of this development application. This review concluded:

'The contamination assessment completed targeted pesticides which given the previous land-use as agriculture is acceptable. The number of sampling points does not meet the minimum required for the area of land being investigated (per AS 4428.1). However given that all samples analysed did not register above the laboratory limits the risk associated with widespread significant pesticide contamination is considered extremely low to non-existent.'

Council can be reasonably satisfied that the historical and current use of the land for broad acre cropping, pasture and grazing as opposed to intensive horticulture is unlikely to have resulted in any significant contamination from the agricultural use of the land. It can be reasonably expected that herbicides and pesticides may have been used at some time, but given the land has remained unused during the past 25 years the any residual is likely to have been dispersed. A site



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inspection and a view of the aerial photography to 2004 do not indicate the location of any sheep or cattle dips which would also contribute to the contamination of the land.

Councils Environmental Health Officers have provided a condition relating to the unexpected finding of contaminants on the site which will be imposed on the consent.

Biodiversity and Conservation 2021

The subject site is zoned R5 Large Lot Residential and therefore, Chapter 4 of State Environmental Planning Policy (Biodiversity and Conservation) 2021 applies to the proposal. The applicant has submitted a Biodiversity Report Addressing this legislation in that report. Further, Griffith City Council not listed in Schedule 2 and therefore the proposal is not subject to the requirements of the SEPP.

SECTION 4.15(1)(a)(ii) any draft environmental planning instrument.

At the time of preparing this report there is no draft environmental planning instrument that applies to the development or to land within the Griffith local government area.

SECTION 4.15(1)(a)(iii) any development control plan.

The following is a list of development control plans that apply to the Griffith City Council area. The table also identifies the applicability of the policy with respect to the subject development proposal. Where a policy has been identified as being applicable, further assessment is provided.

DCP No.	DCP TITLE	APPLIES
DCP No. 1	Non-Urban Development	No
DCP No. 3	Industrial Development	No
DCP No. 11	Urban Subdivision	No
DCP No. 19	Mixed Development	No
DCP No. 20	Off Street Parking Policy	No
DCP 2020	Residential Development Control Plan	Yes

Development Control Plan - Residential

Section 8.0 - Relevant Controls for subdivision listed only.

- c) Setbacks in accordance with the table will imposed at the time of the development of each of the lots. Each lot has been designed in a manner that an adequate setback can be achieved due to the width and depth of each lot primarily being square to rectangular.
- e) Setbacks to environmental zoned land will be determined at the time of the development of each lot.
- f) Lots do not adjoin agricultural lands. N/A
- h) Side and rear setbacks must be landscaped, prioritising the installation of trees with a mature height of over 6 m. Condition to reflect this.
- j) tree preservation order to be conditioned, however vegetation from the PTC26 Weeping Myall community to be removed in accordance with the approved BDAR upon retiring of credits.
- l) reticulated water to be provided to each new lot.
- m) reticulated sewer to be provided to each new lot.
- o) each new lot to be provided with a crossover inclusive of culvert and headwalls.
- p) Driveways will be constructed in accordance with the required standards
- q) Driveway crossovers to be sealed.
- t) concrete pipe headwalls will be provided.



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SECTION 4.15(1)(a)(iiia) any planning agreement.

There are no planning agreements in place.

SECTION 4.15(1)(a) (iv) the regulations.

Section 4.15(1)(a)(iv) requires Council to take into consideration the provisions of clauses 61-64 of the Environmental Planning and Assessment Regulation 2021.

Clause 61(1)(b) of the Environmental Planning & Assessment Regulation 2021 requires the consent authority to consider the provisions of Australian Standard AS 2601-1991: The demolition of Structures. Where demolition is proposed, it is recommended that a condition of consent be imposed which sets out the requirements for demolition to be carried out in accordance with a construction/demolition management plan and this will be required to be submitted prior to the issue of a Construction Certificate. In this instance no demolition is proposed.

Clauses 62 and 64 of the Environmental Planning and Assessment Regulation 2021 do not apply in this instance as there are no buildings on the land, either existing or proposed.

SECTION 4.15(1)(b) the likely impacts of the development.

In taking into consideration section 4.15(1)(b) of the Environmental Planning and Assessment Act 1979 Council must evaluate the likely impacts of the development on both the natural and built environments, and the social and economic impacts in the locality.

a) Impact on Built Environment

In terms of assessing and evaluating the impact on the built environment, the following matters have been taken into consideration:

(i) *Relationship of the development to the regional and local context*

The scenic qualities and features of the landscape are dominated by the foreshore of Lake Wyangan and the low ridge that passes through the site. The proposed subdivision layout uses the site features in terms of the lot layout and road design in a manner that is sympathetic to the locality.

The proposed development is generally respectful of the existing land uses and activities in the locality and the subdivision would not be detrimental to these activities.

(ii) *Potential impacts on adjacent properties*

The proposed subdivision is generally compatible with the adjacent land uses and the intended future use of undeveloped land

(iii) *Accessibility and transport management measures for vehicles, pedestrians, bicycles and the disabled within the development and locality*

The proposed development will result in an increase in the traffic generated on the local and arterial road network, however is unlikely to result in any adverse impact. There are no public transport services available however as the locality develops there may be opportunities or a need for services to be provide. For the interim access to the site will be largely dependent of private motor vehicles.



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(iv) *Potential impact upon the public domain*

The proposed development does not require the provision of additional public open space as it adjoins a significant area of nature reserves and the Lake. Future stages will allow for private natural areas around the Little Swamp.

(v) *Impact resulting from increased demands of the development impact upon utilities supply*

The subject site will require the amplification of utility services. Any amplification of services provided by Council, namely water, along with other services including electricity, gas and telecommunication will be the responsibility of the applicant.

(vi) *Potential impact on heritage significance of the property and of adjacent properties:*

The subject site is not listed as a heritage item under the provisions of Griffith Local Environmental Plan 2014 however it has been identified by AHIMS search as containing items of aboriginal cultural heritage.

(vii) *Any effect on conserving and using valuable land resources*

The proposed development is unlikely to have any detrimental impact in terms of the loss of productive agricultural land or other resources gained from mineral and other extractive industries.

(viii) *Impact upon the conservation of water resources and the water cycle*

This matter has been addressed previously in the report (see assessment against Clauses 7.4 to 7.7 of GLEP 2014). Council can be reasonably satisfied that subject to conditions any environmental impact can be adequately mitigated.

(ix) *Sensitivity of the design in respect to existing environmental conditions and site attributes.*

The general size, shape and design of allotments, and the associated location of easements and roads is sensitive to the topography of the land and site attributes.

(x) *Health and safety of future occupants*

No residential development is proposed at this stage and therefore no assessment has been made with respect to the type of materials to be used in construction. Materials used in the construction of dwellings on a neighbouring subdivision are typically masonry with tile or metal clad roofing.

No assessment can be made with regard to the likely compliance with the National Construction Code in terms of addressing the health and safety of future occupants.

(xi) *Management of construction activities*

Standard conditions of consent have been recommended which address construction management including controls relating to the hours of operation and sedimentation control measures.

b) Impact on Natural Environment

In terms of assessing and evaluating the impact on the natural environment, these matters have been duly considered as part of the assessment against the provisions of Clauses 7.3, 7.4, 7.5, 7.6 and 7.7 of Griffith Local Environmental Plan 2014. Relevant considerations include:

- Access should not be granted to the Lake Wyangan Crown land as part of this development given the potential for erosion, weed infestation, degradation of natural ecosystems and destruction of foreshore vegetation.



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- Conditions on the consent have been imposed by Council's Engineers regarding the construction of stormwater retention systems to ensure stormwater leaving the site end entering Campbell's Swamp meets minimum Australian Standards.
- Council maintains a number of groundwater bores in the locality of the proposed development. These were monitored for water table depth and salinity between 2006 -2013, providing baseline data for groundwater depth in the locality.
- The development proposes water sensitive urban design to remove impervious surfaces from direct connection to the stormwater reticulation system. Stormwater is proposed to be directed to vegetated drainage swales via a pre-treatment system and to Campbell's Wetland.
- This area contains some challenges given that all drainage water will be directed into Campbell's Wetland, which needs to be maintained for wildlife including wetland bird species which are protected under international treaties. Salinity, sheet and scald erosion are also present on the reserve land. The applicant has provided a number of generic solutions on the conceptual development application plans for the management of stormwater and mitigation of soil erosion. Conditions will be applied for more detailed plans.
- The applicant has also chosen to utilise water sensitive urban design principles to manage stormwater, however the drainages swale solution will need to ensure constant flow (ie not ponding of water) and also maintain a grass layer to be effective and not contribute to the water table accessions.

c) Social Impact in the Locality

There are no likely detrimental social impacts that would result from the development.

d) Economic Impact in the Locality

The proposed development would not have any adverse economic impact in the locality.

SECTION 4.15(1)(c) the suitability of the site.

The subject site is zoned R5 Large Lot Residential and the permissibility of the development under Griffith Local Environmental Plan 2014 provides a broad indication that the site is suitable for the proposed development.

In assessing the suitability of the development, Council has undertaken a review of the site analysis undertaken by the applicant and is satisfied in the following terms:

- The proposed subdivision generally fits the locality.
- There are no constraints posed by adjacent developments which would prohibit or purport to prohibit the proposed subdivision.
- The site is not subject to slip, tidal inundation or bushfire and while part of the site has been identified as being flood prone, it does not prevent future dwellings being erected upon the land.
- The site is no longer prime agricultural land and the development is unlikely to prejudice future agricultural production?

Based on the assessment under this and other sections within this report it is considered that the site is suitable for the proposed development.

SECTION 4.15 (1) (d) any submissions made in accordance with the Act or the Regulation

The provisions of the Environmental Planning and Assessment Act 1979 the Environmental Planning and Assessment Regulation 2021 and Community Participation Plan set down



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consultation, concurrence and advertising requirements for specific types of development applications and taking into consideration any submissions received in response to the notification process.

In addition to the statutory referral process identified in Part F of this report, the 'Integrated' notification of the development included the following:

Notification Description	Required	Submission Period
Publication in Council Catchup and on Facebook	Yes	5 July 2024 - 2 August 2024
Letters to Neighbours	Yes	5 July 2024 - 2 August 2024

As a result of the public participation process, Council received six (6) submissions in response to the notification and referral of the development application. The details of the submissions, which Council has taken into consideration in accordance with section 4.15(1)(d) are as follows:

Issue raised	Applicants Response	Council response
<p>Public Open Space</p> <p>Previous subdivision plans identified significant green space/public open space running along the rear of the lots fronting South Lake Drive.</p> <p>This public open space was to achieve a number of outcomes:</p> <ol style="list-style-type: none"> 1. Address ongoing issues regarding soil salinity; 2. Provide a vegetated break and ensure privacy between individual allotments 3. Enhance the liveability and value of blocks 	<p>Matters regarding public open space have been considered and have informed the current subdivision design.</p> <p>Specifically, the development incorporates a very large public open space area of 5.8 hectares in the north western corner of the site, which is consistent with the requirements of Condition C(2) of the previous Development Consent issued for the site (Ref No. 286/2016(1)).</p> <p>This reserve achieves a number of outcomes, including stormwater drainage, flood storage, passive open space, as well as the protection of areas of both biodiversity and cultural heritage significance.</p> <p>As per Council's request, this reserve will form part of the Neighbourhood Association of the Community Title subdivision but will be required to be made publicly accessible to all other residents living within this estate.</p> <p>The applicant had previously requested that this reserve be transferred to Council consistent with similar drainage infrastructure associated with other urban subdivisions.</p> <p>Should Council change its mind, then this reserve could be made publicly available following the completion of relevant maintenance periods. Furthermore, the applicant is willing to embellish this open space area with playground equipment or the like, should the land be publicly owned.</p> <p>Lastly, matters regarding the need for a vegetated/landscaped buffer between existing and proposed future residents are acknowledged, but are considered not necessary in this instance due to the size of the proposed lots (3,000m²), as well as the fact that each allotment is to provide a 10 metre wide landscaped buffer around the perimeter of its site.</p> <p>Consequently, this will result in a 20 metre wide vegetated buffer between residents, which will effectively screen and soften the development.</p>	<p>Councils Residential Development Control Plan 2020 (and as amended in 2024) Section 8.0 relates to Large Lot Residential development. This section provides no requirements for parks or open space in Large Lot Residential Subdivisions.</p> <p>Appendix 2, Section 4.0 of the same plan provides additional controls for Large Lot Residential Subdivision including lot size and layout. This section is also silent regarding any requirements for open space.</p> <p>Section 1.6 Savings and transitional provisions state: 'This Plan applies to any development application lodged with Council after the commencement of the Plan. Any development application lodged before the commencement of this plan will be assessed in accordance with any previous development control plan or other Council policy in force at the time of lodgement'.</p> <p>The previous Development Control Plan for the development of this zone which was 1(c) Rural Residential at that time, Development Control Plan No 1 – Non Urban Development, does not have any requirements for Opens Space or Parklands to be provided in conjunction with a Large Lot subdivision.</p> <p>Note: All lands zoned 1(c) were transitioned into the R5 zone under GLEP2014.</p>



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		<p>It is acknowledged that a wide east to west swale of open space was approved in the master plan of the site in 1999. However, since this time, more recent master plans submitted in conjunction with development applications of the site did not provide this swale.</p> <p>The exception of this is that the land within the natural basin known as 'Little Swamp' and the fenced area of land previously identified as being of archeological significance, have been retained as open areas, for the treatment of drainage water, the preservation of artefacts and the retention of native vegetation.</p> <p>All lots will be required to provide a vegetation buffer to ensure privacy screening between lots and to aid the suppression of the water table, and reducing the mobilization of salinity through in the soils.</p> <p>Each new lot will have access to town potable water and rainwater only, further reducing likely water use on gardens, which is also will reduce mobilization of salts.</p>
<p>Stormwater Drainage easement</p> <p>The proposed subdivision will disrupt existing drainage arrangements for Lots 244-247 fronting South Lake Road</p>	<p>The proposed subdivision has incorporated all relevant stormwater drainage requirements. Specifically, each of the proposed new allotments will be connected to a new internal drainage network that will discharge to the existing point of discharge or to the new stormwater detention basin.</p> <p>Existing stormwater drainage arrangements will be maintained and will remain unaffected by the new works subject to the completion of detailed engineering civil drawings.</p>	<p>Existing Lots that have swales along the rear of the property (e.g. 3 - 5 South Lake Drive) will be captured as part of the detailed design drawings.</p> <p>It is noted that the submitted drawings do detail that the swales at the rear of the lots have been captured.</p> <p>Drainage from 13-21 South Lake Drive will be captured under a new development application for future stages.</p>
<p>Flood impacts</p> <p>All of Stage 7 and parts of Stages 5 & 6 have experienced flooding in recent years of up to 1.5 metres. In order to remove these lots from the flood area, this will require landfilling that may impact on existing residents.</p>	<p>A Flood Impact Assessment has recently been prepared for the subject land, which addressed both historical and recent flood data.</p> <p>Specifically, a number of flood models were prepared, which have demonstrated that the proposed stormwater drainage basin will achieve pre-development flows at the 1 in 100 year flood event. Consequently, these models have demonstrated that the filling of the proposed lots will not create additional flooding impacts.</p> <p>Council have advised that they are currently in the process of preparing an updated flood study based on recent flood event data. The timeframe for the</p>	<p>Council's Engineers are only recommending approval of Stage 4 of the proposed development.</p> <p>Stages 5, 6 and 7 will be submit to a separate DA. Council is currently in the process of updating the flood study due to the recent flood event to ensure that development decisions are based on the most accurate and up to-date flood risk information. Until this updated flood study is completed and reviewed, the full extent of flood impacts on the subject site</p>

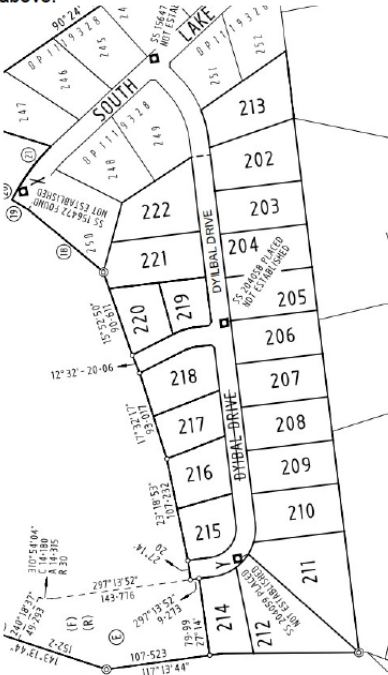


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	<p>completion of this study is still to be confirmed.</p> <p>Notwithstanding, the landowner/ applicant has agreed to construct the proposed subdivision above the relevant 1 in 100 year flood level. Similarly, all future dwellings to be established on these lots will be constructed 500mm above the 1 in 100 year flood level.</p>	<p>remains uncertain. Approving the subdivision in flood affected land at this stage would be premature, as it could result in increased flood risk to future occupants. Therefore, Council's Engineers will not recommend approval of the subdivision of land within the flood affected area until the updated flood study has been finalised, adopted by Council and confirms that the proposed development can be safely accommodated without exacerbating flood impacts in the area. Further justification can be found in my report if required.</p>
<p>Walking paths</p> <p>Support the proposed walking and cycling paths, but however request that a new bike/walking path be provided that connects to eastern end of Court 2 to the southern end of Road 2.</p>	<p>Requests to provide an additional walking/bike track connecting Court 2 to Road 2 are noted. Following a redesign, the revised subdivision now includes a loop road that that will connect Court 1 to Road 3 which will provide pedestrian connectivity in a north-south direction, which addressed the matters raised in this submission.</p> <p>Requests to include shared cycle pathways are acknowledged and have been provided in the stormwater drainage basin.</p>	<p>The courts referred to in the submission are no longer being assessed as part of this application and will be the subject of a new DA.</p> <p>Councils Engineering guidelines do not require walking or cycling paths in large lot residential subdivisions so these have been deleted from the plan set.</p> <p>That said, walking tracks will most likely be required for recreation in the 'Little Swamp' area at such time as the residue lot is assessed and developed.</p>
<p>Ownership of Drainage Basin</p> <p>The drainage/sediment basin should be transferred/ceded to Council and made into a park.</p>	<p>Agreed, the applicants' preference is to transfer the drainage basin to Council following the completion of necessary maintenance periods. This will ensure that this basin is publicly available and appropriately maintained, rather than being maintained by a Neighbourhood Association.</p> <p>It is understood that this approach is common for R1 General Residential Zoned land, but is not commonplace for R5 Large Lot Residential zoned land.</p> <p>Given the size of the reserve, the minimal ongoing maintenance costs and the fact that it will serve a large number of residents, it is recommended that Council reconsider its position to take ownership of this reserve.</p>	<p>The Little Swamp wetland is no longer being considered as part of this development application.</p> <p>Matters relating to this land will be considered once the Lake Wyangan Flood Study has been finalised and adopted.</p>
<p>Impacts of Road Access</p> <p>The road to the east of the sewerage pump station will enter South Lake Drive directly opposite our living area [12 South Lake Drive] which will cause considerable disruption.</p> <p>Recommend rerouting this road to the western side of</p>	<p>Opportunities to relocate proposed Road 3 are unfortunately limited due to the characteristics of the site and the need to provide a direct north-south connection to the proposed new stages of the subdivision.</p> <p>Nonetheless, as a means of reducing potential amenity impacts, the applicant is willing to undertake roadside landscaping works, which will screen headlight glare from cars utilising this intersection.</p>	<p>The land owner of Lot 142 DP 1030732 has concerns over the placement of the road perpendicular to the property due to the potential of car vehicle lights shining into their living space.</p> <p>The road placement as proposed is no different to anywhere else. For example many streets in Collina terminate in front of another lot.</p>



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<p>the pump station.</p> <p>Development Density</p> <p>Concern is raised regarding the increase in the number of lots as it will create additional groundwater contamination and soil erosion.</p> <p>An increase in lots will also affect existing flooding conditions.</p>	<p>Concerns regarding an increase in the number of lots, whilst acknowledged are considered appropriate in this instance as they achieve the minimum lot size requirement (3,000m²) of the <i>Griffith Local Environmental Plan 2010</i>.</p> <p>Furthermore, each of the lots will be required to establish a 10m wide vegetated buffer zone around the perimeter of</p> <p>their lot is in place to address the issues of soil erosion, salinity and groundwater issues.</p> <p>Matters regarding flooding have been addressed above.</p> 	<p>The current plan set for assessment of this application relates to the creation of 21 Residential lots under Stage 4 only, with the remainder of land being for associated roads and a residue lot.</p> <p>These 21 proposed lots range from 3002m² in size to 4191m² in size.</p> <p>The most recent release of land under DA 286/2016(4) ranged from 3094m² to 5077m² in size with one smaller corner lot of 2309m² providing for a variety of needs.</p> <p>The density of lots proposed meets Councils current Residential Development Control Plan which allows a minimum lot size of 3000m², and provides a variety of lot sizes and shapes to meet market demand.</p> <p>Council supports the increased density at the site, given the current housing shortage, and the Griffith Housing Strategy.</p>
<p>Ingress and Egress</p> <p>The original plan included ingress and egress from Jones Road, which has been removed in the proposed plan, leaving only one internal access road within the estate, which will cause both amenity/traffic impacts for existing residents within this estate, as well as causing potential concern during a bushfire event.</p>	<p>It is acknowledged that previous versions of the subdivision plan both included and then didn't include a direct ingress and egress point with the adjoining Jones Road to the north. It is noted that this road connector was previously removed at the request of Council.</p> <p>Nonetheless, it is confirmed that the latest attached plan reinstates this road connection point.</p> <p>Consequently, this will reduce traffic impacts on the existing internal road network and will help distribute traffic volumes out to Jones Road and Boorga Road. Furthermore, it has also been provided in accordance with the requirements of a Bushfire Risk Assessment prepared for the site.</p>	<p>A connection road has been provided to the proposed development from both Jones Road and South Lake Drive.</p>
<p>Collector Roads</p> <p>The plans do not appear to</p>	<p>The provision of collector roads, which can support both public transport (buses) and large articulated vehicles (emergency service vehicles and garbage</p>	<p>A bus stop has not been conditioned as part of the development. As part of a recent</p>



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cater for school buses or public transport stops. Consideration should be given to providing this within the estate	collection vehicles) is supported. In response, the South lake Road loop within Stage 1, 2, 3 and 6 support ridged buses (14.5m). This loop road will ensure that the majority of proposed allotments (52 out of the 67 new lots proposed) will be within 400m walking distance of the bus stops.	development for Sunset Waters (DA 16/2025) a 'bus stop' was conditioned which only includes a j-pole. Given the new internal road children can be picked up from South Lake Drive on the 'dam lot' as mentioned in the submissions. A bus stop can be provided if necessary.
Ongoing vacant land management There has been very little to no ongoing management vacant land, which is causing a fire hazard. Is there a plan to maintain this space on an ongoing basis?	Matters regarding vacant land management will largely be resolved once the subdivision has been completed and the lots sold. In the interim, the property owner will continue to maintain the land, however this has been restricted due to requests by the NSW Department of Climate Change, Energy, Environment and Water seeking to limit works on site due to the presence of items of Aboriginal Cultural Heritage Significance. Ongoing management of the proposed drainage reserve is currently identified as being the responsibility of those within the proposed Community Title subdivision. As outlined in response to other submissions received, the applicant has requested that Council take ownership of this reserve, subject to the completion of maintenance periods. See below further details regarding Community Title Subdivision.	Conditions have been imposed on the development approval for the applicant to maintain both bushfire and weed concerns at the site. The landowner has been aware of maintenance requirements however has been waiting for approval of an Aboriginal Heritage Impact Permit (AHIP), to ensure any maintenance actions undertaken at the site were in accordance with Heritage requirements. Conditions for maintenance of land have been provided by heritage NSW in conjunction with this application.

SECTION 4.15 (1) (e) the public interest

The provisions of section 4.15(1)(e) of the Environmental Planning and Assessment Act 1979 provides an overarching requirement to take into account the public interest. It is considered that the public interest is best served by the consistent application of the requirements of the relevant Commonwealth and State government legislation, environmental planning instruments, development control plan, Council policy, and by Council ensuring that any adverse effects on the surrounding area and the environmental are avoided.

The following matters have been considered as part of the public interest:

- In accordance with Biosecurity Act 2015 and Biosecurity Regulation 2017, Private occupiers of land must control weeds on land. This includes weeds listed in Schedule 1 of the regulation such as African Boxthorn and Prickly Pear which are scattered throughout the subject site.
- The Test of Significance referred to in Section 7.3 of the Biodiversity Conservation Act 2016 in addition to the Biodiversity Assessment Report under the Part 6 Biodiversity Offset Scheme has been considered, to determine whether the proposed works are likely to have a significant impact. These Acts have been considered under GLEP 2014 Section 7.3. Credit's have been generated and will be retired as a result of clearing Weeping Myall and derived Weeping Myall Communities.
- The subject land was not identified as Bushfire prone land at the time of lodgement. Mapping changed during the assessment process and the land is now located within the buffer zone for bush fire prone land mapping. and so the application was not assessed a

On the basis that the proposed development (Stage 4 only) is considered to be consistent with the aims and objectives of Griffith Land Use Strategy: Beyond 2030; Griffith Local Environmental Plan



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2014 and other relevant environmental planning instruments, development control plans or policies; and Land and Environment Court Planning Principles, it is therefore unlikely to raise any issues that are contrary to the public interest.

PART H: MONETARY CONTRIBUTIONS

Section 7.12 Contributions (Environmental Planning & Assessment Act 1979)

Section 7.12 of the Environmental Planning and Assessment Act 1979 states that if a consent authority is satisfied that development is likely to require the provision of or increase the demand for public amenities and public services within the area, it may grant the development consent subject to a condition requiring the payment of a monetary contribution in accordance with an approved contributions plan. The proposed development is for a 21 lot subdivision (Stage 4 only) and includes the construction of two public roads and a residue lot and is within the Lake Wangan precinct.

The calculations associated with the section 7.12 contributions payable based on the cost of works associated with this stage of development, based on \$2,046,000 total estimated cost charged at 1% = \$24,460.00.

Section 64 Contributions (Local Government Act, 1993)

The effect of section 64 of the Local Government Act 1993 is to give the functions of the Water Management Act 2000 to Council in the same way it applies to a water supply authority. Section 306(2) of the Water Management Act 2000 enables a water supply authority to require the applicant to do either or both of the following:

- (a) *to pay a specified amount to the water supply authority by way of contribution towards the cost of such water management works as are specified in the notice, being existing works or projected works, or both,*
- (b) *to construct water management works to serve the development.*

In calculating an amount for the purposes of subsection (2)(a) Council has adopted Development Servicing Plans. The proposed development involves (described the development in terms of Water Directorate & DSP triggers) and is within the (insert details) precinct. On this basis the following DSPs adopted by Griffith City Council apply:

Development Servicing Plan	Applies to Development
Sewerage Development Servicing Plan No. 1: Griffith	Y
Sewerage Development Servicing Plan No. 2: Yenda	N
Sewerage Development Servicing Plan No. 3: Bilbul	N
Water Development Servicing Plan No. 1: Griffith	Y
Water Development Servicing Plan No. 2: Yenda	N
Stormwater Development Servicing Plan: Collina	N

The calculations associated with the section 64 contributions payable are provided below:

Table of Contributions Required – Water, Sewerage & Drainage

Type of contribution	Amount per tenement	Number of tenements	Amount to be paid
----------------------	---------------------	---------------------	-------------------



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Water supply	\$ 8,956.00	21 ET	\$ 182,595.00
Sewerage	\$ 6,276.00	21 ET	\$127,953.00
Total			\$ 310,548.00

PART I: INTERNAL REFERRALS

As part of the assessment process, the following internal referrals were also undertaken.

DISCIPLINE	ADVICE, COMMENTS & CONDITIONS	DATE
Engineering	Engineering assessment in CM	26/3/25 & 25/3/25 & 21/3/25
Health	Memorandum in CM	6/3/25 & 4/3/25
Street/Rural No	Email in CM	21/3/25

The comments received in response to the internal referral place have been addressed in the assessment of the application and where applicable incorporated into the recommendation.

PART J: CONCLUSION AND RECOMMENDATION

Conclusion

The development application has been analysed and evaluated with regard to the matters for consideration listed in Section 4.15 of the Environmental Planning and Assessment Act 1979. The assessment has identified that:

- The proposed development is permissible within the zone under GLEP 2014 and is consistent with the aims, objectives and special provisions of that environmental planning instrument.
- The proposed development is consistent with the provision the relevant SEPP that apply.
- The proposed development is considered satisfactory with regard to the objectives and controls set down in the relevant development control plans.
- That where non-compliance with a development control has been identified, the proposed variation can be supported in the circumstances of the case, or has been addressed by way of a condition of consent.
- The proposed development is unlikely to have any unreasonable impact on the environment, and where an adverse impact has been identified appropriate conditions have been imposed to mitigate the effects.
- The subject site is suitable for the proposed development
- Where submissions were received they have been taken into consideration and where appropriate have been addressed by way of amended plans or conditions of consent.
- The proposed development does not raise any matter contrary to the public interest.

On this basis it is considered that the proposal has merit and can be supported.

Recommendation


- a) That Griffith City Council as the consent authority pursuant to section 4.16 of the Environmental Planning & Assessment Act 1979 grant consent to Development Application No: 172/2022(1) for the subdivision of 21 Large Lot Residential Lots, two public roads and 1 residue lot at South Lake Drive LAKE WYANGAN subject to conditions set out in Attachment 'B'.

ASSESSING OFFICER

Date



172/2022(1)

Name: Mrs J V Tarbit 8/04/2025
Position: Development Assessment Planner
Signature: 

REVIEWING OFFICER

Name: Kerry Rourke 09/04/2025
Position: ADAC
Signature:

Attachment A – Draft Refusal to Grant Consent

DA 27/2025: (1)PN:AM

NOTICE OF DETERMINATION OF A DEVELOPMENT APPLICATION

(Section 4.16(1)(b) Environmental Planning & Assessment Act, 1979)

Development Application No.:	27/2025 (1)
Applicant(s):	Mr M Secivanovic Level 21 133 Castlereagh Street SYDNEY NSW 2000
Description of Development:	Demolition of existing structures & Construct Co-Living housing for twenty-two (22) rooms and nine (9) parking spaces
Property Description:	LOT: 19 SEC: 51 DP: 758476 6 Wyangan Avenue GRIFFITH
Date of determination:	DATE
Development application has been:	refused

The reason(s) for refusal are set out as follows:

- i. That the application is deemed unsatisfactory with regard to the provisions of Section 4.15(d) & (e) of the Environmental Planning & Assessment Act, 1979, in that it is not considered to be in the public interest as this development cannot be provided with a safe access point, and presents unacceptable safety risks for occupants, visitors and local road users. The site is not considered suitable for the development proposed.
- ii. That the application is deemed unsatisfactory as it is not considered to be within the public interest. The health and safety of the public is likely to be adversely affected by the proposal due to the unacceptable risk of traffic incidents caused by the proposed access configuration and the volume of traffic accessing the development.
- iii. That the application is deemed unsatisfactory as the proposed buildings are not appropriately located in relation to overhead electricity infrastructure. The development is not considered to be in the public interest.

If you are dissatisfied with this decision, Section 8.7 of the Environmental Planning and Assessment Act 1979 provides you the right to appeal to the Land and Environment Court of New South Wales within six (6) months from the date of this notice.

Alternatively, Section 8.3 of the Environmental Planning and Assessment Act 1979 provides for the applicant to request that Council review the determination. The request must be made in writing together with payment of the appropriate fee to Council within six (6) months of this notice.

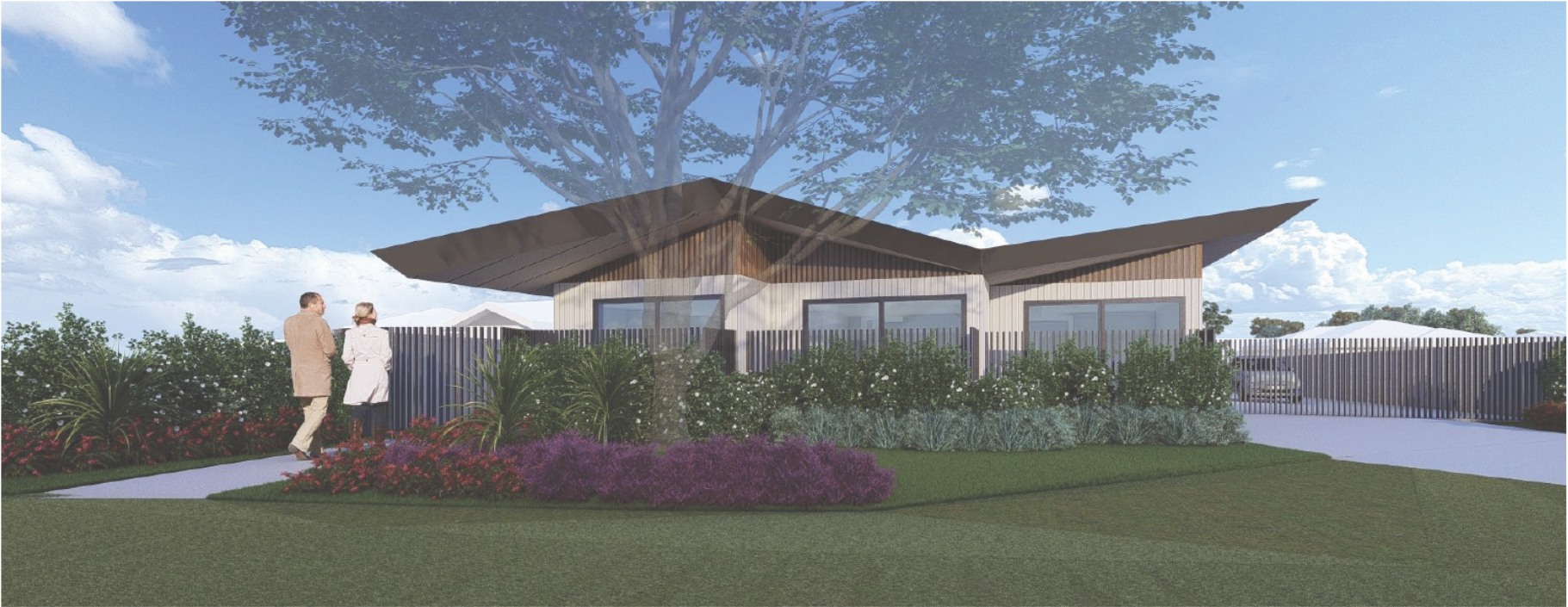
For further information regarding this matter please contact Council's Senior Development Assessment Planner, Patterson Ngwira, 1300 176 077, admin@griffith.nsw.gov.au.

JOE RIZZO
DIRECTOR SUSTAINABLE DEVELOPMENT

Enc

DRAWING LIST

00	COVER SHEET
01	PROJECT SUMMARY
02	LOCATION PLAN
03	SITE PLAN
04	DEMOLITION PLAN
05	GENERAL ARRANGEMENT PLANS
06	GROUND FLOOR- PART PLAN 1
07	GROUND FLOOR- PART PLAN 2
08	UNIT PLANS
09	SECTIONS
10	SECTIONS
11	ELEVATIONS
12	ELEVATIONS
13	SHADOW DIAGRAMS
14	SHADOW DIAGRAMS
15	PERSPECTIVE 1
16	PERSPECTIVE 2
17	VEHICULAR ENTRY & EXITS



DEVELOPMENT APPLICATION
PROPOSED CO-LIVING DEVELOPMENT
6 WYANGAN AVE, GRIFFITH

PREPARED FOR
MARK SECIVANOVIC

SITE LOCATION				
LOCAL GOVERNMENT AREA	GRIFFITH CITY COUNCIL			
DCP PRECINCT	JUBILEE			
LAND ZONING	R1 GENERAL RESIDENTIAL			
PROPOSED USE	RESIDENTIAL (CO-LIVING)			Y

PLANNING CONTROLS				
DESCRIPTION	PLANNING INSTRUMENT	BONUS		COMPLIANCE

SITE AREA				
MIN. SITE AREA REQUIRED	SEPP (HOUSING) 2021		800 sqm	
PROPOSED TOTAL SITE AREA (sqm)			1,706 sqm	Y

HEIGHT OF BUILDING				
PERMISSIBLE H.O.B	BASE LEP		9.00 m	
PERMISSIBLE TOTAL MAX. H.O.B			9.00 m	
PROPOSED TOTAL H.O.B			4.50 m	Y

FLOOR SPACE RATIO				
PERMISSIBLE FSR	BASE LEP		0.70 :1	
BONUS FSR	SEPP (HOUSING) 2021	10.0%	0.07 :1	
PERMISSIBLE MAX. TOTAL FSR			0.77 :1	
PROPOSED TOTAL FSR			0.37 :1	Y

GROSS FLOOR AREA				
PERMISSIBLE GFA	BASE LEP		1,194 sqm	
BONUS GFA	SEPP (HOUSING) 2021	10.0%	119 sqm	
PERMISSIBLE MAX. TOTAL GFA			1,314 sqm	
PROPOSED TOTAL GFA			623 sqm	Y

LANDSCAPING AREA				
MIN. LANDSCAPING REQUIRED	DCP (MULTI-DWELLING)		20.0% %	
			341 sqm	
PROPOSED TOTAL LANDSCAPING			20.1% %	Y
			343 sqm	

DEEP SOIL AREA				
MIN. DEEP SOIL REQUIRED	ADG		15.0% %	
			256 sqm	
PROPOSED TOTAL DEEP SOIL			17.5% %	Y
			299 sqm	

COMMUNAL LIVING AREA (CO-LIVING)				
MIN. COMMUNAL LIVING AREA REQUIRED	SEPP (HOUSING) 2021		62 sqm	
PROPOSED TOTAL COMMUNAL LIVING AREA			62 sqm	Y

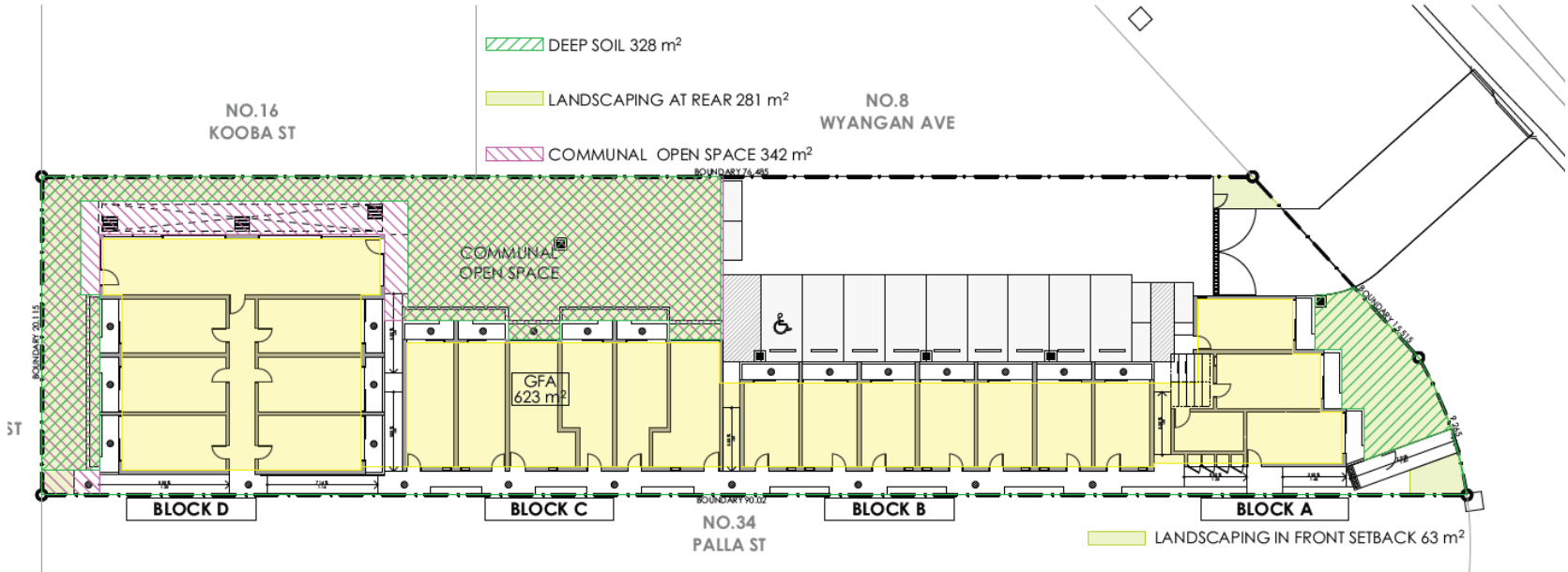
COMMUNAL OPEN SPACE AREA (CO-LIVING)				
MIN. C.O.S REQUIRED	SEPP (HOUSING) 2021		20.0% %	
			341 sqm	
PROPOSED TOTAL C.O.S			20.0% %	Y
			342 sqm	

APARTMENTS (qty)					
LEVEL	SINGLE	DOUBLE	MANAGER	ACCESSIBLE	TOTAL
GF	9	10	1	2	22
	-	-	-	-	-
TOTAL UNITS	9	10	1	2	22
UNIT MIX	40.9%	45.5%	4.5%	9.1%	100%

GFA CALCULATION			
USE	RESIDENTIAL	TOTAL	
RESIDENTIAL	623	623	sqm
	-	-	
TOTAL GFA	623	623	sqm
USE MIX	100.0%	100%	%

PARKING SPACES REQUIRED				
CAR SPACES				
APARTMENT TYPE	RATES (x/unit)	UNIT	TOTAL	
SINGLE	0.40	9	3.6	spaces
DOUBLE	0.40	10	4.0	spaces
MANAGER	0.40	1	0.4	spaces
ACCESSIBLE	0.40	2	0.8	spaces
MINIMUM CAR SPACES REQUIRED			8.8	spaces

PARKING SPACES PROPOSED				
LEVEL	CARS	BICYCLES	MOTORCYCLES	COMPLIANCE Y/N
GF	9	5	5	
PROPOSED SPACES	9	5	5	Y



Main Office: Level 2, 68 Sophia Street, Surry Hills NSW 2010
Parramatta Office: Level 3, 90 Phillip Street, Parramatta NSW 2150
+ 61 2 9283 0880 | www.ptiarchitecture.com.au
Nominated Registered Architect: Peter Israel (reg. no 506A)
ABN 90 050 071 022

REV	DESCRIPTION	BY	DATE
A	DEVELOPMENT APPLICATION SUBMISSION	VD	17.02.2025
B	ADDITIONAL INFORMATION CLOUDED : - ELECTRICAL CONNECTION - VEHICULAR ENTRY & EXITS	VD	04.03.2025

CUBT:
MARK SECIVANOVIC

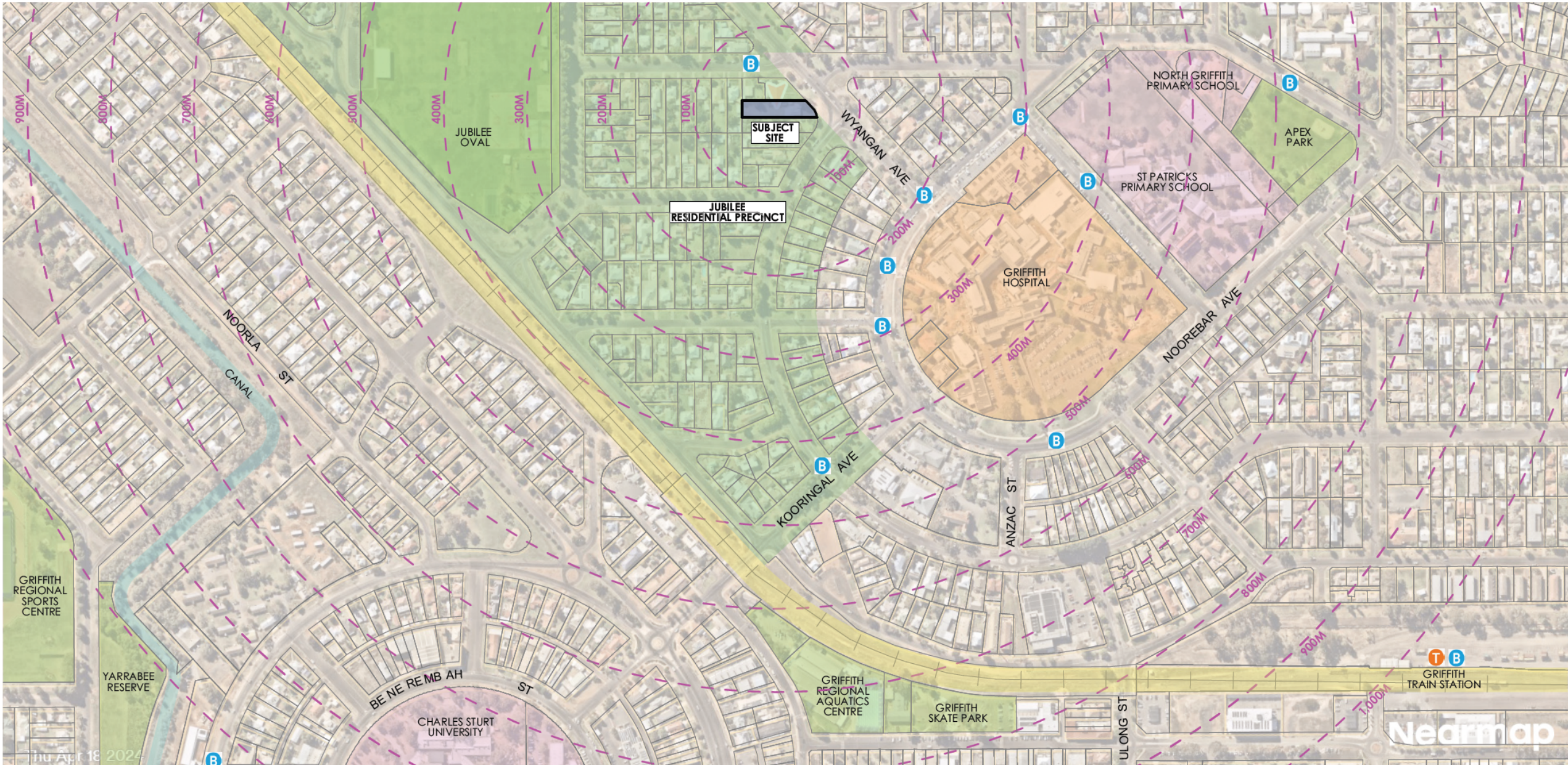
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PROPOSED CO-LIVING DEVELOPMENT
6 WYANGAN AVE, GRIFFITH
DRAWING TITLE:
PROJECT SUMMARY

NORTH POINT:



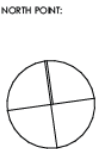
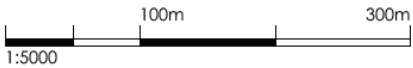
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CHECKED BY: PI
SCALE: 1:1, 1:400 AT A3
PROJECT No: P753

DA 01 B



1 LOCATION PLAN
1:5000

- PUBLIC TRANSPORT LEGEND**
- B BUS STOP
 - F FERRY WHARF
 - L LIGHT RAIL STATION
 - M METRO STATION
 - T TRAIN STATION



DRAWN BY: VD/ JR
CHECKED BY: PI
SCALE: 1:5000 AT A3
PROJECT No: P753
DA 02 B

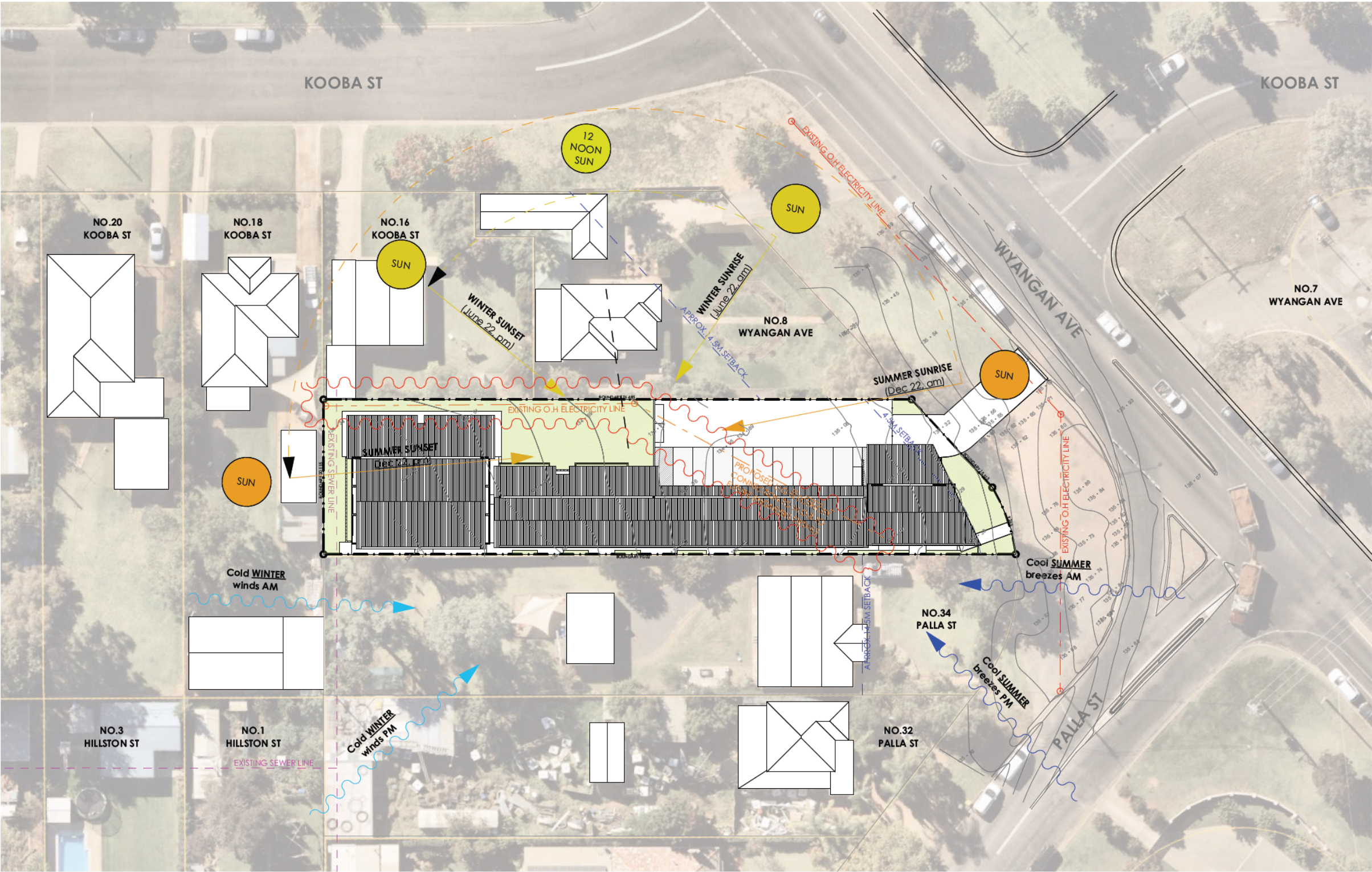


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+ 61 2 9283 0880 | www.ptiarchitecture.com.au
Nominated Registered Architect: Peter Israel (reg. no 5066A)
ABN 90 050 071 022

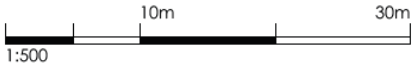
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CLIENT:
MARK SECIVANOVIC

PROJECT TITLE:
PROPOSED CO-LIVING DEVELOPMENT
6 WYANGAN AVE, GRIFFITH
DRAWING TITLE:
LOCATION PLAN



1 SITE/ SITE ANALYSIS PLAN
1:500



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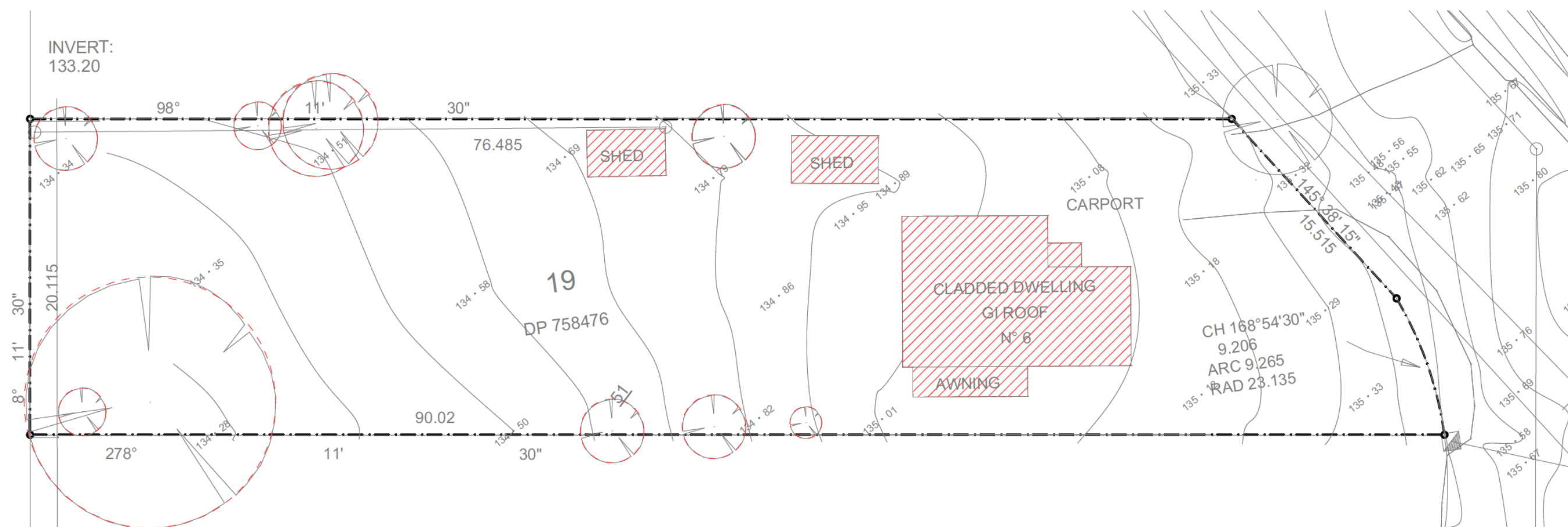
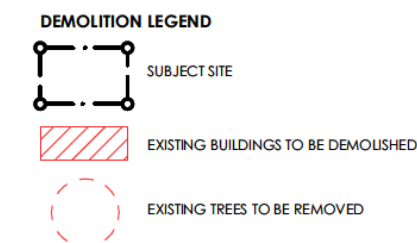
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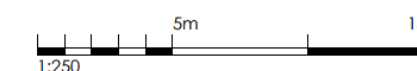


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PROJECT No: P753

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1 DEMOLITION PLAN
1:250



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PROJECT TITLE:
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6 WYANGAN AVE, GRIFFITH

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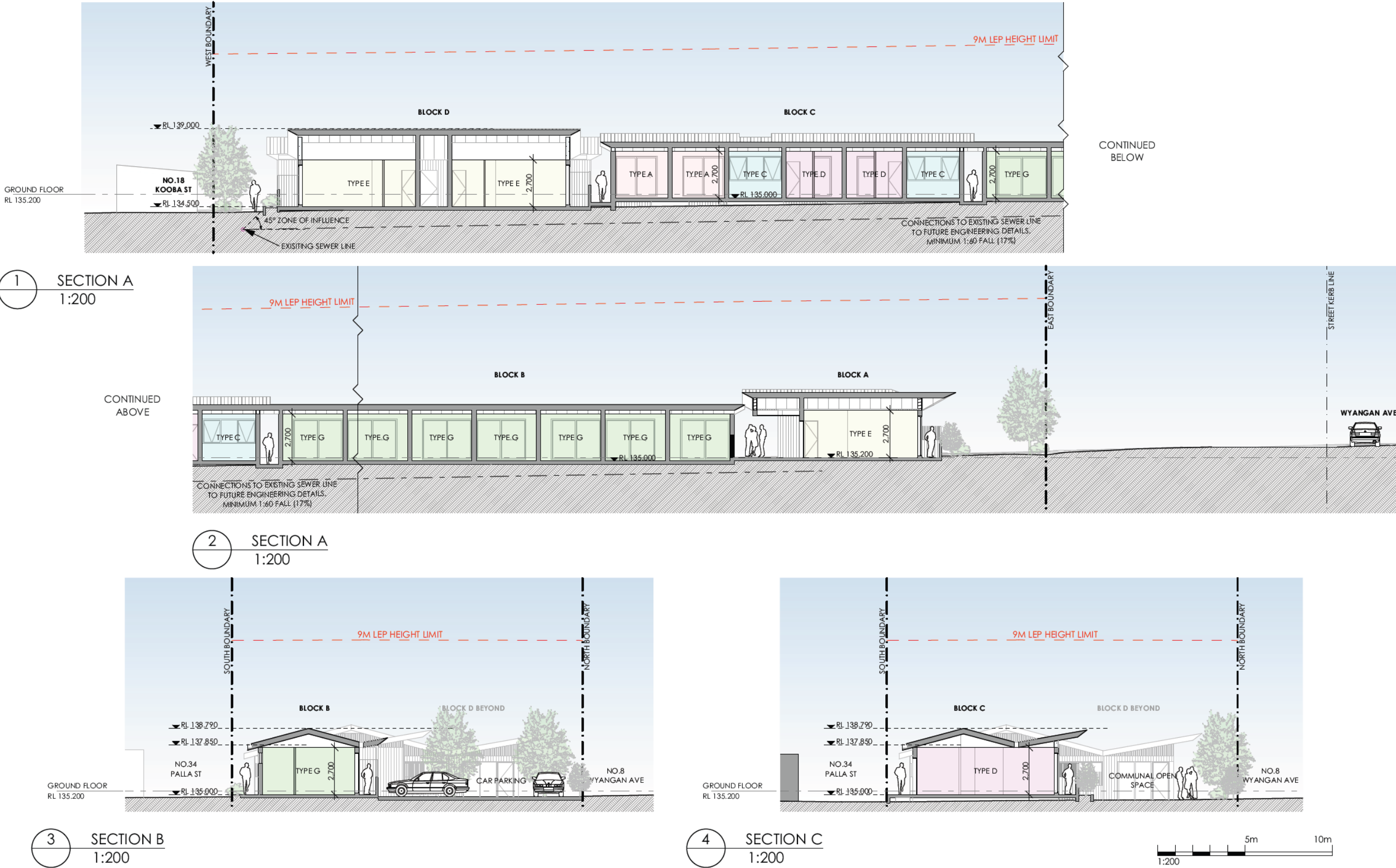
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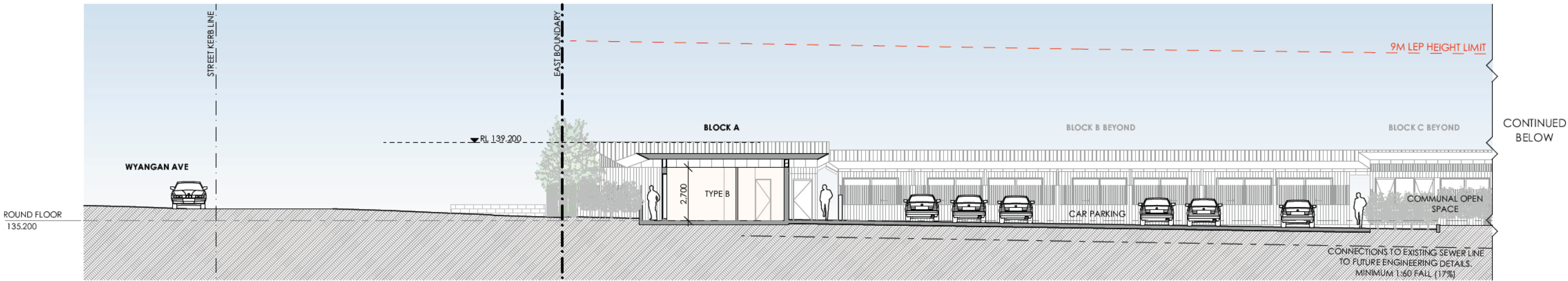
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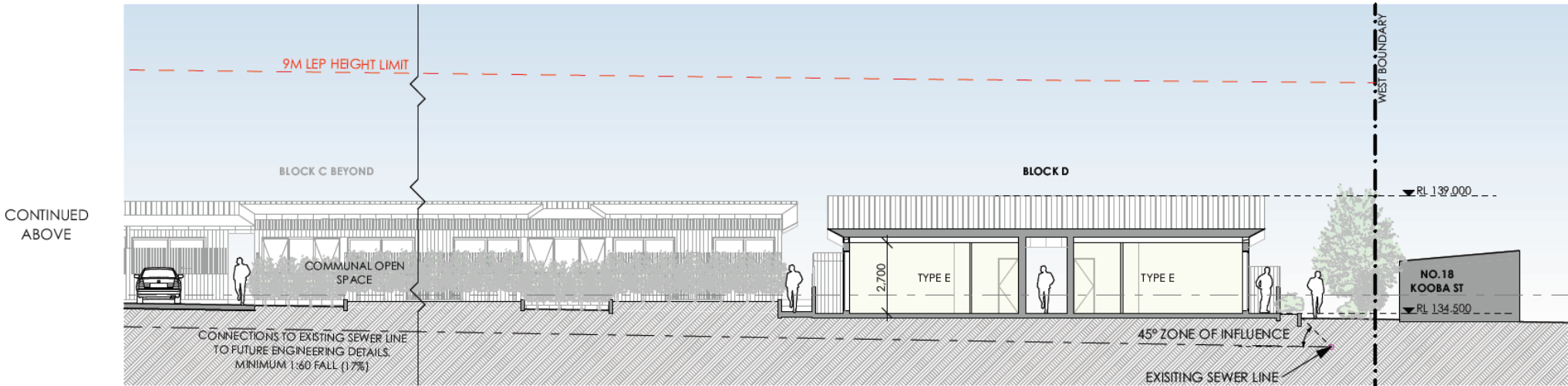
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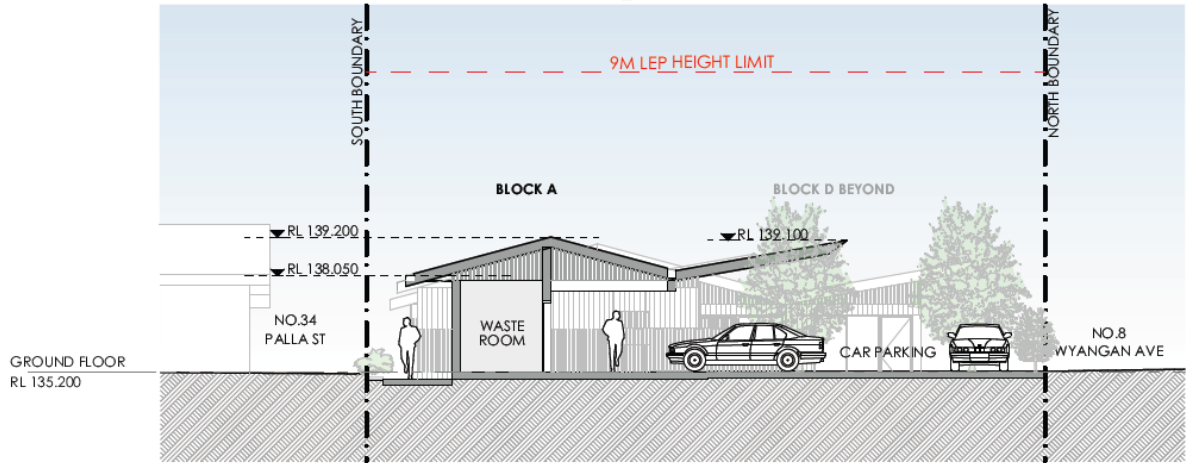
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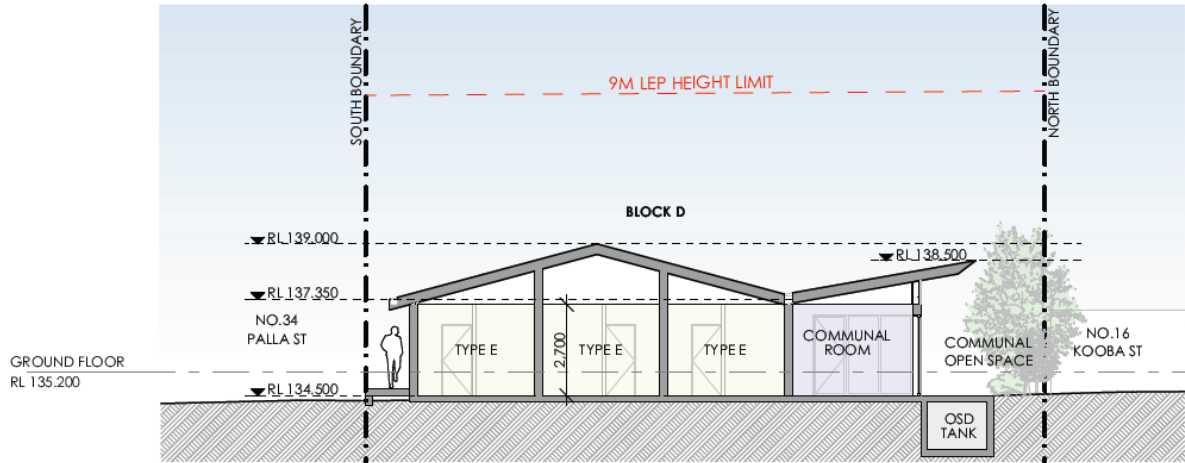
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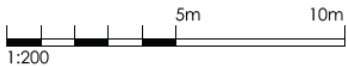
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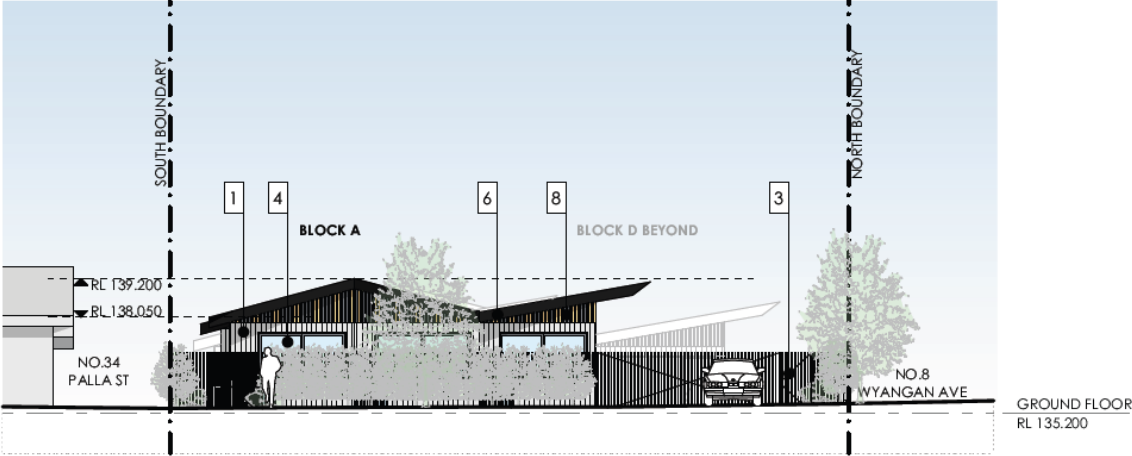
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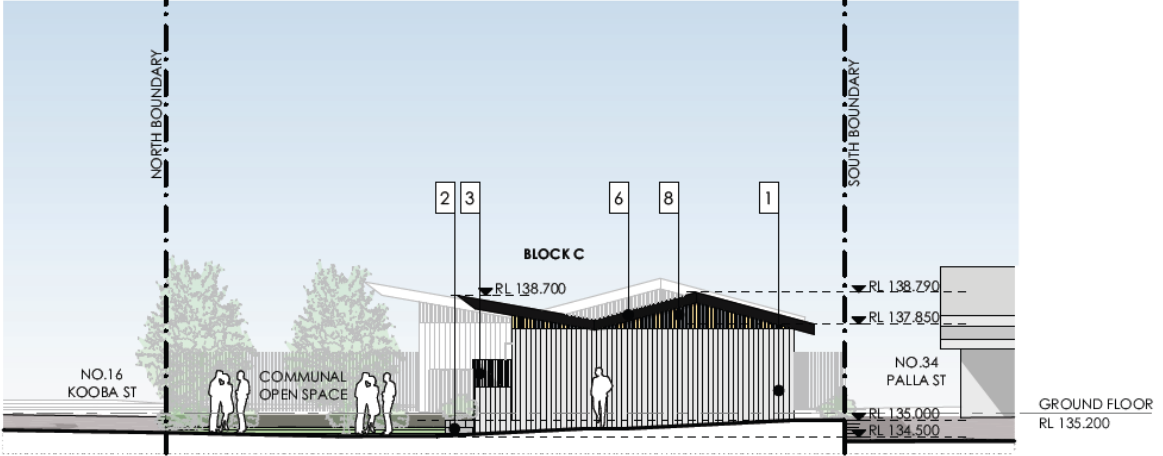
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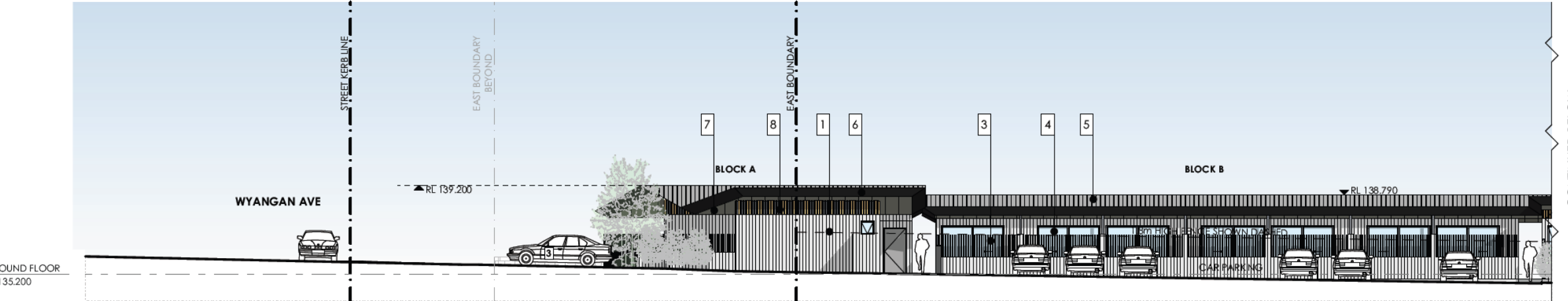
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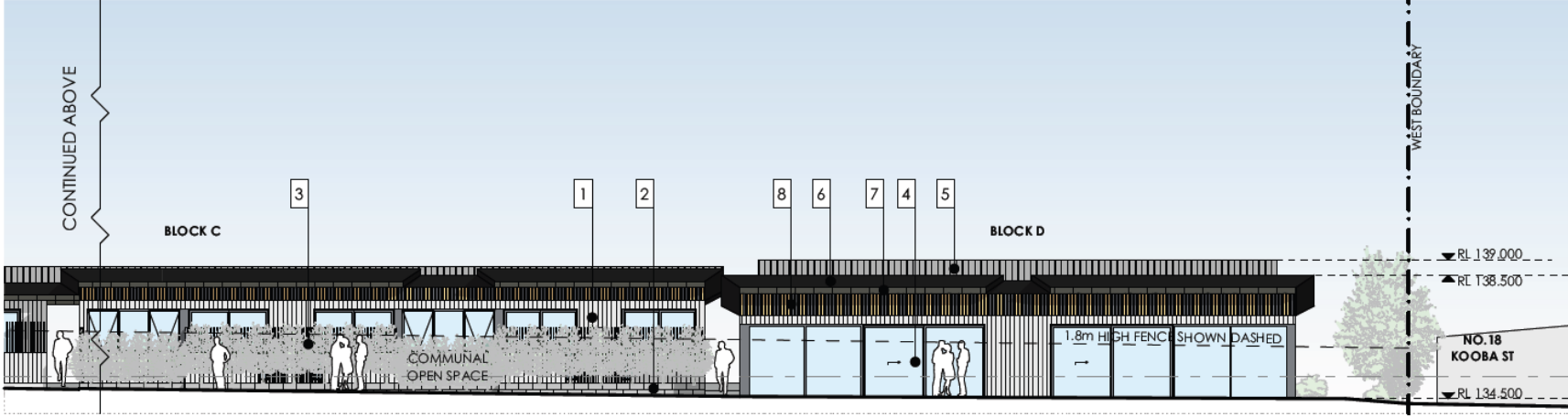
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2 WEST ELEVATION- BLOCK C
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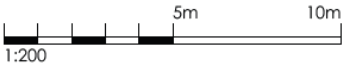
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1:200

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- 3. ALUMINIUM FENCING 1.8M COLOUR: MONUMENT
- 4. ALUMINIUM DOOR & WINDOW FRAMES, COLOUR: MONUMENT
- 5. METAL ROOF COLOUR: MONUMENT
- 6. EAVE FACIA COLOUR: MONUMENT
- 7. EAVE SOFFIT CLADDING: CEMENTEL BARESTONE
- 8. FEATURE CLADDING PREFINISHED TIMBER-LOOK



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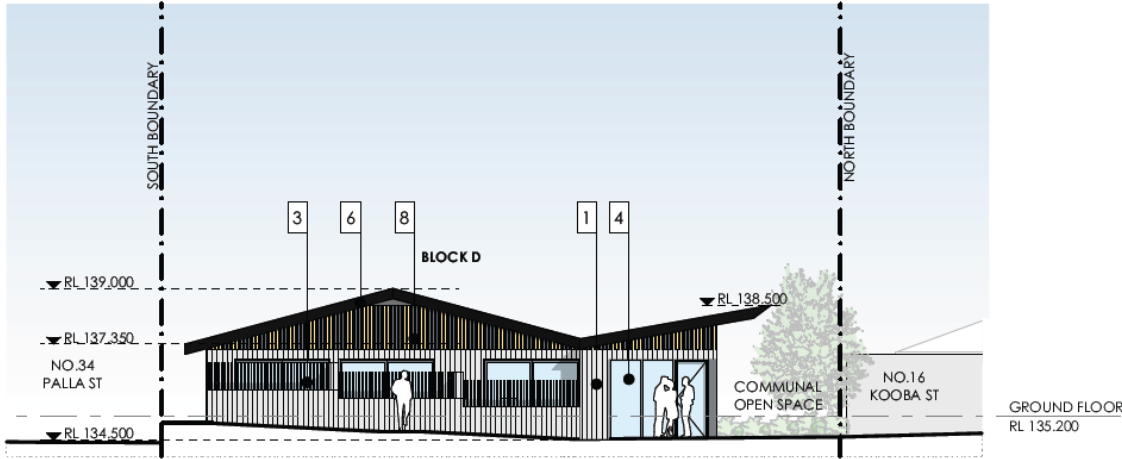
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6 WYANGAN AVE, GRIFFITH

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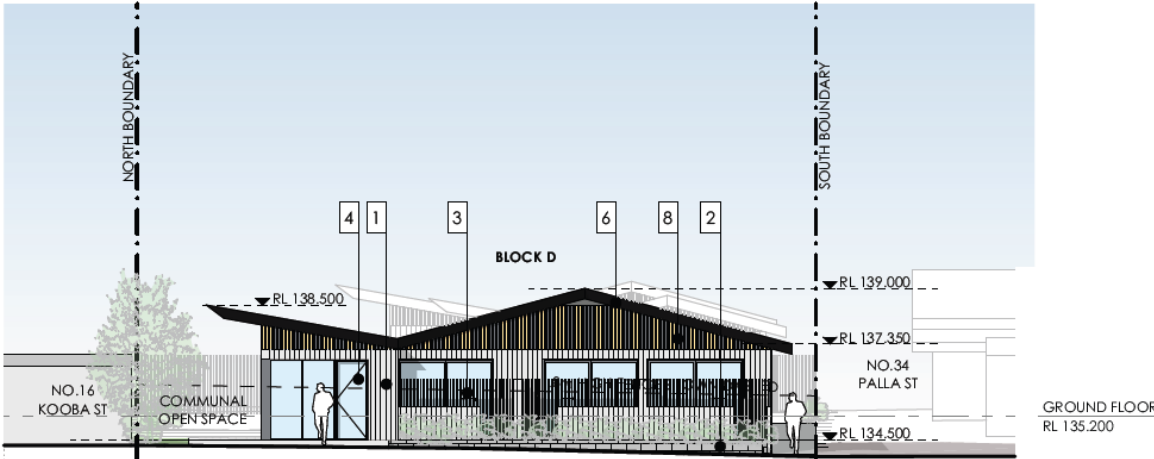
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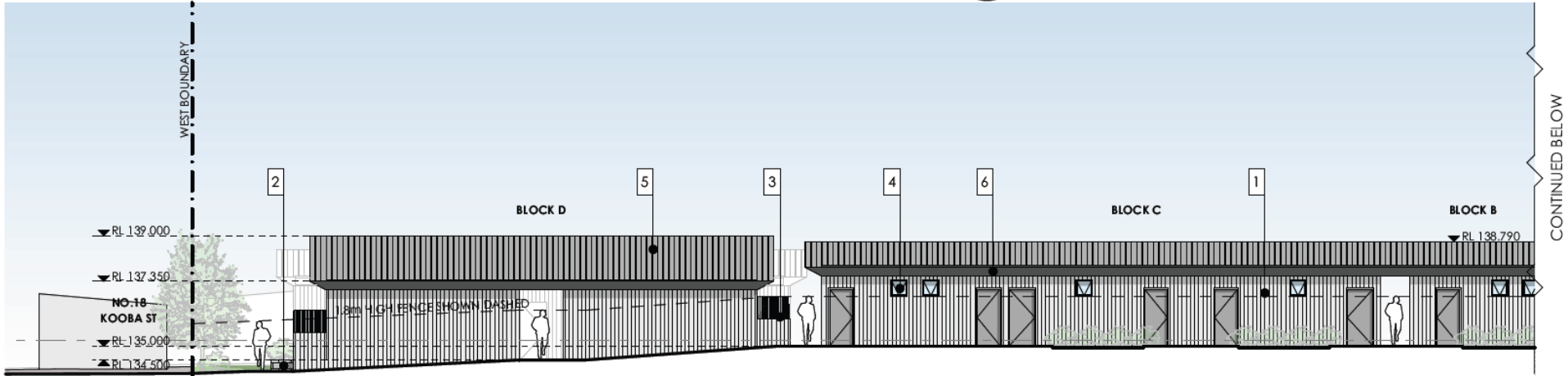
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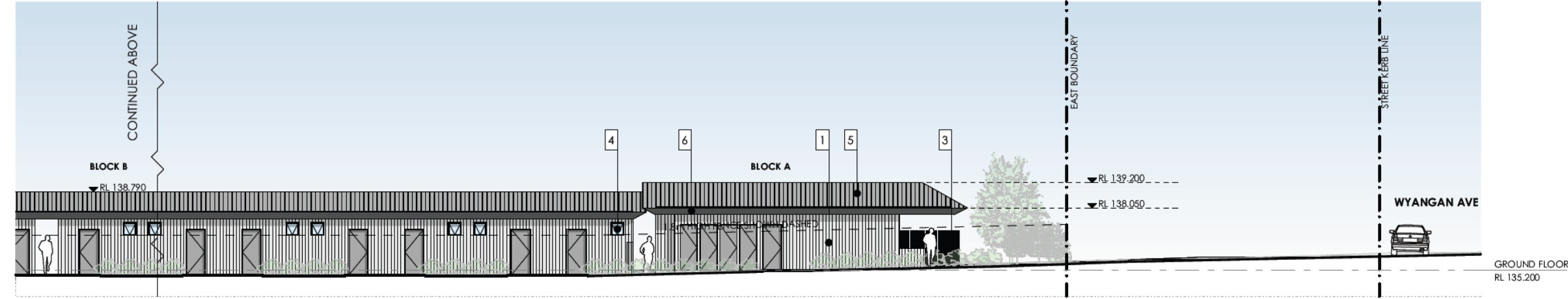
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2 WEST ELEVATION- BLOCK D
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1:200



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- 3. ALUMINIUM FENCING 1.8M COLOUR: MONUMENT
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- 5. METAL ROOF COLOUR: MONUMENT
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- 7. EAVE SOFFIT CLADDING: CEMENTEL BARESTONE
- 8. FEATURE CLADDING PREFINISHED TIMBER-LOOK

5m 10m
1:200



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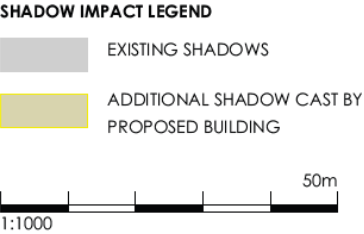
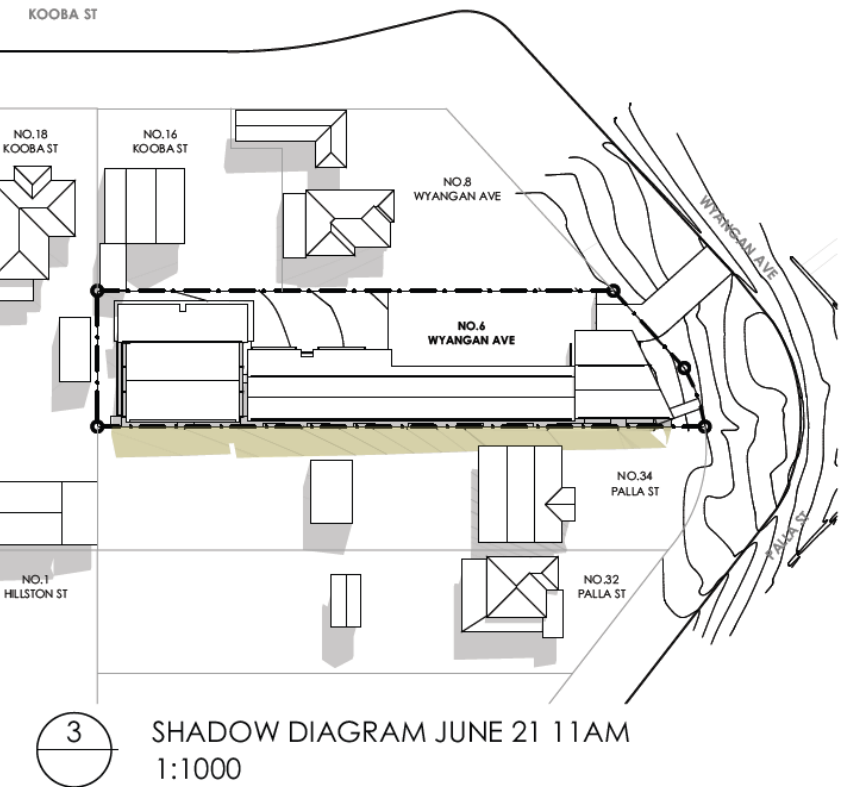
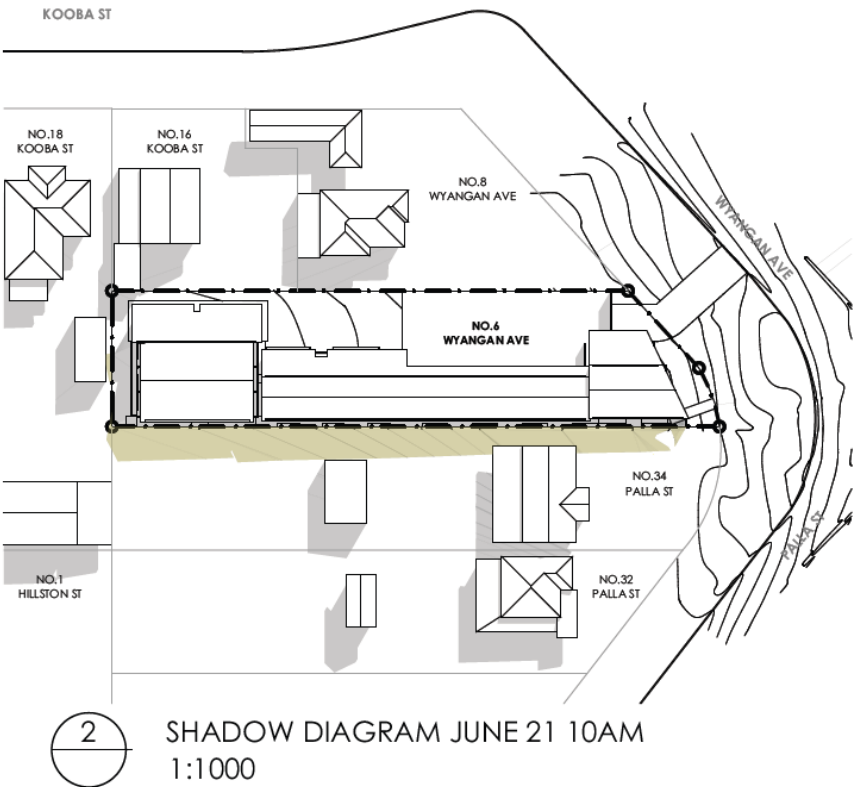
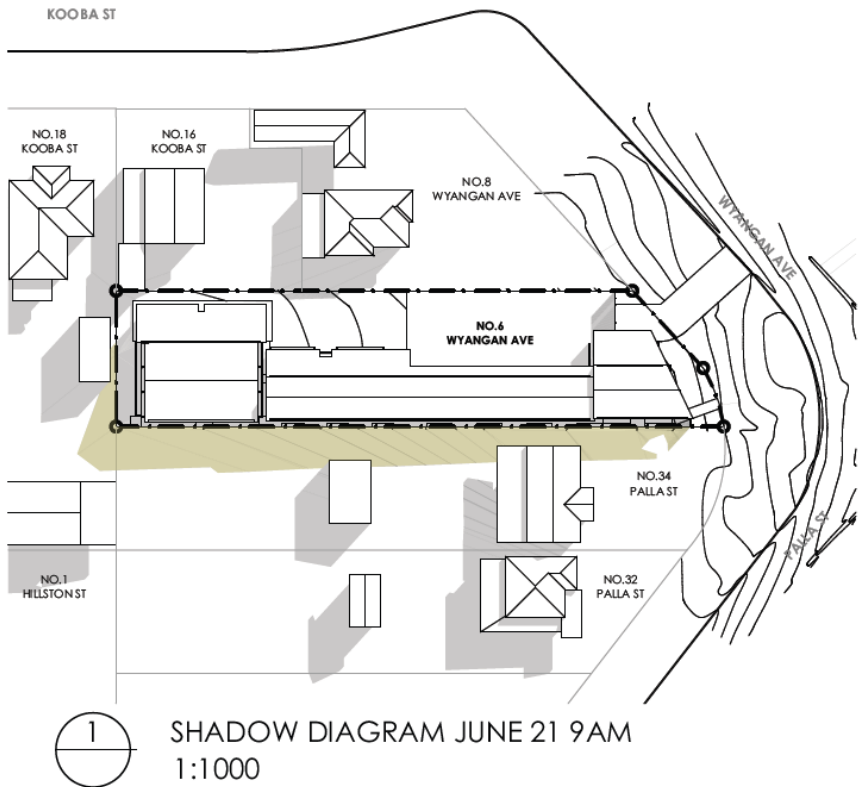
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6 WYANGAN AVE, GRIFFITH

DRAWING TITLE:
ELEVATIONS

NORTH POINT:

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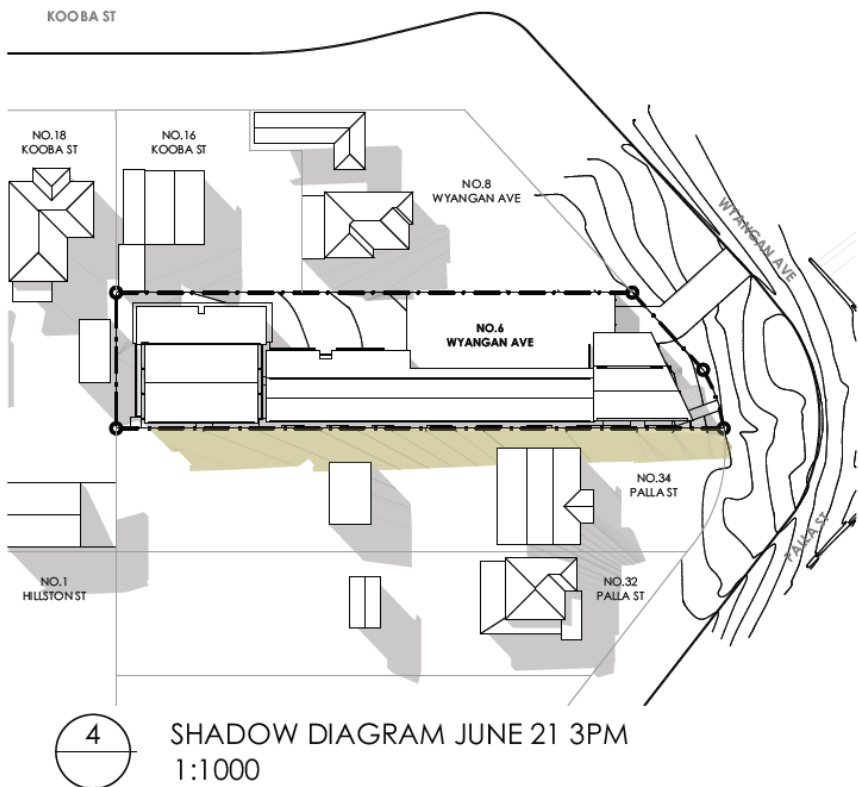
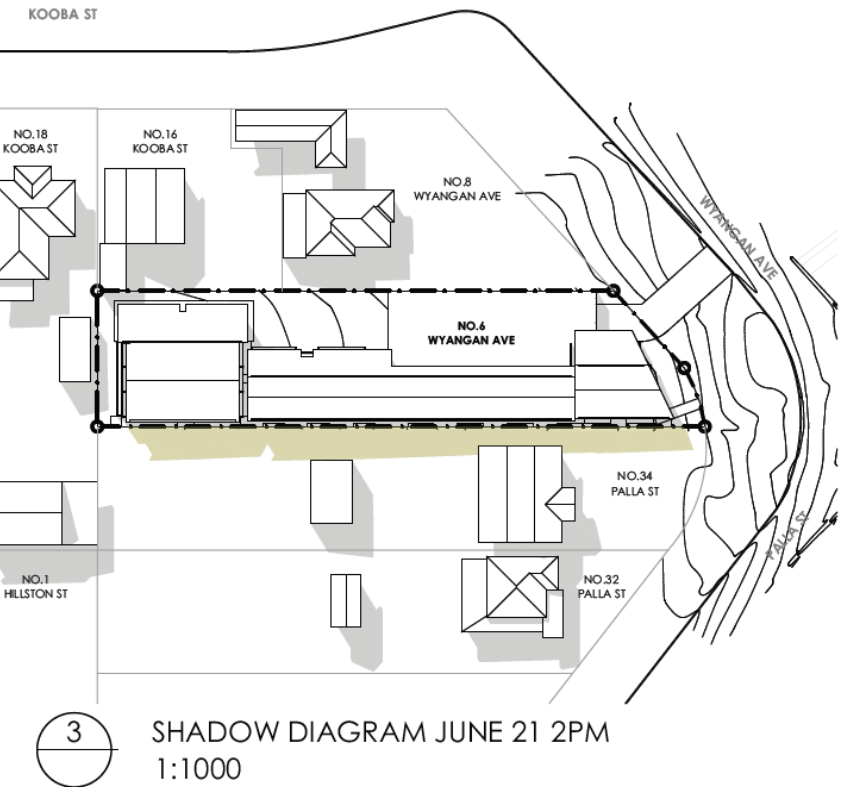
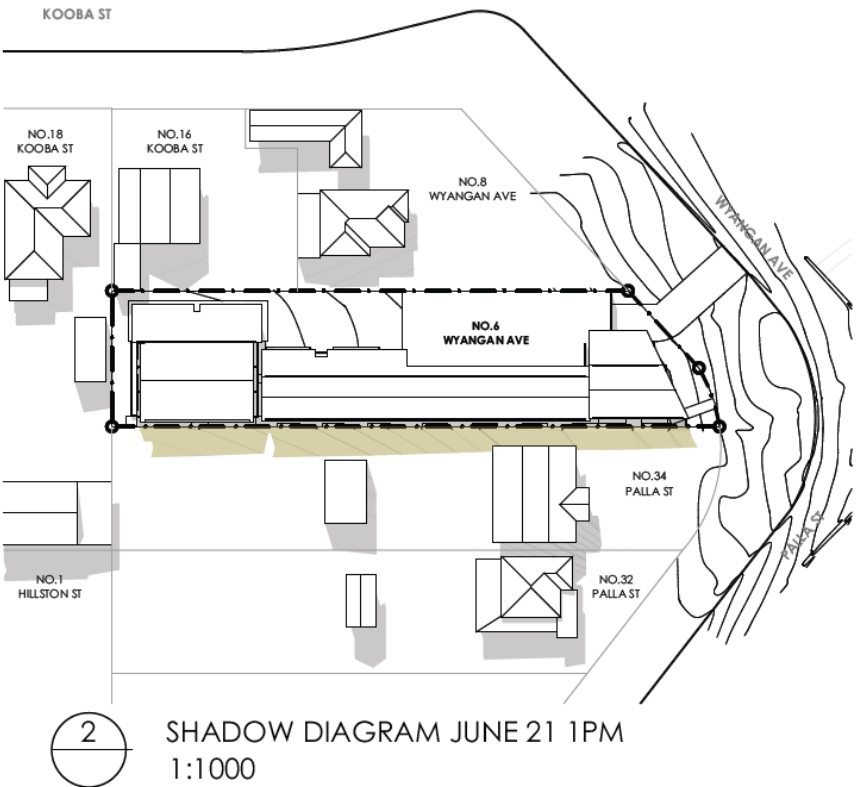
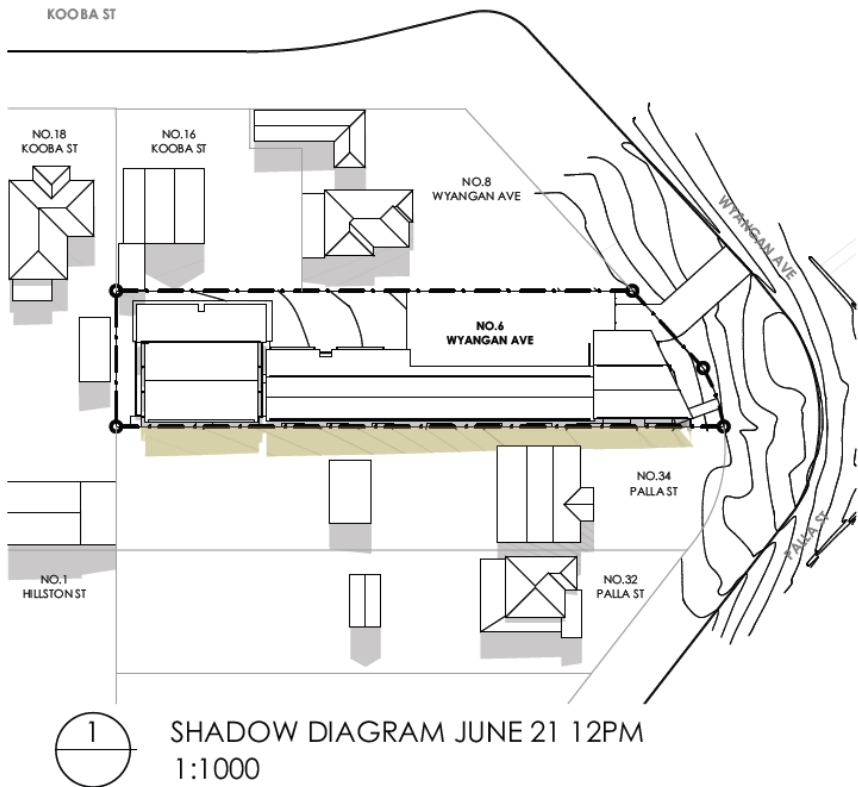
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DRAWING TITLE:
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NORTH POINT:

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DA 13 B



SHADOW IMPACT LEGEND

EXISTING SHADOWS

ADDITIONAL SHADOW CAST BY PROPOSED BUILDING

50m

1:1000



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6 WYANGAN AVE, GRIFFITH

DRAWING TITLE:
SHADOW DIAGRAMS

NORTH POINT:



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DRAWING TITLE:
PERSPECTIVE 1

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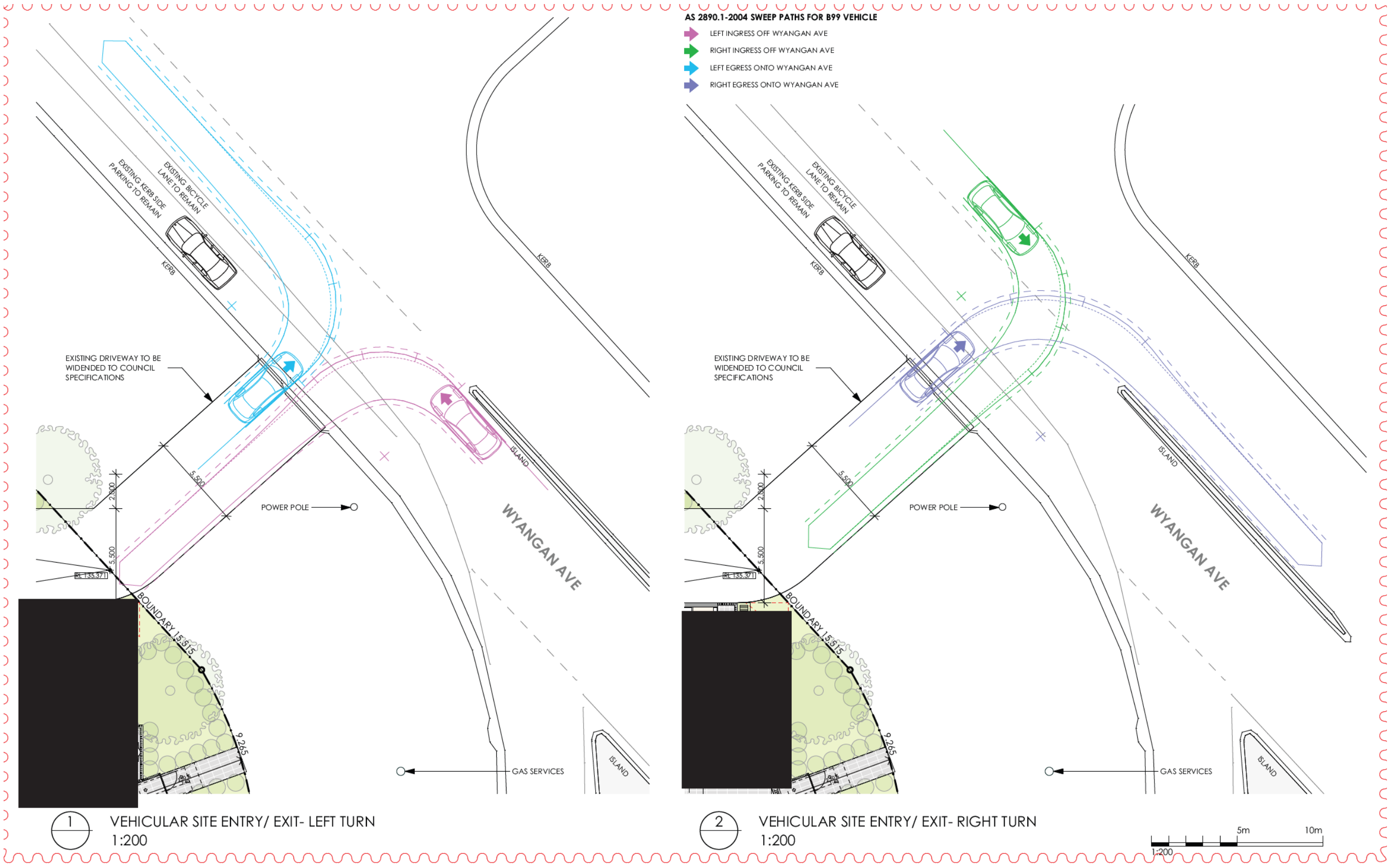
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6 WYANGAN AVE, GRIFFITH**

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SCALE: AT A3
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6 WYANGAN AVE, GRIFFITH**

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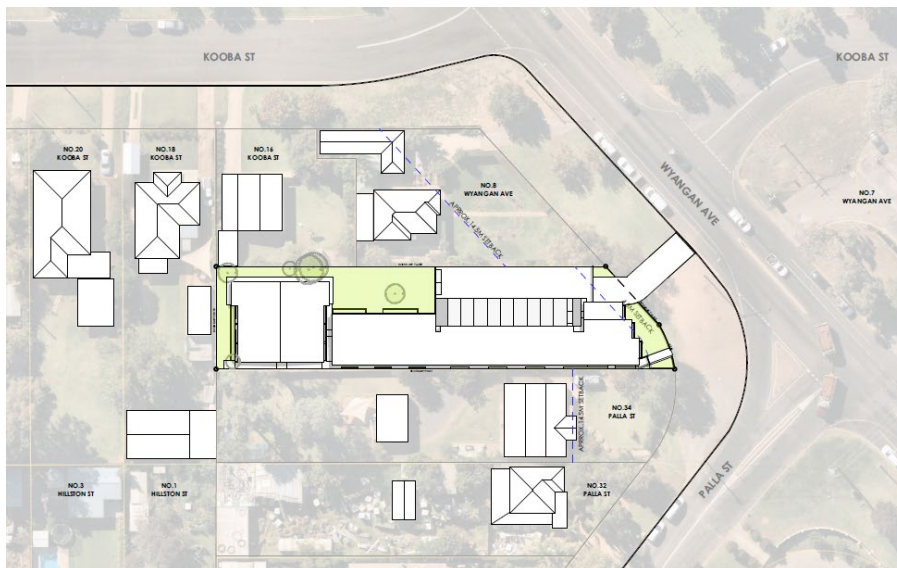


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PROJECT No: P753

DA 17 B



Statement of Environmental Effects



Co-Living Development

6 Wyangan Avenue Street Griffith

Lot 19 DP 758476

PREPARED FOR: WYANGAN CO-LIVING

BY: SKM PLANNING PTY LTD – 6 MURPHY CRESCENT, GRIFFITH NSW –
ADMIN@SKMPLANNING.COM

DATE OF FINAL ISSUE – 6 DECEMBER 2024

PREPARED BY –KELLY MCNICOL M.PL (DIRECTOR)

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1 Executive Summary

This Statement of Environmental Effects has been prepared in support of a development application for a proposed residential housing development (co-living) providing a new affordable housing supply in Griffith. The proposal is seeking consent for the construction of two new connected and freestanding co-living buildings. The proposal aims to provide secure, modern, centrally located housing options for existing and future residents, delivering a total of 21 rooms and an onsite manager's residence. The proposal is for a Co-Living development of which is the first of its kind in Griffith, and seeks to fill a gap in accommodation types and availability in Griffith as identified in the *Griffith Housing Strategy 2019*.

The subject site is located at 6 Wyangan Avenue, on the corner of Wyangan Avenue and Palla Street. The site is situated around 300m from the Griffith Base Hospital which has recently undergone a substantial redevelopment. The property has a site area of 1705 m² and is fully serviced by all essential services including water, sewerage, electricity, telecommunications and drainage. The site is presently used for a single family dwelling.

The buildings have been architecturally designed by Pti Architecture, with high quality internal and external finishes. Each room is well-appointed, self-contained, with an open plan studio design including, kitchenette, ensuite, sleeping area, storage space, with private courtyards, common open spaces and landscaped areas. The development includes two accessible co-living rooms designed to cater for people with additional accessibility requirements in accordance with the requirements of the National Construction Code. Works will include a formalised drainage system on site, including an onsite detention system (the detailed design of which would be provided post approval). Parking is to be provided for nine vehicles as well as bicycle and motorcycle parking.

The development is considered to be compatible within the locality and with existing established land uses and future land uses. The proposal will contribute positively to the social and economic wellbeing of residents of Griffith.

Need & Justification

In NSW there is a strong need for a range of affordable housing options amongst the community. There is a well-known demand for additional residential accommodation in Griffith, and an identified need for an increase in the availability of smaller, well-located, affordable dwellings. The *Griffith Housing Strategy 2019* identifies that an additional 1300 smaller, well-located affordable dwellings are required to provide a sufficient supply to meet the projected population growth by 2036. The housing strategy identified that Griffith has a higher-than-average rate of homelessness compared with NSW, and an increased number of people who are marginally housed (i.e those living in overcrowded conditions, in cars, or other temporary or insecure housing). This development is proposed to provide additional affordable rental accommodation, of which is of a high-quality design, on a centrally located site. The development will provide accommodation to diverse and very low to moderate income households for 22 adults. This proposal will thereby provide much-needed assistance to the ongoing rental crisis in Griffith.

List of Drawings and Plans Relied on

Appendix Reference	Document	Responsible Author
Appendix 1	Variation Request	SKM Planning
Appendix 2	Architectural Drawings	Pto Architecture
Appendix 3	Traffic Impact Assessment	Varga Traffic
Appendix 4	Concept Civil Plans	GEBA Consulting
Appendix 5	Landscaping Plans	Conzept
Appendix 6	Survey	PHL Surveyors
Appendix 7	Cost Summary Report	Dylan Brass

2 Introduction

The proposal is for a Co-Living development (CLD) as defined and supported in State Environmental Planning Policy (Housing) 2021 (SEPP Housing). CLD's are an emerging style of accommodation, different in design from traditional share houses which generally have communal or shared bathrooms, kitchens and common areas. CLD's incorporate private rooms which are wholly or partly self-contained, similar in design to studio apartments. The proposed CLD development at Wyangan Avenue will be partially self-contained rooms which include a private sleeping area, living space, ensuite, and kitchenette within each room. Laundry facilities will be shared within the communal room. The proposal also includes communal open space areas.

The development will consist of two connected blocks of accommodation. The front block facing Wyangan Avenue would contain nine rooms with single beds and courtyards facing the internal communal open space area, six rooms including the two accessible rooms each with a double bed and internal facing courtyards, the waste room and the Manager's accommodation. The back block would contain six rooms, all with double beds. The development proposes nine vehicle parking spaces, five bicycle spaces and five motorcycle spaces.

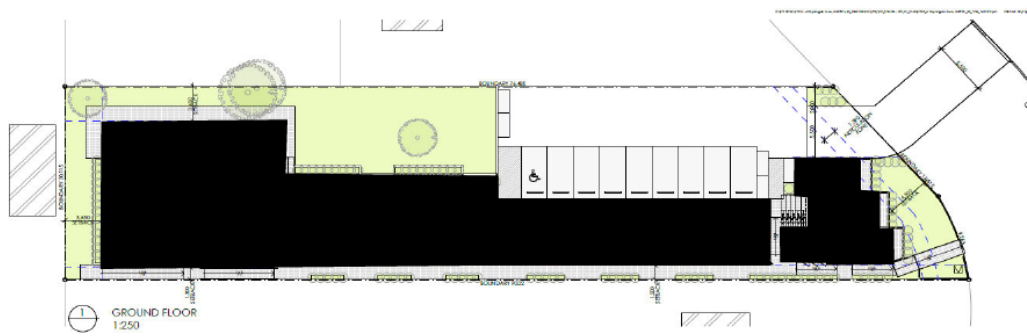


Figure 1 Site Plan

2.1 Griffith Housing Strategy 2019

The *Griffith Housing Strategy 2019* identified that Griffith has a higher-than-average rate of homelessness compared with NSW, an increased number of people who are marginally housed (i.e those living in overcrowded conditions, in cars, or other temporary or insecure housing), and an annual population growth of 0.73%. The strategy predicts a demand for 1,744 additional dwellings and an additional 1300 smaller, well-located affordable dwellings to provide a sufficient supply to meet the projected population growth by 2036.

The strategy makes recommendations to remove impediments to creating affordable housing developments in Griffith, including revising Councils planning controls, facilitating, and favourably considering compliant applications for developments, including Co-Living developments in well-located areas. The north-eastern end of the Jubilee Precinct, which includes the subject site, is an identified area suitable for developments for the purposes of

Co-living development. This has been included in the Future Character Precinct Statement in the Griffith Residential Development Control Plan.

2.2 Griffith Local Strategic Planning Statement: Growing Griffith to 2045

The Griffith LSPS outlines the land use planning vision for the growth and development of Griffith over the next 25 years and identifies the strategic framework to achieve the goals to assist in decision-making and direction. The proposed development directly promotes Planning Priority 1 – “increase urban density and housing affordability” and Planning Priority 11 – “enable access to diverse housing options”.

Planning Priority 1 – Increase Urban Density and Housing Affordability

Planning Priority 1 specifically reflects the recommendations of the Griffith Housing Study 2019 to increase density close to the Griffith CBD and increase the stock of affordable housing in Griffith. This proposal specifically supports action 1.1C by providing a co-living development within Griffith’s CBD:

Action 1.1c – increase the availability of affordable housing (short term)

Supportive land use policies and development controls can assist in the provision of affordable housing in Griffith. The provisions of the State Environmental Planning Policy (Affordable Rental Housing) 2009 which support affordable housing should be reflected in all Council’s policies, plans and development controls. Council should also be supportive of development for boarding houses and residential flat buildings within 400 m from Griffith’s CBD

Note: in 2021, the land use type: ‘Boarding House’ was split into two categories:

co-living housing means a building or place that—

- (a) has at least 6 private rooms, some or all of which may have private kitchen and bathroom facilities, and
- (b) provides occupants with a principal place of residence for at least 3 months, and
- (c) has shared facilities, such as a communal living room, bathroom, kitchen or laundry, maintained by a managing agent, who provides management services 24 hours a day, but does not include backpackers’ accommodation, a boarding house, a group home, hotel or motel accommodation, seniors housing or a serviced apartment.

boarding house means a building or place—

- (a) that provides residents with a principal place of residence for at least 3 months, and
- (b) that contains shared facilities, such as a communal living room, bathroom, kitchen or laundry, and
- (c) that contains rooms, some or all of which may have private kitchen and bathroom facilities, and
- (d) used to provide affordable housing, and
- (e) if not carried out by or on behalf of the Land and Housing Corporation—managed by a registered community housing provider,

but does not include backpackers’ accommodation, co-living housing, a group home, hotel or motel accommodation, seniors housing or a serviced apartment.

Planning Priority 11 – enable access to diverse housing options

Planning priority 11 encourages residential development of a mix of types, sizes and tenure options of homes including Public Private Partnerships with housing providers, and identifies that diversity of housing is: *...important to attract new residents as well as allowing residents to relocate within their local area and stay connected to community services, friends and family whilst achieving the lifestyle they desire at different life phases and economic circumstances.*

This proposal is a privately funded development that will be privately managed, and tenure options will be provided with the relevant legislation. The development will provide an alternate style of residential accommodation, allowing occupants to live centrally in Griffith.

The proposed development is consistent with the desired outcomes identified in the Griffith Local Strategic Planning Statement.

3 The Site

3.1 Site Description

The site is located at 6 Wyangan Avenue, Griffith NSW, legally described as Lot 19 in Deposited Plan (DP) 758476. The site is 1705.53 m² in area, with 24.8 m of frontage to Wyangan Avenue.

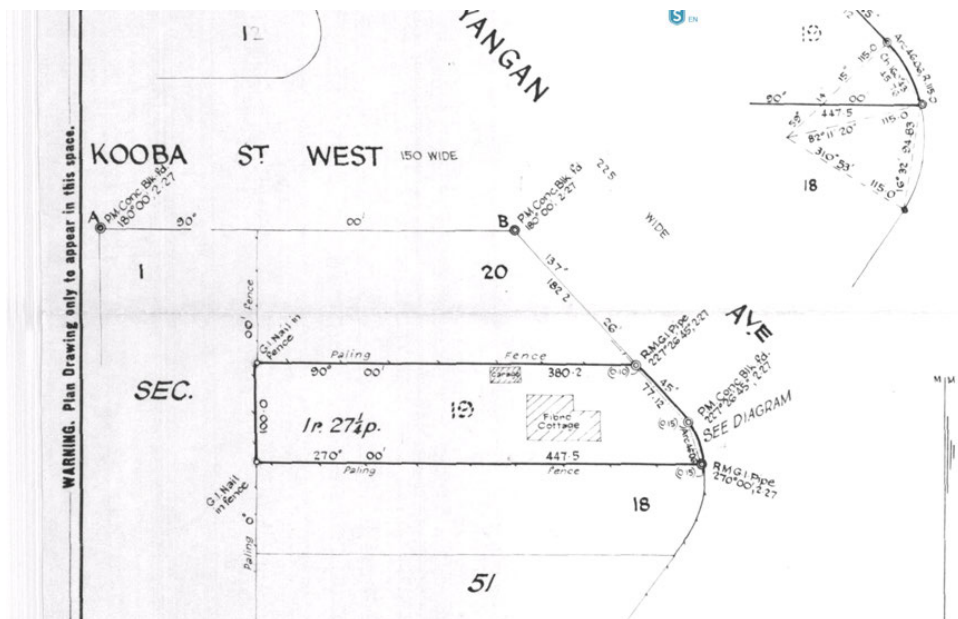


Figure 2: Deposited Plan for the Site

Existing development onsite includes a single detached dwelling and two outbuildings. The site has a single driveway to Wyangan Avenue located 31 m from the intersection at Palla Street and 11m from the yield line of the slip lane from Palla Street to Wyangan Avenue.

The site is void of significant vegetation and falls from Wyangan Avenue to the rear of the site (there is around 1 m of fall). There is no formal stormwater network at the rear of the site. The existing dwelling directs stormwater to Wyangan Avenue. The site is connected to Council's reticulated sewer network which runs through the rear of the site.

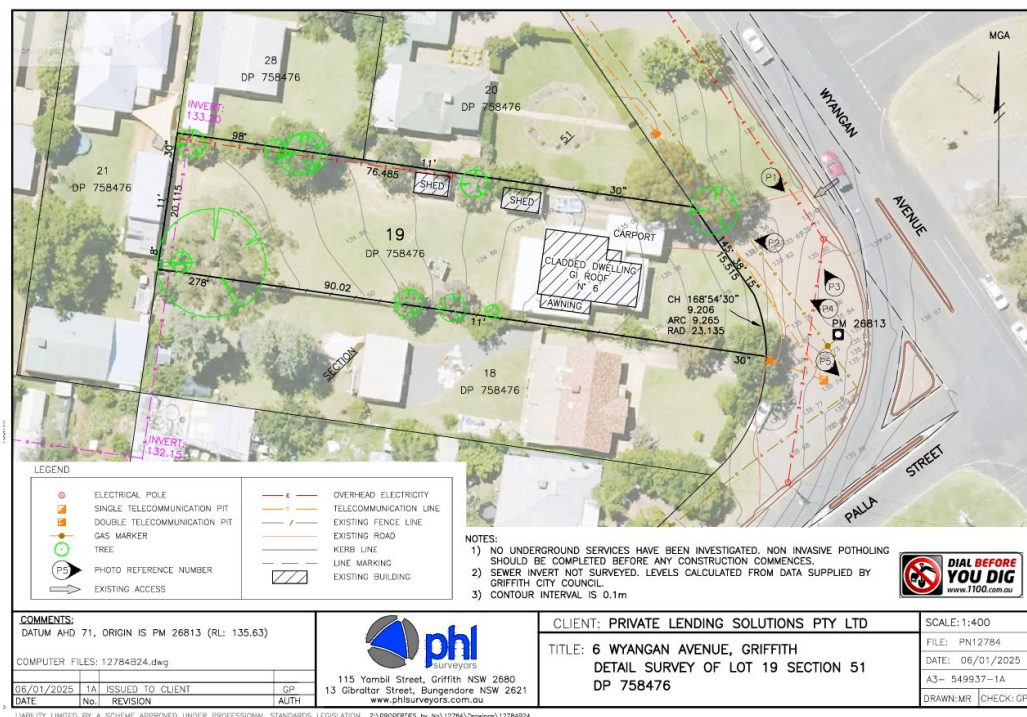


Figure 3: Site Survey

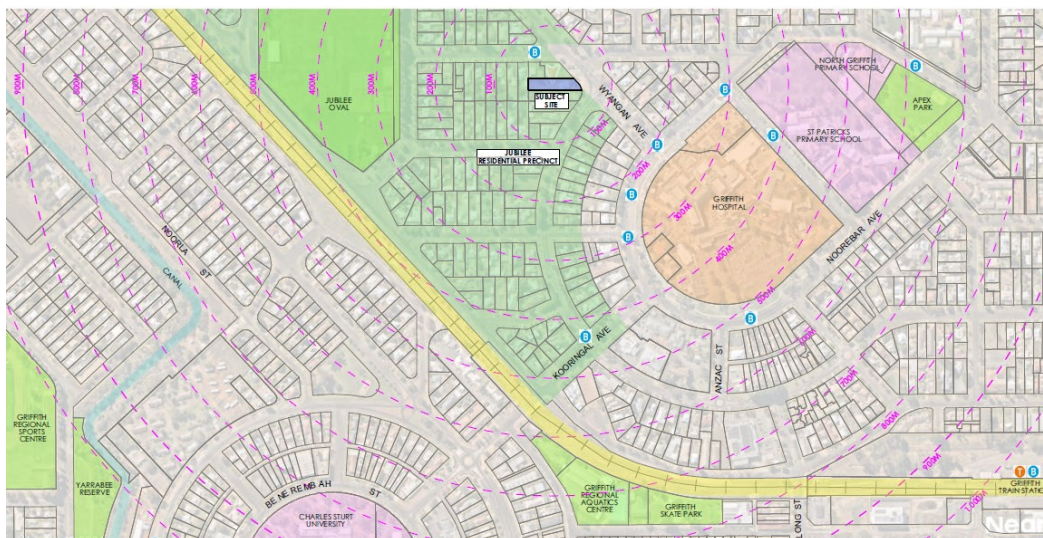


Figure 4 Site and Locality Map.



Figure 5: View of the Site from Wyangan Avenue

3.2 Surrounding Land Uses

The site is located in close proximity to the Griffith Base Hospital and St Vincents Private Hospital, with residential land and recreation areas surrounding. The existing land uses surrounding the site are a mixture of low to medium-density residential development and a service station across Wyangan Avenue. The two hospitals are located around 200 m from the site.



Figure 6 View of the Existing Driveway Facing North



Figure 7 View from the Driveway to Wyangan Avenue and the Service Station

3.3 Local Character Statement

An analysis of the existing uses in the locality surrounding the subject site, the neighbourhood, the Precinct, and the proposal's compatibility within this setting is discussed below.

The locality

The subject site is situated in the southern portion of the Jubilee Precinct, part of the original Walter Burley Griffin geometric town centre design. The existing land uses surrounding the site are a mixture of low- to medium-density residential areas, service stations, medical facilities, and educational establishments further to the east.

Predominant building types

The locality has no consistent, existing building types in terms of style and design. There are no overarching design themes in the locality. However, the majority of buildings are single detached one one-storey dwellings.

The proposed development is for residential accommodation purposes, which is a predominant land use in the locality, is compatible with these existing uses, and is complementary to medical and educational land uses.

Consistency with or improvement of the streetscape

The streetscape of Wyangan Avenue could be described as having no consistent theme with various building styles and varied landscaping and building setbacks. The proposal would present well the street and have the appearance of a single detached dwelling with a contemporary design. The proposed landscaping would soften the appearance of the parking areas. Due to the long narrow nature of the building, the development would appear similar to a single detached dwelling from the street. Although the proposal represents the first co-living development in proximity to the hospital precinct, more medium-density development proposals are expected to be lodged with Council in the coming months to meet the demand for housing.

Front setbacks and landscaping

Front setbacks and landscaping vary in this locality; examples of zero setbacks to over 20m setbacks exist along Wyangan Avenue. The proposed setbacks and onsite siting of the proposed buildings will not be incompatible in the locality or streetscape. Wyangan Avenue contains a large road reserve. The proposed buildings would be setback around 20 m from the road carriageway. A Variation Request to the controls in the DCP has been lodged to permit the proposed 4.5 m setback.

Materials and finishes

There is no consistent use of building materials or finishes in the locality. The predominant building materials are brick, painted brick facades, and some examples of fibro and weatherboard-clad dwellings. The proposed buildings will not be inconsistent but appear contemporary in design and contribute positively to the streetscape.

Responding to prominent views and vistas

There are no prominent or high-value views or vistas on or from the site. The proposed new buildings are single-storey and will not be visually obtrusive.

The proposed co-living development is compatible with the character of the Precinct and local area. The proposal is a positive contribution in terms of use and design in the Griffith Central Business District.

4 Proposed Development

4.1 Proposal

The proposal includes the demolition of existing structures on site, site preparation works, construction of two detached buildings, construction of car parking, onsite drainage infrastructure, footpaths, landscaping and ongoing operation as a privately managed co-living development.

4.2 Demolition & Site Preparation Works

The proposal includes the demolition of the existing dwelling and outbuildings. Site preparation will include clearing vegetation and site levelling.



Figure 8: Plan of Demolition.

4.3 Construction

The proposal includes the construction of a single-storey co-living development within two detached buildings, including the following components:

- Nine rooms with single beds.
- 10 rooms with double beds.
- One Manager's room.
- Two accessible rooms.

Each room would contain a toilet, kitchenette, desk, wardrobe, small table and storage area. Each room would also have an external courtyard. The proposal represents a class 3 building, which is a common place of long-term or transient living for a number of unrelated people.

Communal Facilities

The proposal would include the following communal areas and facilities:

- The waste room would contain 10 council municipal solid waste (MSW) (red bins) and five co-mingled recycling bins (yellow bins). The onsite Manager would ensure the waste room is kept neat and tidy and bring the bins to the street frontage for pick up and back once refuse is collected by Council's service.
- Front fence, vehicular gate and pedestrian gate, including a powder-coated 1.8 m high aluminium picket fence.
- Front open spaces area with a walkway leading to a pedestrian gate connecting to the footpath in Wyangan Avenue.
- A large central communal open space area.
- A 62 m² communal room which would be used for quiet enjoyment by residents and laundry.



Figure 9: 3D View of the Front Elevation

4.4 Parking and Access

Construction of a new accessway and driveway 5.5 m wide connecting to a parking area with nine parking spaces, including an accessible parking space. Parking for five motorcycles and five bicycles is also proposed. The access and parking areas have been designed in accordance with Australian Standards for parking. A Traffic Report has been prepared by Varga Traffic Planning which concluded that:

- *the current location of the proposed driveway is considered acceptable because:*
 - *a vehicle entering the subject site will approach the proposed driveway from the line-marked road shoulder in Wyangan Avenue, clear of the main traffic lane*

- *it is the responsibility of the following driver to keep clear of the vehicle in front at all times*
- *the proposed driveway is at the optimal location for turning into the site, as it is furthest away possible from the Wyangan Avenue and Palla Street intersection.*
- *right-turn exit from the site is considered acceptable because there is sufficient sight distance to the south to Palla Street for an exiting vehicle*
- *all car parking spaces are to be assigned to residents of the development with no visitor parking proposed onsite as SEPP (Housing) 2021 does not specify a visitor parking requirement. Therefore, no turning bay is required.*

4.5 Stormwater

The development proposes an onsite stormwater detention system to cater for the increased runoff generated by the development. The concept stormwater plan includes a tank system adjacent to the communal room, which will be pumped back up to Wyangan Avenue when the system is full.

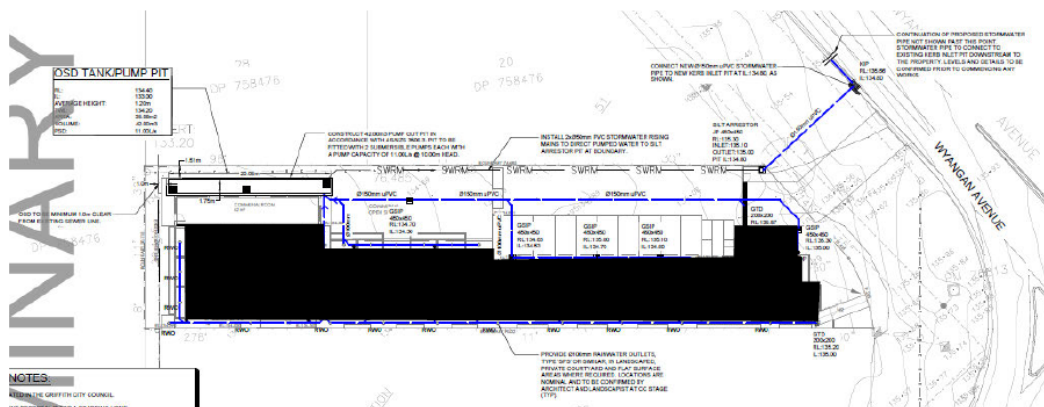


Figure 10: Concept Stormwater System

The onsite detention system design will be finalised before the construction certificate stage.

4.6 Operation & Management

The CLD be a privately managed and operated facility. An onsite manager is to be employed and will be required to reside onsite and oversee the facility's running and management. A Plan of Management would be submitted as a post-approval matter. Matters to be addressed in a Plan of Management would include:

- management and supervision through an onsite manager or regular visits;
- kitchen usage, the provision of meals or resident provision of meals;
- noise inside the co-living house and in adjacent private open space areas;
- use of communal space and facilities

- parking for cars and restricting the parking of vehicles within the road reserve;
- cleanliness and maintenance of the property and grounds;
- house rules (covering issues such as access to rooms, keeping shared facilities clean and tidy, visitors, pets, quiet enjoyment etc.); and
- 24 hour contact details.

Key measures to ensure the amenity of adjacent residences are maintained would include:

- Limiting the use of the communal areas to between the hours of 8 am and 10 pm
- Ensuring that no parties occur onsite.
- Providing an operational manual that is available to neighbours and must be implemented by the Manager and the

Occupancy

Accommodation will be offered to those wishing to reside at the site for periods of three months or more. Potential occupants would consist of fly in fly-out workers, health services professionals, retirees, and those of whom conventional home ownership is not affordable or suitable for their needs or desired lifestyle. Accommodation will be provided to occupants as a principal place of residence. A Plan of Management would be completed as a proposed condition of consent.

Lighting & Landscaping

The development features landscaping that includes lawn areas, medium-height trees, small to medium trees such as Grevilleas and Murrayas for hedging, and low-height native shrubs like Westringia and Lamandra. Internal lighting will be installed throughout the site to enhance safety and improve nighttime visibility for occupants. 20.2% of the site will be landscaped, with 17.5% designated for deep soil areas.

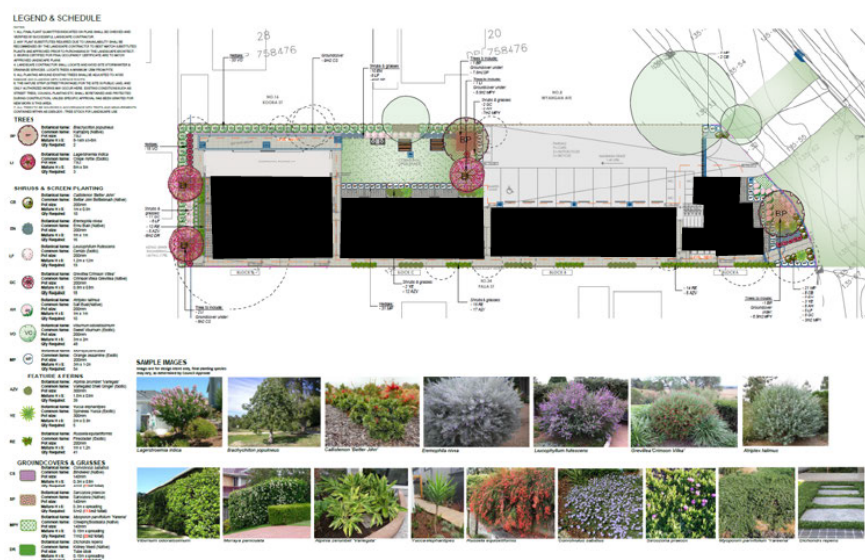


Figure 11: Landscaping Plan

5 Legislative Context

This section provides an assessment of the proposal against the relevant planning legislation as prescribed in Section 4.15 of the Environmental Planning and Assessment Act 1979.

5.1 Environmental Planning and Assessment Act 1979 (EP&A Act)

Section 1.3 – Objects of the Act

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

Commentary:

The proposal promotes the objectives of the EP&A Act, specifically (d) by delivering affordable housing options. Co-Living developments were identified as a key form of alternative accommodation to support Griffith's growth in the 2019 Housing Strategy.

5.2 Griffith Local Environmental Plan 2014

A thorough review of the GLEP2014 has been undertaken. An assessment of the proposal for compliance with the requirements of the relevant parts of the LEP has been provided below.

The subject land is zoned R1 General Residential under the provisions of the GLEP2014.



Figure 12: Zoning Map showing the Subject Site.

The development is considered to be defined in the GLEP2014 as a **co-living housing**.

co-living housing means a building or place that—

- (a) has at least 6 private rooms, some or all of which may have private kitchen and bathroom facilities, and
- (b) provides occupants with a principal place of residence for at least 3 months, and
- (c) has shared facilities, such as a communal living room, bathroom, kitchen or laundry, maintained by a managing agent, who provides management services 24 hours a day,

but does not include backpackers' accommodation, a boarding house, a group home, hotel or motel accommodation, seniors housing or a serviced apartment.

Note—

Co-living housing is a type of **residential accommodation**—see the definition of that term in this Dictionary.

- The proposal is for a co-living housing development with 22 rooms.
- Accommodation will be provided to occupants as a principal place of residence for periods of three months or more.
- Occupants will have some shared facilities limited to a communal room with a shared laundry.
- All the co-living rooms will be partly self-contained with private kitchen and bathroom facilities. Co-living rooms will be limited to one adult per room.

The design and operation of the proposal are considered to meet the criteria for the definition of co-living housing. The development will not operate as a short-term tourist and visitor accommodation such as backpackers' accommodation, hotel or motel accommodation, or serviced apartments, nor as a group home or seniors housing facility.

Objectives

Zone R1 – General Residential

1 Objectives of zone

- *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 facilitate development of social and community infrastructure to meet the needs of future residents.*
- *To allow people to carry out a reasonable range of activities from their homes, if such activities do not adversely affect the living environment of neighbours.*

Commentary:

The proposal aims to provide residential accommodation, specifically affordable rental accommodation, in a self-contained, co-living development. The proposal would introduce a new housing typology supported by the State government and Council to provide additional housing options to address the housing crisis. The proposal has been designed to directly provide for the community's housing needs within the confines of Council's DCP and the relevant NSW Legislation. A variation to the DCP's front setback requirements is considered justified in providing more affordable housing options in Griffith.

Permissibility

3 Permitted with consent

Attached dwellings; Boarding houses; Business premises; Centre-based child care facilities; Community facilities; Dual occupancies; Dwelling houses; Educational establishments; Group homes; Home businesses; Home industries; Hostels; Kiosks; Multi dwelling housing; Neighbourhood shops; Neighbourhood supermarkets; Oyster aquaculture; Places of public worship; Pond-based aquaculture; Residential flat buildings; Respite day care centres; Restaurants or cafes; Roads; Secondary dwellings; Semi-detached dwellings; Seniors housing; Shop top housing; Tank-based aquaculture; Any other development not specified item 2 or 4

4 Prohibited

Advertising structures; Agriculture; Air transport facilities; Amusement centres; Animal boarding or training establishments; Biosolids treatment facilities; Boat building and repair facilities; Boat launching ramps; Boat sheds; Camping grounds; Car parks; Caravan parks; Cemeteries; Charter and tourism boating facilities; Correctional centres; Crematoria; Depots; Eco-tourist facilities; Electricity generating works; Entertainment

facilities; Extractive industries; Farm buildings; Farm stay accommodation; Forestry; Freight transport facilities; Function centres; Funeral homes; Heavy industrial storage establishments; Highway service centres; Home occupations (sex services); Hotel or motel accommodation; Industrial retail outlets; Industrial training facilities; Industries; Jetties; Local distribution premises; Marinas; Mooring pens; Moorings; Mortuaries; Open cut mining; Recreation facilities (major); Registered clubs; Research stations; Resource recovery facilities; Restricted premises; Retail premises; Rural industries; Rural workers' dwellings; Service stations; Sewage treatment plants; Sex services premises; Storage premises; Transport depots; Truck depots; Vehicle body repair workshops; Vehicle repair stations; Veterinary hospitals; Warehouse or distribution centres; Waste disposal facilities; Water recreation structures; Wharf or boating facilities; Wholesale supplies

Commentary:

Co-living housing is considered to be an innominate use permissible with development consent in the R1 – General Residential zone.

Clause 1.2 – Aims of the Plan

(1) This Plan aims to make local environmental planning provisions for land in Griffith in accordance with the relevant standard environmental planning instrument under section 3.20 of the Act.

(2) The particular aims of this Plan are as follows—

- (aa) to protect and promote the use and development of land for arts and cultural activity, including music and other performance arts,*
- (a) to prevent unnecessary urban sprawl by promoting business, industrial, rural and residential uses within and adjacent to existing precincts related to those uses,*
- (b) to minimise land use conflict in general by creating areas of transition between different and potentially conflicting land uses,*
- (c) to provide a variety of development options to meet the needs of the community with regard to housing, employment and services,*
- (d) to manage and protect areas of environmental significance,*
- (e) to recognise the historical development of the area and to preserve heritage items associated with it.*

Commentary:

The proposal is consistent with the aims of the Griffith Local Environmental Plan 2014, and it specifically meets the objective of aim C to *provide a variety of development options to meet the needs of the community with regard to housing, employment and services*. As identified earlier in the report, the proposal specifically actions identified need for affordable housing.

2.7 Demolition requires development consent

The demolition of a building or work may be carried out only with development consent.

Commentary:

The proposal seeks consent for the demolition of the existing dwelling and outbuildings.

Part 5 Miscellaneous provisions

5.10 Heritage conservation

Commentary: The site is not listed as a heritage item or in a conservation area, nor near to any heritage-listed item.

5.21 Flood planning

(1) *The objectives of this clause are as follows—*

- (a) to minimise the flood risk to life and property associated with the use of land,*
- (b) to allow development on land that is compatible with the flood function and behaviour on the land, taking into account projected changes as a result of climate change,*
- (c) to avoid adverse or cumulative impacts on flood behaviour and the environment,*
- (d) to enable the safe occupation and efficient evacuation of people in the event of a flood.*

(2) *Development consent must not be granted to development on land the consent authority considers to be within the flood planning area unless the consent authority is satisfied the development—*

- (a) is compatible with the flood function and behaviour on the land, and*
- (b) will not adversely affect flood behaviour in a way that results in detrimental increases in the potential flood affectation of other development or properties, and*
- (c) will not adversely affect the safe occupation and efficient evacuation of people or exceed the capacity of existing evacuation routes for the surrounding area in the event of a flood, and*
- (d) incorporates appropriate measures to manage risk to life in the event of a flood, and*
- (e) will not adversely affect the environment or cause avoidable erosion, siltation, destruction of riparian vegetation or a reduction in the stability of river banks or watercourses.*

(3) *In deciding whether to grant development consent on land to which this clause applies, the consent authority must consider the following matters—*

- (a) the impact of the development on projected changes to flood behaviour as a result of climate change,*
- (b) the intended design and scale of buildings resulting from the development,*
- (c) whether the development incorporates measures to minimise the risk to life and ensure the safe evacuation of people in the event of a flood,*
- (d) the potential to modify, relocate or remove buildings resulting from development if the surrounding area is impacted by flooding or coastal erosion.*

(4) *A word or expression used in this clause has the same meaning as it has in the Considering Flooding in Land Use Planning Guideline unless it is otherwise defined in this clause.*

(5) *In this clause—*

Considering Flooding in Land Use Planning Guideline means the Considering Flooding in Land Use Planning Guideline published on the Department's website on 14 July 2021.

flood planning area has the same meaning as it has in the Floodplain Development Manual. Floodplain Development Manual means the Floodplain Development Manual (ISBN 0 7347 5476 0) published by the NSW Government in April 2005.

Commentary: The site is not identified as flood liable land as per *Griffith Major Overland Flow Floodplain Risk Management Study and Plan for CBD Catchments 2013*.

Part 6 Urban Release Areas

The site is not identified as an Urban Release Area.

Part 7 Additional local provisions

Clause 7.1 – Earthworks

(1) The objective of this clause is to ensure that earthworks for which development consent is required will not have a detrimental impact on environmental functions and processes, neighbouring uses, cultural or heritage items or features of the surrounding land.

(2) Development consent is required for earthworks unless—

(a) the earthworks are exempt development under this Plan or another applicable environmental planning instrument, or

(b) the earthworks are ancillary to development that is permitted without consent under this Plan or to development for which development consent has been given.

(3) In deciding whether to grant development consent for earthworks (or for development involving ancillary earthworks), the consent authority must consider the following matters—

(a) the likely disruption of, or any detrimental effect on, drainage patterns and soil stability in the locality of the development,

(b) the effect of the development on the likely future use or redevelopment of the land,

(c) the quality of the fill or the soil to be excavated, or both,

(d) the effect of the development on the existing and likely amenity of adjoining properties,

(e) the source of any fill material and the destination of any excavated material,

(f) the likelihood of disturbing relics,

(g) the proximity to, and potential for adverse impacts on, any waterway, drinking water catchment or environmentally sensitive area,

(h) any appropriate measures proposed to avoid, minimise or mitigate the impacts of the development.

Commentary:

The proposed earthworks include site preparation, excavation and levelling. A Sediment and Erosion plan would be prepared as part of the Construction Certificate documentation submitted to the certifier and Council. Implementing the Sediment and Erosion Plan and a Construction Environmental Management Plan (CEMP) would mitigate and manage the potential impacts of the earthworks on surrounding receivers.

Clause 7.3 – Terrestrial Biodiversity

- (1) *The objective of this clause is to maintain terrestrial biodiversity by—*
- (a) *protecting native fauna and flora, and*
 - (b) *protecting the ecological processes necessary for their continued existence, and*
 - (c) *encouraging the conservation and recovery of native fauna and flora and their habitats.*
- (2) *This clause applies to land identified as “Biodiversity” on the Terrestrial Biodiversity Map.*

Commentary:

The site is not identified as having significance as per the terrestrial biodiversity maps. The proposal would require the removal of a significant tree and 3-5 small to medium-sized non-native trees. Removing these trees is permissible with the Council's consent under the State Environmental Planning Policy (Biodiversity and Conservation) 2021.

Clause 7.10 – Essential Services

Development consent must not be granted to development unless the consent authority is satisfied that any of the following services that are essential for the development are available or that adequate arrangements have been made to make them available when required—

- (a) *the supply of water*
- (b) *the supply of electricity,*
- (c) *the disposal and management of sewage,*
- (d) *stormwater drainage or onsite conservation,*
- (e) *suitable vehicular access.*

Commentary:

The following essential services are available for the development:

(a) Potable water

Potable water is available to the site presently via the Council owned main in Wyangan Avenue.

(b) the supply of electricity

Electricity is presently connected to the site from Essential Energy's overhead powerlines located on the northern and western boundaries. The buildings have been setback 3.65 m from both of these boundaries. It is expected that Council will require a referral to Essential Energy as the overhead lines are less than 5 m from the proposed buildings. A safety clearance assessment can be provided should Essential Energy require it.



Figure 13: Essential Energy Network in the Area.

(c) the disposal and management of sewage:

Councils' sewer main is located within the site at the western/rear boundary. A 3 m wide easement would be provided over the sewer main.

(d) stormwater drainage or onsite conservation

Stormwater discharges to the street presently. The proposal includes an upgraded stormwater detention and conveyance system. Council's Onsite Detention Policy applies to the site. Concept plans for a stormwater system have been provided with the development application. An OSD tank system with a pump is proposed to be located at the rear of the site, permitting discharge to the street. Detailed stormwater and OSD plans will be provided after approval.

(e) suitable vehicular access

The development includes the construction of a new two-way 5.5 m wide driveway to Wyangan Avenue. The accessway has been located as far away from the slip lane at Palla Street as possible. Council raised some issues with the location of the accessway during pre-lodgement discussions. A Traffic Assessment has been prepared as part of the development application by Varga Traffic Planning.

The Traffic Assessment provided the following conclusions regarding the location of the accessway:

- *the current location of the proposed driveway is considered acceptable because:*
 - *a vehicle entering the subject site will approach the proposed driveway from the line-marked road shoulder in Wyangan Avenue, clear of the main traffic lane*
 - *it is the responsibility of the following driver to keep clear of the vehicle in front at all times*
 - *the proposed driveway is at the optimal location for turning into the site, as it is furthest away possible from the Wyangan Avenue and Palla Street intersection.*
- *right-turn exit from the site is considered acceptable because there is sufficient sight distance to the south to Palla Street for an exiting vehicle*
- *all car parking spaces are to be assigned to residents of the development with no visitor parking proposed onsite as SEPP (Housing) 2021 does not specify a visitor parking requirement. Therefore, no turning bay is required.*

5.3 State Environmental Planning Policies (SEPP's)

State Environmental Planning Policy (Housing) 2021

The proposal seeks consent under the provision of State Environmental Planning Policy (Housing) 2021 (Housing SEPP). The intent of the Housing SEPP is to facilitate the delivery, increase the supply and diversity of affordable rental and social housing in NSW. The Housing SEPP allows for the development of Co-Living buildings in residential and mixed use zones. The policy aims to:

- (a) *to provide a consistent planning regime for the provision of affordable rental housing,*
- (b) *to facilitate the effective delivery of new affordable rental housing by providing incentives by way of expanded zoning permissibility, floor space ratio bonuses and non-discretionary development standards,*
- (c) *to facilitate the retention and mitigate the loss of existing affordable rental housing,*
- (d) *to employ a balanced approach between obligations for retaining and mitigating the loss of existing affordable rental housing, and incentives for the development of new affordable rental housing,*
- (e) *to facilitate an expanded role for not-for-profit-providers of affordable rental housing,*
- (f) *to support local business centres by providing affordable rental housing for workers close to places of work,*
- (g) *to facilitate the development of housing for the homeless and other disadvantaged people who may require support services, including group homes and supportive accommodation.*

The applicable part of the Housing SEPP as applies to this proposal is *Part 3 Co-Living Housing* of which has been assessed as follows:

Clause	Comment	Complies?
67 Co-living housing may be carried out on certain land with consent		
<i>Development for the purposes of co-living housing may be carried out with consent on land in a zone in which—</i> <i>(a) development for the purposes of co-living housing is permitted under another environmental planning instrument, or</i> <i>(b) development for the purposes of residential flat buildings or shop top housing is permitted under Chapter 5 or another environmental planning instrument.</i>	The subject site is zoned R1 – General Residential zone under the provisions of the <i>Griffith Local Environmental Plan 2014</i> . Co-living development is permissible with consent	Yes
68 Non-discretionary development standards—the Act, s 4.15		
(1) The object of this section is to identify development standards for particular matters relating to development for the purposes of co-living housing that, if complied with, prevent the consent authority from requiring more onerous standards for the matters.		
(2) The following are non-discretionary development standards in relation to development for the purposes of co-living housing—		
<i>(a) for development in a zone in which residential flat buildings are permitted—a floor space ratio that is not more than—</i> <i>(i) the maximum permissible floor space ratio for residential accommodation on the land, and</i> <i>(ii) an additional 10% of the maximum permissible floor space ratio if the additional floor space is used only for the purposes of co-living housing,</i>	Council's DCP permits a floor space ratio of 0.7:1. The proposal has an FSR of 0.37:1 and therefore complies with the standard.	Yes.
<i>(c) for co-living housing containing more than 6 private rooms—</i> <i>(i) a total of at least 30m² of communal living area plus at least a further 2m² for each private room in excess of 6 private rooms, and</i> <i>(ii) minimum dimensions of 3m for each communal living area,</i>	The proposal includes a 62m ² communal room with a minimum width of 3m.	Yes.
<i>(d) communal open spaces—</i> <i>(i) with a total area of at least 20% of the site area, and</i> <i>(ii) each with minimum dimensions of 3m,</i>	20% of the site has been provided as a communal open space area with a minimum of 3m wide dimensions.	Yes
<i>(e) unless a relevant planning instrument specifies a lower number—</i>	The site could be considered an accessible area if additional weekend bus services were provided. Council's	Yes

- (i) for development on land in an accessible area—0.2 parking spaces for each private room, or
(ii) otherwise—0.5 parking spaces for each private room,
- DCP contains a parking ratio of 0.4 parking spaces per co-living room. The proposal includes 9 parking spaces for the 22 co-living rooms which meets the requirements of Council's DCP.

69 Standards for co-living housing

(1) Development consent must not be granted for development for the purposes of co-living housing unless the consent authority is satisfied that—

(a) each private room has a floor area, excluding an area, if any, used for the purposes of private kitchen or bathroom facilities, that is not more than 25m ² and not less than— (i) for a private room intended to be used by a single occupant—12m ² , or (ii) otherwise—16m ² , and	All rooms are considered private rooms and are in excess of 12m ² .	Yes
(b) the minimum lot size for the co-living housing is not less than— (i) for development on land in Zone R2 Low Density Residential—600m ² , or (ii) for development on other land—800m ² , and (iii) (Repealed)	The site has a lot size in excess of 800m ²	Yes
(c) for development on land in Zone R2 Low Density Residential or an equivalent land use zone, the co-living housing— (i) will not contain more than 12 private rooms, and (ii) will be in an accessible area, and	The site is not located in an R2 zone.	N/A
(d) the co-living housing will contain an appropriate workspace for the Manager, either within the communal living area or in a separate space, and	A managers room has been provided on site with a workspace.	Yes
(e) for co-living housing on land in a business zone—no part of the ground floor of the co-living housing that fronts a street will be used for residential purposes unless another environmental planning instrument permits the use, and	The site is located in a residential zone	N/A
(f) adequate bathroom, laundry and kitchen facilities will be available within the co-living housing for the use of each occupant, and	Each room contains a kitchenette and bathroom. A communal laundry would be provided in the common area. Each	Yes

	unit would have a kitchenette for occupants to use.	
(g) each private room will be used by no more than 2 occupants, and	Each room is single occupancy.	Yes
(h) the co-living housing will include adequate bicycle and motorcycle parking spaces.	Five motorcycle spaces have been provided and five bicycle parking spaces.	Yes
(2) Development consent must not be granted for development for the purposes of co-living housing unless the consent authority considers whether—		
(a) the front, side and rear setbacks for the co-living housing are not less than— (i) for development on land in Zone R2 Low Density Residential or Zone R3 Medium Density Residential—the minimum setback requirements for multi dwelling housing under a relevant planning instrument, or (ii) for development on land in Zone R4 High Density Residential—the minimum setback requirements for residential flat buildings under a relevant planning instrument, and	The site is zoned R1 – General Residential and therefore the setbacks in Council's DCP apply to the development.	
(b) if the co-living housing has at least 3 storeys—the building will comply with the minimum building separation distances specified in the Apartment Design Guide, and	Not Applicable	N/A
(c) at least 3 hours of direct solar access will be provided between 9am and 3pm at mid-winter in at least 1 communal living area, and	The communal living area contains north facing windows, providing sufficient solar access and 3 hours of direct access during the shortest day of the year.	Yes
(f) the design of the building will be compatible with— (i) the desirable elements of the character of the local area, or (ii) for precincts undergoing transition—the desired future character of the Precinct.	The proposal meets the desired future character of the Precinct as established in the precinct statement in the DCP.	

State Environmental Planning Policy (Transport and Infrastructure) 2021

Division 5 Electricity transmission or distribution

Subdivision 2 Development likely to affect an electricity transmission or distribution network



Electricity is presently connected to the site from Essential Energy's overhead powerlines located on the northern and western boundaries. The buildings have been setback 3.65 m from both of these boundaries. It is expected that Council will require a referral to Essential Energy as the overhead lines are less than 5 m from the proposed buildings. A safety clearance assessment can be provided should Essential Energy require it.

Clause 104 & Schedule 3 – Traffic Generating Development

The development is not considered a traffic-generating development requiring referral to Transport for NSW.

State Environmental Planning Policy (Sustainable Buildings) 2022

Class 3 buildings do not require the preparation of BASIX certificates. As such, no BASIX certificate has been provided.

5.4 Disability (Access to Premises - Buildings) Standards 2010

The proposed development will be classed as a Class 3 Building and designed to meet the mandatory performance requirements of the access standards and National Construction Code. Accessible rooms and parking facilities have been designed and provided in accordance with Part D3 *Access for people with a disability* including two accessible sole-occupancy units and one accessible parking space.

5.5 Community Participation Plan 2019

It is noted that co-living developments are required to be publicly notified by written notice to adjoining landowners and occupants. Should any submissions be received in regard to the proposal, it is requested that the Applicant be provided an opportunity to address the issues raised.

5.6 Development Control Plans (DCP)

Griffith Residential Development Control Plan 2020

The Griffith Residential Development Control Plan 2020 provides design criteria for residential development including Co-Living Housing development. An assessment of the proposed development with the objectives, aims and design requirements for Co-Living Housing has been undertaken to demonstrate that the proposal can meet these requirements.

The Objective of Part 7 Boarding Houses and Co-Living Housing, specifies:

Objective: To facilitate the effective delivery of new affordable housing and the retention of existing affordable housing in appropriate and accessible locations in Griffith and to ensure boarding houses achieve a high standard of urban design which are compatible with the desired amenity and character of the area.

The proposal directly provides new affordable housing in an appropriate and accessible location. The design is of a high standard and will contribute to improving the urban streetscape of Wyangan Avenue. The proposal is compatible with the character of the locality and existing uses in the area as it is single-storey in nature and has a contemporary design. The proposal also aligns with the potential future character of the Precinct as described in Section 3.5 of the DCP and outlined in the Griffith Health Precinct Master Plan. The proposal is likely to positively contribute to the amenities in Wyangan Avenue and the wider CBD precinct. Council can be satisfied that the proposal can meet the accepted criteria for residential (co-living) development and that the proposal is suitable for the site and locality.

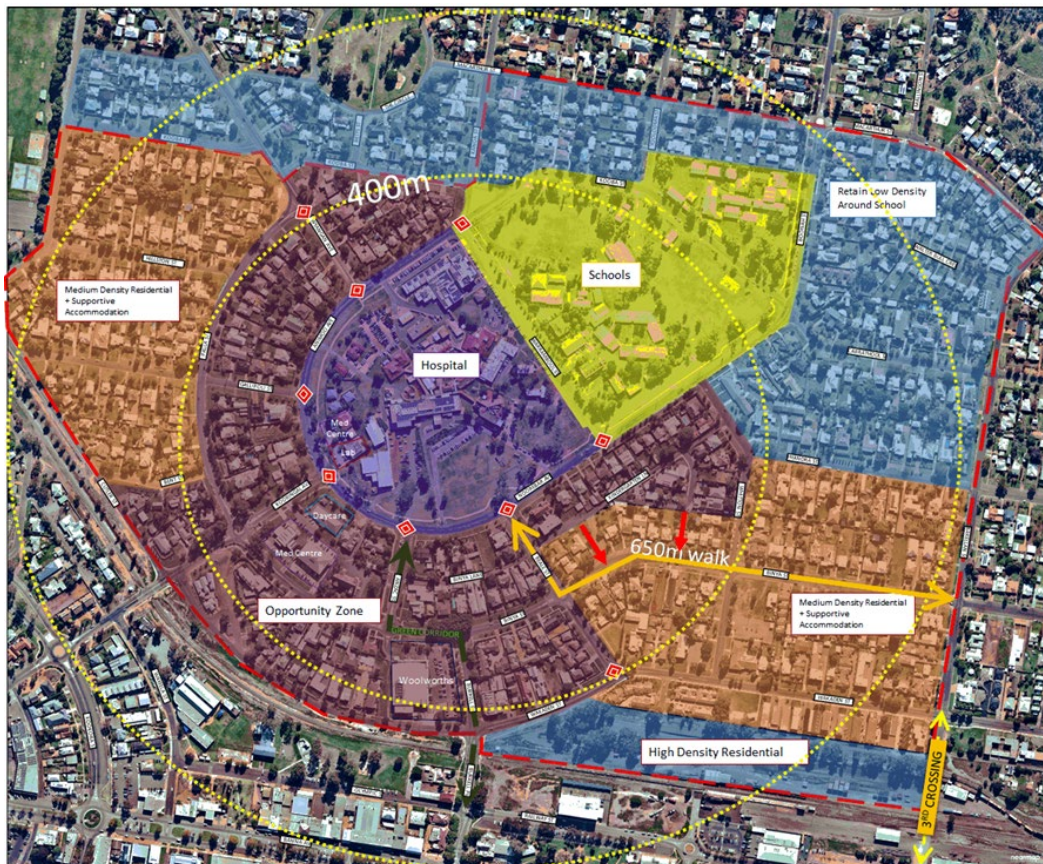


Figure 14: Griffith Health Precinct Master Plan

7.0 Boarding Houses an C0-Living		
Controls	Assessment	Complies?
General Controls		
a. Consider Precinct Statement in Section 3	The Precinct Statement suggests that co-living developments are supported in the southern extent of the Precinct	Yes
b. Boarding Houses Act 2012 and Boarding Houses Regulation 2013	Co-living developments do not need to be registered.	Yes
c. Subdivision	<i>The subdivision of co-living houses is not permitted.</i> There is no subdivision proposed.	Yes
d. Co-Living minimum room	<i>Co-living housing must have a minimum of six private rooms.</i> The proposal included 21 private rooms and a manager's residence.	Yes
e. Onsite co-living Manager	<i>An onsite Co-Living manager is required on site for 20 or more occupants.</i> As the Co-Living development has a capacity for more than 20 occupants, an onsite Manager accommodation is provided for a manager to reside onsite and oversee the management and running of the development.	Yes
f. A Plan of Management	A Plan of Management would be provided as a condition of consent.	Yes
g. Cul-de-sacs & battle axe allotments	<i>Co-living housing must not be located in cul-de-sacs or battle axe allotments.</i> The site is a large corner allotment with three road frontages.	Yes
h. Compatibility:	<i>All Co-living developments are to be designed to be compatible with the character of the Precinct and local area.</i> The Precinct Statement suggest the southern portion of the Precinct is suitable for co-living development.	Yes

i. Local Character Statement:	<p><i>For Boarding Houses, a Local Character Statement is to be prepared, addressing how the proposal responds to local character.</i></p> <p>The proposal is not for a boarding house; therefore, no character statement is required.</p>	N/A
Internal Building Design		
j. Maximum number of bedrooms	<p><i>Co-Living must be limited to a maximum number of bedrooms using the following formula:</i></p> <p><i>No. of rooms = Site Area (m²)/50 x FSR</i></p> <p>Site area 1705 m² / 50 x 0.7 = 23.87</p> <p>The development proposes a total of 22 rooms, including managers' accommodation. The development therefore does not exceed a reasonable number of bedrooms at the site.</p>	Yes
k. Australian Standard 1428 – Design for Access and Mobility	<p><i>Co-Living housing must be designed to comply with the minimum access requirements contained in the National Construction Code (NCC) & AS1428.</i></p> <p>The proposal has been designed to meet these requirements, as previously addressed.</p>	Yes
l. Gross room area	<p><i>All co-living rooms are to have a gross floor area (excluding any area used for the purposes of private kitchen and bathroom facilities) of at least:</i></p> <p><i>i. 12 m² in the case of a co-living room intended to be used by a single lodger, or</i></p> <p><i>ii. 16 m² in any other case. but,</i></p> <p><i>iii. not exceeding 25 m²</i></p> <p>All rooms are between 18 m² and 27 m². A slight variation is requested for the accessible rooms, which are 27 m² in area.</p>	Slight Concession
m. Sunlight to communal living rooms	<p><i>Communal living rooms are to receive a minimum of 3 hours of direct sunlight between 9 am and 5 pm in mid-winter</i></p> <p>The communal living area has been designed to achieve compliance with this requirement,</p>	Yes

			including windows at the east, west, and north elevations.	
n. Communal kitchen			<p><i>Must have a minimum area of 6.5 m² or 1.2 m² for each resident occupying a boarding room that does not contain a kitchenette, whichever is greater;</i></p> <p><i>ii. one sink is provided for every 6 occupants; and one stove top for every 6 occupants</i></p> <p>No communal kitchen is proposed; each room has a private kitchenette.</p>	n/a
o. Communal living rooms			<p><i>Where development has 5 or more co-living rooms, at least one communal living room is to be provided.</i></p> <p>The proposal includes a communal living room.</p>	Yes
p. Self-contained rooms	co-living		<p><i>Self-contained co-living rooms are to provide at a minimum:</i></p> <p><i>i. Ensuite: 2.1 m²</i></p> <p><i>ii. Shower in ensuite: 0.8 m²</i></p> <p><i>iii. Kitchenette: 2 m²</i></p> <p>All ensuite, shower and kitchenette areas exceed this.</p>	Yes
q. Shared Facilities			<p><i>Shared Facilities must be provided at a rate of 1 per 10 occupants in accordance with the following</i></p> <p><i>i. 1 washing machine</i></p> <p><i>ii. 1 clothes dryer or 20 m of external clothes line</i></p> <p><i>iii. 1 bathroom</i></p> <p><i>iv. 1 toilet and wash basin</i></p> <p>Laundry facilities are the only shared facility proposed. Two washing machines and two dryers are proposed. Each room has clotheslines provided in their courtyard.</p>	Yes
Open space				
r. Principal private space (PPOS)	open		<p><i>One PPOS area of at least 20 m² with a minimum dimension of 3 m is to be provided for the use of occupants. The PPOS must be accessible from commonly used spaces and have a minimal impact on bedrooms and adjoining properties in terms of noise generation.</i></p>	Yes

	The facility provides far greater than 20m ² of open space. Each co-living room has a private courtyard with 11.3m ² of space. In addition, one main communal open space area has been provided and is located central to the rooms. This area is over 80m ² in area.	
s. The PPOS must be accessible from commonly used spaces and have a minimal impact on bedrooms and adjoining properties in terms of noise generation.	The PPOS is accessible via internal shared pedestrian footpaths. The area is located adjacent to the northern boundary. The dwelling at 8 Wyangan Avenue is setback 6 m from the boundary with 6 Wyangan Avenue. Landscaping would be provided on the boundary to ensure visual privacy. Acoustic privacy would be maintained through the Plan of Management.	Yes
Parking and Traffic		
t. 0.4 parking spaces are to be provided for each co-living room	Under this DCP, 9 spaces are required. The proposal provides 9 parking spaces.	Yes
s. One parking space will be provided for a bicycle and one will be provided for a motorcycle for every 5 co-living rooms	The proposal achieves compliance with this requirement by providing the following: Nine bicycle spaces and five motorcycle spaces have been provided. Parking spaces would be registered to individual tenants with cars.	Yes
t. Design of parking and manoeuvring areas must be in accordance with Council's Parking code.	Parking and manoeuvring has been designed to comply with Council's parking code where applicable.	Yes
Privacy and Amenity		
S. The main entrance of the co-living house should be located and designed to address the front streetscape (street elevation).	The main entrance to the Co-Living development is from Wyangan Avenue, which has been designed and is located to address the street. From the street the development appears similar to a single detached dwelling of contemporary design.	Yes
T. Pathways to the front entrance of the co-living house are to be located away from windows to co-living	Privacy to co-living rooms is provided by fencing to private courtyards and landscaping, with suitable pathways on site.	Yes

rooms to maximise privacy and amenity of lodgers		
U. Co-living houses must be designed to mitigate any impacts on the visual and acoustic privacy of neighbouring buildings and on the amenity of future residents	<p>The siting and design of the proposal has considered visual and acoustic privacy to adjoining properties. A Plan of Management would be developed to ensure protocols are in place to maintain the amenity of neighbours. These policies would include:</p> <ul style="list-style-type: none"> <i>Noise is to be kept to a minimum at all times. Residents must enter and leave the premises quietly.</i> <i>Noise must be kept to minimum in and around the Owners property in particular between the hours of 10pm and 8am.</i> <i>If the Owner receives a complaint from other Residents or neighbours in the surrounding residential area about noise and anti-social behaviour, disciplinary actions will be taken.</i> 	Yes
V. An acoustic report prepared by a suitably qualified acoustic consultant may be required where there is the potential for noise impacts on occupants and neighbours.	An acoustic report is not considered necessary for this proposal.	n/a

5.7 Council Policies

Contaminated Land Management Policy

The objective of this policy is to identify and manage contaminated or potentially contaminated land in the Griffith LGA. The policy has been developed as reflective of SEPP 55. The site has only been used historically for residential purposes.



Figure 15: Historical Image of the site - 1962

Onsite Detention

Onsite detention is required for this site. A final onsite detention system will be designed, and plans and calculations will be provided at the construction certificate stage.

6 Impact Assessment

This section provides an assessment of the potential impact arising from the proposal. The impact assessment is based on the matters for consideration listed in Section 4.15 of the EP&A Act.

6.1 Context and Setting

The site is in the Jubilee Precinct of Griffith, part of the Health Precinct Master Plan. The new Griffith Base Hospital and St. Vincent's Hospital are situated around 200 m from the site. The existing land uses surrounding the site consist of a mixture of low to medium-density residential and commercial premises, health services, and some offices. The Precinct is anticipated to transition from predominantly low-density residential to low-medium-density residential, providing additional accommodation to support the health services sector. The site is also conveniently close to public transport and grocery stores, which are a 700 m walking distance away.

There are no prominent or high-value views or vistas to or from the site. The proposed new buildings are single-storey and will not be visually obtrusive. The proposal will not impact existing properties by overshadowing or causing a loss of privacy. While the proposed buildings may not be consistent with existing designs, they will appear contemporary and contribute positively to the streetscape. The proposed landscaping of the site and the road reserve will enhance the visual appearance of Wyangan Avenue.

The proposal is appropriate in its proposed setting, compatible with the existing established land uses and unlikely to impact on privacy of existing adjoining residences. The proposal is also in keeping with the expected future character of the area as described in the DCP.

6.2 Traffic and Transport

Road network

The subject site has frontage to Wyangan Avenue, a two-way Griffith City Council-controlled road. Wyangan Avenue is a wide road with a parking lane and bicycle lane. The site is a corner allotment and also has frontage to Palla Street which provides access to the Griffith CBD to the south via Ulong Street. All three roads are bitumen-sealed.

Site access

The existing access to the site is from Wyangan Avenue only. The proposed access to the facility is via a new two-way driveway with a 5.5m width. The new access would replace the former access which is unsealed and not formalised. Council raised some concerns with upgrading the existing access for the development due to the location of the Palla Street slip lane. Varga Traffic Planning reviewed these concerns in the context of the site and with knowledge of NSW road rules and relevant Australian Standards:

- *the current location of the proposed driveway is considered acceptable because:*

- *a vehicle entering the subject site will approach the proposed driveway from the line-marked road shoulder in Wyangan Avenue, clear of the main traffic lane*
- *it is the responsibility of the following driver to keep clear of the vehicle in front at all times*
- *the proposed driveway is at the optimal location for turning into the site, as it is furthest away possible from the Wyangan Avenue and Palla Street intersection.*
- *right-turn exit from the site is considered acceptable because there is sufficient sight distance to the south to Palla Street for an exiting vehicle*
- *all car parking spaces are to be assigned to residents of the development with no visitor parking proposed onsite as SEPP (Housing) 2021 does not specify a visitor parking requirement. Therefore, no turning bay is required.*

Traffic generation

Once established, the site is likely to generate traffic consisting of standard passenger vehicles, trucks such as waste collection vehicles, occasional deliveries by Australia Post, etc. The former RTA Guide to Traffic Generating Development does not provide a ratio for the likely traffic generation for the Co-Living Housing land use category. The Traffic Assessment utilised the traffic generation rates for a 'boarding house':

Boarding houses (Regional)

AM: 0.14 peak hour vehicle trips per boarding room

PM: 0.20 peak hour vehicle trips per boarding room

Application of the above network peak hour traffic generation rates to the development proposal yields a traffic generation potential of approximately 3 *vph* during the *morning* peak period and approximately 4 *vph* during the *afternoon* peak period.

The Traffic Assessment offset the existing traffic generation of the dwelling, concluding that the proposed development is likely to result in a net increase in the traffic generation potential of the site of approximately 2 *vph* during the AM commuter peak period and around 4 *vph* during the PM commuter peak period. Wyangan Avenue is relatively busy during peak times, but it would maintain good service levels. The proposed increase in traffic caused by the development would not require upgrades to the road network, including enhancements to key intersections.

Parking

The proposal provides 9 parking spaces which would be allocated to residents. No visitors parking has been provided as it is not required by the SEPP or Council's DCP.

The provision of 9 off-street car parking spaces is considered to be acceptable in this instance because:

- The site has excellent connectivity to reliable and frequent bus services, offering residents a genuine alternative to private vehicles.

- The site lies approximately 800 metres north of the Griffith CBD, which has a wide range of essential shops, cafes, restaurants, and other services.
- The proposed nine parking spaces meets the requirements of Council's DCP.

The proposal also includes parking for five motorcycles and five bicycle spaces.

6.3 Waste

Construction waste

A construction and demolition waste management plan is to be developed and provided to tradespeople employed, to outline protocols for management of waste on site during demolition and construction and includes an unexpected finds protocol.

Operational waste

Each room will be provided with a waste disposal container. The Manager will ensure that Residents place all non-recyclable waste in the garbage bins and that all recyclable waste is placed in the recycling bins provided. Site waste and recycling bins are located in an 11m² waste room, which can fit 10 putrescible bins and four recycling bins. The waste room would be cleaned by the site manager, who would also be responsible for wheeling bins to the site frontage for collection by Council, then wheeling the bins back into the waste room. A Waste Management Plan can be prepared as a condition of consent.

6.4 Social & Economic Impacts

The proposal will have a positive impact both socially and economically. The predicted economical impacts are through employment opportunities, including:

- The design phase (designer, engineers, specialist consultants).
- The demolition phase (contract earthworks and demolition trades).
- Infrastructure serving phase (trades including plumbers, electricians).
- The construction phase (trades including builders, engineers, technicians, landscapers).
- Ongoing staff employment (onsite Manager, real estate management, cleaning, waste management, gardening services).

The proposal will also have ongoing positive social impacts by creating much-needed affordable housing in the Griffith Health Precinct near the CBD. Increasing the number of people living in the city centre has created a safer and more dynamic place. Affordable housing is a crucial accommodation type as it has been proven to support community well-being, social and economic sustainability, and improve lifestyle, employment growth, and economic development.

Any potential social impacts will be managed by executing a detailed Plan of Management for the development, which will be provided to the Council as a condition of consent and will be available to neighbours. The onsite Manager's contact details would also be provided to neighbours who would be available to contact them at any time should an issue arise.

6.5 Crime Prevention Through Environmental Design (CPTED)

The Crime Prevention through Environmental Design (CPTED) lists principles to reduce opportunities for crime, including: surveillance, access control, territorial reinforcement, and space/activity management. The proposal has been designed to avoid opportunities for anti-social behaviour in accordance with the CPTED Principles.

Surveillance

Crime can be reduced by providing opportunities for effective surveillance. In areas with high levels of natural and passive surveillance offenders are deterred from committing a crime. Natural and passive surveillance in relation to the proposal needs to be understood at the macro / site level and the individual occupant level.

The design allows for natural onsite surveillance between co-living rooms, with blocks and rooms facing each other, and communal open space adjoining these areas. Passive surveillance of three rooms are provided from Wyangan Avenue. The 'eyes on the street' approach to the street frontage will serve to discourage anti-social behaviour. Motion sensor lighting will be provided to illuminate the paths and communal spaces onsite. Clear sight lines from the street boundary to the front entry of the building are available from Wyangan Avenue. The site lines are clear and are not overly complicated or blocked by landscaping. Landscaping provides for the designation of spaces without creating "blind" spots or concealment areas. Appropriate lighting will be provided to publicly accessible areas

Access control

The use of physical and symbolic barriers to attract, channel or restrict the movement of people assists in minimising opportunities for crime and increases the effort required to commit a crime.

Mechanical access control, such as a security access system, is likely to be installed to restrict access to communal facilities to only those authorised to access these areas (i.e managers accommodation, laundry, and communal room). The design allows for ease in clearly marking entrance points and way-finding features such as pathways, lighting and signage

Territorial reinforcement

Places that are well maintained and designed are often more regularly visited and endowed with a sense of community ownership. Accordingly, well used spaces reduce crime opportunities.

Picket style fencing with a height of 1.8m is proposed to provide added security to the rooms facing Wyangan Avenue. Each room facing into the site has a lockable gate to the courtyard including a 1.8m high fence.

Well-maintained indoor and outdoor communal areas onsite would encourage their use and sense of ownership by residents. Public and private spaces have been delineated using fencing, boundary treatments and landscaping.

Space/Activity Management

Well maintained and cared for spaces discourage crime as they tend to be more actively used and unwelcome persons are readily identified.

This aspect of site management would be covered in the Plan of Management to be prepared which would include ongoing supervision, control and care of the development and spaces on an ongoing basis. The Manager will arrange ongoing cleanliness and maintenance of indoor and outdoor spaces around the site, including activity coordination, site cleanliness, rapid repair of vandalism and graffiti, the placement of lighting and the maintenance of common areas and furniture. The inclusion of rooms facing Wyangan Avenue with private courtyards is expected to increase the actual and perceived sense of ownership and encourage ongoing maintenance by residents.

6.6 Heritage

The site is not listed as a local or state heritage item, nor is it within a conservation area.

6.7 Aboriginal cultural heritage

An AHIMS search has been conducted and no Aboriginal heritage items are located at or within a 50m proximity of the site. However, should any artefacts be found during construction, works will cease and the correct protocols followed to notify the OEH and the Local Aboriginal Land Council.

6.8 Noise Impacts

Construction

The development will generate some degree of noise during the construction phase, however this will be limited to the regulated hours specified by Council. The construction period is estimated to be around 12 months. A Construction Environmental Management Plan would be prepared post approval.

Operational

Once occupied, the noise generated at the site is expected to be similar to anticipated levels in residential areas. To ensure the proposal does not unreasonably impact the locality in terms of noise generation, the draft Plan of Management will outline site and house rules that occupants must abide by, including visitation hours and hours of use of outdoor facilities. The following rules would be implemented through the Plan of Management to manage noise impacts:

- *Noise is to be kept to a minimum at all times. Residents must enter and leave the premises quietly.*
- *Noise must be kept to minimum in and around the Owners property in particular between the hours of 10pm and 8am.*

- *If the Owner receives a complaint from other Residents or neighbours in the surrounding residential area about noise and anti-social behaviour, disciplinary actions will be taken.*

6.9 Environmentally sensitive land

After a review of the maps associated with the Local Environmental Plan 2014, the subject site is not identified on the groundwater vulnerability, Terrestrial biodiversity, riparian lands and watercourses, or wetlands.

6.10 Site specific hazards

Bushfire

A search on the NSW Rural Fire Service website indicates that the subject property is not bushfire prone land.

Flood Prone Land

The site is not identified as flood affected by the *Griffith Major Overland Flow Floodplain Risk Management Study and Plan for CBD Catchments 2013*.

6.11 Suitability of the Site for the development

The subject site is considered suitable for this development for the following reasons:

- The proposal promotes explicitly an object of the EP&A Act 1979 by providing affordable housing.
- The proposal is permissible in the R1 zone and is consistent with the aims and objectives of the Griffith Local Environmental Plan 2014.
- The proposal complies with:
 - State Environmental Planning Policy (Housing) 2021
 - Council's DCP
 - Disability (Access to Premises – Buildings) Standards 2010
 - The National Construction Code
- The proposal achieves identified targets as per the Griffith Housing Strategy 2019 to increase housing availability. Specifically, the proposal will provide affordable and diverse housing options to Griffith and the broader area residents.
- The subject site is ideally located in the west of the Central Griffith Precinct, as identified as a suitable location for affordable co-living house developments.
- The proposal contributes to achieving the objectives of the Local Strategic Planning Statement – Planning Priority 1 and 11.
- The site contains all the services required to support the development.
- The proposal is appropriate and compatible for the site and the locality.
- The proposal is unlikely to impact existing adjoining land uses detrimentally and will operate with minimal impact on the existing neighbourhood subject to the implementation of a Plan of Management.
- The proposal is unlikely to have an unreasonable impact on the environment.

7 Contributions

7.1 Section 7.12 Contributions

It is requested that 7.12 contributions not be applied to this proposal. The development represents an investment aimed at providing high-quality, compliant, and affordable housing in Griffith to address the urgent need for such housing. Furthermore, the proposal is privately funded by local investors and will positively impact Griffith's social and economic outcomes. Strategy 25 of the Griffith Housing Strategy 2019 recommends exempting the payment of 7.12 contributions for affordable housing to encourage the development and provision of such housing in Griffith. For these reasons, it is requested that 7.12 contributions not be levied on this proposal.

7.2 Section 64 Contributions

The subject site has a credit for water and sewer usage for a single dwelling at 1 ET. Based on a total of 22 rooms, the Water Directorate Guidelines requires the following ET's to be attributed to the development.

- Water = $22 \times 0.33 = 7.26 \text{ ET} - 1\text{ET (credit)} = 6.26$
- Sewer = $22 \times 0.5 = 11 \text{ ET} - 1\text{ET (credit)} = 10 \text{ ET}$

It is requested that the Council impose these contributions before the Occupation Certificate instead of the Construction Certificate.

8 Conclusion

The proposed development is for a residential housing development providing a new affordable housing supply to directly satisfy one of the Griffith Housing Strategy 2019 recommendations. As demonstrated by the detailed assessed of the proposed development in this SEE, the proposal satisfies the intent and requirements of the relevant legislation, including the EP&A Act, SEPPs, Council's Policies, and relevant Australian Standards. It can comply with building requirements as per the National Construction Code of Australia. It is requested that Council approve the development subject to reasonable conditions of consent.

Alana McGibbon

From: Glenys Gaffey [REDACTED]
Sent: Wednesday, 5 March 2025 11:28 PM
To: GCC Admin Mailbox
Subject: Proposed Development Plans

5th March 2025
Glenys and Gordon Gaffey
[REDACTED]
[REDACTED]

Dear Kerry Rourke.

I am writing to you about the proposed development application of -
No. 27/2025
Lot 19
Section 51,
DP 758476
6 Wyangan Avenue
Griffith NSW 2680.

I wish to express my utmost disapproval of the anticipation of the proposed development site.

Palla Street and the near surrounding areas within the vicinity of 6 Wyangan Avenue is busy enough at peak times let alone during other hours.

To add more traffic and multiple co-living spaces in a Family Oriented Peaceful living area is ridiculous.

There are also many young children, elderly and disabled residents living here in This area that have had NO consideration taken into account at all.

There's more than just six (6) homes that will be hugely impacted here in question of this disruption and potential damage surrounding this project involved you Propose to us.

Many many good homes and good people live within a very short distance from the proposed buildings that you have mentioned, will also be largely impacted.

The monstrosity of buildings and the traffic and people coming and going at all times will largely be impacted by all in this North Griffith Area.

I feel that putting a very large number of residents in a large buildings in a happy community here, would only be a recipe for disaster.

I'm sure that this type of housing can be placed else where in Town without question.

The thought of more endless traffic and unavailable parking within the block property itself, would definitely impact parking in front of our homes.

This has caused continuous congestion in the past with The Building of the new Hospital and parking overflow down our streets and even in our driveways and partially over our driveways.!!

I'm sure the Proposed property in Question would also infringe parking along our homes again.

The traffic and amount of people involved here should be taken more into consideration rather than A Massive Building on the CORNER of a busy street in a respectful area.

Griffith has many many other options to this particular housing than where you propose to put it.

We as a family once again am NOT happy at all about this project and situation of your building Monstrosity proposal.

Most certainly More residents should have been notified here and not just the few you have sent a letter to.

This has been our Family Home here for nearly 40 years and to see this try and happen now is nothing short of a disgrace.

I'm sure if such a building was put next to your home and in your neighbourhood this would certainly cause some major issues with your family.

Regards

Glenys and Gordon Gaffey

Alana McGibbon

From: Glenys Gaffey [REDACTED]
Sent: Thursday, 6 March 2025 10:55 PM
To: GCC Admin Mailbox
Cc: Cr Doug Curran; Cr Anne Napoli; Cr Shari Blumer; mdalbon@griffith.nsw.gov.au; Cr Jenny Ellis; sgroat@griffith.nsw.gov.au; Cr Tony O'Grady; Cr Christine Stead; Cr Laurie Testoni
Subject: Proposed Property Development

6th March 2025
Glenys and Gordon Gaffey
[REDACTED]

To The General Manager
Dear Brett Stonestreet.

I am writing to you about the proposed development application of -
No. 27/2025
Lot 19
Section 51,
DP 758476
6 Wyangan Avenue
Griffith NSW 2680.

I wish to express my utmost disapproval of the anticipation of the proposed development site mentioned above.

Palla Street and the near surrounding areas within the vicinity of 6 Wyangan Avenue is busy enough at peak times let alone during other hours.

To add more traffic and multiple co-living spaces in a Family Oriented Peaceful living area is ridiculous.

There are also many young children living in this area, elderly and disabled residents here in these tranquil streets that have had NO consideration taken into account at all.

There's more than just six (6) or so homes that will be hugely impacted here in question. The disruption and potential damage surrounding this project involved you intend to Propose to us.

Many many good homes and many more good people live within a very short distance from the proposed buildings that you have mentioned. These people and properties will also be largely impacted.

The monstrosity of buildings, the extra traffic and people coming and going at all times of the day and night will largely be impacted by all people in this North Griffith Area.

I feel that putting a very large number of residents in a large buildings in a happy community here, would only be a recipe for disaster.

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APPaRT from the traffic, this is a peaceful, respectful neighbourhood.

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Public Hospital and parking overflow down all our streets.
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Regards
Glenys and Gordon Gaffey

GLeNYs GaFFeY

Alana McGibbon

From: Glenys Gaffey [REDACTED]
Sent: Saturday, 8 March 2025 7:17 PM
To: GCC Admin Mailbox
Cc: Cr Doug Curran; Cr Anne Napoli; Cr Shari Blumer; Cr Jenny Ellis; Cr Tony O'Grady; Cr Christine Stead; Cr Laurie Testoni; Cr Mark Dal Bon; Cr Scott Groat
Subject: Proposed Property Development

6th March 2025
Glenys and Gordon Gaffey
[REDACTED]
[REDACTED]

To The General Manager
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Regards
Glenys and Gordon Gaffey

Alana McGibbon

From: Catherine Wren [REDACTED]
Sent: Tuesday, 11 March 2025 1:34 PM
To: GCC Admin Mailbox
Subject: DA27/2025 - 6 Wyangan Avenue - Objection

To the General Manager

I would like to lodge concerns with DA27/2025 - 6 Wyangan Avenue.

I own the property at 8 Wyangan Ave that I currently rent out.

I am not opposed to any development of this block for a co-living development, however, I would like to ensure that Council are fully considering the traffic implications of this development and hope that these can be addressed.

- The proximity of the driveway to the Palla Street intersection and the amount of traffic that uses that intersection (including bus and truck); when I lived at the property (from 1999-2013) it was difficult enough to get out of my driveway during the peak times let alone if you are even closer to the Palla Street intersection.
- When I first bought the house the occupant of 6 Wyangan Ave would drive over my nature strip to use my driveway as an easier option. I do not want anyone doing this and having to request my tenant or real estate agent to police this. I have spent money landscaping and irrigating the area and I don't want it impacted by vehicles, which will happen if there is no barrier to stop, but then that barrier impacts pedestrian movement.
- The development allows for up to 34 people but only nine car spaces are provided; what happens if even half of the occupants have a vehicle?? There are limited options for safe on street parking that do not impact on adjoining properties. Are they going to start parking on the nature strip and impacting on traffic views? I do not want my nature strip used as an informal overflow car park; I understand that this can be policed and fined. Any overflow parking from this development could impact on options for visitor parking to my property
- Having only one dedicated entry exit - how does it impact on the flow of traffic coming around the Palla Street corner? If a vehicle is coming out of 6 Wyangan and a vehicle wanting to into 6 Wyangan I feel it would increase the risk of being rear ended when coming around the Palla Street intersection when a car could come to an abrupt stop to let another car out. That's great they have got a plan of how it will work but in reality traffic does always do what is on paper and it will flow and work as easily as depicted. People will not follow the flow as drawn when entering and exiting the property. This screenshot taken from the website NearMap shows mud lines on the road show that traffic exits this driveway and turns right onto Wyangan Ave.

Regards
Catherine Wren
[REDACTED]

OBJECTION LETTER TO THE PROPOSED DEMOLITION AND DEVELOPMENT
APPLICATION OF 6 WYANGAN AVENUE, GRIFFITH - NO27/2025, LOT19
SEC51

16/03/25

Mr Glenn O & Mrs Karren L Johnston



Planning Department

Griffith City Council

1 Benerembah Street

Griffith NSW 2680

Dear Kerry Rourke,

Re: Objection to the Demolition of the Existing Building and Proposed Development of a Co-living Housing Project for 22 People

We are writing to formally object to the proposed demolition of the existing building located at 6 Wyangan Avenue, and the subsequent development of a co-living housing project intended to accommodate 34 people.

1. Impact on Local Infrastructure

The proposed development of a co-living housing project for 22 individuals will unduly strain the existing infrastructure, including water, sewage, and waste management systems. Our neighbourhood is already facing challenges in accommodating the current population, and adding more residents without a corresponding upgrade to the infrastructure would exacerbate these issues.

2. Traffic and Parking Concerns

The increase in population density due to the proposed development will lead to significant traffic congestion and parking problems. The streets around 6 Wyangan Avenue are not designed to handle the additional traffic that 22 new residents and their visitors will generate. 2 businesses in sides streets, Kooba and Palla already take up, on the street, car spaces and the intersection makes parking unsafe across the road. This will not only inconvenience current residents but also raise safety concerns, particularly for children and the elderly.

3. Environmental Impact

The demolition and new construction would have a detrimental effect on the local environment. The process of demolition and construction produces considerable dust, noise, and pollution, which would adversely affect the health and well-being of nearby residents. The workplace conditions at the development will add to the traffic problems already explained.

4. Social Impact

Our community has a unique social fabric that could be disrupted by the introduction of a co-living housing project. Such developments often attract transient populations, which can undermine the sense of community and long-term neighbourly relations that have been cultivated over the years.

5. Alternatives and Recommendations

Rather than demolishing the existing building, we urge the council to consider alternative solutions, already empty land spaces are available all over the city of Griffith. An example of this is currently the empty block for sale at 7 Koorngal Street Griffith with access from front and rear streets.

In conclusion, we respectfully request that the planning department reconsider the approval of this development due to the significant concerns outlined above. We are confident that a more balanced approach can be found to meet the housing needs of our community while preserving its character and infrastructure.

Thank you for considering our objections. We look forward to your response.

Yours faithfully,

Glenn and Karren Johnston.

Brett Stonestreet

General Manager

Griffith City Council

Benerembah Street

Griffith NSW 2680

Dear Mr Stonestreet

I write to you to lodge a submission regarding the following Development Application received by Griffith City Council.

Application: Development Application (27/2025.1)

Description: Demolition of existing structures & Construct co-living housing development

Submitted Date: 26/02/2025

Application Type: Development Application

6 Wyangan Avenue Griffith 2680 NSW (Lot: 19 Sec: 51 DP758476)

I object to the development on the grounds that the proposed development site is located too close to the intersection where Palla Street and Wyangan Avenue meet.

Traffic turning left from Palla Street onto Wyangan Avenue is precarious as it is let alone taking into consideration additional vehicle movements coming and going from the proposed site. There is also a power pole adjacent to the proposed driveway access to the property which adds additional risks to traffic and residents if the pole was taken out in a vehicle accident.

The proposed development site is also on a designated B Double Route which presents additional risks.

Kerbside rubbish collection presents further risks being so close to the corner. A waste collection truck will be parked there for considerable time when you consider there could be a maximum of 15 Sulo bins each fortnight and nine bins weekly. Add to that the intention that Griffith will also be getting green waste bins in the future.

There will be accommodation for more than 20 residents and there are nine off street parking bays for cars and five parking bays for motorcycles and five for bicycles. Where will the overflow of vehicles park if they can't be accommodated on site and as the proposed development does not include visitor parking where will these vehicles park.

While I support the developer's confidence on investing in more affordable housing that Griffith desperately needs my complaint solely relates to proximity to the intersection of Palla Street and Wyangan Avenue.

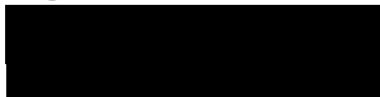
If the DA complies with Griffith City Council's Traffic Management Plan then the plan needs to be reviewed or there needs to be flexibility to consider the individual circumstances of developments that pose a considerable risk. It can't be a one size fits all policy position.

It is difficult to comprehend the level of risk by looking solely at the necessary planning documents and the Development Application. To get a full appreciation for my complaint I believe elected

Councillors, Griffith City Council planning staff and senior management should visit the site personally to assist them with their decision making.

Yours sincerely

Craig McIver



Alana McGibbon

From: [REDACTED]
Sent: Tuesday, 18 March 2025 11:29 PM
To: GCC Admin Mailbox
Subject: DA No: 27/2025(1)

Dear General Manager,

Firstly, as per below, i request that my name, address and phone number be withheld from public access and this submission due to the location of my property.
I am supplying these details to you, the General Manager, so you can understand and consider my concern with this proposal relevant to my property location.

"You are not required by law to supply Council with your name and address. You may choose to make an anonymous submission, but you should note that without your name and address we will not be able to assess the accuracy of any issues you raise relative to the proposal."

I am writing to you to voice my objection and concerns against the proposed development at 6 Wyangan Avenue, Griffith.
DA No: 27/2025.

I believe this "type" of development, that being "Co-Living", is not the type of development that should be constructed in this family orientated / residential housing area.
I am personally all for the progress and development of our beautiful town, yet i don't believe we need to achieve this by encroaching on these desirable family orientated residential areas.

This type of development is not going to enhance the area nor help address the housing shortage issue that is affecting Griffith and the surrounds.
The already very busy and dangerous intersection will only get worse with the "up to" extra 32 inhabitants having to negotiate that corner and crossing everyday, let alone there is only 9 car spaces within the proposed development.

If this proposal was for perhaps 2 or 3 units, similar to down the road at 30 Kooba street, not only would that help house more families but i would think neighbouring residents would not be as opposed to that idea.
Instead, it feels like it will be more like down the road at 112 Binya street, "The Original Backpackers", especially with the 22 rooms and large "communal area".. Sounds like many sleepless nights for neighbouring residents.
This development feels like it will only unsettle it's surrounds with its 32 frequently everchanging inhabitants.

As stated above, i am all for progress and development of our beautiful City yet I feel This "Co-Living" development is simply not the right type of development for this location.

Regards,



Andrea Crockett



The General Manager
Griffith City Council
1 Benerembah Street

Griffith, NSW 2680

19th March 2025

Subject: Formal Objection to Proposed Co-Living Development at 6 Wyangan Avenue, Griffith

Dear General Manager,

I am writing to formally object to the proposed co-living development at 6 Wyangan Avenue, Griffith. As a concerned resident, I strongly believe that the development, in its current form, will have a detrimental impact on our community due to inadequate parking provisions, increased traffic congestion, strain on public transport and local infrastructure, negative effects on the residential character and amenity, social and security concerns, and environmental consequences.

Enclosed with this letter is a detailed submission outlining the reasons for my objection. I urge the Griffith City Council to carefully consider the concerns raised and either reject the proposal or require substantial modifications to ensure it aligns with the best interests of the local community.

I appreciate your time and consideration of this matter. Please confirm receipt of this objection, and I would welcome any opportunity to discuss my concerns further.

Yours sincerely,

Andrea Crockett

Andrea Crockett

CC. Mayor and Councillors

Argument Against the Proposed Co-Living Development at 6 Wyangan Avenue, Griffith

1. Inadequate Parking Provision

- The proposed development provides only 9 off-street parking spaces for 22 co-living units, significantly below the requirement of 11 spaces as per the State Environmental Planning Policy (Housing) 2021.
- No visitor parking is provided, which could lead to increased demand for on-street parking, impacting existing residents and visitors.
- Wyangan Avenue is a local residential street where kerbside parking is already utilized, and the additional demand from this development will cause congestion and inconvenience for existing residents.

2. Increased Traffic Congestion

- The projected increase in peak hour traffic generation is estimated at 2.3 vehicle trips in the morning and 3.6 in the afternoon. While this may seem minimal in isolation, the cumulative effect of additional vehicles entering and exiting the site will likely impact the smooth flow of traffic on Wyangan Avenue.
- The proposed driveway location, while deemed acceptable in the report, will still create conflicts with existing traffic patterns, particularly with vehicles turning into and out of the site during peak hours.
- The right-turn exit from the site relies on sufficient sight distance, but given the presence of a short median island near the Wyangan Avenue and Palla Street intersection, potential hazards for both exiting vehicles and through-traffic remain a concern.
- Furthermore, **JZ Homes has received approval for the construction of 700 homes near Lake Wyangan**, with construction set to commence this year. This large-scale development will **significantly increase traffic volumes along Lake Wyangan**, not only during the construction phase but also upon full occupancy.

This objection highlights the **traffic congestion risks** associated with the proposed development and the broader **cumulative impact of ongoing and future developments** in the area.

3. Strain on Public Transport and Local Infrastructure

- The report argues that the site's proximity to public transport will reduce car ownership and usage among residents, yet Griffith's public transport services are limited, with only a few bus routes and infrequent train services.
- Public transport may not be a viable alternative for all residents, particularly those working outside standard business hours or in locations not well-served by existing routes.
- The additional residents from this development will place further strain on existing local infrastructure, including roads, footpaths, and public amenities, which are not adequately equipped to support increased demand.

4. Negative Impact on Residential Character and Amenity

- The development proposes to replace a single residential dwelling with a high-density co-living facility, which will alter the character of the neighbourhood and lead to overdevelopment of the site.

- Increased noise levels, reduced privacy, and higher occupancy density will negatively impact the quality of life for surrounding residents.
- Waste collection is proposed to be kerbside, which will lead to additional clutter on collection days and potential hygiene concerns if bins are left unattended.

5. Social and Security Concerns

- Co-living developments often experience high tenant turnover, which will create instability in the neighbourhood and make it difficult to foster a sense of community.
- The lack of a clear long-term management strategy for addressing conflicts among residents, maintaining communal areas, and ensuring security could lead to ongoing issues.
- Increased occupancy density may heighten concerns about anti-social behaviour, noise disturbances, and emergency service access.

6. Environmental Impact

- The development's high-density nature may increase stormwater runoff, putting additional pressure on existing drainage systems.
- Without adequate waste management strategies, there is potential for increased littering, improper disposal of rubbish, and environmental degradation.
- The replacement of green space with built structures may contribute to urban heat island effects and reduce local biodiversity.

7. Non-Compliance with Ideal Parking Standards

- While the development technically adheres to SEPP (Housing) 2021, the reliance on minimum parking standards rather than best practice will not be in the best interest of the community.
- The development control plan (DCP) emphasizes the importance of adequate off-street parking to mitigate overflow onto local roads, a requirement this proposal fails to sufficiently address.

Conclusion

Given the significant concerns regarding parking inadequacy, increased traffic congestion, strain on public transport, negative impact on local character, social and security risks, environmental issues, and potential non-compliance with best practice parking provisions, **this development is not suitable for the proposed location.** The Griffith City Council should reconsider approval or require substantial modifications to the proposal to better align with the needs and expectations of the existing community.



19th March, 2025

RE: Development Application No. 27/2025 proposed development on Lot 19 Section 51 DP 758476 – 6 Wyangan Avenue GRIFFITH – Applicant – Mr M Secivanovic

To Whom it May Concern,

This written submission is in response to the recent Development Application named above, for the construction of Co-Living housing at 6 Wyangan Avenue.

Please note, **I do not wish that the following submission be publicly distributed/made public**, as I wish to keep the details about my vulnerable living arrangements (a single mother with a small child, living alone) private. Your discretion in this matter is greatly appreciated.

I am currently a neighbouring resident and the homeowner at [REDACTED] My property shares a boundary line with the proposed development.

I wish to raise the following concerns as reasons for my opposition for a development of this nature.

- The proposed plans indicate that **the pathway to individual units and their entrance doors face directly onto the boundary of my property** and, therefore, run alongside the bedrooms to my own property. The high level of foot traffic will create noise at all hours, particularly if the housing provision targets hospital shift workers. As a single mother of one toddler, additional sleep disturbances are not welcome.
- The **parking provisions detailed in the plans are inadequate** for the proposed number of residents. No provisions have been made for visitor parking. It is expected that additional vehicles will over-flow into the reserve/dirt area that exists on the corner, in front of 6 Wyangan and 34 Palla, causing congestion, an eye-sore and blocking driveway access. No details of how “restricting the parking of vehicles within the road reserve” will occur in practice. I do not wish for the front of my house to become a parking strip.
- This area of **North Griffith is a family suburb**, where I feel safe raising my son. I purchased my home with this in mind as a main motivation. This development will not be a “home” to residents, who will not be motivated to take pride in the upkeep or tidiness of the space. There will be little opportunity to get to know transient neighbours.
- **Transient residents may bring with them problems often associated with low socio-economic circumstances**, including substance abuse and violence. The potential impact of this on feelings of **safety for myself and my son** are significant.
- **Increased traffic** in an already busy intersection, including higher numbers of vehicles slowing to turn into the reserve, close to the intersections from both Palla and Wyangan.
- The **language contained within the documents of the Development Application is unclear, contradictory and, in some cases, incorrect**. It is cause to assume that management of the site will have considerable flexibility and loop holes to operate the property as they see fit once it is built. I refer specifically to the following extracts from the ‘**State of Environmental Effects**’ document;
 - *“The housing strategy identified that Griffith has a higher-than average rate of **homelessness** compared with NSW, and an increased number of people who are marginally housed (i.e those living in*

*overcrowded conditions, in cars, or other temporary or insecure housing). This development is proposed to provide additional affordable rental accommodation, of which is of a high-quality design, on a centrally located site. The development will provide accommodation to **diverse and very low to moderate income households** for 22 adults.”* This inclusion is contradicted by;

- “Potential occupants would consist of **fly in fly-out workers, health services professionals, retirees**, and those of whom conventional home ownership is not affordable or suitable for their needs or desired lifestyle”. Impacts upon residents may vary greatly depending on whether the new residences at 6 Wyangan are made available to low-income households versus locum professionals.
- “**An onsite manager is to be employed and will be required to reside onsite** and oversee the facility's running and management”, later contradicted by “Matters to be addressed in a Plan of Management would include... management and supervision through an onsite manager **or regular visits**”. The unclear nature of this language implies that surrounding residents are not protected against the problems resulting from the absence of permanent onsite management.
- “**The site has a single driveway to Wyangan Avenue** located 31 m from the intersection at Palla Street and 11m from the yield line of the slip lane from Palla Street to Wyangan Avenue”. **This excerpt from the ‘State and Environmental Effect’ document provided with the application is incorrect.** Currently, the driveway of 6 Wyangan Avenue adjoins a shared reserve with multiple exit points onto both Wyangan Avenue and Palla Street. Over the past 10 years, the many residents of 6 Wyangan Avenue and 34 Palla have consistently and jointly made use of all exit points, which has necessitated that our vehicles share the space in front of each other’s houses.
- “Key measures to ensure the amenity of adjacent residences are maintained would include... Providing an operational manual that is available to neighbours and must be implemented by the Manager and the.” Aside from this extract containing an incomplete sentence with details of who else would be responsible for the implementation of the manual missing, it is unreasonable to expect that neighbours would desire to have cause to consult a manual to ensure peaceful living in the first place.

Until the concerns raised within this letter are addressed, I will continue to oppose the development of the proposed Co-Living Residence at 6 Wyangan Avenue.

Your consideration is greatly appreciated.

Kind Regards,



H Vowles

Date 19 March 25



Dear Mr Stonestreet

RE Submission for DA 27/2025 – 6 Wyangan Avenue, Griffith

I would like to object to this development application for the following reasons.

I'm concerned that proposed driveway ingress / egress position poses significant safety risks to road users and in particular to cyclists.

The proposal allows vehicles to exit across the cycle lane to the right or left onto Wyangan Avenue. Turning right from this point will be extremely dangerous for road users entering Wyangan Ave from the slip lane that will have no warning / unsatisfactory line of sight of a right turning vehicle potentially blocking the road.

The Palla St slip lane onto Wyangan Ave encourages left turning drivers to look right and accelerate if there is no oncoming traffic. This would mean drivers are likely to be accelerating directly towards cars that may be entering or exiting the development driveway which is located immediately at the end of the slip road.

The limited amount of carparking spaces will result in more vehicles being parked on the street as close as possible to the development, further reducing visibility.

Vehicles may need to reverse out of the development as there is no turning circle in the carpark where space is extremely limited.

State Environmental Planning Policy (Housing) 2021 must be used for required number of parking spaces as there is no Griffith policy that mentions co – living. There needs to be at least 11 car parking spaces.

20% of the site should be community open space – drawings do not reflect this as landscape plantings are shown and this is not community open space.

There is a powerline in the N/E corner which is too close to the building (this needs to be referred to Essential Energy).

The response to Council's Pre-DA comments in the Varga Traffic and Planning Assessment Report is questionable –

- ***“the current location of the proposed driveway is considered acceptable because:***

- a vehicle entering the subject site will approach the proposed driveway from the linemarked road shoulder in Wyangan Avenue, clear of the main traffic lane”

A driver should not approach a driveway from the shoulder - Road shoulder benefits (as per NSW Gov “Movement and Place) include

- Acts as a clear zone allowing errant vehicles space to recover
- Allows broken down vehicles to pull over safely away from travel lanes
- Provides a trafficable area use by emergency vehicles
- Provides clearance to lateral obstructions
- Provides a space for use by cyclists

Using this shoulder as a road lane is particularly dangerous for cyclists.

“- the proposed driveway is at the optimal location for turning into the site, as it is furthest away possible from the Wyangan Avenue and Palla Street intersection”

The proposed driveway all but runs into the slipway

“• right-turn exit from the site is considered acceptable because there is sufficient sight distance to the south to Palla Street for an exiting vehicle”

I disagree – a vehicle coming round the slipway at the speed limited does not have a safe breaking distance if an exiting vehicle is blocking the road whilst attempting to turn right. If a cyclist is waiting for the vehicle to turn right a car could come round the slipway and crush the cyclist.

Please consider these points in your decision-making process.

Regards

H Vowles

GRIFFITH CITY COUNCIL

PO BOX 485

GRIFFITH NSW 2680

Development Application No.27/2025

(1) Proposed development on Lot 19 Section 51

DP 758476 – 6 Wyangan Avenue Griffith

Applicant – Mr M Secivanovic

Dear Sir/Madam

We wish to submit our objection to the proposed development of 6 Wyangan Avenue.

We currently own [REDACTED] and we believe that this proposed development for co-living housing would impact on all of the local residents, as per the following reasons;

- We believe that the proposed development will increase the already high levels of traffic congestion at the intersection of Palla, Wyangan and Kooba streets, as they have only allowed for 9 off street parking spaces. This was evident with recent Griffith Base Hospital Development, where there were vehicles parked on both sides of the road, making driving conditions hazardous.**
- The proposed development will impact on the family feel of the area. It will increase the noise level and security due to the number of residents. It will change the community neighbourhood. Wyangan Avenue is a family area, which is why we feel this high density co-living development is not suitable.**
- We have not been advised as to how this facility is to be used, or the tenants that will be there. Such a facility would be better**

located in areas such as Wakaden, Coolah or Kookora Streets, which already have similar high density developments. All are close to the city centre and serviced by public transport.

- We feel that co-living housing could work, but the proposed location is not suitable.

Yours sincerely



(We request that our name and address be withheld)

Alana McGibbon

From: Kerry Saunders [REDACTED]
Sent: Thursday, 20 March 2025 10:56 AM
To: GCC Admin Mailbox
Subject: 6 Wyangan Ave. Griffith.

Hello Brett Stonestreet,
General Manager.
Plus all councillors.

My name is Kerry Saunders and my address is [REDACTED]. Griffith, just [REDACTED] blocks down from a proposed development at 6 Wyangan Ave.

My husband, Garry and I plus our whole family have serious concerns about this development.

The traffic we experience along this road is becoming busier every day, including trucks, B doubles, motorbikes and young people in fast cars that plant their feet just

around the corner coming from Wyangan Ave into Palla St.

This corner has so many driveways running off it with a service station opposite, family homes, plus Kooba St. running in both directions immediately around the corner, hospital end traffic, kids trying to ride push bikes, kids crossing the road before and after school.

There are no footpaths for pedestrians. I fear for anyone trying to walk anywhere around this corner, in particular my own grandchildren.

I find the idea of adding more congestion in this particular area mind blowing! A tragedy waiting.

For us living here, just turning into our own driveway is risky at times with having to slow to almost a crawl and putting the indicator on in the previous block, to have cars following so closely behind with angry looking drivers thinking we are turning the corner. Very scary.

I have to ask where will tradies, trucks and equipment for the construction of this development be parked? In front of all of our houses again as was for the hospital build? Blocking driveways, blocking the view for backing out of our driveways for months or road closures disrupting a wider range on North Griffith residents?

Surely there must be a more sensible site for some consideration.

Kerry Saunders

A: [REDACTED]
E: [REDACTED]

Wyangan Avenue
Griffith NSW 2680

21 March 2025

Griffith City Council
1 Benerembah St
Griffith NSW 2680

By email only: admin@griffith.nsw.gov.au

Dear Sir/Madam,

RE: Objection to Development Application No. 27/2025 – 6 Wyangan Avenue, Griffith; Lot 19 DP 758476

Background

I am an occupant of the house at [redacted] Wyangan Avenue, which neighbours the proposed development and am writing to express my objection.

I have been residing at [redacted] Wyangan Avenue, Griffith since 2015. The neighbourhood is busy, the traffic is constant and the people living in the neighbourhood are a diverse mix of different cultures, young families and elderly people.

Compatibility

The design of the proposed development is incompatible with the local area.

In this respect, the applicant's Statement of Environmental Effects notes that the majority of the buildings in the area are single detached one-storey dwellings.¹ No other developments of this nature are referred to on Wyangan Avenue or in the immediate vicinity of the proposed development.

Further, it is stated that, "Due to the long narrow nature of the building, the development would appear similar to a single detached dwelling from the street."²

However, this assumes that it is only the view from the street which is relevant to determining compatibility.

Occupants in the house I live in, as well as those on the other side of the proposed development, would be presented with a harsh, largely featureless side view, akin to an industrial development. It appears that all of the design effort has been applied to the street view and none to the side view.

The development is essentially being "shoehorned" onto the lot, leaving little room for landscaping which might otherwise mitigate the harsh views, noise and lack of privacy which the development would afford, or for any significant architectural features. For example, there is no landscaping at all contemplated (or possible) in the eastern approximately one half of the development, adjacent to the carparking.

¹ Page 12

² Page 13

Traffic

Having lived adjacent to the site for some 10 years, I have good knowledge of the traffic and parking situation.

This particular intersection could easily be one of the busiest and most dangerous in Griffith it is used daily by hundreds of people in cars, motorcycles, bicycles, small and large trucks and is one of the main roads linking the CBD to North Griffith, Lake Wyangan and Nericon. I have witnessed many accidents and near misses and have also had a few myself.

I do not believe that the Traffic and Parking Assessment report prepared by Varga Traffic Planning Pty Ltd dated 7 February 2025 fully appreciates the dangerous nature of the intersection. This is exacerbated by the fact that the report contemplates a right-turning exit, towards the intersection.

If you live or visit this location frequently, you will know this location is not an ideal position for a driveway, the location of the proposed and current driveway may as well be on the intersection and is only a very short distance away from a cement traffic island in the middle of the road. Vehicles coming from Palla Street and turning onto Wyangan Ave, have a habit of speeding up around the bend and only looking for traffic coming from the driver's right-side direction. The driveway is in a dangerous position, vehicles that currently enter and exit this driveway usually have difficulty navigating the traffic in both directions safely and as the next-door neighbour I have witnessed many near misses involving cars from that driveway and many accidents on the intersection involving cars, motorbikes, and pedestrians. My driveway is further away from the intersection but myself and my family still have issues navigating our entry and exit on a daily basis. As mentioned earlier, vehicles coming around the bend tend to only pay attention to traffic on their right-side and when they aren't required to give way they generally speed up and move through the intersection. On occasions I have slowed down and indicated I am turning left in my driveway it's not uncommon for a vehicle to slam its brakes on behind me or swerve to avoid a collision. This also happens when cars on Wyangan Ave are turning right into Kooba Street. If this development is approved the traffic entering and exiting 6 Wyangan Avenue will increase dramatically and no doubt contribute to more congestion and potentially more accidents.

Further, I already witness many drivers coming from this lot the subject of the application who when exiting will drive over the nature strip to exit on my driveway rather than the driveway servicing the lot, owing to its proximity to the dangerous intersection.

Parking

The DCP contemplates a minimum of 0.4 parking spaces for each co-living room, which the proposal just meets.

I believe that this will be inadequate in practice and that it will lead to increased parking congestion on the street and on the adjacent nature reserve.

Public transport options within, to and from Griffith are (despite the impression given in the Varga report) few and poorly patronised. In consequence, private motor vehicle ownership and use is particularly high and this is unlikely to change in the foreseeable future.

The Statement of Environmental Effects indicates that there may be up to 2 occupants per room, for a total of up to 42, excluding the manager's accommodation.³ It is unknown how many persons the manager's accommodation is likely to house.

Assuming that this maximum occupancy is adhered to and enforced plus 2 in the manager's accommodation, this would mean that the parking allowance could be as low as 1 space per approximately 4.9 occupants. This makes no allowance for additional visitor parking.

³ Page 29

I believe that it is highly likely that this will lead to a substantial increase in on-street parking, substantially aggravating an already dangerous intersection.

Petition

I would also like to submit along with my submission copies of a paper petition and online petition objecting to this development. Many locals have signed and are against the approval of this application, any further correspondence relating to both the paper and online petition are to be address to myself.

A black rectangular box redacting the signature of Natasha Di Fiore.

Natasha Di Fiore

Objection to Co-Living Development Application

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First Name & Last Name	Street Address & Suburb	Contact Number	Signature
Deneka Andreatza			
Rhea Suman			
Brooke Scarfo			
Simone Caropardo			
MATASHA DiFIORE			
Anterina Violi			
Jacinda Violi			
Mivica W-B			
Denne Cubelini			
LOSA DiFIORE			
VINO DI FIORE			
Angelina Ufforja			
Chandelle Peire			
Aston sforza			
Pauline Crowe			
Kristy O'meley			
Nichelle Marando			

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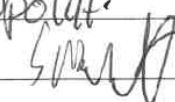
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Line Pattison			
Jacob Brace			
Carren Brace			
Nayne McKenzie			
Dina Fattore			
Erin O'Keefe			
J-Mum			
Ema Munro ^{-needs more parking}			
Doris			
Eva Goode			
Susan Tyrrell			
Louise Ippoliti			
Ian Ippoliti			
Vine 			
K. Moore			
N. Rossiter			
Landice Goffey			

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PAUL MUIR			
EIL ALEXANDER			
IANICE WILSON			
Shane Hill			
Mitchell Hill			
Samantha Hill			
HILLI TYNDALL			
HILLI TYNDALL			
Peter Saunders			
JOHN VITUECA			
OSH MARIN			
IAN IPPOLITI			
JACK PUNCI			
TRISHA PARDEN			
BILL CACABRE			

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LARISSA			
Kaylene			
edlan Pendlebury			
Rebecca McEae			
Liam Butler			
Vick Hutchison-Spence			
Latrina Moore			
Paul Lok			
GALE Northey			
Mike & Heather Ward			
Joan McKusze			
STUART HETTER			
TORJA HETTER			
Tayla Heffer			
Nadine Johns			

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First Name & Last Name	Street Address & Suburb	Contact Number	Signature
Jack Tynan			
Michael Crowe			
Rebecca Hill			
Alex Johnston			
Shirley Sivewright			
IAN SIVIEWRIGHT			
Linda Johnston			
Sarah McLean			

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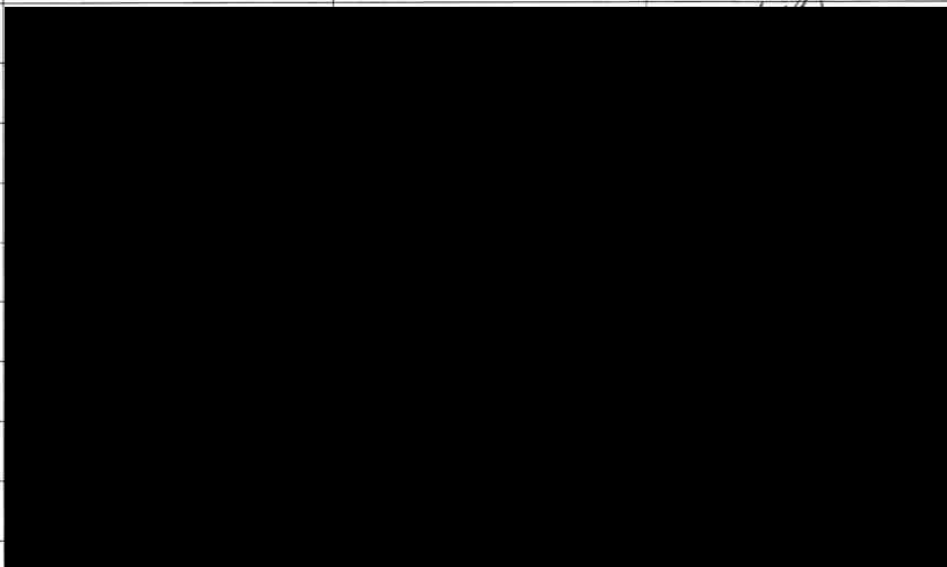

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Sub Pasin			
Robyn Murphy			
Graig Murphy			
JAEN HUNT			
JULIE HUNT			
AMORETTE			
ROSSITER			
V. Bennett			
J Ingold			

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First Name & Last Name	Street Address & Suburb	Contact Number	Signature
citaya clarke			
Jake Baker			
Ella Salvestio			
delissa Sergi			
MARGARET PORTORS			
Karina Crooks			
Lenny Vasta			
Rolita Fidow			
Donna Maugeri			
Ross Nangen			
Wally Wilson			
Shaneen Gray			
Peg Webster			
JENNIE FISHER			

Objection to Co-Living Development Application

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First Name & Last Name	Street Address & Suburb	Contact Number	Signature
CATHY McDONALD			
LYN GOSLETY			
John Duker			
Nicola Clark			
Fay PILLONI			
Sabriella Salvestrin			
SAM STUCCI			
CHETOA JR FOUSINE			
BARRY TURNER			
NICOVE MURRAY			
COLLEEN DEMARCO			
FIATULUTA			
FRANK VIOLA			
SAM CATAVZANIN			
AGOSTINO			
FRANCESCO			
ARMELINA IRVIN			

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First Name & Last Name	Street Address & Suburb	Contact Number	Signature
ELYN THOMAS			
TICHELLE THOMAS			
FRED GARDON			
Hubert Klemm			
Steven Rogers			
PHILL - DI SALVA			
AUC LITCHFIELD			
Don Litchfield			
Bob Brown			
CHRIS MAYER			
Stephen Collins			
Chloris Nolan			
Ken Frost			
CLAIRE FROST			

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First Name & Last Name	Street Address & Suburb	Contact Number	Signature
Elena Clifford			
Daniel Gabbey			
Ron Noden			
Riley Priest			
GARRY MEEHAN			
Simon Battocchio			
AM MACKAY			
Barry Waike			
JENINE WARREN			
SANMEY MIA			
ARMAN			
TOM GLEW			
Matthew Brown			
ANTONIO			
Ryan Corbery			
Dean Hawker			

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First Name & Last Name	Street Address & Suburb	Contact Number	Signature
Ryan Campbell			
Ayrie Taylor			
Beryl Mott			
Nell Scott			
BN			
Katrina Turner			
S. Hecker			
D McKersie			
J. Calabrese			
Elena Conte			
Abbie Hardwick			

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First Name & Last Name	Street Address & Suburb	Contact Number	Signature
Rianne Kennedy			
Jay Andreatta			
Sonja Bretoag			
Leeanne Cooper			
Madeline Serafin			
Jana Davies			
Shannon Watt			
TT Zikuli			

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First Name & Last Name	Street Address & Suburb	Contact Number	Signature
Ortha Cullen			
JOHN MARCUS			
S. Mian			
Morena Violi			
Joe Brubaker			
Bara Pixley			
Harrie Gump			
Lanessa Barnes			
Manda Wells			
Elle Vearing			
JOAQUIN Salvestro			
Christy Cammish			
Damon Cammish			
Georgia DeMarco			
Hannah Kelly			
Henry McIntosh			

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First Name & Last Name	Street Address & Suburb	Contact Number	Signature
Sue Mitchell			
M Vtucci			
Amada Culielmini			
Daron Gohin			
CECILIA JOHNSONE			
MICHAEL STABLES			
Jess Patane			
Debbie Saweston			
CAMILA CANABIA			
Judith Gordon			
Michelle Lane			
Cathy Martin			
Rohyn Ryan			
T. Gak			
M Mitchell			

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First Name & Last Name	Street Address & Suburb	Contact Number	Signature
CLARA JOHNSTON			
Mad McLean			
ALAN SCOTT			
SEC STEELE			
M Oberholzer			
David Lalpo			
Elley Kretschmar			
D DAWIA			
J. Dodd			
E Restagno			
Michael V.			
M Spillema			
Joseph Taliano			
Karen FRENCH.			
Nake Garsky			
EDAN CRIMMINIS			
SUE SALVESTRO			

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[illegible]

Name	City	State	Postal Code	Country	Signed On
candice gaffey					10/03/2025
georgia burns					10/03/2025
Adriana Moretti					10/03/2025
Karen Young					10/03/2025
GLeNYs GaFFeY					10/03/2025
Lori Gaffey					10/03/2025
Lexi Lightfoot					10/03/2025
Kayla Lodding					10/03/2025
liz purtell					10/03/2025
Mel Collier					10/03/2025
Glenda Barraclough					10/03/2025
Sandi Reginato					10/03/2025
Kim Mannell					10/03/2025
Robert MacFarlane					10/03/2025
Michelle Hayes					10/03/2025
Sally Leach					10/03/2025
Rebekkah Zuccato					10/03/2025
mahesh desai					10/03/2025
Virginia O'Brien					10/03/2025
Erin Nascimben					10/03/2025
Corinne Waide					10/03/2025
Molly Light					10/03/2025
Skin10 Bugno					10/03/2025
Natasha Firebrace					10/03/2025
Chontelle Egan					10/03/2025
Dom macedone					10/03/2025
Anna Barbaro					10/03/2025
Maree Barbaro					10/03/2025
Matthew Mills					10/03/2025
Jeanette Sartor					10/03/2025
Sally Grieve					10/03/2025
Wendy Brown					10/03/2025
Shania Francis					10/03/2025
Melissa Suine					10/03/2025
Catherine Stacey					10/03/2025
Lana Doyle					10/03/2025
Rachel Carlon					10/03/2025
Karen Cauduro					10/03/2025
Renae Sutcliffe					10/03/2025
Lee Jasnos					10/03/2025
Laura Melvin					10/03/2025
Imogen Zuccato					10/03/2025
Dane Sutcliffe					10/03/2025
Melissa Rose					10/03/2025
MS GABRIELLE J EVANS MS					10/03/2025
Penny Male					10/03/2025

Brianna Curley		10/03/2025
Alissa Woodhouse		10/03/2025
Sarah Turner		10/03/2025
Chris Evans		10/03/2025
Chad McLeanMcLean		10/03/2025
Amelia Lolotonga		10/03/2025
Carl Chirgwin		10/03/2025
Michele Woolfe		10/03/2025
Karen patten		10/03/2025
Annmaree Mazzarolo		10/03/2025
Toni Barbaro		10/03/2025
Renee Milani		10/03/2025
Mat Evans		10/03/2025
Melissa Pisan		10/03/2025
Lauren Haas		10/03/2025
Michael Vitucci		10/03/2025
Johnnie Kemp		10/03/2025
Jack Harrison		10/03/2025
Tara Bortolazzo		10/03/2025
Maryanne Dodd		10/03/2025
Tristyn Farlow		10/03/2025
Anna Bordignon		10/03/2025
Christina Franco		10/03/2025
Michelle Lane		10/03/2025
Domenic Scarfone		10/03/2025
Tayla Mazzarolo		10/03/2025
Danielle Carbery		10/03/2025
Laura Frost		10/03/2025
Daniel Whitehead		10/03/2025
Drew Saunders		10/03/2025
Sandra Hicken		10/03/2025
Renee Webb		10/03/2025
Jessica Blandford		10/03/2025
Charmaine Zuccato		10/03/2025
Jessica Van den clarke		10/03/2025
Madison white		10/03/2025
Katrina Nehme		10/03/2025
Kevin Frank		10/03/2025
Mia Doolan		10/03/2025
Richard Oakes		10/03/2025
Bianca Barnes		10/03/2025
Vicki Greedy		10/03/2025
Sonia Callipari		10/03/2025
Adam Twigg		10/03/2025
MLiss Jones		10/03/2025
Graham Foley		10/03/2025
Natalie Cunial		10/03/2025

leanne heffer		10/03/2025
Sarah Lewis		10/03/2025
Kellie Kelly		10/03/2025
Nicky Tagliapietra		10/03/2025
Damon Mazzarolo		10/03/2025
Amber Armstrong		10/03/2025
Grace Qualtieri		10/03/2025
Deirdre Healey		10/03/2025
Emma Woods		10/03/2025
Isabelle Eldridge		10/03/2025
Andreha Tedesco		10/03/2025
Jacob Leungwai		10/03/2025
Linda Diggelmann		10/03/2025
Kayla Rosenow		10/03/2025
Lauren Oakes		10/03/2025
Karen Heffer		10/03/2025
Stacy Simpson		10/03/2025
Stephanie Crack		10/03/2025
Diana Burge		10/03/2025
Michelle Kelly		10/03/2025
Rebecca Watt		10/03/2025
Kathryn Fraser		10/03/2025
Linda Coenradi		10/03/2025
Savannah Badoco		10/03/2025
Lauren Poscoliero		10/03/2025
Yogesh Bhatt		10/03/2025
Casey Brown		10/03/2025
Robyn Butcher		10/03/2025
Mike Crosato		10/03/2025
Bec Freeman		10/03/2025
Margaret Catanzariti		10/03/2025
Ash Good		10/03/2025
Belinda Hansen		10/03/2025
Nathan Diggelmann		10/03/2025
Katrina Brett		10/03/2025
Sarah Dunbar		10/03/2025
Quon Debbie		10/03/2025
Robert Spurr		10/03/2025
David Dunbar		10/03/2025
Natasha Pittari		10/03/2025
Stephanie Crosato		10/03/2025
Scott Dixon		10/03/2025
Cindy Brown		10/03/2025
Debbie Draskovic		10/03/2025
kirsty boyd		10/03/2025
Nick Donnellon		11/03/2025
Fay Johnstone		11/03/2025

Jan Broome		11/03/2025
Stephanie Star		11/03/2025
Kelli Bordignon		11/03/2025
Joanne Campione		11/03/2025
Maggie O'Loughlin		11/03/2025
Daniela Raciti		11/03/2025
Daisy Armstrong		11/03/2025
Michelle Barbaro		11/03/2025
Hannah King		11/03/2025
Fiona Burley		11/03/2025
Danielle bernardi		11/03/2025
Tamara Hastedt		11/03/2025
Carmon Bernardi		11/03/2025
Narelle Bellincanta Duxbury		11/03/2025
Dana Cabrera		11/03/2025
Clare Bowditch		11/03/2025
Sandra Bishop		11/03/2025
Victoria Martin		11/03/2025
Rosa Bugno		11/03/2025
Adele Rosa		11/03/2025
Pamela Waide		11/03/2025
Katie Romeo		11/03/2025
Melita Ieraci		11/03/2025
Abbey Ieraci		11/03/2025
Ian Carter		11/03/2025
Janine Makepeace		11/03/2025
Carolyn Snow		11/03/2025
Frances Bloomfield		11/03/2025
Anne Mills		11/03/2025
Renee De Benetti		11/03/2025
Terry Hicken		11/03/2025
Helen Cambrell		11/03/2025
Tracey Dussin		11/03/2025
Rhiannon Mohr		11/03/2025
Yvette Stewart		11/03/2025
Sabine Mazzarolo		11/03/2025
Tracy Mills		11/03/2025
Savannah Stewart		11/03/2025
Tre Cottom		11/03/2025
Beverley Clark		11/03/2025
Katie BILLING		11/03/2025
kristy foggiato		11/03/2025
Mikaela Hodge		11/03/2025
Rob Brown		11/03/2025
Maria Bianchini		11/03/2025
Sebastian Nascimben		11/03/2025
Foni Uoifalelahi		11/03/2025

Toney Pincolic		11/03/2025
Angelina Morton		11/03/2025
Christine Henderson		11/03/2025
Troy McGillivray		11/03/2025
Emily vitucci		11/03/2025
Rosario Patane		11/03/2025
Danielle Bresolin		11/03/2025
Hemi Reweti		11/03/2025
Renee Grieve		11/03/2025
Melissa Butcher		11/03/2025
Alicia Puntoriero		11/03/2025
Tupou Ditoka		11/03/2025
Susana Muñoz		11/03/2025
Isabella Luo		11/03/2025
Cheryl Wood		11/03/2025
Simote Tuitavake		11/03/2025
Lizl Negus		11/03/2025
Caitlyn Patten		11/03/2025
Bernie Minato		11/03/2025
Lyn Davies		11/03/2025
Nicola Thoner		11/03/2025
Cody Stokes		11/03/2025
Nick Manning		12/03/2025
Desley Garner		12/03/2025
Manjit Singh		12/03/2025
Neal McRae		12/03/2025
Ebony Johnson		12/03/2025
Theresa burns		12/03/2025
Paul Snaidero		12/03/2025
Rakesh BUSHIPAGA		12/03/2025
Melissa Larkham		12/03/2025
Lolesio Teofilo		12/03/2025
rochelle ellem		12/03/2025
julie mcmahon		12/03/2025
Amanda Saini		12/03/2025
burgess kristy		12/03/2025
Tessa Murphy		12/03/2025
Sana Vitucci		12/03/2025
Graham Foley		12/03/2025
Roslyn Fishenden		12/03/2025
Chris Brugger		12/03/2025
Tanya Smith		12/03/2025
Chris Lymer		12/03/2025
Ashley Fishenden		12/03/2025
Brandan Gilchrist		12/03/2025
Renee Catanzariti		12/03/2025
Wendy Manning		13/03/2025

Greg and Julie Hunt		13/03/2025
Carmel Bodger		13/03/2025
Isabell Sully		13/03/2025
Tangaloa Engeliko		13/03/2025
Harley Levi		13/03/2025
Leonie Hollands		13/03/2025
David Valensisi		13/03/2025
Rachael timms		13/03/2025
Jacqueline Twigg		13/03/2025
John Christian Melano		13/03/2025
Dyan Bonleon		14/03/2025
Lynnette Kenny		14/03/2025
Connor Rankin		14/03/2025
Storme Lander		14/03/2025
Pam Di Salvo		14/03/2025
Kayleen Bromley		14/03/2025
Gayle Robins		15/03/2025
Ben McIntosh		15/03/2025
Paul Tagliapietra		17/03/2025
Robyn Schmetzer		17/03/2025
Nicola Clark		17/03/2025
Gemma Chapman		17/03/2025
mandy rebetzke		17/03/2025
Patricia Del Guzzo		17/03/2025
Daniela Thoner		17/03/2025
Sally O'Keeffe		18/03/2025
Tania Magoci		18/03/2025
Rachel Baird		18/03/2025
April Johnson		18/03/2025
Andrea Crockett		18/03/2025
Leonie Guest		18/03/2025
Tanaya Nixon		18/03/2025
tania shaw		19/03/2025
Kylie Huntington		19/03/2025
Ruby Harmer		19/03/2025
Brooke Tied		19/03/2025
dale marshall		19/03/2025
Joanne Herbert		19/03/2025
Therese Favero		19/03/2025
Jody Camenzuli		19/03/2025
Dorothy Nieuwenhuizen		19/03/2025
Daisuki Baby		19/03/2025
Nesilita Greenwood		19/03/2025
Sandy Nixon		20/03/2025
Candice Cocilova		20/03/2025
Nevis Gill		20/03/2025

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22 April 2025

Griffith City Council
PO Box 485
Griffith NSW 2680

RE: DEVELOPMENT APPLICATION 27/2025 – 6 WYANGAN AVENUE, GRIFFITH

1. On 18 February 2025, we lodged Development Application 27/2025 (**Application**) with Council in connection with 6 Wyangan Avenue, Griffith (**Property**), seeking approval for the demolition of the existing structures on the Property, site preparation works, construction of a 22-room single storey privately managed co-living building, off-street car parking, onsite drainage infrastructure, footpaths and landscaping (**Proposed Development**).
2. These submissions are made:
 - (a) in support of the Proposed Development;
 - (b) in response to objections received by Council regarding it;and will show, with supporting material, why the Proposed Development:
 - (c) is desperately needed to assist with addressing the low-cost affordable housing shortage in Griffith;
 - (d) is entirely consistent with the strategies, aims and objectives developed and implemented by Council since at least 2012, and that its location, size, purpose and intended use are consistent with each of these strategies, aims and objectives;
 - (e) it is necessary to fill the gap in low-cost affordable housing necessary to accommodate health professionals, Hospital staff, essential workers, fly-in fly-out workers and those who conventional home ownership is not affordable or suitable for their needs or desired lifestyle;

- (f) will have **negligible environmental impact**, will have little to no effect on traffic and why Council's proposal to reconstruct the entire intersection of Wyangan Avenue and Palla Street is unnecessary; and
- (g) complies entirely with Council's Development Control Plan and other State Legislation, and meets all necessary controls including, but not limited to, off-street vehicle and motorcycle parking.

Background

- 3. We are not developers. Far from it. Other than engaging a builder to build our current family home in Sydney in 2009, we have not engaged in any other form of building or construction.
- 4. We have spent some time in Griffith recently, and the housing shortage and its impact on the community are evident. Two recent experiences in Griffith convinced us that a boarding house-style accommodation would benefit the Griffith community and prompted us to embark on the current path.
- 5. On our last trip to Griffith, we met two young women. One was in her early thirties, and the other was in her mid-twenties. The woman in her thirties was explaining to us that she needed to undergo certain "lady stuff" procedures as a result of recently giving birth (we did not press for details), but that whilst Griffith Base Hospital had the facilities to perform the procedures, it did not have the appropriate staff. She was telling us how she would need to travel with her mother and newborn child to Wagga Wagga to get the necessary procedures done and stay in accommodation there until she was discharged and able to return. She indicated that this was not an uncommon story in Griffith and expressed dismay at how \$250 million could be spent on the Griffith Base Hospital, but it did not have the appropriate staff.
- 6. The woman in her twenties had a different story. She told us how she recently got married, and because of her and her husband's low income, they could not afford to buy in Griffith. Instead, they had to rent low-cost housing, and the only housing that they could find was shared, dilapidated backpacker accommodation. She was telling us how her and her husband shared a bunk bed in a room with two other sets of bunk beds (6 beds and 6 people in total) and the only way they could achieve any privacy whilst

asleep was through the use of a bed sheet used as a curtain that they hung down the side of the bunk bed.

7. We can only imagine how many similar stories come out of Griffith, yet there seems to be significant pushback on the Application.

Objections

8. The objections that have been raised in respect of the Proposed Development broadly fall within six (6) categories:
 - (a) the proximity of the Proposed Development to the intersection of Wyangan Avenue and Palla Street and the effect on traffic;
 - (b) the impact on and availability of on-street parking;
 - (c) the size of the Proposed Development, relevantly, the building itself;
 - (d) the nature and use of the Proposed Development, relevantly, the fact it is a co-living development and the number of people that would occupy the building;
 - (e) the location of the Proposed Development and suggestions that a co-living development is not appropriate for the proposed location; and
 - (f) the number of car spaces included in the Proposed Development.

Paramount Consideration - Need for Affordable Housing

9. Before addressing each category of objection, it is important to highlight what we submit to be the underlying paramount consideration that should be adopted by Council in determining the Application.
10. Australia is in the midst of a housing crisis, which crisis has been accepted by all levels of government, who have attempted and are continuing to implement strategies and solutions to create more sustainable and affordable options. The Proposed Development ought to be considered in the background of this crisis and the impacts that this crisis has had and continues to have on the City of Griffith.

11. Council has been aware of the housing crisis facing the community for years and has been documenting strategies and solutions since at least 2012¹.
12. In November 2023, the Griffith Worker & Housing Shortage Taskforce, being a joint initiative of the Griffith Business Chamber and Council, was formed² with a preliminary focus concentrated on the development of housing strategies to increase the supply of affordable housing, and thereby improve recruitment and retention of workers within the Griffith LGA.³
13. In January 2025, in response to a \$10 million federal government funding announcement to support housing infrastructure in Griffith, the Independent Member for Murray, Helen Dalton stated:

This funding will definitely go a long way to restoring confidence in the community in trying to sort out Griffith's housing crisis, but is it too little too late? The lack of progress with investment and development around here has had a significant impact on attracting families and essential workers to the city. Hopefully with a relaxed development application process, Griffith City Council can finally get the ball rolling on providing somewhere for much needed essential workers to live.

14. Griffith has struggled with severe housing shortages for over a decade. Following the 2013 housing collapse, the city's housing growth plummeted from 250 new homes per year to just 13. Even now, housing construction remains severely restricted, with only 40 to 80 homes being built annually. This limited growth has compounded Griffith's challenges, including skyrocketing rents, declining economic activity, and an alarming homelessness rate.⁴
15. Mrs Dalton goes on to state that Griffith City Council has had a Griffith Housing Strategy since 2019 and "we need to see these projects fast-tracked to ensure development applications can proceed as quickly as possible. The people of Griffith cannot afford to wait any longer."

¹ Griffith Land Use Strategy – Beyond 2030, November 2012

² <https://argylehousing.com.au/griffith-housing-crisis-2/>

³ <https://www.miragenews.com/griffith-task-force-seeks-input-on-housing-1305270/>

⁴ <https://www.helendalton.com.au/media-releases/10-million-for-griffith-housing-infrastructure-a-welcome-boost-but-too-little-too-late>

16. It was self-evident in 2019 that the housing crisis was a significant issue for residents and surrounding businesses.⁵ A study then found that nearly 10% of Griffith's 21,000 residents were homeless, and more than 10% were living marginally. The study revealed a massive shortage of affordable rental properties for the city's many low-income workers, who keep local factories and farms in labour.

17. In March 2024, at a meeting of Mayors of the NSW Regional Cities in Wagga Wagga, it was accepted that regional areas continue attracting more residents, but the supply of affordable housing is not keeping up with demand. Indeed, the Tweed Shire Mayor Chris Cherry stated:

*The urgency of the housing crisis across regional cities is dire, with the lack of housing contributing to a rising inability of businesses to attract workers.*⁶

18. Council has taken it upon itself to partner with the private sector to seek to alleviate the housing crisis, but in one instance, this attempt has stalled. An affordable housing project to construct four two-storey, two-bedroom townhouses in Wakaden Street has been temporarily halted because the builder has suffered "financial constraints".⁷ Unfortunately, that builder has now gone into administration, owing large sums to independent contractors.

19. In August 2024, Griffith mayor Doug Curran cut a ribbon to signify the completion of an Argyle Housing-Griffith Council joint venture – Griffin Green, 20 new units constructed for social housing near Walla Avenue in South Griffith. All these units are now fully tenanted, mostly by essential workers. Under this project, 42 nearby vacant lots have also been purchased to build affordable and social housing.⁸ However, it remains unclear how these vacant lots can be developed in circumstances where the builder on the Wakaden Street property is now in administration.

⁵ <https://www.abc.net.au/news/2019-06-09/griffith-housing-crisis/11185154>

⁶ <https://www.governmentnews.com.au/regional-mayors-demand-meeting-with-minister-over-housing-crisis/>

⁷ <https://regionriverina.com.au/griffith-affordable-housing-project-on-wakaden-street-stalled-as-builder-hits-financial-constraints/83184/>

⁸ <https://regionriverina.com.au/griffith-affordable-housing-project-on-wakaden-street-stalled-as-builder-hits-financial-constraints/83184/>

Council's Strategic Response and Due Diligence

20. The Proposed Development is consistent with and achieves the aims and objectives of the strategies, plans and policies that have been promoted, discussed, adopted and implemented by Council since at least 2012.
21. In 2012, in close cooperation with the Griffith community, business groups within Griffith and a range of state agencies, Council developed the Griffith Land Use Strategy Beyond 2030 (**Beyond 2030**) which purpose was to:
- (a) document a flexible guideline to inform future decisions on spatial planning; and
 - (b) ensure a clear focus on guiding and supporting development and growth in Griffith and surrounding areas in a sensible and sustainable way.
22. Beyond 2030 provided direction for land use and spatial development for Griffith with a forward vision of approximately 30 years. It was primarily a policy document containing guidelines to assist Council in decisions relating to physical development and land use matters. Its secondary purpose was to inform the community of Griffith about Council's aspiration for spatial development.
23. Beyond 2030 identified that by 2033, the population of Griffith would grow to approximately 34,905 (potentially, 38,026) and by 2038, to 36,587 (potentially, 40,687)⁹. It also identified that there would be a **dwelling shortage of between 4,587 and 4,725 in 2033 and between 5,481 and 5,629 by 2038**¹⁰. To address the potential housing shortage, Beyond 2030 recommended that Council set a realistic target. This target would aim to provide housing for approximately 4,650 households between 2012 and 2033, averaging around 194 households per year¹¹.
24. In 2019, Council engaged Judith Stubbs & Associates to prepare the Griffith Housing Strategy 2019 (**2019 Housing Strategy**) to assist Council in understanding the current need for affordable housing and issues that may influence the delivery of affordable housing in the future. The Background Paper¹² to the 2019 Housing Strategy:

⁹ Beyond 2030, Part B Page 19

¹⁰ Beyond 2030, Part B Page 23

¹¹ Beyond 2030, Part B Page 23

¹² Griffith Housing Strategy 2019 (Background Paper), Judith Stubbs (**Background Paper**)

- (a) provided an evidence-based approach to increasing affordable housing for key target groups, focusing on strategies likely to be most effective in the local context; and
- (b) provided detailed research on current and future demographic trends and projections; a detailed analysis of the housing market and affordable housing need by target group; an analysis of the economic, land supply and planning context; a preliminary analysis of potential affordable housing partnership sites with respect to economic feasibility; and planning mechanisms and amendments to existing controls required to ensure more efficient market supply of diverse, low cost and affordable housing options.

25. The Background Paper also highlighted and accepted:

- (a) The **chronic rental shortage, which is constraining local businesses** that are finding it difficult to recruit staff due to affordability and accessibility issues.¹³
- (b) The **lack of affordably priced housing not only affects the quality of life of individual families**, who may be sacrificing basic necessities to pay for their housing, but it also has a serious impact on employment growth and economic development. The loss of young families and workers in lower-paid essential service jobs can adversely affect local economies and contribute to labour shortages in some regions of NSW, including Griffith. The displacement of long-term residents reduces social cohesion, engagement with community activities (such as volunteering), and extended family support¹⁴.
- (c) Affordable housing would not just impact the health and well-being of low-income families, and older and younger people, it could contribute to a **lack of labour supply among “key workers” who are essential** to various services including childcare, aged services, health care, tourism, hospitality and emergency services, but whose wage increasingly does not allow them to access rental or purchase housing close to where they work. Affordably priced housing is thus an important form of community infrastructure that supports

¹³ Background Paper, Page 10

¹⁴ Background Paper, Page 11

community well-being, social and economic sustainability, including a diverse labour market and economy, and strong and inclusive communities¹⁵.

- (d) Very low and low-income renting households make up the majority of those in housing need in the Griffith context and require the strongest planning and market intervention in order to address this need¹⁶.
- (e) The **biggest issue facing Griffith** in terms of housing affordability is the **large and increasing number of very low-income renting households**, often in severe **housing stress**, and the general **inability of the market to provide for such households**.¹⁷
- (f) The **serious pressure on local rental stock** is evident in the very high real rate increase in rents over the past 10 years, with rents for two-bedroom strata dwelling in the LGA growing at double the NSW rate and rents for three-bedroom dwellings growing at four times the NSW rate.¹⁸
- (g) It is likely that, **by 2036, there will be at least 1,160 households in need of affordable housing in the LGA, 70% in rental stress** and 30% in home purchase stress, with a likely need for 60% of smaller dwellings suited to singles and couples, and 40% suited to families.¹⁹
- (h) Griffith has a **higher than average rate of homelessness** compared with NSW and has experienced an increase in people who are homeless and who are marginally housed since 2011.²⁰
- (i) Very low-income households are effectively excluded from both the private purchase and rental market, although some would **benefit from an increased supply of smaller one-bedroom dwellings** in terms of reduced cost if not affordability, including very low-income workers without a family.²¹

¹⁵ Background Paper, Page 11

¹⁶ Background Paper, Page 12

¹⁷ Background Paper, Section 1.5.4, Page 13

¹⁸ Background Paper, Section 1.5.4, Page 14

¹⁹ Background Paper, Section 1.5.4, Page 14

²⁰ Background Paper, Section 1.5.4, Page 14

²¹ Background Paper, Section 1.5.5, Page 14

- (j) Most low-income households could afford to rent a **one-bedroom dwelling, although these are in very short supply in the LGA.**²²
 - (k) **New Generation Boarding Houses** developed under SEPP Affordable Rental Housing 2009 **would be affordable** to very low-income singles and couples who are working and are reported to be in **high demand**. However, none have to date been developed in the LGA under the SEPP. The stock of such accommodation is made up of older, often poor amenity boarding houses.²³
26. Two main strategies likely to be most effective in increasing the supply of affordable housing in the local context of local housing need and supply are set out at section 1.6.1 of the Background Paper²⁴ as:
- (a) Actively seeking to facilitate an increased supply of lower cost and affordable housing types (one and two-bedroom) in well-located areas. This principle involves ensuring that there are **no unnecessary impediments to the local planning regime** that act as a **barrier or disincentive** to the proper operation of the market and likely require some fundamental changes to existing planning controls and mechanisms.
 - (b) The **direct creation of affordable rental housing** for every very low and low-income renters, and put some low income purchasers, through partnerships on land owned by council and other public authorities. This includes as part of well-located multi-tenure development and New Generation Boarding Houses, affordable seniors housing, selective redevelopment of older public housing stock to better meet projected need, and a demonstration of affordable MHE project for low income workers and families.
27. The Background Paper states that implementing the 2019 Housing Strategy will thus provide valuable economic and social benefits to the City and the region.²⁵
28. The Background Paper maintains that affordable housing could be delivered through the private market, typically through smaller, lower-cost accommodation such as boarding

²² Background Paper, Section 1.5.4, Page 15

²³ Background Paper, Section 1.5.4, Page 15

²⁴ Background Paper, Page 16

²⁵ Background Paper, Page 10

houses, smaller apartments, secondary dwellings and the like.²⁶ Well-designed and managed **“New Generation” Boarding Houses** provide a **significant opportunity** for housing a range of smaller low and very low-income households affordably in the local context, including as part of multi-tenure developments.²⁷

29. Section 3.2 of the Background Paper²⁸ provides that the **lack of supply relative to potential demand is likely to have an increasingly adverse impact upon housing choice and affordability for lower income smaller working households**, older people needing to move to a well located more manageable dwelling, and the increasing proportion of low-income renting households. Table 3.1 of the Background Paper²⁹ predicts a potential shortfall of 4,530 two-bedroom or smaller dwellings by 2036.
30. The Background Paper makes it clear that a very low-income household could not affordably rent any housing product in the Griffith LGA.³⁰ **Boarding houses** and onsite vans and cabins in Caravan Parks **are likely to provide affordable rental** to very low-income households. **However, there is virtually no local supply of these** (apart from older boarding houses, likely operating without approval).³¹
31. Based on accepted projections, it is likely that, by 2036, there will be 1,160 households in need of affordable housing in the City of Griffith, 820 in rental stress (70%) and 340 in home purchase stress (30%).³²
32. In reliance on the Background Paper, Council chose to accept a number of the strategies and recommendations contained within the Background Paper in its Griffith Housing Strategy 2019 (**2019 Housing Strategy**). In its 2019 Housing Strategy, Council accepted or acknowledged that:
 - (a) affordable housing is an important form of community infrastructure that supports community wellbeing and social and economic sustainability,

²⁶ Background Paper, Page 10

²⁷ Background Paper, Page 101

²⁸ Background Paper, Page 66

²⁹ Background Paper, Page 66

³⁰ Background Paper, Page 106

³¹ Background Paper, Page 107

³² Background Paper, Page 107

including a diverse labour market and economy, and strong and inclusive communities³³;

- (b) future growth of 0.73% per annum is projected, or a total population of 30,507, and demand for an additional 1,744 dwellings by 2036, and that it would be prudent to plan for a higher proportion of well-located strata dwellings in the future dwelling mix than is projected due to a significant mismatch between current housing supply and need, and considerable under-occupancy of public housing and of larger owner-occupied homes by older people in the LGA;³⁴
- (c) the challenge will likely be ensuring that there is a sufficient supply of smaller, well-located dwellings to meet projected need, noting that there was a fairly static proportion of flats and units from 2006 to 2016, and a relatively small number of villas, townhouses and attached dwellings created over this period;³⁵
- (d) strata dwellings are far more likely to enter the private rental market than separate houses, and to increase the supply of much needed private rental properties for lower income workers and pensioners;³⁶
- (e) the biggest housing affordability issue facing Griffith is the large and increasing number of very low-income renting households in housing stress, and the general inability of the housing market to provide for such households;³⁷
- (f) the serious pressure on local rental stock is evident in the very high real rate increase in rents over the past 10 years;³⁸
- (g) it is likely that, by 2036, there will be at least 1,160 households in need of affordable housing in the LGA, 70% in rental stress and 30% in home purchase stress, with a likely need for 60% smaller dwellings suited to singles and couples, and 40% suited to families;³⁹

³³ 2019 Housing Strategy at 1.3

³⁴ 2019 Housing Strategy, Page 3

³⁵ 2019 Housing Strategy, Page 3

³⁶ 2019 Housing Strategy, Page 3

³⁷ 2019 Housing Strategy, Section 1.5, Page 3

³⁸ 2019 Housing Strategy, Section 1.5, Page 3

³⁹ 2019 Housing Strategy, Section 1.5, Page 3

- (h) accounting for homelessness and general population growth, an additional 140 dwellings should be added to the affordable housing target above, or a total target of at least 1,300 additional affordable dwellings in the LGA by 2036;⁴⁰
- (i) New Generation Boarding Houses would be affordable to very low-income singles and couples who are working and are reported to be in high demand in the LGA. However, none have been developed locally under the SEPP to date. The stock of such accommodation is currently made up of older, often poor amenity boarding houses;⁴¹
- (j) There are significant opportunities for local government to support the creation and maintenance of affordable housing through core planning legislation and policies in NSW, and a statutory requirement to consider this issue. Local government has an implicit role in affordable housing and an impact on affordability through land zoning, controls, the timing of land release, location of services and facilities, and the levying of rates and development contributions;⁴²
- (k) **Local government has a role and indeed a statutory responsibility to seek to preserve and create affordable housing through the planning and assessment process;**⁴³

33. The Strategy goes on to adopt several strategies relevant to the Proposed Development:

- (a) Strategy 2 – an indicative target of 1,300 additional affordable housing dwellings by 2036;⁴⁴
- (b) Strategy 12 – **Council will actively promote and support the development of high quality, “New Generation” Boarding Houses in locations within 400 metres of B2 or B4 zoning in Griffith;**⁴⁵
- (c) Strategy 13 – Council will develop controls in the development control plan consistent with state government policy and legislation to **support the development of good design and management of “New Generation”**

⁴⁰ 2019 Housing Strategy, Section 1.5, Page 4

⁴¹ 2019 Housing Strategy, Section 1.6, Page 5

⁴² 2019 Housing Strategy, Section 1.7, Page 6

⁴³ 2019 Housing Strategy, Section 1.7, Page 6

⁴⁴ 2019 Housing Strategy, Section 2.3, Page 11

⁴⁵ 2019 Housing Strategy, Section 2.4.3, Page 21

boarding houses taking into account local needs and the housing market context, and make these publicly available.⁴⁶

34. Not only did the 2019 documents identify the affordable housing crisis and attempted to put in place mechanisms and strategies to combat the escalating crises, the July 2023 Griffith Health Precinct Master Plan prepared by Inizio Consulting (**Health Precinct Master Plan**) further identified the deficiencies in affordable housing, accommodation shortages, impacts on hospital staff and recruitment and reiterated the strategies and plans previously adopted by Council to address these gaps.
35. The purpose of the Health Precinct Master Plan was to, inter alia⁴⁷:
- (a) shape, coordinate and guide future development;
 - (b) leverage the NSW Government's investment of \$250M into the Griffith Base Hospital Redevelopment; and
 - (c) stimulate additional and supportive housing and short-term accommodation.
36. Factors identified for the future success of the Health Precinct Master Plan were noted as including:
- (a) attracting and retaining exceptional staff, students, specialists and an increasing local population – sustaining stability and opportunity – creating an attractive lifestyle focus; and
 - (b) a broad range of housing and accommodation options and choices, helping attract and retain people in the community and support the precinct.
37. An analysis of the issues, constraints and opportunities relevantly identified:
- (a) current planning policies do not support medium and high-density residential development;
 - (b) **acute lack of affordable housing choices close to the CBD, with the Health Precinct providing a key locational opportunity;**

⁴⁶ 2019 Housing Strategy, Section 2.4.3, Page 21

⁴⁷ Health Precinct Master Plan at 1. Executive Summary

- (c) **chronic lack of short-term accommodation close to the CBD and Health Precinct;**
 - (d) limited emergency accommodation does not match demand for this service within the community; and
 - (e) **limited independent living facilities close to the Health Precinct facilities.**
38. It should be noted that the Property lies within the Health Precinct and is approximately 200m from the Griffith Base Hospital.
39. Guiding Principles are then identified in the Health Precinct Master Plan – most notable of which is Guiding Principle 5, which is extracted below:

Guiding Principle 5 – Home for Locals + Visitors

A broad range of new living opportunities, affordable housing and expanded accommodation options help reinvigorate the health precinct and the CBD.

Opportunities

- Delivery a full range of affordable housing options of varying density close to the CBD and Health Precinct and consider social housing options for precinct based workers
- Provision of high density housing options including student housing
- Provision of a range of short term accommodation options within the Health Precinct
- An expanded emergency accommodation facility
- Consider government led land packaging to facilitate new housing forms



40. The diagram identifies the Property being located within the *Arc of Opportunity for Medium Density Living & Accommodation*.

41. Stakeholder engagement in connection with the Health Precinct Master Plan noted that **future growth opportunities within the Precinct were tied to accommodation and housing**, and Stakeholder engagement sessions identified:
- (a) **most of the Base Hospital staff are local - housing and accommodation shortages are significant issues for attraction and retention of staff**;
 - (b) St Vincent's relies significantly on fly-in/fly-out specialists and locum doctors – **the limited short-term accommodation options** and limited flights are a significant operational issue and **discourage potential hospital staff**;
 - (c) significant supply shortage issues with short-term accommodation (hotels and motels) impacting heavily on the fly-in and fly-out of health professionals essential to the delivery of health services in Griffith and also effects other industries;
 - (d) **rental accommodation shortages impacting health staff and provides a disincentive for prospective new staff**;
 - (e) housing shortages are also impacting the home buyer market, resulting in relatively high prices and reducing affordability and acting as a further disincentive for health and educational staff moving to Griffith;
 - (f) the **diversity of housing models is also limited**;
 - (g) some tertiary education organisations provide short-term rental accommodation linked to student placements to increase accommodation opportunities, but these tend to be limited in scale and fully pre-committed - student housing remains a significant issue for some institutions; and
 - (h) crisis short-term accommodation opportunities are provided in the precinct, but these tend to be locked up with longer term renters because longer term transitional housing is limited in scale and over committed.

42. The gap analysis prepared for the Health Precinct Master Plan appears below:

Housing and Accommodation		governance		
Balancing emergency short term accommodation supply and demand	The limited emergency housing provided by stakeholder precincts gets locked up with longer term users because of the general lack of housing for the homeless	Key Precinct Stakeholders can create improved emergency housing opportunities	Lack of accessibility to emergency housing provided by Health Precinct stakeholders	Deliver additional emergency accommodation
Growing affordable housing opportunities and improving housing choice and diversity	The current Housing Strategy documents the acute lack of affordable housing opportunities in Griffith	The redevelopment of the Health Precinct provides a broad range of affordable housing options increasing the local population and the activation of the Precinct	Insufficient opportunities for affordable housing close to the CBD	Affordable and attainable housing options become a key focus of the redevelopment of the Health Precinct. Consider social housing options to improve in-precinct worker housing
Expanding short term accommodation choice and availability	A chronic lack of short term accommodation within Griffith, close to the CBD and the Health Precinct	The redevelopment of the Health Precinct provides expanded short term accommodation options increasing the activation of the Precinct	Insufficient opportunities for short term accommodation close to the CBD and Health Precinct	Well located, short term accommodation options become a key focus of the redevelopment of the Health Precinct

43. The constraints and opportunities within the Health Precinct Master Plan appear below:

E. Housing and Accommodation



44. Indeed, the Health Precinct Master Plan earmarks the immediate vicinity of the Property for future Development Opportunities, including a potential independent living village with single storey units and 2-3 storey apartment and townhouse buildings – Zone A1 of the Health Precinct Master Plan is set out below:

Zone A1: Indicative Development Opportunities

- A1.1** Potential Independent Living Village with individual single storey units, central 2-3 storey apartments, gated access but street facing housing and central facilities
- A1.2** Potential Townhouse Development – 2-3 storeys
- A1.3** Potential Backpackers Development – 2 storeys
- A1.4** Potential Serviced Apartments Development – 2-3 storeys
- A1.5** Potential Build-to-Rent-to-Buy Apartments – 2-3 storeys
- A1.6** Potential Affordable Housing Apartments – 2 storeys



45. Council's land use framework diagram suggests the creation of four new land use "zone" types. Zone A1 and A2 (of which the Property forms part) would be zoned for medium density and supportive accommodation, including but not limited to boarding houses.⁴⁸
46. In the intervening period between 2019 and 2023, Council released a further Strategic Planning Statement in September 2020 - Growing Griffith to 2045 (**Beyond 2045**). Beyond 2045 is stated to "provide context and direction for land use decision making within the Griffith Local Government Area".⁴⁹
47. Planning Priority 1 of Beyond 2045 is to increase urban density and housing affordability. Indeed, Action 1.1C of Beyond 2045 accepts:

*Supportive land use policies and development controls can assist in the provision of affordable housing in Griffith. **The provisions of the State Environmental Planning Policy (Affordable Rental Housing) 2009 which support affordable housing should be reflected in all Council's policies, plans and development controls. Council should also be supportive for***

⁴⁸ Section 12.2, Health Precinct Master Plan

⁴⁹ Beyond 2045, Page 4 (Introduction)

boarding houses and residential flat building within 400m from Griffith's CBD.

48. In dealing with the Health Precinct, Beyond 2045 incorporates Strategy 8.1 and identifies Action 8.1C which is said to support and provide housing options for medical staff within or in proximity to the hospital precinct. Action 8.1C accepts:

*The Health Precinct Master Plan would also provide development controls to support diverse housing options for medical staff based on their needs including the provision of **suitable sites for short stay** accommodation, housing share options, **new generation boarding houses** and unit development.⁵⁰*

49. Not only is the Proposed Development consistent with the strategies, aims and objectives of Council's planning documents, but it also fits entirely within the aims, objectives and controls of Council's Residential Development Control Plans.
50. Council's Residential Development Control Plan (as of 17 August 2020) (**2020 DCP**) sought to implement those aims, objectives and strategies highlighted in and adopted by the 2019 Housing Strategy.
51. Pursuant to the terms of the 2020 DCP:
- (a) the Property is located within the Jubilee Precinct⁵¹;
 - (b) the **Future Character** of the Precinct is stated as⁵²:

The projected future character of the area is to increase residential density through secondary dwellings and dual occupancies in rear yards and strategically placed multi-dwelling housing. A low-medium density FSR has been chosen to promote increased densities while retaining landscaped areas on lots. Corner allotments should be promoted for multi-dwelling housing, terraces or manor houses. **Boarding houses should be located at the southern extent of the precinct closer to the CBD.**

⁵⁰ Beyond 2045, Page 48

⁵¹ 2020 DCP, Section 3.5, Page 11

⁵² 2020 DCP, Section 3.5, Page 11

Note: It specifically makes mention of boarding houses being located at the southern extent of the Precinct closer to the CBD which is precisely where the Property is located.

- (c) Section 6.0⁵³ specifically deals with Boarding Houses, the clear purpose of its inclusion is to reflect the strategies and policies adopted by Council since 2012, and it is accepted by Council that:

A boarding house provides a form of affordable rental accommodation for a wide range of tenants including singles, retirees, students, itinerant worker and young couples;

- (d) The **Objective** of Section 6.0 is stated to be:

To facilitate the effective delivery of new affordable housing and the retention of existing affordable housing in appropriate and accessible locations in Griffith and to ensure boarding houses achieve a high standard of urban design which are compatible with the desired amenity and character of the area.

52. Amendments to the 2020 DCP were introduced on 26 November 2024 (Amendment No. 2) (**2024 DCP**), which relevantly had the effect of, amongst other things:

- (a) achieving the objectives of the land use zones to which the Plan applies;
- (b) implementing the recommendations of 2019 Housing Strategy;
- (c) providing for a diversity of housing opportunities and residential lifestyle choices;
- (d) optimising residential development opportunities which fulfil the housing supply in Griffith.

53. The aims and objectives of the amendments to the 2020 DCP were stated to include:

- (a) encourage, facilitate and promote affordable housing in accordance with the 2019 Housing Strategy;

⁵³ 2020 DCP, Section 6.0, Page 57

- (b) provide for a diversity of housing opportunities and residential lifestyle choices.

54. Of particular relevance was the amendment to the *Future Character* of the *Jubilee Residential Precinct* which now relevantly provides:

*The projected future character of the area is to increase residential density through secondary dwellings and dual occupancies in rear yards and strategically placed multi-dwelling housing. A low-medium density FSR has been chosen to promote increased densities while retaining landscaped areas on lots. Corner allotments should be promoted for multi-dwelling housing, terraces or manor houses. Boarding houses and **co-living housing** should be located at the southern extent of the precinct closer to the CBD.*

55. The introduction of the term **co-living housing** was clearly a design by Council to promote the type and kind of development we now seek.
56. Section 6.0 of the 2020 DCP was replaced with Section 7.0 in the 2024 DCP, and which now includes the concept of “co-living housing”. The amendment to the 2020 DCP in November 2024 is a clear recognition by Council of the need for the supply, promotion and implementation of low-cost affordable housing in accordance with the 2019 Housing Strategy.
57. In the context of paragraphs 10 to 56 above, the Applicants submit:
- (a) the Proposed Development is in a form that promotes and addresses the strategies, aims and objectives that Council has held since at least 2012:
 - (b) the Proposed Development assists Council in achieving its aims and objectives under each of the following instruments, and is plainly consistent with the affordable housing strategies contained within each of them:
 - (i) Griffith Land Use Strategy – Beyond 2030, November 2012;
 - (ii) Griffith Housing Strategy 2019;
 - (iii) Strategic Planning Statement - Growing Griffith to 2045, September 2020;
 - (iv) Griffith Health Precinct Master Plan, July 2023;

- (v) Council's Residential Development Control Plan (as of 17 August 2020)
– Amendment No. 1;
 - (vi) Council's Residential Development Control Plan (as of 26 November 2024) - Amendment No. 2;
 - (c) in the background of the strategies, policies and guidelines ventilated and ultimately adopted by Council since at least 2012, which are stated to extend beyond 2045, it is only incumbent on Council to support the Proposed Development as it fits squarely within the objectives it has chosen and agreed to achieve to support the City of Griffith; and
 - (d) it is abundantly clear that the need for and benefit of the Proposed Development to and for the City of Griffith **far outweighs any objections that have been raised** and any concerns that may be held by Council.
58. We address below each of the categories of objection to the Application that have been raised with Council but submit that the need for the Proposed Development far outweighs any of the objections listed below.

Objection Category 1 - Proximity of the Proposed Development to the intersection of Wyangan Avenue and Palla Street and the effect on traffic

59. There is concern that there is a risk of motor vehicles using the Palla Street slip lane turning left onto Wyangan Avenue may not be able to differentiate between (a) a motor vehicle in front turning left onto Wyangan Avenue and continuing along Wyangan Avenue and (b) a vehicle turning into the driveway of the Proposed Development.
60. We accept that there is a risk. But it is no more a risk than what presently exists or has existed since the construction of the current driveway to the Property.
61. A similar risk exists in relation to both 32 and 34 Palla Street. Indeed, the driveway to 34 Palla Street is practically on the Palla Street slip lane. Similar situations exist at the intersections of:

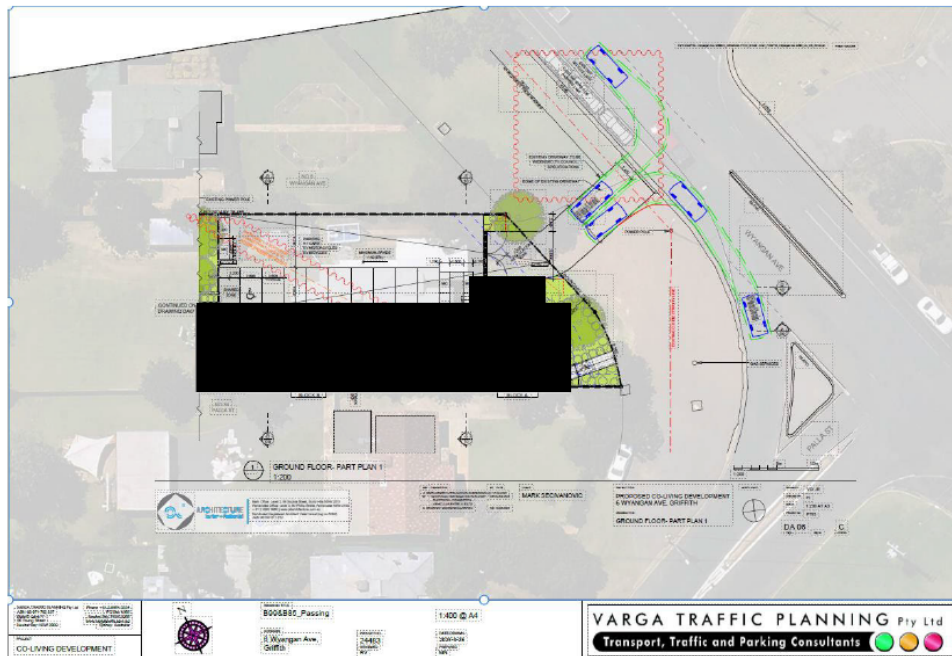
- (a) Wyangan Avenue and Noorila Street;
- (b) Koorungal Avenue and Kookora Street; and
- (c) Bringagee Street and Gunbar Street.

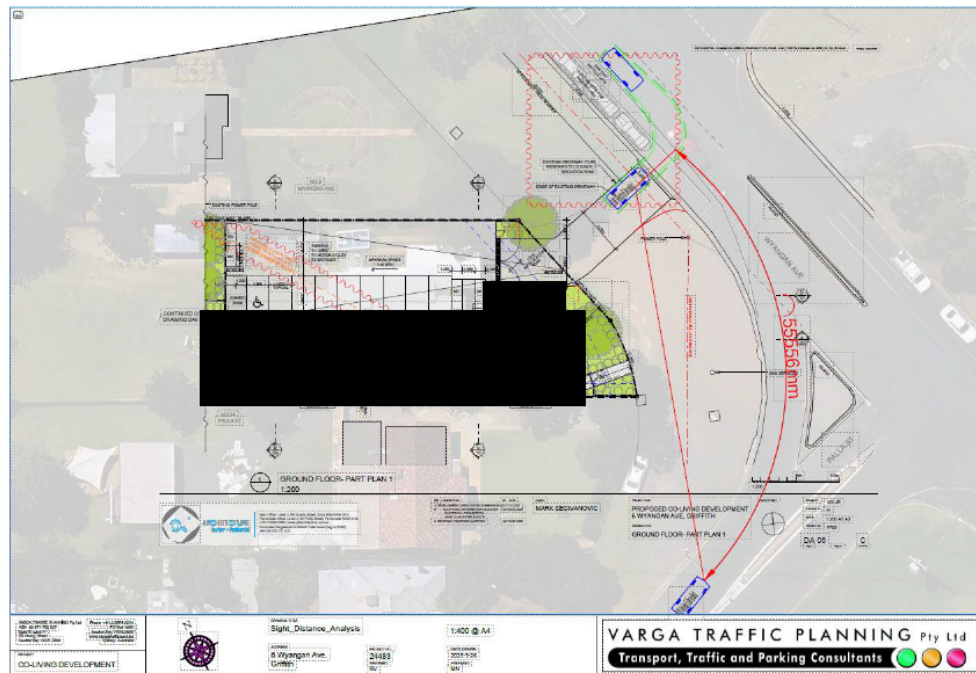
62. The proposed slip lane is no different to any normal roundabout. If a car were to approach a roundabout to turn left, it would need to slow down, give way to traffic on the roundabout and approaching from the right, and would proceed to turn left as they would in using a slip lane. The same level of risk would be posed in relation to any driveway located shortly after the exit from the roundabout.
63. We rely on the Varga Traffic Planning Pty Limited Traffic & Parking Assessment Report dated 7 February 2025 (**Varga Report**), and in particular his comments at page 5 extracted below:

The following advice is provided in response to the “traffic and parking” matters raised in the Pre-DA meeting with Council:

- *the current location of the proposed driveway is considered acceptable because:*
 - *a vehicle entering the subject site will approach the proposed driveway from the line-marked road shoulder in Wyangan Avenue, clear of the main traffic lane;*
 - *it is the responsibility of the following driver to keep clear of the vehicle in front at all times;*
 - *the proposed driveway is at the optimal location for turning into the site, as it is furthest away possible from the Wyangan Avenue and Palla Street intersection;*
- *right-turn exit from the site is considered acceptable because there is sufficient sight distance to the south to Palla Street for an exiting vehicle;*
- *all car parking spaces are to be assigned to residents of the development with no visitor parking proposed onsite as SEPP (Housing) 2021 does not specify a visitor parking requirement, therefore no turning bay is required.*

64. Motorists have a duty to use due care and skill when operating a motor vehicle and this includes keeping a safe distance and travelling at a safe distance behind motor vehicles in front. There is no evidence to suggest that the risk mentioned in paragraph 59 will be increased as a result of the Proposed Development, or that if there is an increase in risk, that increase would be to an unacceptable or unreasonable level. To date, there has only been speculation in this regard.
65. The speed limit on Wyangan Avenue and Palla Street is 50km/h. It is unlikely that any vehicle approaching Wyangan Avenue from Palla Street via the slip lane will be approaching at 50km/h or taking the corner at that speed. A more realistic approach and exit speed would be between 20km/h and 30km/h to allow for any give way from the right. In those circumstances the braking distance for cars would be between 3 and 6 metres respectively, in circumstances where the car would have an unobstructed turning arc of 55.56 metres from the start of the intersection on Palla Street to the driveway entrance on Wyangan Avenue (see figure at 66 below).
66. By letter dated 26 March 2025, Varga Traffic Planning Pty Limited proposed an alternative option for Council's consideration to address the concerns set out in paragraph 59 above. Extracted below are drawings accompanying the letter:





67. The letter proposed a splayed driveway construction which would allow any vehicle to turn left into the Property driveway from the line marked road shoulder, clear of any traffic lanes, and the splay would allow vehicles to turn left and out simultaneously, should the need arise.
68. The letter confirms that the splayed driveway construction “*could operate safely, and that Council’s request for the major reconstruction of the Palla Street/Wyangan Avenue intersection is excessive and onerous for such a small (in traffic terms) development*”.
69. There is also a concern that the Proposed Development could increase traffic and road use. We accept that more motor vehicles entering and exiting the Proposed Development will add to traffic flow and traffic numbers, but submit that the increase is negligible. The Varga Report concludes that traffic flow as a result of the Proposed Development will increase by approximately two vehicles per hour in the morning and four vehicles per hour in the afternoon/evening.
70. The Varga Report concludes that “*the projected traffic generation potential of the site as a consequence of the development proposal is statistically insignificant and will clearly not have any unacceptable traffic implications in terms of road network capacity*”.

71. By letter dated 3 April 2025, Council sought a Peer Review of the Varga Report. Accompanying these submissions is the requested Peer Review conducted by Kelly Hollyoak of TPP Transport Planning dated 17 April 2025 (**Peer Review**).
72. The Peer Review concludes:
- (a) that the Proposed Development will likely generate approximately 2 additional vehicles per hour during the morning peak period and approximately 4 additional vehicles per hour during the evening peak period;
 - (b) the potential traffic generation of the Proposed Development is considered very low, and is not expected to have a noticeable impact on the operation of the surrounding road network;
 - (c) this level of traffic generation in general practice does not require further traffic data collection or analysis for the existing road network or a traffic modelling for assessment of the impact of traffic from the Proposed Development;
 - (d) vehicles turning left from Palla Street into Wyangan Avenue are required to give way to traffic on Wyangan Avenue with a give-way line installed on the left turn slip lane, and therefore it is expected that left turn vehicles will slow down or stop at the slip lane prior to entering Wyangan Avenue, thus the approaching speed in front of the site access driveway is expected to be much lower than 50km/h;
 - (e) notwithstanding, the site access driveway has a sight distance of more than 69 metres to traffic in both directions of Wyangan Avenue and a sight distance of more than 58 metres to traffic on Palla Street, which therefore complies with the sight distance requirement of AS2890,1:2004;
 - (f) the south-eastern end of the driveway as shown in the architectural plan is about 5.9 metres away from the tangent point of the kerb at the corner of the intersection and does not strictly comply with AS2890,1:2004, which requires the access driveway to be at least 6 metres away from the tangent point of the kerb;
 - (g) the vehicle crossing should be shifted an additional 100mm away from the bend of the slip lane in accordance with AS2890,1:2004; and

- (h) the Proposed Development would **not require a major reconstruction of the existing Palla Street/Wyangan Avenue intersection** and traffic counts for the existing intersection and an assessment using traffic modelling are considered unnecessary.

- 73. In keeping with the recommendation of the Peer Review, accompanying these submissions are revised plans that now show the access driveway 6 metres away from the tangent point of the kerb, which is now compliant with AS2890.1:2004.

Objection Category 2 - Impact on and availability of off-street parking

- 74. The Proposed Development complies with all statutory requirements and development controls regarding the off-street parking of cars, motorcycles and bicycles.
- 75. The nine available off-street parking spaces will be allocated to residents of the Proposed Development. No visitor parking spaces have been provided as it is not a requirement of the 2024 DCP or other applicable legislation.
- 76. The provision of nine off-street car parking spaces, five motorcycle spots and five bicycle spots should be considered acceptable particularly when:
 - (a) the intention of the Proposed Development is to house a significant number of occupants working at Griffith Base Hospital, which would be in walking distance of the Hospital;
 - (b) the Property has excellent connectivity to reliable and frequent bus services offering residents a genuine alternative to private vehicles; and
 - (c) The property lies approximately 700 metres north of the Griffith CBD, which has a wide range of essential shops, cafes, restaurants and other services.
- 77. Even if the off-street parking allocation was to become exhausted, there is ample on-street parking available on both sides of Wyangan Avenue, Palla Street and Kooba Street, which in all the circumstances would not interfere with traffic flow or traffic management.

78. Any suggestion that the Proposed Development will inundate the local streets with parked cars is unfounded and merely speculative.

Objection Category 3 - The size of the Proposed Development, relevantly, the building itself

79. We reiterate the content of the Statement of Environmental Effects prepared by SKM Planning Pty Limited and dated 6 December 2024 (**SOEE**). We rely on clauses 3.3 and 6.1 of the SOEE.

80. For ease of reference, clause 3.3 of the SOEE extracted below:

An analysis of the existing uses in the locality surrounding the subject site, the neighbourhood, the Precinct, and the proposal's compatibility within this setting is discussed below.

The locality

The subject site is situated in the southern portion of the Jubilee Precinct, part of the original Walter Burley Griffin geometric town centre design. The existing land uses surrounding the site are a mixture of low- to medium-density residential areas, service stations, medical facilities, and educational establishments further to the east.

Predominant building types

The locality has no consistent, existing building types in terms of style and design. There are no overarching design themes in the locality. However, the majority of buildings are single detached one-storey dwellings.

The proposed development is for residential accommodation purposes, which is a predominant land use in the locality, is compatible with these existing uses, and is complementary to medical and educational land uses.

Consistency with or improvement of the streetscape

The streetscape of Wyangan Avenue could be described as having no consistent theme with various building styles and varied landscaping and building setbacks. The proposal would present well the street and have the appearance of a single detached dwelling with a contemporary design. The proposed landscaping would soften the appearance of the parking areas. Due to the long narrow nature of the building, the development would appear similar to a single detached dwelling from the street. Although the proposal represents the first co-living development in proximity to the hospital precinct, more medium-density development proposals are expected to be lodged with Council in the coming months to meet the demand for housing.

Front setbacks and landscaping

Front setbacks and landscaping vary in this locality; examples of zero setbacks to over 20m setbacks exist along Wyangan Avenue. The proposed setbacks and on-site siting of the proposed buildings will not be incompatible in the locality or streetscape. Wyangan Avenue contains a large road reserve. The proposed buildings would be setback around 20 m from the road carriageway. A Variation Request to the controls in the DCP has been lodged to permit the proposed 4.5 m setback.

Materials and finishes

There is no consistent use of building materials or finishes in the locality. The predominant building materials are brick, painted brick facades, and some examples of fibro and weatherboard-clad dwellings. The proposed buildings will not be inconsistent but appear contemporary in design and contribute positively to the streetscape.

Responding to prominent views and vistas

There are no prominent or high-value views or vistas on or from the site. The proposed new buildings are single-storey and will not be visually obtrusive.

The proposed co-living development is compatible with the character of the Precinct and local area. The proposal is a positive contribution in terms of use and design in the Griffith Central Business District.

81. For ease of reference clause 6.1 of the SOEE is extracted below:

The site is in the Jubilee Precinct of Griffith, part of the Health Precinct Master Plan. The new Griffith Base Hospital and St. Vincent's Hospital are situated around 200 m from the site. The existing land uses surrounding the site consist of a mixture of low to medium-density residential and commercial premises, health services, and some offices. The Precinct is anticipated to transition from predominantly low-density residential to low-medium-density residential, providing additional accommodation to support the health services sector. The site is also conveniently close to public transport and grocery stores, which are a 700 m walking distance away.

There are no prominent or high-value views or vistas to or from the site. The proposed new buildings are single-storey and will not be visually obtrusive. The proposal will not impact existing properties by overshadowing or causing a loss of privacy. While the proposed buildings may not be consistent with existing designs, they will appear contemporary and contribute positively to the streetscape. The proposed landscaping of the site and the road reserve will enhance the visual appearance of Wyangan Avenue.

The proposal is appropriate in its proposed setting, compatible with the existing established land uses and unlikely to impact on privacy of existing adjoining residences. The proposal is also in keeping with the expected future character of the area as described in the DCP.

Objection Category 4 - The nature and use of the Proposed Development, relevantly, the fact that it is a co-living development and the number of people that would occupy the building

82. We repeat and rely on those matters set forth in paragraphs 10 to 56 above and submit that:

- (a) the Proposed Development is in a form that promotes and addresses the strategies, aims and objectives that Council has studied, promoted, discussed, adopted and implemented since at least 2012;
 - (b) the Proposed Development assists Council in achieving its aims and objectives under each of the following instruments, and is plainly consistent with the affordable housing strategies contained within each of them:
 - (i) Griffith Land Use Strategy – Beyond 2030, November 2012;
 - (ii) Griffith Housing Strategy 2019;
 - (iii) Strategic Planning Statement - Growing Griffith to 2045, September 2020;
 - (iv) Griffith Health Precinct Master Plan, July 2023;
 - (v) Council’s Residential Development Control Plan (as of 17 August 2020) – Amendment No. 1;
 - (vi) Council’s Residential Development Control Plan (as of 26 November 2024) - Amendment No. 2;
 - (c) The Proposed Development complies with Council’s Residential Development Control Plan and all applicable NSW Legislation;
 - (d) in the background of the strategies, policies and guidelines ventilated and ultimately adopted by Council since at least 2012, which are stated to extend beyond 2045, it is only incumbent on Council to support the Proposed Development as it fits squarely within the objectives it has chosen and agreed to achieve to support the City of Griffith; and
 - (e) it is abundantly clear that there is a dire need for the Proposed Development to assist in alleviating the housing crisis facing the City of Griffith.
83. The main aim of the Proposed Development is to accommodate:
- (a) health professionals, Hospital staff and essential workers;
 - (b) fly-in fly-out workers;

- (c) retirees; and
- (d) those of whom conventional home ownership is not affordable or suitable for their needs or desired lifestyle.
84. The accommodation will be for a minimum three-month term and will not be offered for short-term tourist and visitor accommodation.
85. For abundant clarity and in the event of any confusion as to the form of accommodation that will be offered, the Proposed Development is **not intended to be used or offered as social or community housing**. Occupants of the Proposed Development will need to demonstrate current or potential gainful employment and a capacity to meet the accommodation fees and charges.
86. We refer to section 4.6 of the SOEE which is extracted below:
- The CLD will be a privately managed and operated facility. An onsite manager is to be employed and will be required to reside onsite and oversee the facility's running and management. A Plan of Management would be submitted as a post-approval matter. Matters to be addressed in a Plan of Management would include:
- management and supervision through an onsite manager or regular visits;
 - kitchen usage, the provision of meals or resident provision of meals;
 - noise inside the co-living house and in adjacent private open space areas;
 - use of communal space and facilities;
 - parking for cars and restricting the parking of vehicles within the road reserve;
 - cleanliness and maintenance of the property and grounds;
 - house rules (covering issues such as access to rooms, keeping shared facilities clean and tidy, visitors, pets, quiet enjoyment etc.); and

- 24-hour contact details.

Key measures to ensure the amenity of adjacent residences are maintained would include:

- Limiting the use of the communal areas to between the hours of 8 am and 10 pm;
- Ensuring that no parties occur onsite;
- Providing an operational manual that is available to neighbours and must be implemented by the Manager and the occupiers.

87. It is appropriate here to identify an **error in the SEE**. In the SEE, it is stated that each room will house single occupants. That is incorrect. **It is proposed that single rooms will accommodate no more than 1 occupant, whereas double rooms, which are more suitable for couples, will house no more than 2 occupants.**

Objection Category 5 - The location of the Proposed Development and suggestions that a co-living development is not appropriate for the proposed location

88. We repeat the matters set forth in paragraphs 10 to 56 above and submit that the Proposed Development:
- (a) is in a form that promotes and addresses the strategies, aims and objectives that Council has studied, promoted, discussed, adopted and implemented since at least 2012;
 - (b) assists Council in achieving its aims and objectives under each of the following instruments, and is plainly consistent with the affordable housing strategies contained within each of them:
 - (i) Griffith Land Use Strategy – Beyond 2030, November 2012;
 - (ii) Griffith Housing Strategy 2019;

- (iii) Strategic Planning Statement - Growing Griffith to 2045, September 2020;
 - (iv) Griffith Health Precinct Master Plan, July 2023;
 - (v) Council's Residential Development Control Plan (as of 17 August 2020) – Amendment No. 1;
 - (vi) Council's Residential Development Control Plan (as of 26 November 2024) - Amendment No. 2;
- (c) complies with Council's Residential Development Control Plan and all applicable NSW Legislation;
- (d) is in a location consistent with those areas earmarked by Council for the construction of short-term term low-cost cost affordable housing, including boarding houses, and in this regard, we rely on:
- (i) Strategy 12 of the 2019 Housing Strategy – **Council will actively promote and support the development of high quality, “New Generation” Boarding Houses in locations within 400 metres of B2 or B4 zoning in Griffith,**⁵⁴
 - (ii) the Property lies within the Health Precinct and is approximately 200m from the Griffith Base Hospital;
 - (iii) Guiding Principles identified in the Health Precinct Master Plan – most notable of which is Guiding Principle 5 – and the fact that the Property is located within the *Arc of Opportunity for Medium Density Living & Accommodation* noted under the Guiding Principle;
 - (iv) the Health Precinct Master Plan earmarks the immediate vicinity of the Property for future Development Opportunities, including a potential independent living village with single storey units and 2-3 storey apartment and townhouse buildings – Zone A1 of the Health Precinct Master Plan;

⁵⁴ 2019 Housing Strategy, Section 2.4.3, Page 21

(v) Council's land use framework diagram suggests the creation of four new land use "zone" types. Zone A1 and A2 (of which the Property forms part) would be zoned for medium density and supportive accommodation, including but not limited to boarding houses.⁵⁵

(vi) Planning Priority 1 of Beyond 2045 is to increase urban density and housing affordability. Action 1.1C of Beyond 2045 accepts:

*Supportive land use policies and development controls can assist in the provision of affordable housing in Griffith. **The provisions of the State Environmental Planning Policy (Affordable Rental Housing) 2009 which support affordable housing should be reflected in all Council's policies, plans and development controls. Council should also be supportive for boarding houses and residential flat building within 400m from Griffith's CBD.***

(vii) Beyond 2045 incorporates Strategy 8.1 and identifies Action 8.1C which is said to **support and provide housing options for medical staff within or in proximity to the hospital precinct**. Action 8.1C accepts:

*The Health Precinct Master Plan would also provide development controls to support diverse housing options for medical staff based on their needs including the provision of **suitable sites for short stay accommodation, housing share options, new generation boarding houses** and unit development.*⁵⁶

(viii) the Property is located within the Jubilee Precinct as defined under the 2020 DCP and 2024 DCP⁵⁷;

(ix) the **Future Character** of the Precinct is stated as:

⁵⁵ Section 12.2, Health Precinct Master Plan

⁵⁶ Beyond 2045, page 48

⁵⁷ 2020 DCP, Section 3.5, Page 11

*The projected future character of the area is to increase residential density through secondary dwellings and dual occupancies in rear yards and strategically placed multi-dwelling housing. A low-medium density FSR has been chosen to promote increased densities while retaining landscaped areas on lots. Corner allotments should be promoted for multi-dwelling housing, terraces or manor houses. **Boarding houses and co-living housing should be located at the southern extent of the precinct closer to the CBD.***

- (x) the Property is located at the southern extent of the precinct, closer to the CBD.

89. The location and nature of the Proposed Development is clearly consistent with Council's strategies, aims and objectives.

Objection Category 6 - The number of car spaces included in the Proposed Development

90. We rely on the Varga Report in response to these objections. Particularly, section 4.
91. The 2024 DCP requires 0.4 off-street car parking spaces for each room of the Proposed Development. There are 22 proposed rooms, which equate to a requirement for a total of 8.8 off-street car parking spaces.
92. The Proposed Development makes provision for a total of 9 off-street car parking spaces, 5 bicycle spaces and 5 motorcycle spaces, all located within the proposed at-grade outdoor parking area designated on the Property.
93. These numbers comply with all Council's Development Control Plans and all State Legislation.
94. In the event that on-street parking is required, then due to the nature of the area surrounding the Property, and except for the bus stops along both sides of Wyangan

Avenue, there are generally no kerbside parking restrictions in the local roads in the vicinity of the Property, including along the frontage of the Property.

Conclusion

95. We are not unsympathetic to the objections raised by residents and understand the cautious approach when it comes to change. However, in the present economic and housing crisis, the need for the type of development proposed by the Application is unequivocal. The City of Griffith is drowning when it comes to low-cost affordable housing and is in dire need of a development in the nature of that proposed by the Application.
96. We note the objections and have taken them onboard. We can assure the community that all steps will be taken to minimise any temporary inconvenience that may be caused in completing the Proposed Development and beyond. We will ensure that all reasonable steps are adopted (including the implementation and enforcement of an appropriate Management Plan) to ensure that the Proposed Development, once complete, will not interfere with the quiet use and enjoyment of surrounding properties and neighbourhood.
97. We stand ready and willing to work with Council and the community to build and maintain a contemporary co-living development to house the shortage of hospital staff, low-income workers and other essential workers who need accommodation within the City of Griffith.

Yours faithfully,

Mark & Isabella Secivanovic

FILE NOTE



FROM: Greg Balind – Development & Traffic Coordinator

DATE: 6 May 2025

SUBJECT: DA 27/2025 – Proposed Co-living Development
Lot 19 DP758476 – 6 Wyangan Avenue

DETAILS: Traffic Assessment – Refusal of DA

Please see below comments relating to the subject development – specifically addressing vehicle access and traffic/road safety. It is recommended that due to the adverse road safety outcomes relating to the proposed development – that the application be **refused**.

BACKGROUND:

Development application reference number DA 27/2025 was submitted to Griffith City Council via the NSW Planning Portal for the demolition of an existing dwelling and the subsequent construction of two new connected and freestanding co-living building ('the development') on Lot 19 DP 758476 – 6 Wyangan Avenue. The site is situated in close proximity to the intersection of Wyangan Avenue and Palla Street in the North Griffith residential area and sustains a frontage of approximately 25 metres to Wyangan Avenue (see figure 1 below.)



Figure 1: Site location – 6 Wyangan Avenue

At present the site is occupied by a single residential dwelling with a vehicle accessway adjacent to the northern boundary connecting to Wyangan Avenue. The respective Statement of Environmental Effects (*SKM Planning - December 2024*) indicates the development would consist of 21 rooms and a manager's residence aimed at providing affordable housing options for the Griffith Community. While the SOEE advises there will be accommodation provided for 22 persons comprising of nine single rooms, 12 double rooms (including two accessible) and one manager's residence, architectural plans (*pti Architecture - 17 February 2025*) show 13 double rooms (including two accessible) and nine single rooms – therefore potentially accommodating 35 persons when at full capacity.

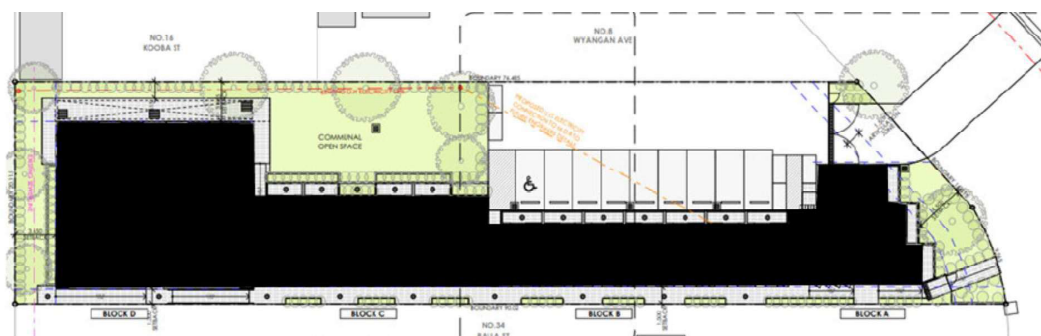


Figure 2: Proposed site layout

Traffic Generation

In a Traffic and Parking Assessment Report (Varga Traffic Planning – 7 February 2025), reference was made to the *Transport for New South Wales's (sic) publication Guide to Transport Impact Assessment, Chapter 5 – Land use Trip Generation (Version 1.1, 2024)* document to calculate the traffic generation the development would produce. While that document does not specifically provide numbers for a co-living development, traffic generation for boarding house style accommodation was used to assess traffic numbers. Council concurs a boarding house as per the definition in the TfNSW document aligns with the proposed use of the site as a co-living development. As per that TfNSW guide, the Varga report provided an indication the would attract a nett increase in traffic generation of two (2) additional vehicle trips during the AM peak, and four (4) additional vehicle trips in the PM peak. It should be noted these numbers account for a development that has the potential to accommodate 35 persons and parking for 10 vehicles.

Addition comments on traffic generation methods will be provided later in this report.

Vehicle Access

As part of the development, it is proposed to upgrade the existing access to the site by way of providing a 5.5 metre wide accessway from Wyangan Avenue to the property boundary. The southern-most edge of the accessway will be located six (6) metres to the north of the tangent point associated with the Wyangan Avenue/Palla Street intersection therefore in compliance with Council's Engineering Guidelines. The accessway is also approximately 16.1 metres from the give-way line in the centre of the Palla Street slip lane. Turning path diagrams (*pti Architecture – March 2025*) submitted in support of the development indicate the two-way simultaneous movement of the largest vehicle to access the site (Austroads B99 Design Vehicle) is achievable via the proposed accessway. However, vehicles turning left into the development will do so from the northbound travel lane of Wyangan Avenue and in close proximity to the Palla Street slip lane intersection. Council has concerns with respect to the potential conflict associated with vehicles ingress/egress of the site via the proposed accessway, and, through vehicles not associated with the development entering Wyangan Avenue via the Palla Street slip lane in close proximity to the said accessway of the development site. Again, further commentary on potential conflict and access will be provided later in this report.

Parking

Nine (9) on-site car parking bays including one (1) disabled parking bay are proposed to cater for occupant vehicle parking. On-site motorcycle and bicycle parking is also proposed.

Peer Review – Varga Traffic and Parking Assessment Reports

Following Council's review of the Varga Traffic and Parking Assessment Report(s) it was deemed there was insufficient information contained within those reports to undertake a comprehensive assessment of traffic related matters associated with the proposed development. This was even after additional information was sought from Varga Traffic Planning seeking a justification of their conclusions the accessway was 'appropriate' as contained in their reports. Due to the unsatisfactory response relating to the traffic assessments, a peer review was sought to be conducted on the Varga Traffic and Parking Assessment Reports dated 10 March 2025

and 26 March 2025 to determine whether the conclusions were sound. That review was subsequently undertaken by *The Transport Planning Partnership* (tpp) – but was **limited to safe sight distance requirements as per Australian Standard 2890.1, and, the potential traffic impact on the road network** as a consequence of the proposed development. The outcomes of that review by tpp were provided to council by way of a report dated 17 April 2025.

With regards to the sight distance requirements between drivers exiting the site and those on the adjacent road network, tpp concurred with Varga's conclusion that based on desktop assessments, safe distances as per Australian Standards 2890.1 were able to be achieved. **No assessments were undertaken or comments provided with respect to the potential for rear end crashes at the site nor the adverse observation angles required when exiting the development site.**

On the issue of any traffic generation impact the development may have on the existing network, tpp also concurred that the conclusions arrived at by Varga - based on the *Transport for New South Wales Guide to Transport Impact Assessment (2024)* – that the additional 2 vehicles during AM peak and 4 vehicles during the PM peak 'is considered very low, and is not expected to have a noticeable impact on the operation of the surrounding road network' (tpp review – April 2025). Essentially, the tpp review did not discount or deviate from the information as supplied in the various *Varga Traffic Planning* reports as submitted.

Note: The development's traffic generation numbers provided in the Varga reports were based on information contained within the *Transport NSW Guide to Transport Impact Assessment (2024)* – specifically *Chapter 5.6.2 – Residential*. When developing that guide in 2022, Transport for NSW commissioned *The Transport Planning Partnership* to undertake an analysis of traffic generation for the boarding houses component of that document. The data and analysis documents relied upon by Transport for NSW within that document were created by *The Transport Planning Partnership* which is the same organisation that peer reviewed the traffic generation figures included in the *Varga Traffic and Parking Assessment* documents. Essentially, *The Transport Planning Partnership* reviewed the analysis of traffic generation in the Varga reports that were based on their own assessments provided to Transport NSW in 2022. Therefore - it would be ineffectual for adverse findings to be made by *The Transport Planning Partnership* with regards to the methods used by Varga to determine traffic generation of the proposed development when they (*The Transport Planning Partnership*) was the original entity responsible for determining those methods on behalf of Transport NSW.

COUNCIL ASSESSMENT

To support Council's position for the refusal of this development application based on road safety issues, assessments using Austroads Vehicle Classification Systems, Australian Standards 2890.1, vehicle classification systems, stopping distance calculations for light vehicles, site observations and assessments of the road network were conducted in the vicinity of the proposed development site.

ROAD NETWORK ASSESSMENT

Wyangan Avenue

Wyangan Avenue has a bitumen sealed surface and is defined as a sub-arterial road under Council's road hierarchy with a default urban speed limit of 50km/h. The road is a gazetted B-double heavy vehicle route and is also an approved bus route. Traffic classifier counts obtained 50 metres south of Kooba Street (i.e. in the vicinity of the proposed development) in November 2021 showed an Annual Average Daily Traffic (AADT) count of 5689 vehicles per day used Wyangan Avenue Street in both directions. The split in vehicle directions showed an AADT of 2654 vehicles on the travel lane (northbound) immediately fronting the proposed development site. The 85th percentile speed recorded at that site was 47.33km/h.

Palla Street

Palla Street has a bitumen sealed surface and is defined as a sub-arterial road under Council's road hierarchy with a default urban speed limit of 50km/h. The street is a gazetted B-double heavy vehicle route and is also an

approved bus route. The through lane of Palla Street terminates at a T-intersection with Wyangan Avenue however a left turn slip lane exists that similarly terminates at a T-intersection with Wyangan Avenue – therefore through traffic enter into the travel lane of Wyangan Avenue rather than a dedicated auxiliary lane.

Traffic classifier counts obtained 100 metres south of Wyangan Avenue intersection in November 2021 showed an Annual Average Daily Traffic (AADT) count of 4078 vehicles per day used Palla Street in both directions. More recently (April 2025) traffic classifier data obtained in the Palla Street slip lane (one direction only) approximately 8 metres south/west of the Wyangan Avenue intersection showed an AADT of 1829 vehicles per day. The 85th percentile speed recorded at that site was 31.12km/h.

STOPPING DISTANCES

Light Vehicle Stopping Distance

When taking into account the 85th percentile speed (31.12km/h) of vehicles travelling within the Palla Street slip lane, stopping distances for light vehicles was applied to and compared with available distances on the road network. When allowing for reaction time and a dry surface, the stopping distance for a light vehicle travelling at 30km/h is 19 metres (Source: Transport for New South Wales.) The distance between the accessway of the proposed development and the centre of the slip lane at the give-way hold line of Wyangan Avenue is approximately 16.1 metres therefore within the 19 metre stopping distance and in an area of potential conflict. When adding the length of a B99 vehicle (at least 5.2 metres) slowing to turn left from the travel lane of Wyangan Avenue into the development site, the distance from the rear of that vehicles to the centre of the slip lane at the give-way hold line on Wyangan Avenue is reduced to 10.9 metres - therefore encroaches well into the 19 metre safe stopping distance associated with a vehicle travelling through the slip lane and across the give-way hold line at 31.12km/h. It should be further noted that should a B85 vehicle commence to turn left into the development site from the shoulder of Wyangan Avenue (*see figure 3 above,*) the rear of the vehicle is not clear of the through travel lane of Wyangan Avenue until the vehicle is approximately 10 metres from the centre of the Palla Street slip lane give-way line – therefore this proposed line of travel is still within the 19 metre stopping distance conflict area.

During observations of the site conducted by council staff, it was determined drivers turning left into Wyangan Avenue from the Palla Street slip lane did so at a speed where it was deemed there would be insufficient stopping distance should a vehicle be turning in or out of the development site. It was further observed that most drivers executing this left turn did so while looking to their right while exiting a non-priority road.

While Council concedes there is an existing accessway at the site, this services a single dwelling only. As part of the new development, it is proposed to increase the occupancy of the site to 22 boarding rooms.

In furtherance, when assessing community objections, two (2) objectors living in proximity to the development site indicated that *‘the occupant of 6 Wyangan Avenue would drive over my nature strip to use my driveway as an easier option.’* And another objector wrote that alternative adjacent driveways were used in lieu of the driveway servicing the subject site *‘owing to its proximity to the dangerous intersection.’*

Notwithstanding the above, there is also an absence in all reports (Varga/The Transport Planning Partnership) of a reference to both Palla Street and Wyangan Avenue being an approved 26.5 metre B-double heavy vehicle route and the impacts the development may have on the efficiency of that route, and, the identification of any road user safety issues that could potentially be caused by heavy vehicles using those roads given the proximity of the accessway of the site to the Palla Street slip lane and Wyangan Avenue intersection.

PROPOSED ACCESSWAY AT DEVELOPMENT SITE

Council has raised concerns with the applicant and their respective traffic consultants regarding a number of traffic safety related issues specifically with respect to potential vehicle conflict associated with the accessway and its location in close proximity to the Palla Street slip lane and Wyangan Avenue intersection.

During a pre-lodgement meeting on 15 November 2024, it was indicated that vehicles turning right into the development site would increase the risk of rear end collisions due to drivers using the Palla Street slip lane looking to the right/east along Wyangan Avenue while continuing through that lane onto Wyangan Avenue where vehicles accessing the development site would be in a potential conflict point.

Any development related vehicle that slowed or was propped on Wyangan Avenue to turn left into the accessway would be within an impact zone and therefore the safety of road users would be compromised. In response to Council's concerns, the Varga report sought to address and justify the location of the accessway and the additional traffic the development will generate would not pose and adverse risk. The report further advised that *'it is the responsibility of the following driver to keep clear of the vehicle in front at all times.'* While keeping a clear distance between vehicles is an obligation under the Road Rules 2014, it does not always happen and the continued occurrence of rear end crashes on the road network is testimony to driver inattention. To a lesser degree, it was also raised that drivers egressing from the site could put themselves in a position where 't-bone' crashes may occur.

Although opportunities were provided to Varga to address the deficiencies, Council staff are not satisfied that the safe ingress/egress of vehicles associated with the development, and the mitigation of potential conflict between those vehicles and the general traffic on Wyangan Avenue and Palla Street has been satisfactorily addressed – specifically the potential for conflict between vehicles associated with the development and vehicles using the Palla Street slip lane. To further justify the perceived appropriateness of the accessway and to provide evidence the increase in traffic generation produced by the development, council sent correspondence to *Varga Traffic Planning* (3 March 2025) seeking turning path diagrams to show vehicles turning left from the Palla Street slip lane into the northern travel lane of Wyangan Avenue before turning left again onto the accessway of the subject development site could do so without conflict and without posing a safety risk. Revised plans were submitted by Varga which showed the vehicles entering from within the entirety of the travel lane of Wyangan Avenue before turning left into the subject site's accessway. This was contrary to the previous information provided in the Varga report dated 7 February 2025 where it was advised *'a vehicle entering the subject site will approach the proposed driveway from the line marked road shoulder in Wyangan Avenue, clear of the main traffic lane.'* This turning movement and subsequent access to the site was deemed unacceptable by council due to the potential for vehicle conflict still existing. Subsequently, on 13 March 2025, additional information was sought from Varga to:

- provide amended designs removing the Palla Street slip lane are reconfiguring the intersection of Palla Street and Wyangan Avenue into a t-intersection
- provide an analysis of traffic generation volumes by vehicle type, and, existing peak traffic volumes of both roads.
- provide evidence the accessway to the proposed development site will achieve safe sight distance requirements along the existing alignment of Palla Street as per Australian Standards 2890.1

In a response by Varga (26 March 2025) council was advised it was their position that any upgrades to the Palla Street/Wyangan Avenue intersection, and, the provision of the traffic counts on Palla Street and Wyangan Avenue would be too onerous and excessive for the predicted traffic volumes generated by the development, therefore those two issues were not addressed. However, amended plans were submitted in that response that maintained access to the site from the Wyangan Avenue shoulder was possible with the addition of a splay to widen the accessway. Diagrams were provided that show the turning path of a B85 (not B99) vehicle attempting to turn right into the development site from the shoulder of Wyangan Avenue (see figure 3 below.)

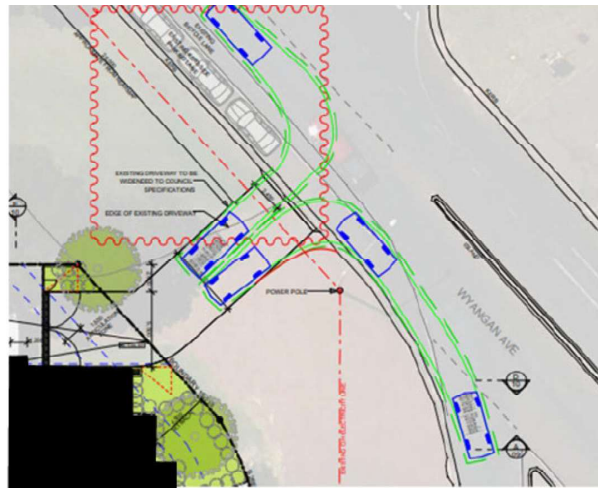


Figure 3: Turning path of B85 vehicle from shoulder of Wyangan Avenue (Source: Varga Traffic)

On assessment of the additional submissions, council deemed this concept to be unsatisfactory as the absence of physical delineation to direct a driver to take that line. The use of the Wyangan Avenue shoulder would solely rely on driver compliance when turning left in that manner. In addition, the latest plans (pti Architects – April 2025) continue to show swept path diagrams of vehicles entering the proposed development site from the travel lane of Wyangan Avenue rather than attempting that manoeuvre from the shoulder of that road (see figure 4 below.)

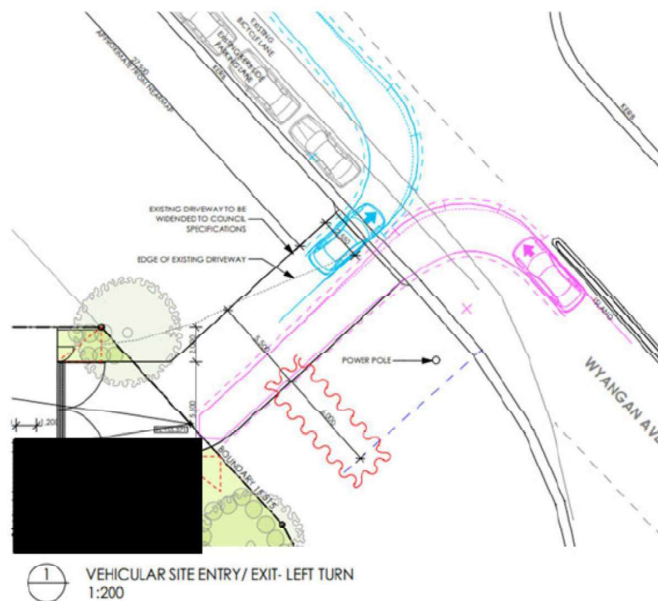


Figure 4: Left turning path of vehicle from travel lane rather than shoulder. (Source: pti Architecture)

The Varga report also included details that sought to address safe sight distances as per AS 2890.1. Diagrams submitted in that report perceived the distance a vehicle travelled in an arc manoeuvre around the slip lane of Palla Street was 55.5 metres and therefore satisfying the required minimum sight distance. However, this 55.5 metre distance relates to a road with a 40km/h frontage speed. Wyangan Avenue and Palla Street sustain the default urban speed of 50km/h therefore that default speed should have been used as the benchmark for safe sight distances. In furtherance, when taking into account the direct line of site (rather than around an arc) that distance is reduced to approximately 41 metres. It should be further noted the safe sight distance referenced by Varga demonstrated the need for the driver of a vehicle exiting the accessway adopt an observation angle of at

least 120° over their right shoulder to determine whether potential conflict was imminent. That angle is beyond a driver's normal operation of a vehicle (see figure 5 below.)

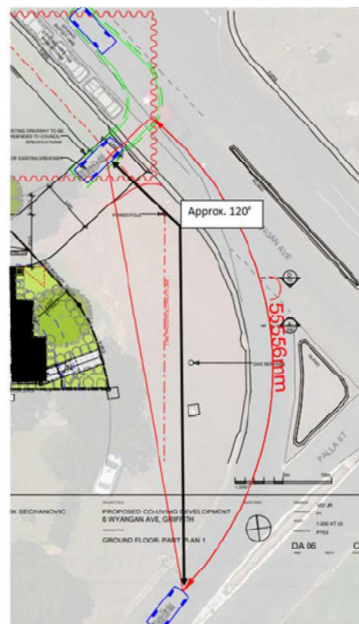


Figure 5: Observation angle (120 degrees) around slip lane (Source: Varga Traffic Planning (amended))

Based on the above, there is very little justification in the respective reports that show the assessment methods that were used to draw on the conclusions in the Varga reports. With the exception of Australian Standard 2890.1 (safe sight distances) there is a significant absence of information with regards to technical references, direct observations of traffic behaviour in the vicinity of the subject property or site inspections conducted at the site to support the conclusions contained within the respective reports. In contrast, assumptions have been made that drivers will enter the accessway from the left shoulder of Wyangan Avenue; and, it is the responsibility of the trailing driver to keep clear of the vehicle in front at all times; and, that the location of the accessway is at the furthest point away from the intersection of Palla Street and Wyangan Avenue to validate the appropriateness of traffic related issues.

TRAFFIC GENERATION

On the issue of traffic generation to the site, the Varga and The Transport Planning Partnership relied on the *Transport NSW Guide to Transport Impact Assessment (2024)* which (in the absence of co-living style accommodation) provided vehicle trip data based on boarding house data which is not dissimilar to the definition of a co-living development. That guide indicates the development will generate approximately two (2) additional vehicle trips in the AM peak and 4 additional vehicle trips in the PM peak.

Council disagrees with those predicted numbers based on the following:

To achieve the AM and PM vehicles trips, both Varga and The Transport Planning Partnership (tpp) relied of the *Transport NSW Guide to Transport Impact Assessment (2024)* which used surveys undertaken in 2022 at eight (8) metropolitan sites and three (3) so called 'regional' sites within NSW to determine such trips. However, it should be noted that the 'regional' sites referred to in the guide are Gwynneville (located 2km east of the Wollongong CBD) Mount Warrigal (19km south of the Wollongong CBD) and Markes Point (21km south of the Newcastle CBD) therefore the 'regional' classification with respect to those locations is questionable. In addition, these 'regional' areas are well serviced by public transport options including bus services that run up to 15 hours per day (Gwynneville) therefore vehicle trip generations in those areas would not be a true reflection of trip generations in rural/remote areas. The outcome of those surveys determined the average weekday vehicle trips per boarding room was 0.3 in the AM peak and 0.35 in the PM peak. It was these outcomes that were applied

to the proposed development site that achieved the assumption that the traffic generation of the development would account for two (2) additional AM trips and four (4) additional PM trips.

While both the Varga and ttp reports offers a conclusion that these figures are inconsequential when considering the surrounding road network, it appears the *Transport NSW Guide to Transport Impact Assessment (2024)* is the only source both parties relied upon to provide such numbers. Similar to the manner in which Varga provided opinions with regards to safe sight distances (as referred to above), there is a significant absence of evidence based information with regards to other technical references, direct observations of traffic behaviour in the vicinity of the subject property or site inspections conducted in the area to support the conclusions contained within the respective reports. Therefore, individual site characteristics were not addressed or taken into account within the respective traffic reports. As previously stated in this report, *The Transport Planning Partnership* was the entity responsible for developing (in part) the *Transport NSW* reference guide.

It should also be noted the *Transport NSW Guide to Transport Impact Assessment (2024)* provides a degree of limitation including advice *the guide may not be appropriate in all development situations* and that it does not provide a 'one-size-fits-all' approach. The guide indicates the *interpretation of technical requirements is to make assessments on a case-by-case basis*. Council deems the traffic generating related assessment has not taken all considerations into account – but solely relied on the use of the *Transport NSW Guide to Transport Impact Assessment (2024)*.

Local knowledge also identifies the most preferred method of transport is by way of car. Observations of similar style accommodation facilities has resulted in the identification of numerous vehicles parked either on site or overflowing on to the street adjacent to the property. In support, the 2021 census indicated 74.2% of the Griffith population travelled to work by car as a driver – but only 0.3% used public transport (bus etc.)

Parking

The Traffic and Parking Assessment Report (*Varga*) indicates additional '*kerbside parking is available along both sides of Wyangan Avenue as there is no kerbside restrictions...including along the site frontage.*'

Council disagrees with this assumptions due to the geometry of the slip lane on the north-western corner of Palla Street at the intersection of Wyangan Avenue, and the existence of property accessways, Regulation 170 (*Stopping in/near and Intersection*), Regulation 198 (*Obstructing access to and from a driveway etc*) and 203A (*Stopping in a slip lane*) of the Road Rules 2014 means parking is restricted along the frontage of the proposed site – therefore defeating the Varga report on that aspect of on-street parking.

Site Assessment Consistency

The subject site (Lot 19 DP758476) was the subject of a DA *B120/2002* relating to the establishment of a childcare centre. Assessments by council and the (then) applicant could not achieve a suitable outcome for the safe ingress/egress of vehicles through the accessway which was proposed to be in the exact same location as this development proposes. It was similarly recommended in 2002 that the Palla Street slip lane be removed and upgrades to the Palla/Wyangan intersection be undertaken by the developer. Subsequently the applicant withdrew the childcare centre DA in August 2003.

SUMMARY

The refusal of this development application in its current context is based Council's assessment of the submitted documentation by the applicant, and, the subsequent traffic related assessment/traffic related analysis conducted by Griffith City Council staff:

- Beyond a reference to the *Transport NSW Guide to Transport Impact Assessment (2024)*, there is an absence of definitive analytical evidence sustaining the submitted predicted peak hour (and outside peak hour) traffic generation figures. Council deems the traffic generation assessment process to be insufficient as the results based on that one reference document only, and do not offer a true reflection of traffic generation with respect to the development and the consequential implications the additional may have on the road network and road user safety.

- Notwithstanding the close proximity of the Palla Street slip lane, there is insufficient evidence provided by the applicant that demonstrates the ingress and egress of the site via the existing accessway can be achieved in a safe manner and without road user conflict.
- While it has been demonstrated that safe sight distances can be achieved between vehicles egressing via the accessway and vehicles on Palla Street and Wyangan Avenue, the driver's observation angle (approximately 120°) when conducting observations back to Palla Street is beyond that of a driver's normal operation of a vehicle

FILE NOTE



FROM: Greg Balind – Development & Traffic Coordinator

DATE: 21 May 2025

SUBJECT: DA 27/2025 – Proposed Co-living Development
Lot 19 DP758476 – 6 Wyangan Avenue

DETAILS: Traffic Assessment – Refusal of DA

Please see below an assessment of the reply submitted by Mark & Isabella Secivanovic (the ‘applicants’) dated 22 April 2025 to the objectors concerns with respect to this development.

While the applicant advised there were six (6) broad categories raised by objectors, this assessment relates to category (a) *the proximity of the Proposed Development to the intersection of Wyangan Avenue and Palla Street and the effect on traffic* which commenced at paragraph 59 of that response.

Council’s comments are in [blue](#) below.

59. There is concern that there is a risk of motor vehicles using the Palla Street slip lane turning left onto Wyangan Avenue may not be able to differentiate between (a) a motor vehicle in front turning left onto Wyangan Avenue and continuing along Wyangan Avenue and (b) a vehicle turning into the driveway of the Proposed Development.

60. We accept that there is a risk. But it is no more a risk than what presently exists or has existed since the construction of the current driveway to the Property.

The respondent has not addressed how drivers will differentiate between left turning traffic continuing on Wyangan Avenue and left turning traffic into the development site. That is because a differentiation is unable to be achieved.

Council response:

(Also addressed in engineering report dated 6 May 2025)

Addressing both 59 and 60 above, council has considered the submissions from the residents that provides evidence of *vehicles coming from Palla Street turning onto Wyangan Avenue have a habit of speeding up around the bend and only looking for traffic coming from the driver’s right side direction....and when they are not required to give way generally speed up and move through the intersection.* While a perceived risk at the site (and on any road network) is acknowledged, the traffic volume associated with a single occupancy dwelling is negligible in comparison to the proposed multi-dwelling development increases that risk. Available ratified crash data (TfNSW 2014-2024) indicates zero crashes have occurred at the site.

61. A similar risk exists in relation to both 32 and 34 Palla Street. Indeed, the driveway to 34 Palla Street is practically on the Palla Street slip lane. Similar situations exist at the intersections of:

(a) Wyangan Avenue and Noorila Street;

(b) Koorungal Avenue and Kookora Street; and

(c) Bringagee Street and Gunbar Street.

Council response

The driveway extending from the road across the road reserve to 32 Palla Street does not pose a similar risk as that accessway is entirely on Palla Street and approximately 45 metres to the south of the commencement of the slip lane (see photo 1 below.) Drivers at that location are not in a position where they need to look to their right to give way to other vehicles due to their distance back from the Palla Street/Wyangan Avenue decision point.



Photo 1: Layback and accessway to 32 Palla Street (Source: Google Images)

With respect to 34 Palla Street, there is no formal accessway/driveway across the large gravel road reserve between Palla Street and the property boundary. A layback providing access to the road reserve fronting 34 Palla Street is located approximately 19 metres (south) from the commencement of the slip lane. An assessment of that accessway showed vehicle tyre impressions between this layback and the road reserve at the front of 34 Palla Street being identified on the surface - demonstrating this is a well trafficked and most preferred access to 34 Palla Street. (See photo 1 below)



Photo 2: Southern layback providing access to road reserve adjacent to 34 Palla Street. Note: tyre impressions to/from road reserve via layback

An additional layback (as mentioned in 61 above) exists at the commencement of the Palla Street slip lane that provides access to the road reserve at the front of 34 Palla Street. There is an absence of tyre impressions leading from that layback to the road reserve fronting 34 Palla Street – indicating the access is seldom (if ever) used. (see photos 2 and 3 below.)



Photo 3: Layback (northern aspect) at the commencement of the slip lane providing access to road reserve fronting 34 Palla Street. Note: absence of tyre impressions to/from road reserve via layback



Photo 3: Layback (eastern aspect) at the commencement of the slip lane providing access to road reserve fronting 34 Palla Street. Note: absence of tyre impressions to/from road reserve via layback

On the issue of similar situations as per (a) – (c) above council can advise:

Wyangan Avenue and Noorilla Street

Noorilla Street has a left turn slip lane entering into Wyangan Avenue. The distance between the centre of the giveway hold line of the Noorilla Street slip lane and the first accessway servicing a property on Wyangan Avenue is 64.6 metres. In contrast, the distance between the centre of the giveway hold line of the Palla Street slip lane and the accessway to the proposed development site (6 Wyangan) is approximately 16.1 metres.

Koorungal Avenue and Kookora Street

The intersection of Koorungal Avenue and Kookora Street is controlled by a roundabout and does not sustain a slip lane. The closest property (2 bedroom unit) accessway from the roundabout is on Koorungal Avenue at a distance from the centre of the giveway hold line of Kookora Street of approximately 17.2 metres. It should be noted that prior to 2009, the intersection of Koorungal Avenue and Kookora Street was previously controlled by giveway signs/lines only (roundabout installed in 2009.) The construction of the accessway to the Koorungal Avenue property was already in situ – having been constructed approximately 15 years prior to the roundabout in a location that satisfied relevant engineering guidelines.

Bringagee Street and Gunbar Street.

Gunbar terminates at a T-intersection with Bringagee Street. No slip lane exists at that site.

62. *The proposed slip lane is no different to any normal roundabout. If a car were to approach a roundabout to turn left, it would need to slow down, give way to traffic on the roundabout and approaching from the right, and would proceed to turn left as they would in using a slip lane. The same level of risk would be posed in relation to any driveway located shortly after the exit from the roundabout.*

A slip lane gives a definitive left turn manoeuvre where as a roundabout has deflections on the approach to slow vehicles then provides four (4) options (left/right/straight through/U-turn.)

Generally, any driveway located shortly after the exit from the roundabout services a single residence only – not a multi-residential development.

63. *We rely on the Varga Traffic Planning Pty Limited Traffic & Parking Assessment Report dated 7 February 2025 (Varga Report), and in particular his comments at page 5 extracted below: The following advice is provided in response to the “traffic and parking” matters raised in the Pre-DA meeting with Council:*

- *the current location of the proposed driveway is considered acceptable because: a vehicle entering the subject site will approach the proposed driveway from the line-marked road shoulder in Wyangan Avenue, clear of the main traffic lane*

Already addressed in the engineering report dated 6 May 2025

it is the responsibility of the following driver to keep clear of the vehicle in front at all times

Correct. But drivers are not always responsible – case in point – rear end crashes.

the proposed driveway is at the optimal location for turning into the site as it is furthest away possible from the Wyangan Avenue and Palla Street intersection

Optimal does not mean appropriate mitigate safety risks

right-turn exit from the site is considered acceptable because there is sufficient sight distance to the south to Palla Street for an exiting vehicle

Already addressed in the engineering report dated 6 May 2025 (adverse angle)

all car parking spaces are to be assigned to residents of the development with no visitor parking proposed onsite as SEPP (Housing) 2021 does not specify a visitor parking requirement, therefore no turning bay is required.

Planners to address

64. *Motorists have a duty to use due care and skill when operating a motor vehicle and this includes keeping a safe distance and travelling at a safe distance behind motor vehicles in front. There is no evidence to suggest that the risk mentioned in paragraph 59 will be increased as a result of the Proposed Development, or that if there is an increase in risk, that increase would be to an unacceptable or unreasonable level. To date, there has only been speculation in this regard.*

Neither is there evidence that the risk will be mitigated. While drivers have a duty of care, crashes still occur. In addition, due to the raised centre median and the kerb and gutter along the slip lane, there is no escape route for evasive action.

65. The speed limit on Wyangan Avenue and Palla Street is 50km/h. It is unlikely that any vehicle approaching Wyangan Avenue from Palla Street via the slip lane will be approaching at 50km/h or taking the corner at that speed. A more realistic approach and exit speed would be between 20km/h and 30km/h to allow for any give way from the right. In those circumstances the braking distance for cars would be between 3 and 6 metres respectively, in circumstances where the car would have an unobstructed turning arc of 55.56 metres from the start of the intersection on Palla Street to the driveway entrance on Wyangan Avenue.

In the absence of evidence/justification a vehicle would take 3 and 6 metres to stop, this cannot be accepted. As per the engineering report, the stopping distance of a vehicle travelling at 30km/h on a dry road with a reaction time of 2 seconds is 19 metres.

66. By letter dated 26 March 2025, Varga Traffic Planning Pty Limited proposed an alternative option for Council's consideration to address the concerns set out in paragraph 59 above. Extracted below are drawings accompanying the letter:

67. The letter proposed a splayed driveway construction which would allow any vehicle to turn left into the Property driveway from the line marked road shoulder, clear of any traffic lanes, and the splay would allow vehicles to turn left and out simultaneously, should the need arise.

Both 66 and 67 addressed in the engineering report dated 6 May 2025. Turning diagrams showed only B85 sized vehicles turning in – yet showed B99 sized vehicle exiting.

68. The letter confirms that the splayed driveway construction “could operate safely, and that Council's request for the major reconstruction of the Palla Street/Wyangan Avenue intersection is excessive and onerous for such a small (in traffic terms) development”.

Turning path diagrams show vehicles turning from shoulder of road which is an unusual manoeuvre.

69. There is also a concern that the Proposed Development could increase traffic and road use. We accept that more motor vehicles entering and exiting the Proposed Development will add to traffic flow and traffic numbers, but submit that the increase is negligible. The Varga Report concludes that traffic flow as a result of the Proposed Development will increase by approximately two vehicles per hour in the morning and four vehicles per hour in the afternoon/evening.

Addressed in the engineering report dated 6 May 2025. Traffic generation numbers were based on the Transport for New South Wales Guide to Transport Impact Assessment (2024) with the ‘regional’ centres being in close proximity to Wollongong and Newcastle.

70. The Varga Report concludes that “the projected traffic generation potential of the site as a consequence of the development proposal is statistically insignificant and will clearly not have any unacceptable traffic implications in terms of road network capacity”.

Justification required

71. By letter dated 3 April 2025, Council sought a Peer Review of the Varga Report. Accompanying these submissions is the requested Peer Review conducted by Kelly Hollyoak of TPP Transport Planning dated 17 April 2025 (Peer Review).

Addressed in the engineering report dated 6 May 2025. The peer review does not provide evidence of traffic volumes, site inspections/observations. There is an absence of data collection. The applicant is responsible for collecting data including observational counts and assessments reflective of typical conditions.

72. The Peer Review concludes:

(a) that the Proposed Development will likely generate approximately 2 additional vehicles per hour during the morning peak period and approximately 4 additional vehicles per hour during the evening peak period

Addressed in the engineering report. Traffic generation numbers were based on the information in the Varga report which relied on the Transport for New South Wales Guide to Transport Impact Assessment (2024) with the 'regional' centres being in close proximity to Wollongong and Newcastle.

(b) the potential traffic generation of the Proposed Development is considered very low, and is not expected to have a noticeable impact on the operation of the surrounding road network

Justification

(c) this level of traffic generation in general practice does not require further traffic data collection or analysis for the existing road network or a traffic modelling for assessment of the impact of traffic from the Proposed Development

As the consent authority and manager of the road, Griffith City Council disagrees.

(d) vehicles turning left from Palla Street into Wyangan Avenue are required to give way to traffic on Wyangan Avenue with a give-way line installed on the left turn slip lane, and therefore it is expected that left turn vehicles will slow down or stop at the slip lane prior to entering Wyangan Avenue, thus the approaching speed in front of the site access driveway is expected to be much lower than 50km/h. Addressed in the engineering report dated 6 May 2025. While vehicles on Wyangan have priority – not every driver/vehicle using the Palla Street slip lane will encounter a vehicle approaching from their right along Wyangan Avenue. Therefore, is no need to slow or stop at the give-way line due to the absence of vehicles on Wyangan.

(e) notwithstanding, the site access driveway has a sight distance of more than 69 metres to traffic in both directions of Wyangan Avenue and a sight distance of more than 58 metres to traffic on Palla Street, which therefore complies with the sight distance requirement of AS2890,1:2004;

Addressed in the engineering report dated 6 May 2025. Drivers need to turn over 120 degrees to their right to see vehicles on Palla Street.

(f) the south-eastern end of the driveway as shown in the architectural plan is about 5.9 metres away from the tangent point of the kerb at the corner of the intersection and does not strictly comply with AS2890,1:2004, which requires the access driveway to be at least 6 metres away from the tangent point of the kerb;

(g) the vehicle crossing should be shifted an additional 100mm away from the bend of the slip lane in accordance with AS2890,1:2004; and

(h) the Proposed Development would not require a major reconstruction of the existing Palla Street/Wyangan Avenue intersection and traffic counts for the existing intersection and an assessment using traffic modelling are considered unnecessary.

(f) (g) and (h) are Subjective and addressed in the engineering report dated 6 May 2025.

73. In keeping with the recommendation of the Peer Review, accompanying these submissions are revised plans that now show the access driveway 6 metres away from the tangent point of the kerb, which is now compliant with AS2890.1:2004.

Agreed. However it is the proximity to the Palla Street slip lane that poses adverse safety for road users.

FILE NOTE



FROM: Greg Balind – Development & Traffic Coordinator

DATE: 6 May 2025

SUBJECT: DA 27/2025 – Proposed Co-living Development
Lot 19 DP758476 – 6 Wyangan Avenue

DETAILS: Traffic Assessment – Refusal of DA

Please see below comments relating to the subject development – specifically addressing vehicle access and traffic/road safety. It is recommended that due to the adverse road safety outcomes relating to the proposed development – that the application be **refused**.

BACKGROUND:

Development application reference number DA 27/2025 was submitted to Griffith City Council via the NSW Planning Portal for the demolition of an existing dwelling and the subsequent construction of two new connected and freestanding co-living building ('the development') on Lot 19 DP 758476 – 6 Wyangan Avenue. The site is situated in close proximity to the intersection of Wyangan Avenue and Palla Street in the North Griffith residential area and sustains a frontage of approximately 25 metres to Wyangan Avenue (see figure 1 below.)



Figure 1: Site location – 6 Wyangan Avenue

At present the site is occupied by a single residential dwelling with a vehicle accessway adjacent to the northern boundary connecting to Wyangan Avenue. The respective Statement of Environmental Effects (*SKM Planning - December 2024*) indicates the development would consist of 21 rooms and a manager's residence aimed at providing affordable housing options for the Griffith Community. While the SOEE advises there will be accommodation provided for 22 persons comprising of nine single rooms, 12 double rooms (including two accessible) and one manager's residence, architectural plans (*pti Architecture - 17 February 2025*) show 13 double rooms (including two accessible) and nine single rooms – therefore potentially accommodating 35 persons when at full capacity.

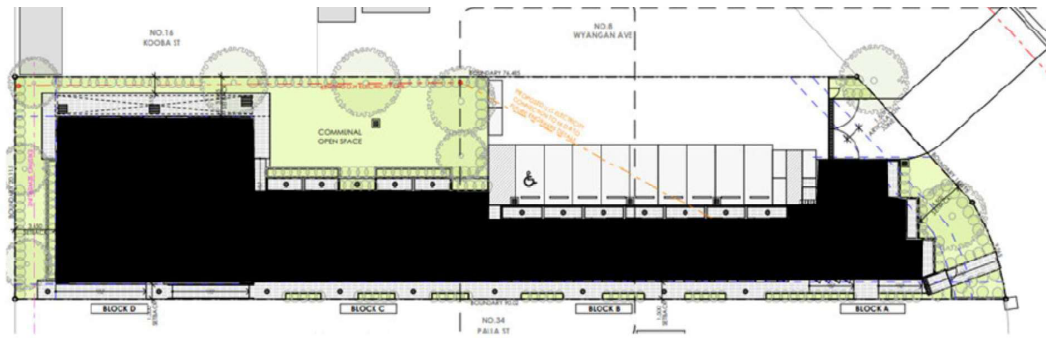


Figure 2: Proposed site layout

Traffic Generation

In a Traffic and Parking Assessment Report (Varga Traffic Planning – 7 February 2025), reference was made to the *Transport for New South Wales's* (sic) publication *Guide to Transport Impact Assessment, Chapter 5 – Land use Trip Generation (Version 1.1, 2024)* document to calculate the traffic generation the development would produce. While that document does not specifically provide numbers for a co-living development, traffic generation for boarding house style accommodation was used to assess traffic numbers. Council concurs a boarding house as per the definition in the TfNSW document aligns with the proposed use of the site as a co-living development. As per that TfNSW guide, the Varga report provided an indication the would attract a nett increase in traffic generation of two (2) additional vehicle trips during the AM peak, and four (4) additional vehicle trips in the PM peak. It should be noted these numbers account for a development that has the potential to accommodate 35 persons and parking for 10 vehicles.

Addition comments on traffic generation methods will be provided later in this report.

Vehicle Access

As part of the development, it is proposed to upgrade the existing access to the site by way of providing a 5.5 metre wide accessway from Wyangan Avenue to the property boundary. The southern-most edge of the accessway will be located six (6) metres to the north of the tangent point associated with the Wyangan Avenue/Palla Street intersection therefore in compliance with Council's Engineering Guidelines. The accessway is also approximately 16.1 metres from the give-way line in the centre of the Palla Street slip lane. Turning path diagrams (*pti Architecture – March 2025*) submitted in support of the development indicate the two-way simultaneous movement of the largest vehicle to access the site (Austroads B99 Design Vehicle) is achievable via the proposed accessway. However, vehicles turning left into the development will do so from the northbound travel lane of Wyangan Avenue and in close proximity to the Palla Street slip lane intersection. Council has concerns with respect to the potential conflict associated with vehicles ingress/egress of the site via the proposed accessway, and, through vehicles not associated with the development entering Wyangan Avenue via the Palla Street slip lane in close proximity to the said accessway of the development site. Again, further commentary on potential conflict and access will be provided later in this report.

Parking

Nine (9) on-site car parking bays including one (1) disabled parking bay are proposed to cater for occupant vehicle parking. On-site motorcycle and bicycle parking is also proposed.

Peer Review – Varga Traffic and Parking Assessment Reports

Following Council's review of the Varga Traffic and Parking Assessment Report(s) it was deemed there was insufficient information contained within those reports to undertake a comprehensive assessment of traffic related matters associated with the proposed development. This was even after additional information was sought from Varga Traffic Planning seeking a justification of their conclusions the accessway was 'appropriate' as contained in their reports. Due to the unsatisfactory response relating to the traffic assessments, a peer review was sought to be conducted on the Varga Traffic and Parking Assessment Reports dated 10 March 2025

and 26 March 2025 to determine whether the conclusions were sound. That review was subsequently undertaken by *The Transport Planning Partnership* (tpp) – but was **limited to safe sight distance requirements as per Australian Standard 2890.1, and, the potential traffic impact on the road network** as a consequence of the proposed development. The outcomes of that review by tpp were provided to council by way of a report dated 17 April 2025.

With regards to the sight distance requirements between drivers exiting the site and those on the adjacent road network, tpp concurred with Varga's conclusion that based on desktop assessments, safe distances as per Australian Standards 2890.1 were able to be achieved. **No assessments were undertaken or comments provided with respect to the potential for rear end crashes at the site nor the adverse observation angles required when exiting the development site.**

On the issue of any traffic generation impact the development may have on the existing network, tpp also concurred that the conclusions arrived at by Varga - based on the *Transport for New South Wales Guide to Transport Impact Assessment (2024)* – that the additional 2 vehicles during AM peak and 4 vehicles during the PM peak 'is considered very low, and is not expected to have a noticeable impact on the operation of the surrounding road network' (tpp review – April 2025). Essentially, the tpp review did not discount or deviate from the information as supplied in the various *Varga Traffic Planning* reports as submitted.

Note: The development's traffic generation numbers provided in the Varga reports were based on information contained within the *Transport NSW Guide to Transport Impact Assessment (2024)* – specifically *Chapter 5.6.2 – Residential*. When developing that guide in 2022, Transport for NSW commissioned *The Transport Planning Partnership* to undertake an analysis of traffic generation for the boarding houses component of that document. The data and analysis documents relied upon by Transport for NSW within that document were created by *The Transport Planning Partnership* which is the same organisation that peer reviewed the traffic generation figures included in the *Varga Traffic and Parking Assessment* documents. Essentially, *The Transport Planning Partnership* reviewed the analysis of traffic generation in the Varga reports that were based on their own assessments provided to Transport NSW in 2022. Therefore - it would be ineffectual for adverse findings to be made by *The Transport Planning Partnership* with regards to the methods used by Varga to determine traffic generation of the proposed development when they (*The Transport Planning Partnership*) was the original entity responsible for determining those methods on behalf of Transport NSW.

COUNCIL ASSESSMENT

To support Council's position for the refusal of this development application based on road safety issues, assessments using Austroads Vehicle Classification Systems, Australian Standards 2890.1, vehicle classification systems, stopping distance calculations for light vehicles, site observations and assessments of the road network were conducted in the vicinity of the proposed development site.

ROAD NETWORK ASSESSMENT

Wyangan Avenue

Wyangan Avenue has a bitumen sealed surface and is defined as a sub-arterial road under Council's road hierarchy with a default urban speed limit of 50km/h. The road is a gazetted B-double heavy vehicle route and is also an approved bus route. Traffic classifier counts obtained 50 metres south of Kooba Street (i.e. in the vicinity of the proposed development) in November 2021 showed an Annual Average Daily Traffic (AADT) count of 5689 vehicles per day used Wyangan Avenue Street in both directions. The split in vehicle directions showed an AADT of 2654 vehicles on the travel lane (northbound) immediately fronting the proposed development site. The 85th percentile speed recorded at that site was 47.33km/h.

Palla Street

Palla Street has a bitumen sealed surface and is defined as a sub-arterial road under Council's road hierarchy with a default urban speed limit of 50km/h. The street is a gazetted B-double heavy vehicle route and is also an

approved bus route. The through lane of Palla Street terminates at a T-intersection with Wyangan Avenue however a left turn slip lane exists that similarly terminates at a T-intersection with Wyangan Avenue – therefore through traffic enter into the travel lane of Wyangan Avenue rather than a dedicated auxiliary lane.

Traffic classifier counts obtained 100 metres south of Wyangan Avenue intersection in November 2021 showed an Annual Average Daily Traffic (AADT) count of 4078 vehicles per day used Palla Street in both directions. More recently (April 2025) traffic classifier data obtained in the Palla Street slip lane (one direction only) approximately 8 metres south/west of the Wyangan Avenue intersection showed an AADT of 1829 vehicles per day. The 85th percentile speed recorded at that site was 31.12km/h.

STOPPING DISTANCES

Light Vehicle Stopping Distance

When taking into account the 85th percentile speed (31.12km/h) of vehicles travelling within the Palla Street slip lane, stopping distances for light vehicles was applied to and compared with available distances on the road network. When allowing for reaction time and a dry surface, the stopping distance for a light vehicle travelling at 30km/h is 19 metres (Source: Transport for New South Wales.) The distance between the accessway of the proposed development and the centre of the slip lane at the give-way hold line of Wyangan Avenue is approximately 16.1 metres therefore within the 19 metre stopping distance and in an area of potential conflict. When adding the length of a B99 vehicle (at least 5.2 metres) slowing to turn left from the travel lane of Wyangan Avenue into the development site, the distance from the rear of that vehicles to the centre of the slip lane at the give-way hold line on Wyangan Avenue is reduced to 10.9 metres - therefore encroaches well into the 19 metre safe stopping distance associated with a vehicle travelling through the slip lane and across the give-way hold line at 31.12km/h. It should be further noted that should a B85 vehicle commence to turn left into the development site from the shoulder of Wyangan Avenue (*see figure 3 above,*) the rear of the vehicle is not clear of the through travel lane of Wyangan Avenue until the vehicle is approximately 10 metres from the centre of the Palla Street slip lane give-way line – therefore this proposed line of travel is still within the 19 metre stopping distance conflict area.

During observations of the site conducted by council staff, it was determined drivers turning left into Wyangan Avenue from the Palla Street slip lane did so at a speed where it was deemed there would be insufficient stopping distance should a vehicle be turning in or out of the development site. It was further observed that most drivers executing this left turn did so while looking to their right while exiting a non-priority road.

While Council concedes there is an existing accessway at the site, this services a single dwelling only. As part of the new development, it is proposed to increase the occupancy of the site to 22 boarding rooms.

In furtherance, when assessing community objections, two (2) objectors living in proximity to the development site indicated that *‘the occupant of 6 Wyangan Avenue would drive over my nature strip to use my driveway as an easier option.’* And another objector wrote that alternative adjacent driveways were used in lieu of the driveway servicing the subject site *‘owing to its proximity to the dangerous intersection.’*

Notwithstanding the above, there is also an absence in all reports (Varga/The Transport Planning Partnership) of a reference to both Palla Street and Wyangan Avenue being an approved 26.5 metre B-double heavy vehicle route and the impacts the development may have on the efficiency of that route, and, the identification of any road user safety issues that could potentially be caused by heavy vehicles using those roads given the proximity of the accessway of the site to the Palla Street slip lane and Wyangan Avenue intersection.

PROPOSED ACCESSWAY AT DEVELOPMENT SITE

Council has raised concerns with the applicant and their respective traffic consultants regarding a number of traffic safety related issues specifically with respect to potential vehicle conflict associated with the accessway and its location in close proximity to the Palla Street slip lane and Wyangan Avenue intersection.

During a pre-lodgement meeting on 15 November 2024, it was indicated that vehicles turning right into the development site would increase the risk of rear end collisions due to drivers using the Palla Street slip lane looking to the right/east along Wyangan Avenue while continuing through that lane onto Wyangan Avenue where vehicles accessing the development site would be in a potential conflict point.

Any development related vehicle that slowed or was propped on Wyangan Avenue to turn left into the accessway would be within an impact zone and therefore the safety of road users would be compromised. In response to Council's concerns, the Varga report sought to address and justify the location of the accessway and the additional traffic the development will generate would not pose and adverse risk. The report further advised that *'it is the responsibility of the following driver to keep clear of the vehicle in front at all times.'* While keeping a clear distance between vehicles is an obligation under the Road Rules 2014, it does not always happen and the continued occurrence of rear end crashes on the road network is testimony to driver inattention. To a lesser degree, it was also raised that drivers egressing from the site could put themselves in a position where 't-bone' crashes may occur.

Although opportunities were provided to Varga to address the deficiencies, Council staff are not satisfied that the safe ingress/egress of vehicles associated with the development, and the mitigation of potential conflict between those vehicles and the general traffic on Wyangan Avenue and Palla Street has been satisfactorily addressed – specifically the potential for conflict between vehicles associated with the development and vehicles using the Palla Street slip lane. To further justify the perceived appropriateness of the accessway and to provide evidence the increase in traffic generation produced by the development, council sent correspondence to *Varga Traffic Planning* (3 March 2025) seeking turning path diagrams to show vehicles turning left from the Palla Street slip lane into the northern travel lane of Wyangan Avenue before turning left again onto the accessway of the subject development site could do so without conflict and without posing a safety risk. Revised plans were submitted by Varga which showed the vehicles entering from within the entirety of the travel lane of Wyangan Avenue before turning left into the subject site's accessway. This was contrary to the previous information provided in the Varga report dated 7 February 2025 where it was advised *'a vehicle entering the subject site will approach the proposed driveway from the line marked road shoulder in Wyangan Avenue, clear of the main traffic lane.'* This turning movement and subsequent access to the site was deemed unacceptable by council due to the potential for vehicle conflict still existing. Subsequently, on 13 March 2025, additional information was sought from Varga to:

- provide amended designs removing the Palla Street slip lane are reconfiguring the intersection of Palla Street and Wyangan Avenue into a t-intersection
- provide an analysis of traffic generation volumes by vehicle type, and, existing peak traffic volumes of both roads.
- provide evidence the accessway to the proposed development site will achieve safe sight distance requirements along the existing alignment of Palla Street as per Australian Standards 2890.1

In a response by Varga (26 March 2025) council was advised it was their position that any upgrades to the Palla Street/Wyangan Avenue intersection, and, the provision of the traffic counts on Palla Street and Wyangan Avenue would be too onerous and excessive for the predicted traffic volumes generated by the development, therefore those two issues were not addressed. However, amended plans were submitted in that response that maintained access to the site from the Wyangan Avenue shoulder was possible with the addition of a splay to widen the accessway. Diagrams were provided that show the turning path of a B85 (not B99) vehicle attempting to turn right into the development site from the shoulder of Wyangan Avenue (see figure 3 below.)

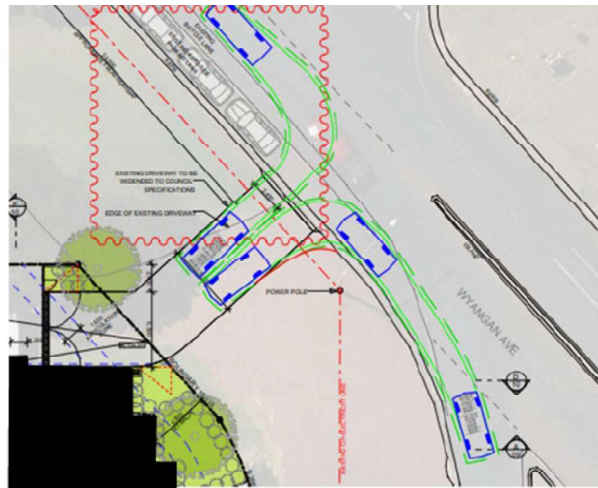


Figure 3: Turning path of B85 vehicle from shoulder of Wyangan Avenue (Source: Varga Traffic)

On assessment of the additional submissions, council deemed this concept to be unsatisfactory as the absence of physical delineation to direct a driver to take that line. The use of the Wyangan Avenue shoulder would solely rely on driver compliance when turning left in that manner. In addition, the latest plans (pti Architects – April 2025) continue to show swept path diagrams of vehicles entering the proposed development site from the travel lane of Wyangan Avenue rather than attempting that manoeuvre from the shoulder of that road (see figure 4 below.)

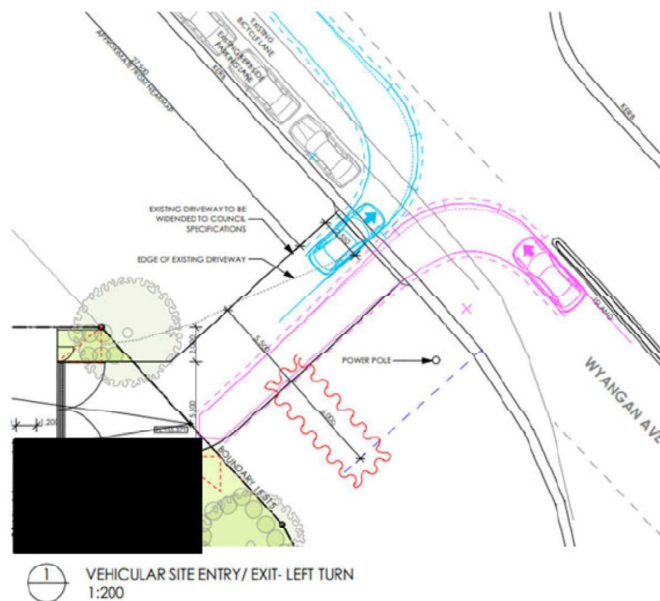


Figure 4: Left turning path of vehicle from travel lane rather than shoulder. (Source: pti Architecture)

The Varga report also included details that sought to address safe sight distances as per AS 2890.1. Diagrams submitted in that report perceived the distance a vehicle travelled in an arc manoeuvre around the slip lane of Palla Street was 55.5 metres and therefore satisfying the required minimum sight distance. However, this 55.5 metre distance relates to a road with a 40km/h frontage speed. Wyangan Avenue and Palla Street sustain the default urban speed of 50km/h therefore that default speed should have been used as the benchmark for safe sight distances. In furtherance, when taking into account the direct line of site (rather than around an arc) that distance is reduced to approximately 41 metres. It should be further noted the safe sight distance referenced by Varga demonstrated the need for the driver of a vehicle exiting the accessway adopt an observation angle of at

least 120° over their right shoulder to determine whether potential conflict was imminent. That angle is beyond a driver's normal operation of a vehicle (see figure 5 below.)

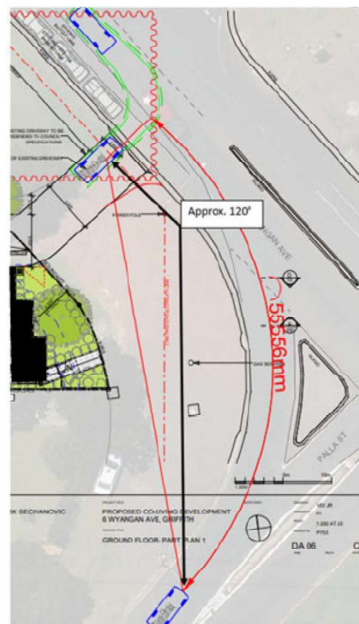


Figure 5: Observation angle (120 degrees) around slip lane (Source: Varga Traffic Planning (amended))

Based on the above, there is very little justification in the respective reports that show the assessment methods that were used to draw on the conclusions in the Varga reports. With the exception of Australian Standard 2890.1 (safe sight distances) there is a significant absence of information with regards to technical references, direct observations of traffic behaviour in the vicinity of the subject property or site inspections conducted at the site to support the conclusions contained within the respective reports. In contrast, assumptions have been made that drivers will enter the accessway from the left shoulder of Wyangan Avenue; and, it is the responsibility of the trailing driver to keep clear of the vehicle in front at all times; and, that the location of the accessway is at the furthest point away from the intersection of Palla Street and Wyangan Avenue to validate the appropriateness of traffic related issues.

TRAFFIC GENERATION

On the issue of traffic generation to the site, the Varga and The Transport Planning Partnership relied on the *Transport NSW Guide to Transport Impact Assessment (2024)* which (in the absence of co-living style accommodation) provided vehicle trip data based on boarding house data which is not dissimilar to the definition of a co-living development. That guide indicates the development will generate approximately two (2) additional vehicle trips in the AM peak and 4 additional vehicle trips in the PM peak.

Council disagrees with those predicted numbers based on the following:

To achieve the AM and PM vehicles trips, both Varga and The Transport Planning Partnership (tpp) relied of the *Transport NSW Guide to Transport Impact Assessment (2024)* which used surveys undertaken in 2022 at eight (8) metropolitan sites and three (3) so called 'regional' sites within NSW to determine such trips. However, it should be noted that the 'regional' sites referred to in the guide are Gwynneville (located 2km east of the Wollongong CBD) Mount Warrigal (19km south of the Wollongong CBD) and Markes Point (21km south of the Newcastle CBD) therefore the 'regional' classification with respect to those locations is questionable. In addition, these 'regional' areas are well serviced by public transport options including bus services that run up to 15 hours per day (Gwynneville) therefore vehicle trip generations in those areas would not be a true reflection of trip generations in rural/remote areas. The outcome of those surveys determined the average weekday vehicle trips per boarding room was 0.3 in the AM peak and 0.35 in the PM peak. It was these outcomes that were applied

to the proposed development site that achieved the assumption that the traffic generation of the development would account for two (2) additional AM trips and four (4) additional PM trips.

While both the Varga and ttp reports offers a conclusion that these figures are inconsequential when considering the surrounding road network, it appears the *Transport NSW Guide to Transport Impact Assessment (2024)* is the only source both parties relied upon to provide such numbers. Similar to the manner in which Varga provided opinions with regards to safe sight distances (as referred to above), there is a significant absence of evidence based information with regards to other technical references, direct observations of traffic behaviour in the vicinity of the subject property or site inspections conducted in the area to support the conclusions contained within the respective reports. Therefore, individual site characteristics were not addressed or taken into account within the respective traffic reports. As previously stated in this report, *The Transport Planning Partnership* was the entity responsible for developing (in part) the *Transport NSW* reference guide.

It should also be noted the *Transport NSW Guide to Transport Impact Assessment (2024)* provides a degree of limitation including advice *the guide may not be appropriate in all development situations* and that it does not provide a 'one-size-fits-all' approach. The guide indicates the *interpretation of technical requirements is to make assessments on a case-by-case basis*. Council deems the traffic generating related assessment has not taken all considerations into account – but solely relied on the use of the *Transport NSW Guide to Transport Impact Assessment (2024)*.

Local knowledge also identifies the most preferred method of transport is by way of car. Observations of similar style accommodation facilities has resulted in the identification of numerous vehicles parked either on site or overflowing on to the street adjacent to the property. In support, the 2021 census indicated 74.2% of the Griffith population travelled to work by car as a driver – but only 0.3% used public transport (bus etc.)

Parking

The Traffic and Parking Assessment Report (*Varga*) indicates additional '*kerbside parking is available along both sides of Wyangan Avenue as there is no kerbside restrictions...including along the site frontage.*'

Council disagrees with this assumptions due to the geometry of the slip lane on the north-western corner of Palla Street at the intersection of Wyangan Avenue, and the existence of property accessways, Regulation 170 (*Stopping in/near and Intersection*), Regulation 198 (*Obstructing access to and from a driveway etc*) and 203A (*Stopping in a slip lane*) of the Road Rules 2014 means parking is restricted along the frontage of the proposed site – therefore defeating the Varga report on that aspect of on-street parking.

Site Assessment Consistency

The subject site (Lot 19 DP758476) was the subject of a DA *B120/2002* relating to the establishment of a childcare centre. Assessments by council and the (then) applicant could not achieve a suitable outcome for the safe ingress/egress of vehicles through the accessway which was proposed to be in the exact same location as this development proposes. It was similarly recommended in 2002 that the Palla Street slip lane be removed and upgrades to the Palla/Wyangan intersection be undertaken by the developer. Subsequently the applicant withdrew the childcare centre DA in August 2003.

SUMMARY

The refusal of this development application in its current context is based Council's assessment of the submitted documentation by the applicant, and, the subsequent traffic related assessment/traffic related analysis conducted by Griffith City Council staff:

- Beyond a reference to the *Transport NSW Guide to Transport Impact Assessment (2024)*, there is an absence of definitive analytical evidence sustaining the submitted predicted peak hour (and outside peak hour) traffic generation figures. Council deems the traffic generation assessment process to be insufficient as the results based on that one reference document only, and do not offer a true reflection of traffic generation with respect to the development and the consequential implications the additional may have on the road network and road user safety.

- Notwithstanding the close proximity of the Palla Street slip lane, there is insufficient evidence provided by the applicant that demonstrates the ingress and egress of the site via the existing accessway can be achieved in a safe manner and without road user conflict.
- While it has been demonstrated that safe sight distances can be achieved between vehicles egressing via the accessway and vehicles on Palla Street and Wyangan Avenue, the driver's observation angle (approximately 120°) when conducting observations back to Palla Street is beyond that of a driver's normal operation of a vehicle

FILE NOTE



FROM: Greg Balind – Development & Traffic Coordinator

DATE: 21 May 2025

SUBJECT: DA 27/2025 – Proposed Co-living Development
Lot 19 DP758476 – 6 Wyangan Avenue

DETAILS: Traffic Assessment – Refusal of DA

Please see below an assessment of the reply submitted by Mark & Isabella Secivanovic (the ‘applicants’) dated 22 April 2025 to the objectors concerns with respect to this development.

While the applicant advised there were six (6) broad categories raised by objectors, this assessment relates to category (a) *the proximity of the Proposed Development to the intersection of Wyangan Avenue and Palla Street and the effect on traffic* which commenced at paragraph 59 of that response.

Council’s comments are in blue below.

59. There is concern that there is a risk of motor vehicles using the Palla Street slip lane turning left onto Wyangan Avenue may not be able to differentiate between (a) a motor vehicle in front turning left onto Wyangan Avenue and continuing along Wyangan Avenue and (b) a vehicle turning into the driveway of the Proposed Development.

60. We accept that there is a risk. But it is no more a risk than what presently exists or has existed since the construction of the current driveway to the Property.

The respondent has not addressed how drivers will differentiate between left turning traffic continuing on Wyangan Avenue and left turning traffic into the development site. That is because a differentiation is unable to be achieved.

Council response:

(Also addressed in engineering report dated 6 May 2025)

Addressing both 59 and 60 above, council has considered the submissions from the residents that provides evidence of *vehicles coming from Palla Street turning onto Wyangan Avenue have a habit of speeding up around the bend and only looking for traffic coming from the driver’s right side direction....and when they are not required to give way generally speed up and move through the intersection.* While a perceived risk at the site (and on any road network) is acknowledged, the traffic volume associated with a single occupancy dwelling is negligible in comparison to the proposed multi-dwelling development increases that risk. Available ratified crash data (TfNSW 2014-2024) indicates zero crashes have occurred at the site.

61. A similar risk exists in relation to both 32 and 34 Palla Street. Indeed, the driveway to 34 Palla Street is practically on the Palla Street slip lane. Similar situations exist at the intersections of:

(a) Wyangan Avenue and Noorila Street;

(b) Koorungal Avenue and Kookora Street; and

(c) Bringagee Street and Gunbar Street.

Council response

The driveway extending from the road across the road reserve to 32 Palla Street does not pose a similar risk as that accessway is entirely on Palla Street and approximately 45 metres to the south of the commencement of the slip lane (see photo 1 below.) Drivers at that location are not in a position where they need to look to their right to give way to other vehicles due to their distance back from the Palla Street/Wyangan Avenue decision point.



Photo 1: Layback and accessway to 32 Palla Street (Source: Google Images)

With respect to 34 Palla Street, there is no formal accessway/driveway across the large gravel road reserve between Palla Street and the property boundary. A layback providing access to the road reserve fronting 34 Palla Street is located approximately 19 metres (south) from the commencement of the slip lane. An assessment of that accessway showed vehicle tyre impressions between this layback and the road reserve at the front of 34 Palla Street being identified on the surface - demonstrating this is a well trafficked and most preferred access to 34 Palla Street. (See photo 1 below)



Photo 2: Southern layback providing access to road reserve adjacent to 34 Palla Street. Note: tyre impressions to/from road reserve via layback

An additional layback (as mentioned in 61 above) exists at the commencement of the Palla Street slip lane that provides access to the road reserve at the front of 34 Palla Street. There is an absence of tyre impressions leading from that layback to the road reserve fronting 34 Palla Street – indicating the access is seldom (if ever) used. (see photos 2 and 3 below.)



Photo 3: Layback (northern aspect) at the commencement of the slip lane providing access to road reserve fronting 34 Palla Street. Note: absence of tyre impressions to/from road reserve via layback



Photo 3: Layback (eastern aspect) at the commencement of the slip lane providing access to road reserve fronting 34 Palla Street. Note: absence of tyre impressions to/from road reserve via layback

On the issue of similar situations as per (a) – (c) above council can advise:

Wyangan Avenue and Noorilla Street

Noorilla Street has a left turn slip lane entering into Wyangan Avenue. The distance between the centre of the giveway hold line of the Noorilla Street slip lane and the first accessway servicing a property on Wyangan Avenue is 64.6 metres. In contrast, the distance between the centre of the giveway hold line of the Palla Street slip lane and the accessway to the proposed development site (6 Wyangan) is approximately 16.1 metres.

Koorungal Avenue and Kookora Street

The intersection of Koorungal Avenue and Kookora Street is controlled by a roundabout and does not sustain a slip lane. The closest property (2 bedroom unit) accessway from the roundabout is on Koorungal Avenue at a distance from the centre of the giveway hold line of Kookora Street of approximately 17.2 metres. It should be noted that prior to 2009, the intersection of Koorungal Avenue and Kookora Street was previously controlled by giveway signs/lines only (roundabout installed in 2009.) The construction of the accessway to the Koorungal Avenue property was already in situ – having been constructed approximately 15 years prior to the roundabout in a location that satisfied relevant engineering guidelines.

Bringagee Street and Gunbar Street.

Gunbar terminates at a T-intersection with Bringagee Street. No slip lane exists at that site.

62. *The proposed slip lane is no different to any normal roundabout. If a car were to approach a roundabout to turn left, it would need to slow down, give way to traffic on the roundabout and approaching from the right, and would proceed to turn left as they would in using a slip lane. The same level of risk would be posed in relation to any driveway located shortly after the exit from the roundabout.*

A slip lane gives a definitive left turn manoeuvre where as a roundabout has deflections on the approach to slow vehicles then provides four (4) options (left/right/straight through/U-turn.)

Generally, any driveway located shortly after the exit from the roundabout services a single residence only – not a multi-residential development.

63. *We rely on the Varga Traffic Planning Pty Limited Traffic & Parking Assessment Report dated 7 February 2025 (Varga Report), and in particular his comments at page 5 extracted below: The following advice is provided in response to the “traffic and parking” matters raised in the Pre-DA meeting with Council:*

- *the current location of the proposed driveway is considered acceptable because: a vehicle entering the subject site will approach the proposed driveway from the line-marked road shoulder in Wyangan Avenue, clear of the main traffic lane*

Already addressed in the engineering report dated 6 May 2025

it is the responsibility of the following driver to keep clear of the vehicle in front at all times

Correct. But drivers are not always responsible – case in point – rear end crashes.

the proposed driveway is at the optimal location for turning into the site as it is furthest away possible from the Wyangan Avenue and Palla Street intersection

Optimal does not mean appropriate mitigate safety risks

right-turn exit from the site is considered acceptable because there is sufficient sight distance to the south to Palla Street for an exiting vehicle

Already addressed in the engineering report dated 6 May 2025 (adverse angle)

all car parking spaces are to be assigned to residents of the development with no visitor parking proposed onsite as SEPP (Housing) 2021 does not specify a visitor parking requirement, therefore no turning bay is required.

Planners to address

64. *Motorists have a duty to use due care and skill when operating a motor vehicle and this includes keeping a safe distance and travelling at a safe distance behind motor vehicles in front. There is no evidence to suggest that the risk mentioned in paragraph 59 will be increased as a result of the Proposed Development, or that if there is an increase in risk, that increase would be to an unacceptable or unreasonable level. To date, there has only been speculation in this regard.*

Neither is there evidence that the risk will be mitigated. While drivers have a duty of care, crashes still occur. In addition, due to the raised centre median and the kerb and gutter along the slip lane, there is no escape route for evasive action.

65. The speed limit on Wyangan Avenue and Palla Street is 50km/h. It is unlikely that any vehicle approaching Wyangan Avenue from Palla Street via the slip lane will be approaching at 50km/h or taking the corner at that speed. A more realistic approach and exit speed would be between 20km/h and 30km/h to allow for any give way from the right. In those circumstances the braking distance for cars would be between 3 and 6 metres respectively, in circumstances where the car would have an unobstructed turning arc of 55.56 metres from the start of the intersection on Palla Street to the driveway entrance on Wyangan Avenue.

In the absence of evidence/justification a vehicle would take 3 and 6 metres to stop, this cannot be accepted. As per the engineering report, the stopping distance of a vehicle travelling at 30km/h on a dry road with a reaction time of 2 seconds is 19 metres.

66. By letter dated 26 March 2025, Varga Traffic Planning Pty Limited proposed an alternative option for Council's consideration to address the concerns set out in paragraph 59 above. Extracted below are drawings accompanying the letter:

67. The letter proposed a splayed driveway construction which would allow any vehicle to turn left into the Property driveway from the line marked road shoulder, clear of any traffic lanes, and the splay would allow vehicles to turn left and out simultaneously, should the need arise.

Both 66 and 67 addressed in the engineering report dated 6 May 2025. Turning diagrams showed only B85 sized vehicles turning in – yet showed B99 sized vehicle exiting.

68. The letter confirms that the splayed driveway construction “could operate safely, and that Council's request for the major reconstruction of the Palla Street/Wyangan Avenue intersection is excessive and onerous for such a small (in traffic terms) development”.

Turning path diagrams show vehicles turning from shoulder of road which is an unusual manoeuvre.

69. There is also a concern that the Proposed Development could increase traffic and road use. We accept that more motor vehicles entering and exiting the Proposed Development will add to traffic flow and traffic numbers, but submit that the increase is negligible. The Varga Report concludes that traffic flow as a result of the Proposed Development will increase by approximately two vehicles per hour in the morning and four vehicles per hour in the afternoon/evening.

Addressed in the engineering report dated 6 May 2025. Traffic generation numbers were based on the Transport for New South Wales Guide to Transport Impact Assessment (2024) with the ‘regional’ centres being in close proximity to Wollongong and Newcastle.

70. The Varga Report concludes that “the projected traffic generation potential of the site as a consequence of the development proposal is statistically insignificant and will clearly not have any unacceptable traffic implications in terms of road network capacity”.

Justification required

71. By letter dated 3 April 2025, Council sought a Peer Review of the Varga Report. Accompanying these submissions is the requested Peer Review conducted by Kelly Hollyoak of TPP Transport Planning dated 17 April 2025 (Peer Review).

Addressed in the engineering report dated 6 May 2025. The peer review does not provide evidence of traffic volumes, site inspections/observations. There is an absence of data collection. The applicant is responsible for collecting data including observational counts and assessments reflective of typical conditions.

72. The Peer Review concludes:

(a) that the Proposed Development will likely generate approximately 2 additional vehicles per hour during the morning peak period and approximately 4 additional vehicles per hour during the evening peak period

Addressed in the engineering report. Traffic generation numbers were based on the information in the Varga report which relied on the Transport for New South Wales Guide to Transport Impact Assessment (2024) with the 'regional' centres being in close proximity to Wollongong and Newcastle.

(b) the potential traffic generation of the Proposed Development is considered very low, and is not expected to have a noticeable impact on the operation of the surrounding road network

Justification

(c) this level of traffic generation in general practice does not require further traffic data collection or analysis for the existing road network or a traffic modelling for assessment of the impact of traffic from the Proposed Development

As the consent authority and manager of the road, Griffith City Council disagrees.

(d) vehicles turning left from Palla Street into Wyangan Avenue are required to give way to traffic on Wyangan Avenue with a give-way line installed on the left turn slip lane, and therefore it is expected that left turn vehicles will slow down or stop at the slip lane prior to entering Wyangan Avenue, thus the approaching speed in front of the site access driveway is expected to be much lower than 50km/h. Addressed in the engineering report dated 6 May 2025. While vehicles on Wyangan have priority – not every driver/vehicle using the Palla Street slip lane will encounter a vehicle approaching from their right along Wyangan Avenue. Therefore, is no need to slow or stop at the give-way line due to the absence of vehicles on Wyangan.

(e) notwithstanding, the site access driveway has a sight distance of more than 69 metres to traffic in both directions of Wyangan Avenue and a sight distance of more than 58 metres to traffic on Palla Street, which therefore complies with the sight distance requirement of AS2890,1:2004;

Addressed in the engineering report dated 6 May 2025. Drivers need to turn over 120 degrees to their right to see vehicles on Palla Street.

(f) the south-eastern end of the driveway as shown in the architectural plan is about 5.9 metres away from the tangent point of the kerb at the corner of the intersection and does not strictly comply with AS2890,1:2004, which requires the access driveway to be at least 6 metres away from the tangent point of the kerb;

(g) the vehicle crossing should be shifted an additional 100mm away from the bend of the slip lane in accordance with AS2890,1:2004; and

(h) the Proposed Development would not require a major reconstruction of the existing Palla Street/Wyangan Avenue intersection and traffic counts for the existing intersection and an assessment using traffic modelling are considered unnecessary.

(f) (g) and (h) are Subjective and addressed in the engineering report dated 6 May 2025.

73. In keeping with the recommendation of the Peer Review, accompanying these submissions are revised plans that now show the access driveway 6 metres away from the tangent point of the kerb, which is now compliant with AS2890.1:2004.

Agreed. However it is the proximity to the Palla Street slip lane that poses adverse safety for road users.