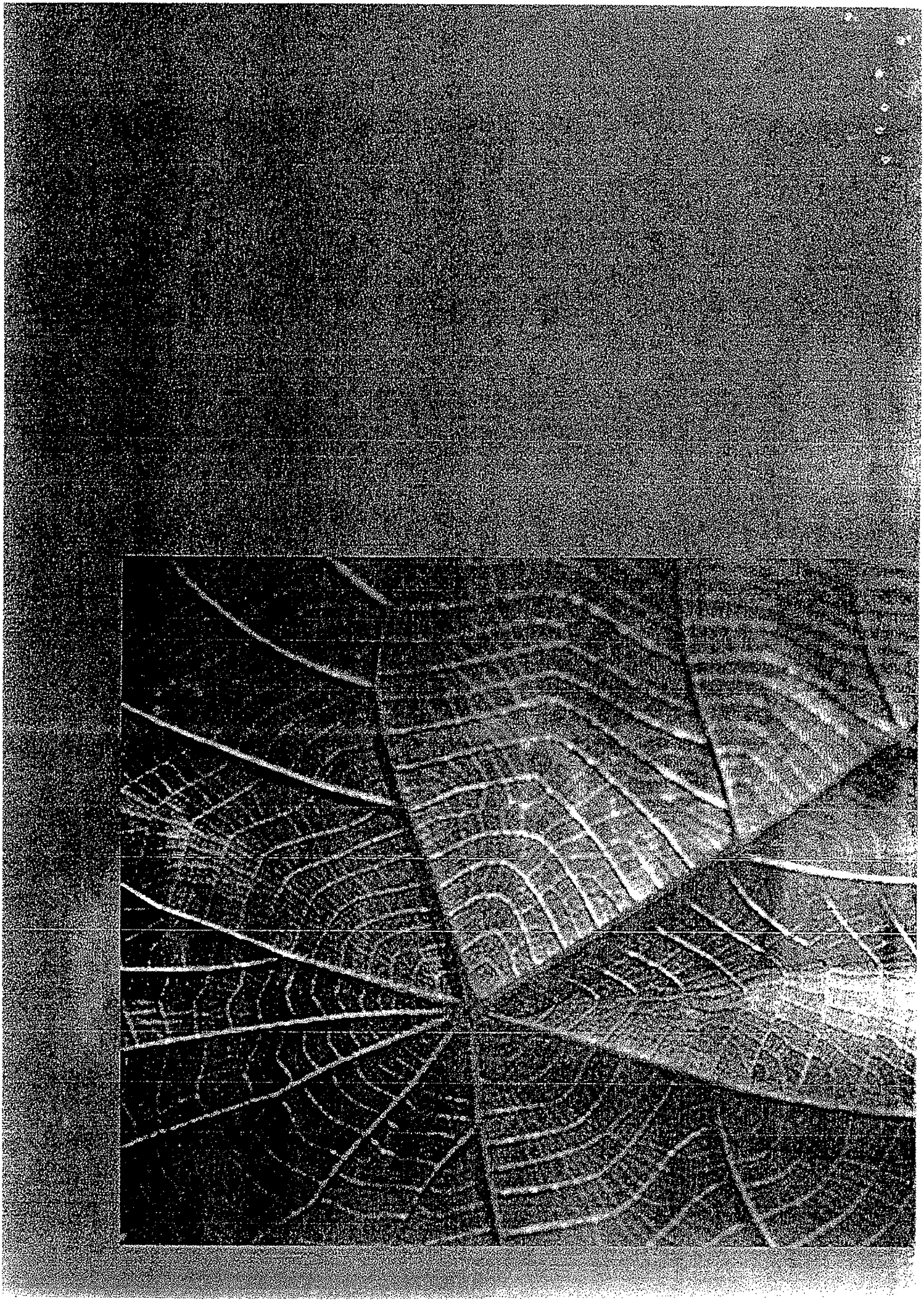


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1.0 Definitions

AWDC Albury-Wodonga Development Corporation.

Building envelope
An area marked on a plan defining the limits for the siting and wall height of any dwelling or ancillary buildings.

Building height
The distance between natural surface level of the ground and the apex of the roof of the building, but not including any receiving antennae, chimneys or flues.

Double frontage
Lots that have a frontage to more than one road, or to a road and a reserve.

Habitable room
A room used for normal domestic activities, such as a bedroom, living room, lounge room, kitchen, dining room, but excluding rooms of a specialised nature that are not occupied for extended periods, nor frequently (eg. bathrooms, laundry, pantry, corridor, toilet).

Landscape plan
A plan or document that outlines the extent and nature of proposed landscape and planting treatments.

Lot
The land on which a dwelling stands or is to be erected.

Mitchell Park Estate
The whole of the residential development, including the road reserves, the open space reserves and the residential lots.

Open space reserves
The areas of land within the estate that are set aside.

Private open space
The open space areas around a house and any ancillary buildings that are intended for the exclusive recreational use of the dwelling occupants.

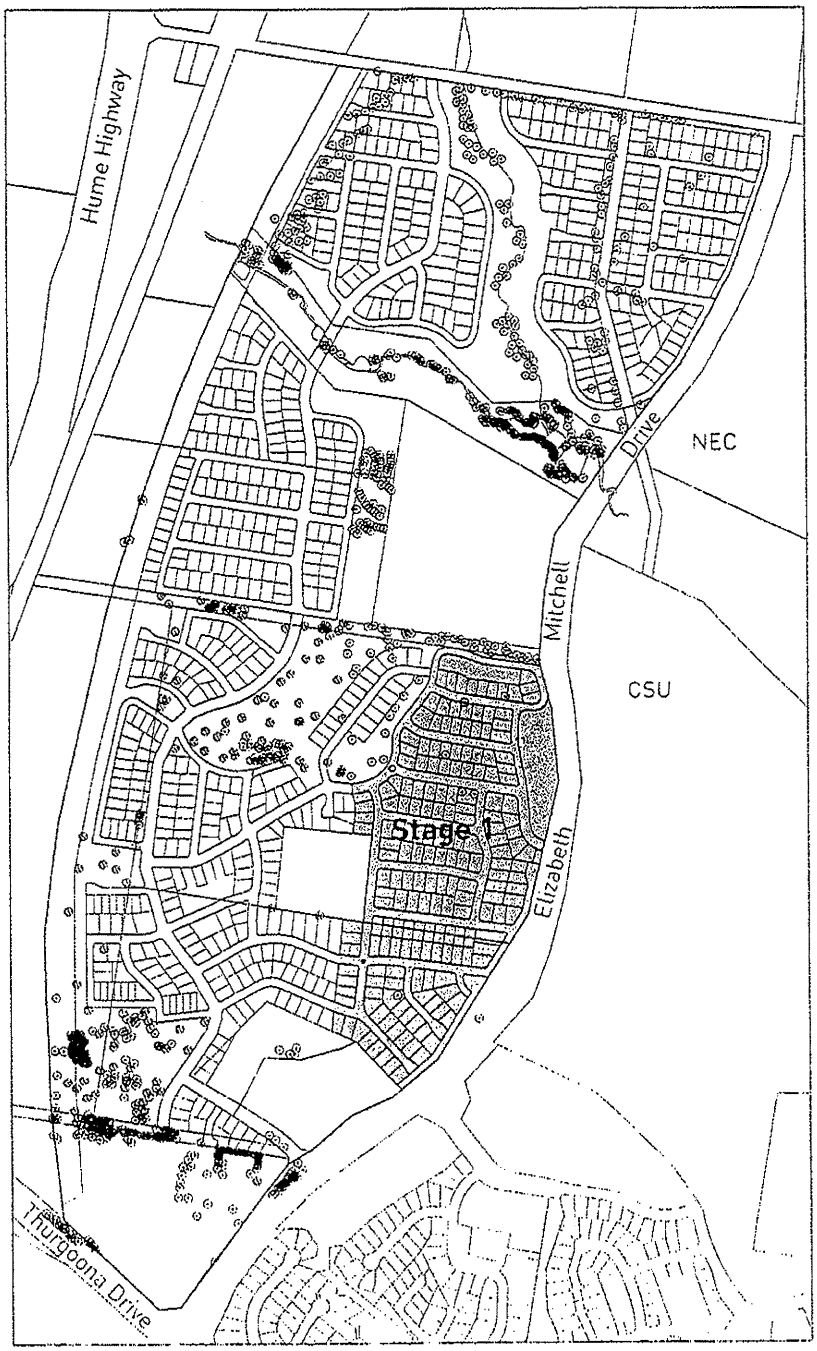
Setback
The minimum distance which a wall or fence is required to be from a property boundary. All structures including decks, pergolas, verandas, and garages are to comply with setback requirements.

Site coverage
The area of a lot covered by the dwelling footprint and impervious surfaces. It includes the house and any ancillary building footprints, fully paved (non-porous) driveways, paths and terraces.

Street frontage
The front boundary of a lot that abuts the road reserve.

Urban Design Control Plan
A plan showing relevant building setback, orientation and design information and submitted by AWDC to Albury City Council.

2.0 Introduction



2.1 Background

The Albury-Wodonga Development Corporation offers the opportunity of a high quality lifestyle on its estates.

In an endeavour to achieve this quality, each lot in the Mitchell Park Estate will be sold subject to certain Urban Design Guidelines.

The area of Mitchell Park Estate refered to in this document is shown in the plan to the left.

These provisions are in two parts:

- The interpretive Clauses referred to here as Urban Design Guidelines.
- The Urban Design Control Plan referred to here as the "UDC Plan"

2.2 Purpose and objectives

The purpose of these guidelines is to provide direction to prospective residents of the Mitchell Park Estate to enable a cohesive, well designed and sustainable living environment to be enjoyed and appreciated by all.

Residents are encouraged to think about their living environment and how house design can impact on their quality of life and that of others. The objectives of these guidelines are to:

- Encourage the development of a high quality residential estate with a range of housing styles within a "contemporary Australian" theme;

3.0 Design Philosophy

Mitchell Park Estate is set in an environment that is influenced by the sun, the bush and water. This environment will be reflected in the landscape and in the built form of the estate.

A master plan for the Mitchell Park Estate has been prepared, and this outlines a philosophy that focuses on the environmental attributes of the locality.

At the entry to the estate off Elizabeth Mitchell Drive, a feature sign and wetland have been constructed to reinforce this design philosophy. In addition to providing habitat value, landscape and recreational amenity, these elements reinforce the environmental emphasis of this estate and the desired outcomes for the residential development.

3.1 The value of design

Each individual house design should contribute to the surrounding environment and to the estate in a positive way. Owners are encouraged to construct innovative and appropriate designs that address sustainability issues and present a cohesive residential image for the estate.

Modern house design can result in living spaces that are interesting and appropriate for the local environment, and that contribute to the sense of place. Building form should consider a variety of materials and arrangements and ensure a positive relationship between indoor and outdoor spaces.

Good design will consider the individual lot orientation, surrounding built form and activities, building scale and setbacks. Consideration of neighbours will ensure that a house design will not adversely impact on lifestyle amenity.

3.2 Sustainable building design

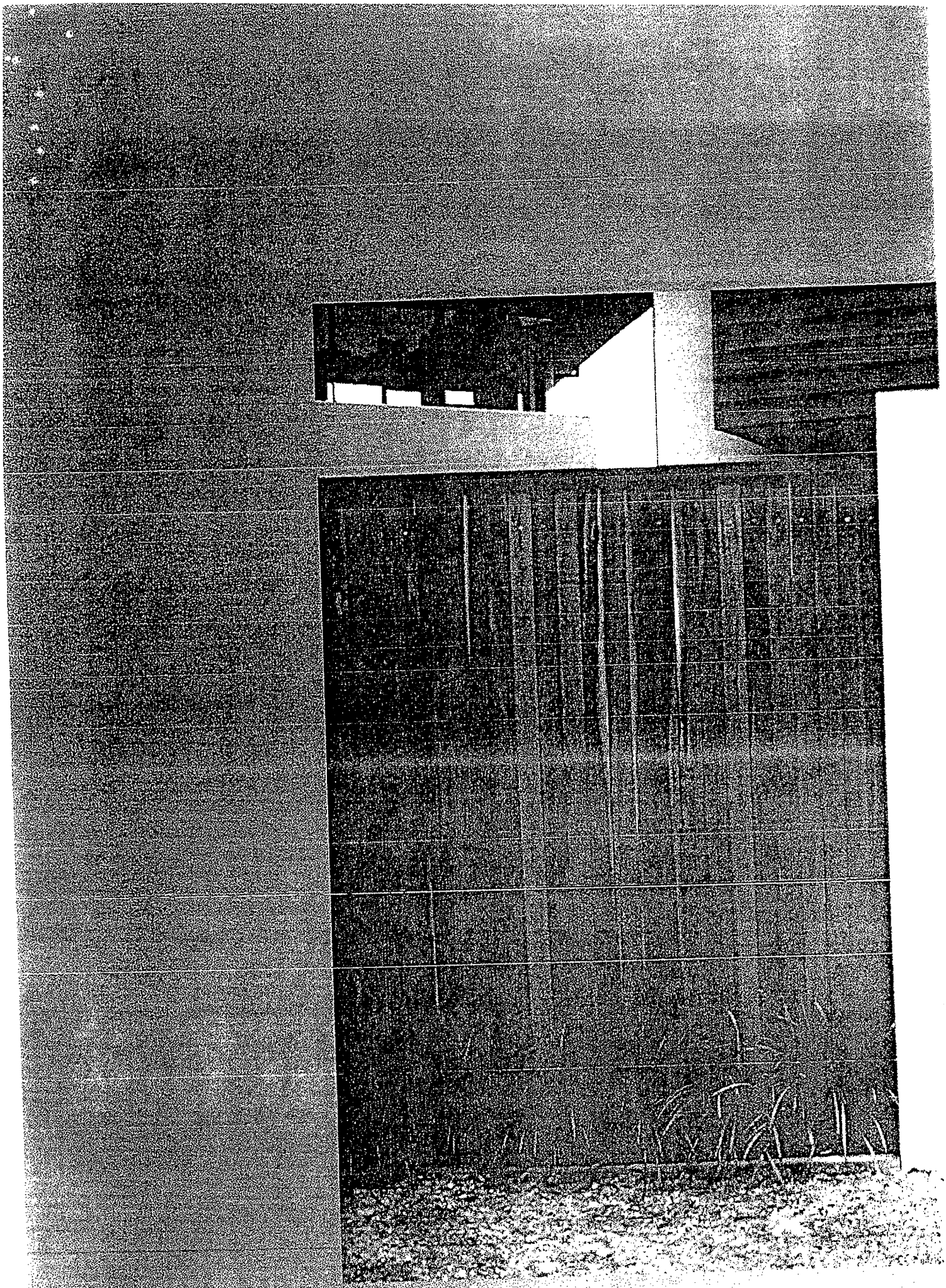
It should be noted that the NSW Government is expected to implement BASIX (the Building Sustainability Index) in regional areas, including Albury, in July 2005.

BASIX will require all new dwellings to be assessed against a range of sustainability indices: Energy, Water, Thermal Comfort, Stormwater and Landscape, in order to obtain Council approval.

To help achieve a reduction in resource consumption, the key design elements of your home should include:

- Appropriate north facing orientation for living areas;
- A concrete slab ground floor;
- R1.5 batts wall insulation or higher;
- Insulation - including window and door surrounds;
- R2.5 batts ceiling insulation or higher;
- Weather seals to all external doors;
- Self-closing exhaust fans;
- Energy efficient hot water service;
- Energy efficient gas heating units;
- Energy efficient light fittings;
- Use of water conservation rated showerheads; dual flush toilets; rainwater tanks; and the inclusion of water sensitive landscape designs.

www.basix.nsw.gov.au
Helpline 1300 650 908



- Ensure that house design contributes to the Mitchell Park Estate character by being respectful of neighbours, the streetscape and the development overall;

- Require building and garden designs to conform to the NSW Building Sustainability Index (BASIX) so as to achieve a minimum level of energy rating and water consumption.

  The Albury-Wodonga Development Corporation encourages efficient building orientation and the maximization of solar efficiency.

2.3 Scope

The guidelines cover such areas as site layout and orientation, the presentation of your house and garden to the public streetscape, the built form of your house, fences and landscape treatments. (Please refer to contents page).

2.4 Special Requirements

Some areas of Mitchell Park are subject to special requirements because of their important contribution to the overall character and quality of the development. These are shown on the plan in section 9.0.

2.5 Urban Design Guideline Status

These guidelines are not a substitute for mandatory planning and building approvals, however they are provided to guide and assist the design decision making process.

These guidelines may be varied and the following principles apply to such variations:

- A sound reason for the variation needs to be established which is not inconsistent with the balance of the guidelines.

- Written consent from neighbouring landowners needs to be obtained (in small cul de sacs all landowners should consent).

- Written consent to the variation is needed from the Albury-Wodonga Development Corporation.

- Any variation which does not comply with Albury City Council's complying or exempt development provisions, will require approval from the Council.

2.6 Assistance

Staff of the Albury-Wodonga Development Corporation will provide assistance in the interpretation and application of these guidelines. It is important to discuss these guidelines with your architect or builder at the earliest instance, to ensure all parties know what is expected of them.

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To help achieve a reduction in resource consumption, the key design elements of your home should include:

- Appropriate north facing orientation for living areas;
- A concrete slab ground floor;
- R1.5 batts wall insulation or higher;
- Insulation - including window and door surrounds;
- R2.5 batts ceiling insulation or higher;
- Weather seals to all external doors;
- Self-closing exhaust fans;
- Energy efficient hot water service;
- Energy efficient gas heating units;
- Energy efficient light fittings;
- Use of water conservation rated showerheads; dual flush toilets; rainwater tanks; and the inclusion of water sensitive landscape designs

www.basix.nsw.gov.au
Helpline 1300 650 908

3.3 Environmental design and management

The open spaces, treed corridors, and special habitat areas that are in and around Mitchell Park, form part of an overall Thurgoona Threatened Species Conservation Strategy.

The Mitchell Park Land Management Plan for these environmentally sensitive areas has been approved by Albury City Council and you are required to assist in its implementation.

You are required to:

- Observe and comply with the requirements of the Mitchell Park Land Management Plan.
- Undertake the responsible management of any cat or dog you might own and observe a night time confinement and control of your animal(s).
- Assist in the provision of additional native vegetation in your gardens to improve the habitat for threatened species such as the Regent Honeyeater.

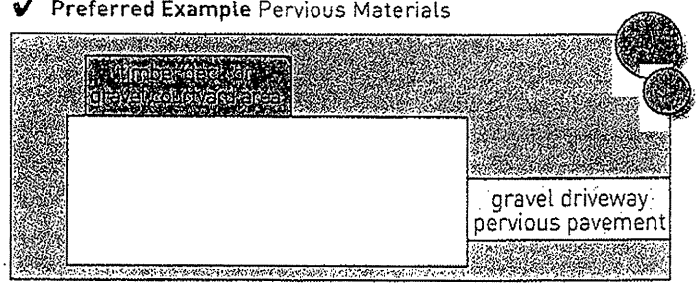




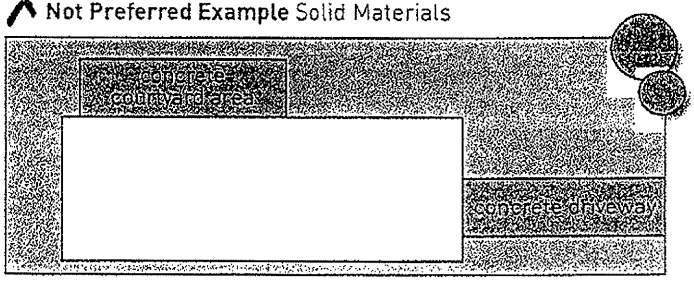


Image courtesy of Lindy Lumsden

✓ **Preferred Example** Pervious Materials



✗ **Not Preferred Example** Solid Materials



4.3 Unbuilt upon areas

The area of the site that can be built upon is restricted. (refer to current Albury City Council Control Plan (DCP)). Residents are strongly encouraged to use pervious materials for unbuilt upon areas in order to increase rain infiltration (see diagrams above).

4.4 Dwelling size

Consideration of lot size, site coverage, setbacks, height restrictions and living requirements will ensure that an appropriate built scale is achieved for the estate. It is not desirable for the streetscapes and the estate environment to be dominated by large houses.

4.5 Front, side and rear setbacks

These setbacks can be used to improve the options for a particular lot and to orientate the house for the resident's amenity. They will also ensure that there is minimal impact on the amenity of neighbouring dwellings, particularly from overshadowing and overlooking (refer to Albury City Council DCP for details).

4.6 Walls on side boundaries

In order to safeguard amenity there are restrictions on the construction of walls, associated parts of a building and carports on side boundaries (refer to Albury City Council DCP for details).

4.7 Bush Fire Precautions

Habitable dwellings must be designed to afford bush fire protection in accordance with Albury City Council Requirements.

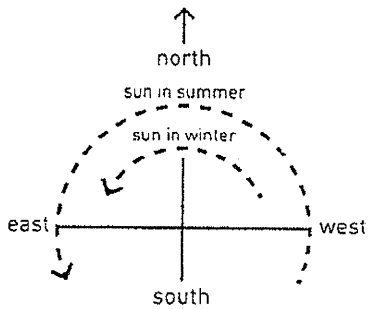
4.0 Site Layout & Orientation

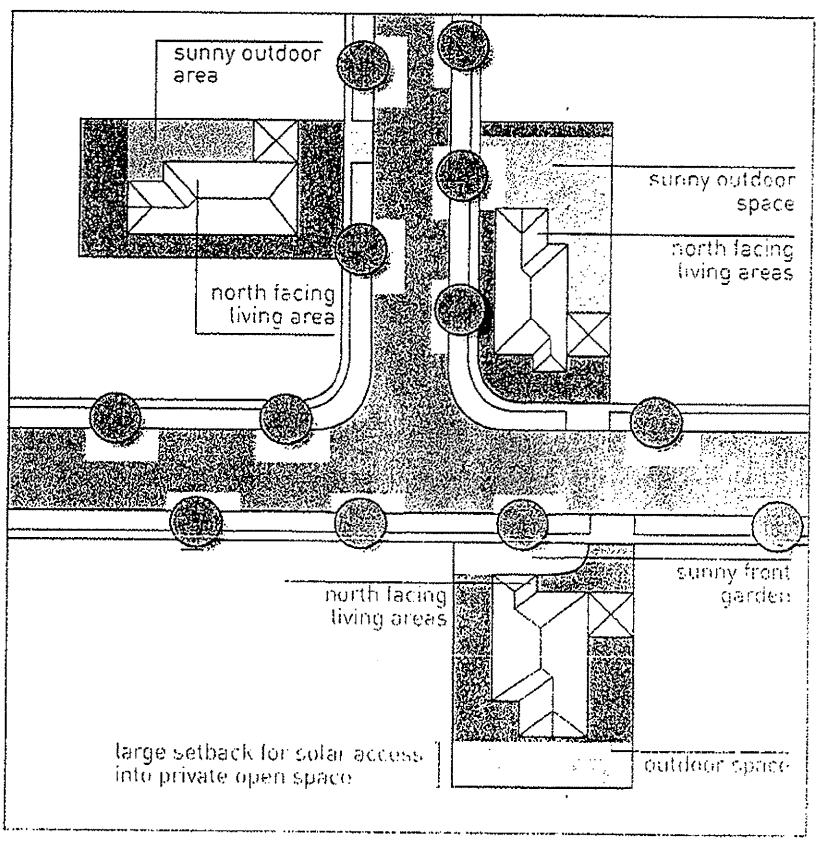
4.1 Land Use – Stage 1.1

Unless otherwise noted on the UDC Plan, no development other than a single dwelling may be built on the land except with Albury City Council consent, integrated housing may be permitted on lot 45, and unit developments on lots 6, 7 and 48.

4.2 Orientation

The siting and orientation of buildings and individual living spaces within houses should maximise the opportunities afforded by prevailing environmental conditions. This will ensure that energy savings are realised and positive environmental outcomes achieved.



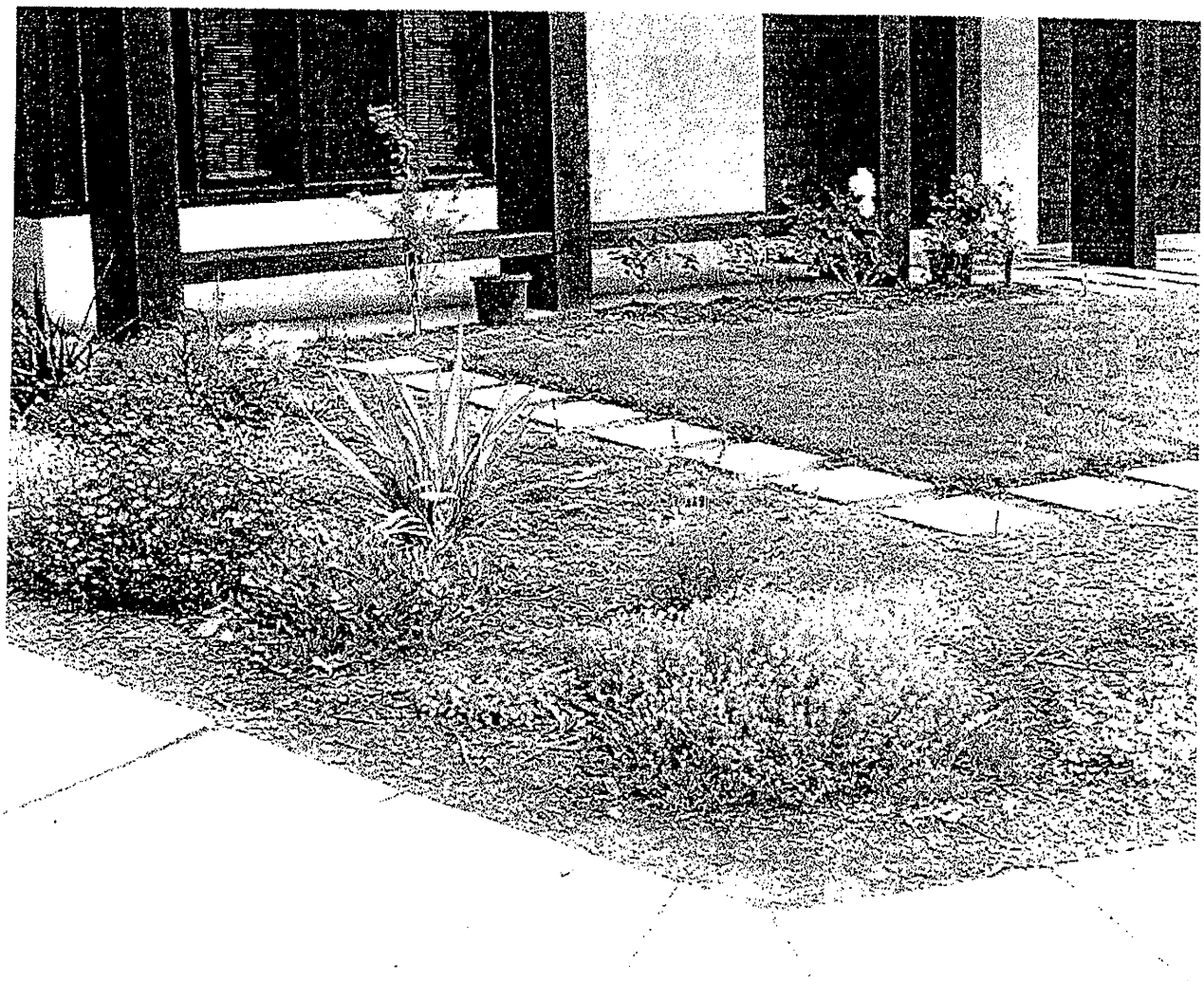


Guidelines

- Building design should have a northerly orientation to maximise winter sun penetration to both indoor and outdoor living spaces.
- Consider neighbouring houses to avoid impacting on their solar access.
- Consider prevailing summer wind patterns and utilise these to obtain passive cooling outcomes through siting of windows and doors.

Siting and orientation of buildings should consider and complement neighbouring properties and houses to maintain privacy and residential amenity. Avoid locating windows and doors where you will overlook or hear your neighbours.

5.0 Streetscape



5.1 Neighbourhood character

The streetscape character of Mitchell Park should be consistent with the local environment. House frontage is an important visual element influencing this character.

A cohesive outcome that respects building setbacks, building form and materials, paving materials, fencing and landscape will ensure a sense of community pride.

Contemporary and site responsive designs are encouraged in order to compliment and reinforce the local Mitchell Park character, in preference to 'period' design themes.

5.2 Street frontage

An interactive frontage between the house and the street will ensure the likelihood of a stronger feeling of 'community' through interaction.

Consider entries, windows and balconies that address the street to increase community interaction, passive safety aspects, and an open outlook to the public domain.

5.3 Corner lots

Corner lots are strategically important in defining streetscape character.

Houses constructed on corner lots should give equal attention to both street frontages to ensure that streetscape amenity is maintained and that an open aspect is achieved.

Verandas and windows can wrap around the building to reinforce a multi sided façade to the adjoining streetscape.

Low fences to the front of the lot should extend at least 5 metres around the side of the house. Side fences should be consistent with the front fence in material and colour.

5.4 Front setbacks

Setbacks are important in ensuring that an articulated and interesting streetscape is achieved, avoiding the dominance of built form along the property boundaries.

Setbacks also allow private gardens to contribute in a positive way to the public street landscape, thus stimulating civic and neighbourhood pride.

Dwellings and garages should comply with the nominated setbacks below, or be in accordance with Council requirements.

Single storey dwellings;

- For lots fronting standard roads, the building façade must be at least 4.0 metres from the lot boundary.

Double storey dwellings;

- For lots fronting standard roads, the lower level building façade must be at least 6.0 metres from the lot boundary. The upper level façade must be setback at least 7.5 metres from the lot boundary.

5.5 Garages and carports

The family car(s) and garage have a significant impact on the residential streetscape amenity. There are numerous examples of house facades and streets being dominated by garages and carports.

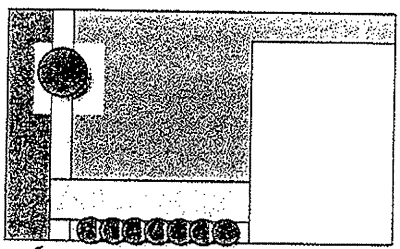
The design and location of garages and carports at Mitchell Park should endeavour to make them an integral and unobtrusive part of the house. However, where garages are not attached to the house, they must be of the same materials as the house.

Garages or carports must not exceed 6.5m in width. Garages shall be setback 1.5m from the front facade of the dwelling.

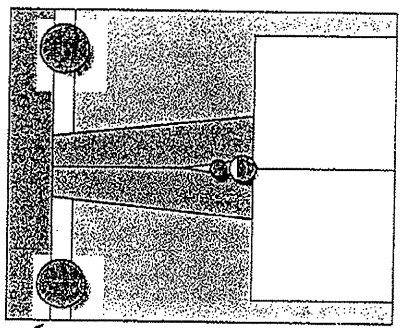
Carports can be located forward of the dwelling, provided they are at least 3.5 metres from the lot boundary. If a roller door (or similar) and infill wall panels are installed, the provisions for garages will apply

Garage doors should be articulated with windows, recesses or projections to present an interesting façade rather than a large blank surface.

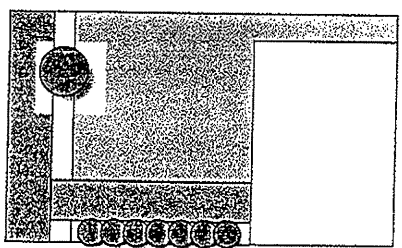
Driveways



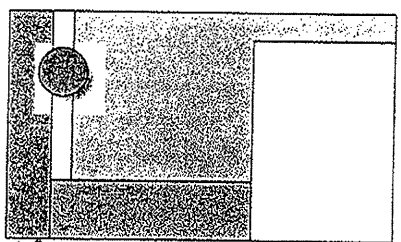
✓ Porous Driveway



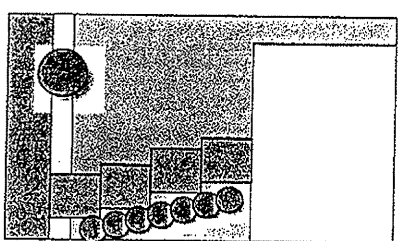
✓ Shared Driveway



✓ Standard Concrete Driveway



✗ No room allowed for planting



✓ Staggered Driveway

5.6 Driveways and paths

Vehicular access to each lot shall not be constructed or permitted across that portion of the lot boundary marked as 'vehicle access prohibited' on the UDC Plan.

Driveways and paths should be constructed using materials that blend with or complement the dwelling textures and colours. Stamped or stencilled surfacing can be used. Plain concrete is discouraged.

The use of porous materials and pervious paving on driveways and paths, including the use of pavers is strongly encouraged.

Driveways on all lots should be set back a minimum of 0.5 metres from the side boundary to allow for some planting along the length of the paved material

5.7 Letter boxes

Letterbox design should form part of the integrated landscape treatment of your home and compliment the dwelling, the front fence (if installed) and the general streetscape.

Letterboxes should not dominate the streetscape.

6.0 Built Form

6.1 Architecture

These guidelines aim to achieve a contemporary architecture which utilises a variety of forms, colours, textures and materials. Serious consideration should also be given to including the use of gables and hipped roofing and verandas. The emphasis should be on unity within the estate and on structures which blend in with the landscape.

Transportable or relocated dwellings are not permitted on any lot.

Dwellings shall not exceed two storeys in height.

6.2 Roof design

The roof of any building shall not be of reflective material, shall be between 24°- 30°, or as approved by the Corporation, but may be constructed of tiles or colour bonded materials, within the range of colours indicated in Section 6.4.

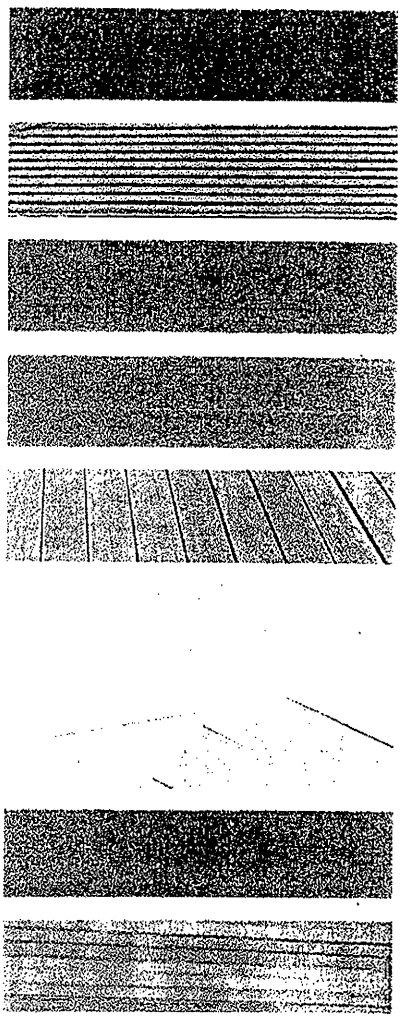
6.3 Building height

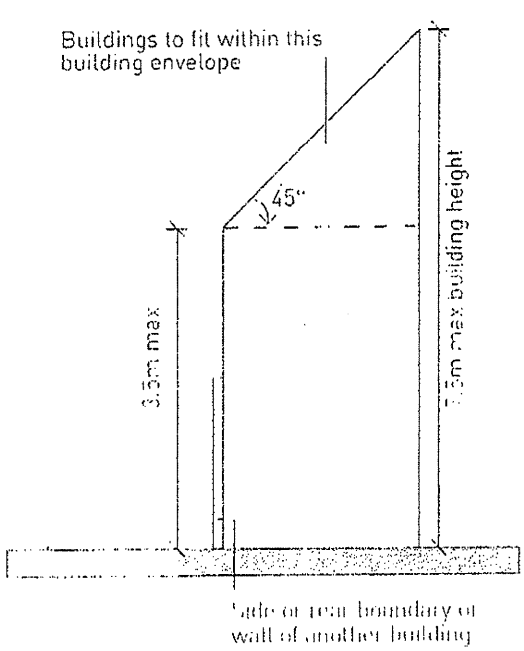
To ensure that the scale of houses in Mitchell Park is appropriate to it's environment and character, a maximum building height (excluding any receiving antennae, chimneys or flues) of 7.5 metres from natural ground level is recommended. Building height at various parts of the site is generally as illustrated below.

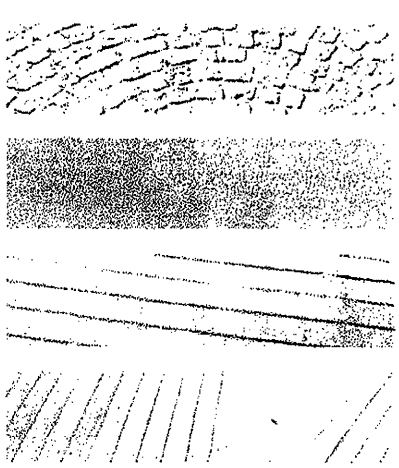
6.4 Colours

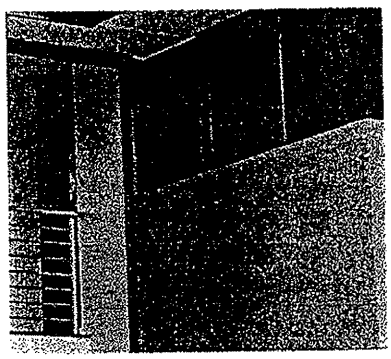
The colours for the various elements of a house (walls, roofs, gutters, window frames, doors) are to be selected from a colour palette of 'natural' colours that include, for example, creams, ochres, browns, gumleaf greens and greys. Only a limited use of vivid colours for highlighting building elements is permitted. An indication of colours is shown on the right.

If you are viewing this in black and white please contact AWDC for further information.









6.5 Garden sheds and external fixtures

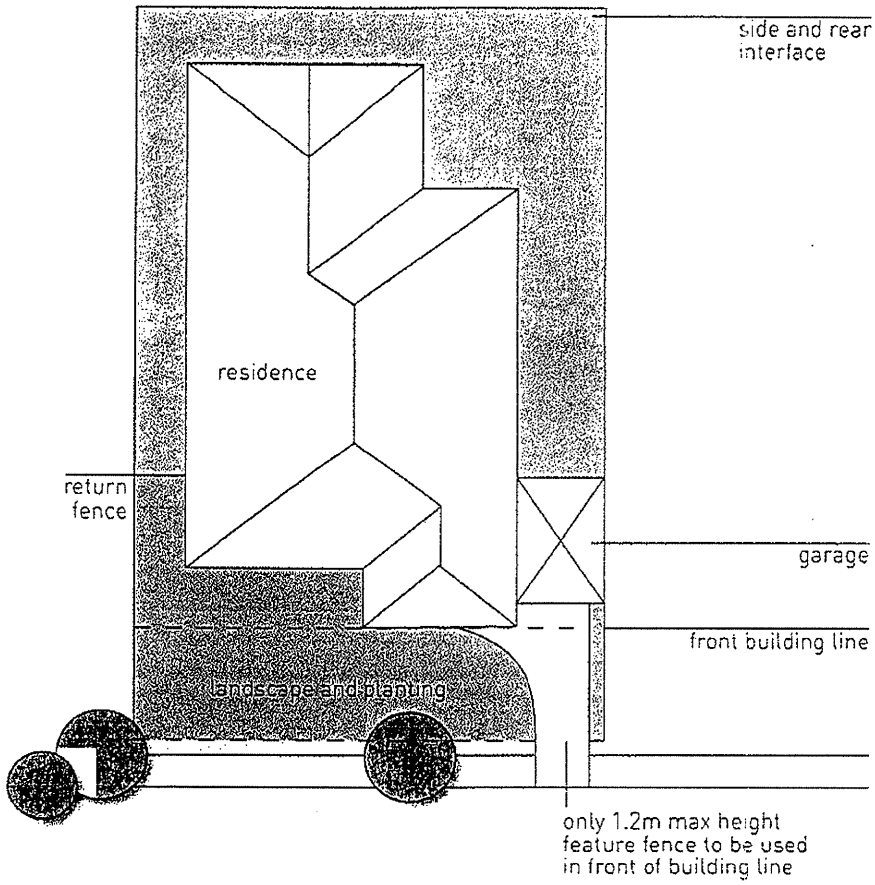
- Garden sheds (only one is permitted) of not more than 6 m2 in area, and not more than 2.5 m in roof height, may be constructed of colour bonded material provided they are the same colour as the side or rear fence, and are situated behind the rear building face of the dwelling. All other storage areas should be integrated into the design of the house and garage.
- Air conditioners and coolers should be screened from public view and located below the eaves line. If above the eaves line, they should be of a low profile and painted to match the colour of the roof.

  Wall and window mounted air conditioning units visible from the street or public areas are not permitted.
- Visibility of antennas and aerials from the street should be minimized and internal or under the roof antennas are encouraged. Satellite dishes are only acceptable if screened from public view.
- Solar water heaters should be located on roof pitches that minimize their visibility from public areas. Storage tanks should be concealed from view by locating them within the roof space or at ground level as specified by the manufacturer.
- Swimming pools are not permitted in the front yard of dwellings and associated fencing must be visually unobtrusive from the street or adjoining park

Other Structures

- Clotheslines, hot water systems and gas systems should be screened from public view.
- Electrical and security alarm boxes are to be painted to match the colour of the dwelling and their visibility should be minimized from the street, and made flush with or recessed in walls where practical.
- Subject to the approval of the relevant authority, gas or water meters should be located just inside the fence line so that the meters are concealed by the fence.
- Roof elements such as flues should be painted to match the colour of the roof.
- Sewerage plumbing including any pipes and vents should be concealed within the dwelling and not exposed on external walls. Stormwater gutters and downpipes can be located on external walls.
- Pergolas should be designed to compliment the design of the dwelling.
- Porticos are permitted above doors opening to rear yards outside the Building Envelope.
- Rainwater collection tanks should be screened from public view.

7.0 Fences



7.1 General requirements

Fencing shall conform to the UDC Plan and these guidelines, or as approved by AWDC.

In order to create park like streetscapes, lot owners are encouraged to not construct a fence on the front boundary or on side boundaries extending beyond the front of the house however, note that some lots are required to have front fences.

This will provide an open front yard that will highlight the landscaping of the front gardens and the features of house facades.

However, if you believe that there is a justifiable reason to fence the front of the property, controls have been put in place to maximise the design outcome of this potentially dominant streetscape feature.

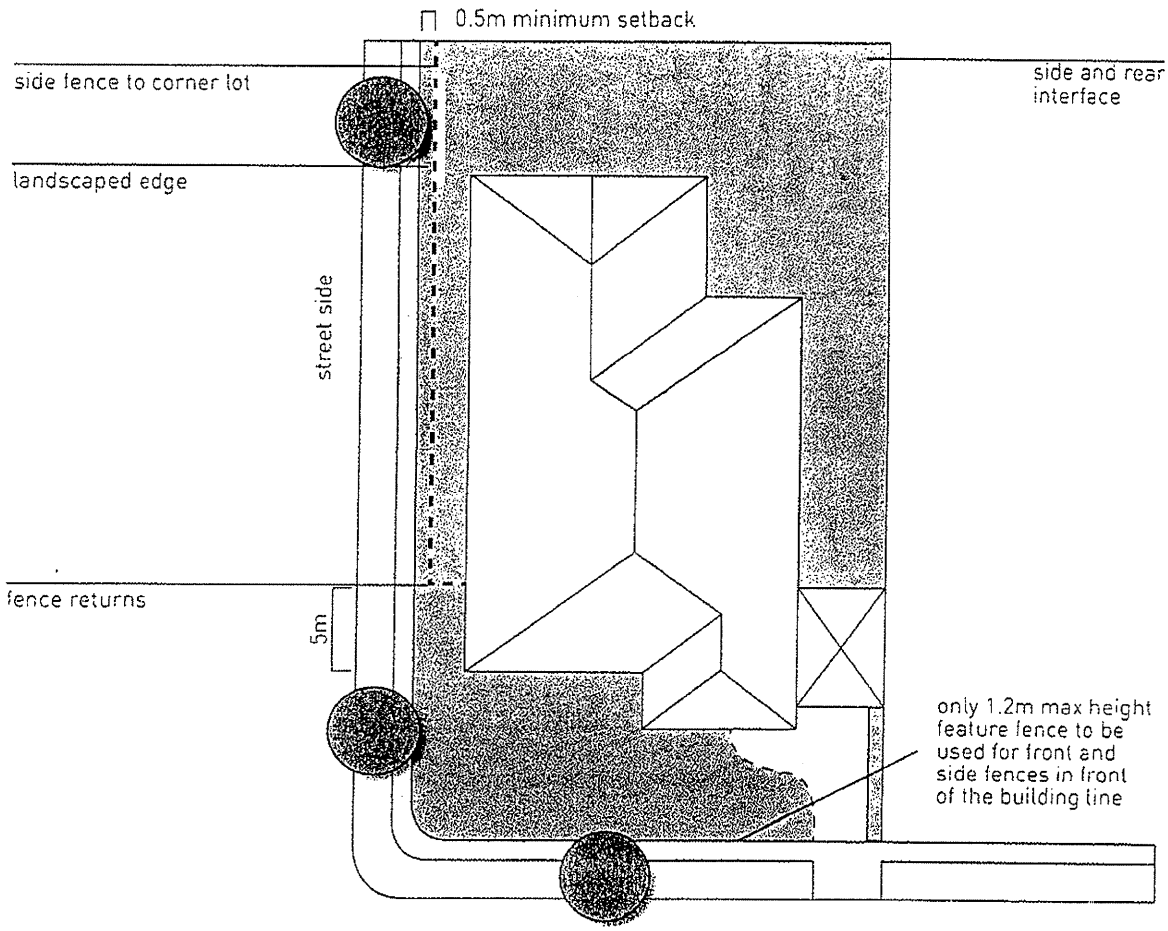
These requirements apply to both frontages of corner lots unless otherwise indicated on the UDC Plan.

7.2 Front fences

Front fences may only be erected between a dwelling and a street PROVIDED THAT such fences:

- have a maximum pier/post height of 1.3 metres and infill panel height of 1.2metres
- are constructed of timber, brick or masonry except that fences with metal posts, columns or piers and with metal tube or similar infill panels or pickets may be used provided the columns have a minimum width of 100 mm and all are in colours that compliment the front exterior of the dwelling.
- have a transparency ratio of at least 50% including piers, columns and bases, and are finished in a colour compatible with the house.
- panels are not constructed of colour bond or other sheet metal material.
- the construction of a front fence greater than 1.2 metres, (or 1.0 metres if solid masonry) requires development consent from Albany City Council

7.0 Fences



7.3 Side and rear fences

Side and rear fences **between** building lots, but not including boundaries facing public areas may be erected provided that such fences:

- are not erected forward of the front building face, including any side street, except for any front fences;
- have a height of between 1.5 metres and 1.8 metres;
- if constructed in colour bond, shall be capped and colour bonded both sides and coloured 'teatree'®, or similar.
- if constructed in timber, is to be painted or stained, with the dominant or main colour used being 'teatree'® or similar.

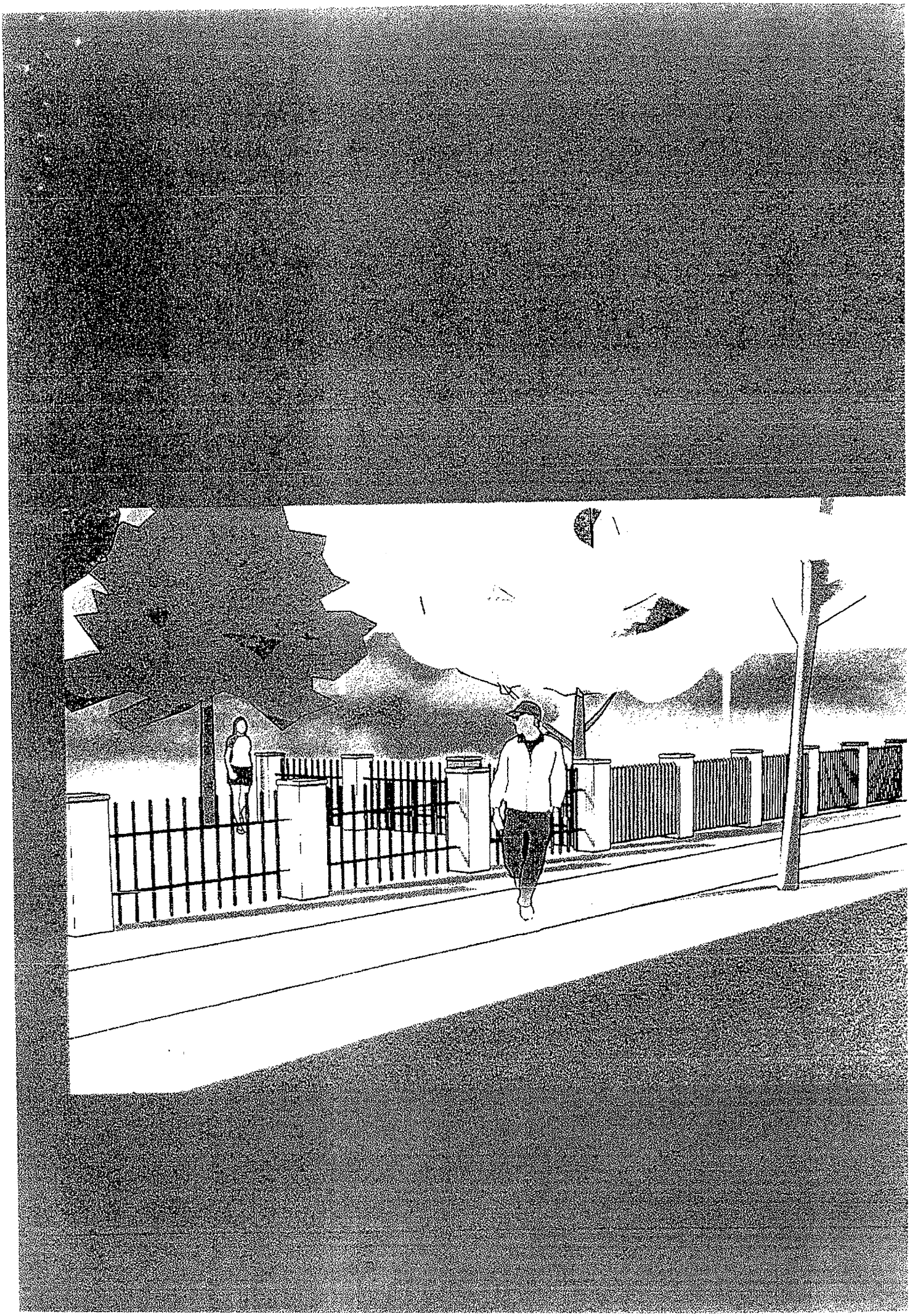
7.4 Side fences facing open space and side streets

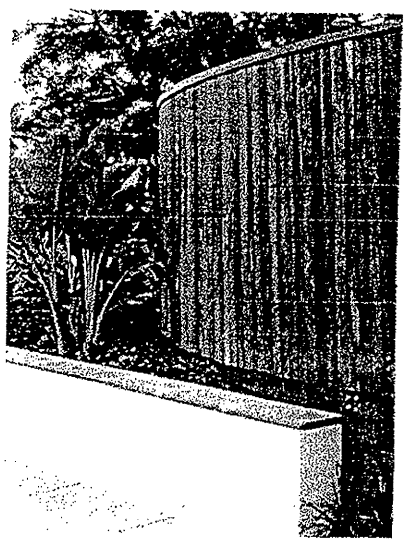
Where constructed, these fences shall be of the same design and materials as the front fence. A side fence of timber, brick, masonry or a "Neetascreen" ™ fence, coloured 'teatree'®, may be constructed provided:

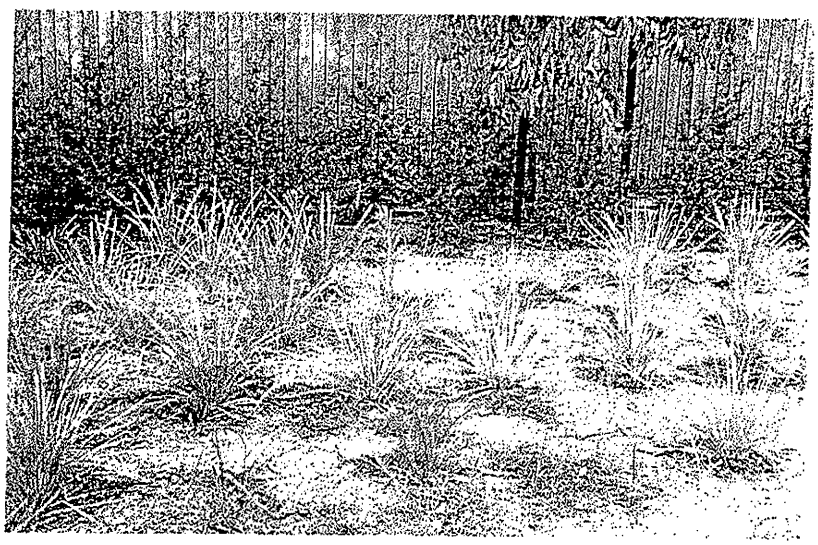
- It is more than 5.0 m behind the front building face, and
- It is constructed 0.5 metres behind the side street boundary to enable a landscaped edge between the footpath and the fence.
- Is not more than 1.5 m high with an optional additional 300 mm lattice extension. Columns to support the lattice must protrude 200mm abovethe top of the fence and the lattice is to include decorative capping.

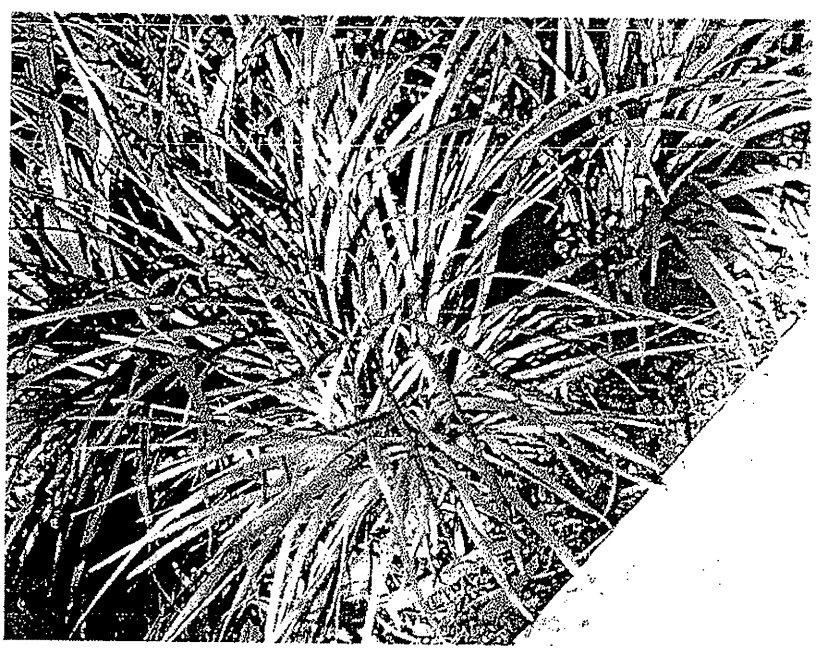
Where fences are provided by the developer, these shall not be removed or replaced except by a fence of the same material and design.

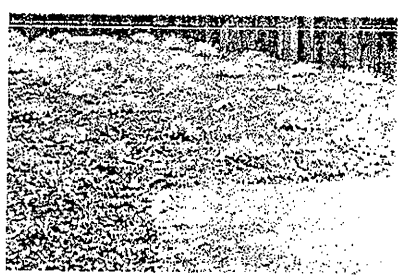
Special fencing provisions also relate to Lots 1- 6, 10 - 13, 27 - 29, and lots 41 - 44 inclusive.

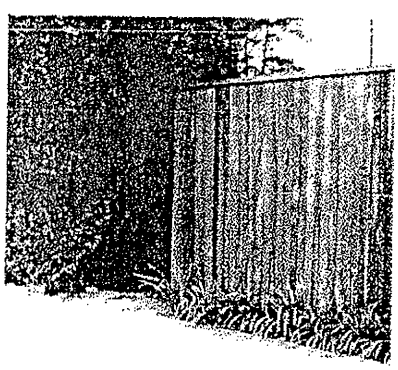












8.0 Landscape

8.1 General considerations

The front setback from the street alignment (the property boundary between the lot and the street) to the dwelling face is to be fully landscaped in the following manner:

- At least 50%-70% of the front garden should be comprised of mulched garden beds with indigenous and native plants species selected from the attached Landscape Guidelines for Mitchell Park. **The AWDC will provide $500 to assist with the purchase of these plants.**

- Up to a maximum of 30% of the area may be of lawn comprising grasses such as fescue, couch, creeping buffalo or Kentucky blue grass.

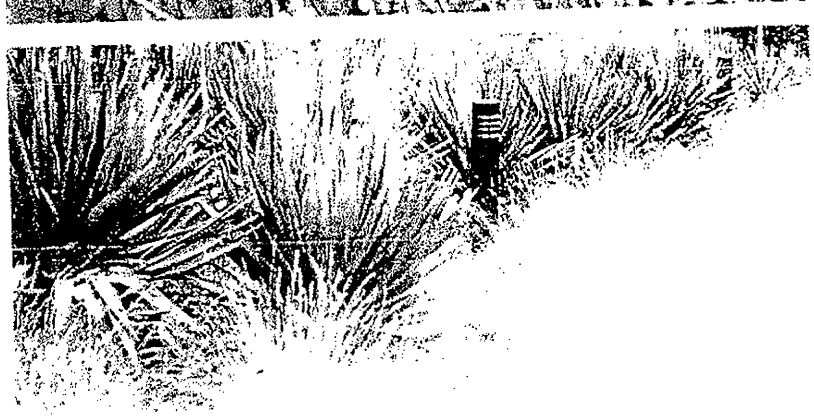
The garden design will require careful thought to ensure that the appropriate plants are selected for the particular lot conditions (size, slope, surrounding trees, shade, and sun).

Reference should also be made to the "Garden Guide for Albury-Wodonga" published by the Albury City Council.









9.0 Special Requirements – Estate Entry Lots

9.5 Special Fencing Requirements

A front fence must be provided on the street frontages of lots 1 - 6, 10 - 13, 27 - 29 inclusive and lots 41 - 44 inclusive, and must comply with these guidelines, and be completed within 3 months of the occupation of the house.

Front fencing

Where fences are provided by the Corporation, these shall not be removed or replaced except by a fence of the same materials and design.

All front fencing must be formed from rendered / bagged masonry or face brick piers, with metal tubing or timber slat infill. All fencing elements are to be painted or coloured to complement the colour of the house and are not to incorporate ornamentation.

Front fencing should have a transparency ratio of at least 50% including piers, columns and bases. Infill panels are not to protrude above the height of the masonry piers. Front fencing generally is to be in accordance with the following criteria:

- Coloured or painted according to Fencing Colour Palette.
- Fencing set back 0.5m from property boundary. Planting beds featuring indigenous species consistant with the entry wetland area will be provided by the Corporation. These should be maintained by the householder.
- Post/piers to be 1.3 metres above ground level (a base wall, height of 360mm, can be included).
- Pier dimensions = 360 x 360 x 1300mm high
- Post dimensions = 100 x 100 x 1300mm high
- Metal or timber infill height = 1.2 metres above ground level.
- Pier spacing = between 2000 to 3500 mm and to ensure even spread of piers

Side Fencing

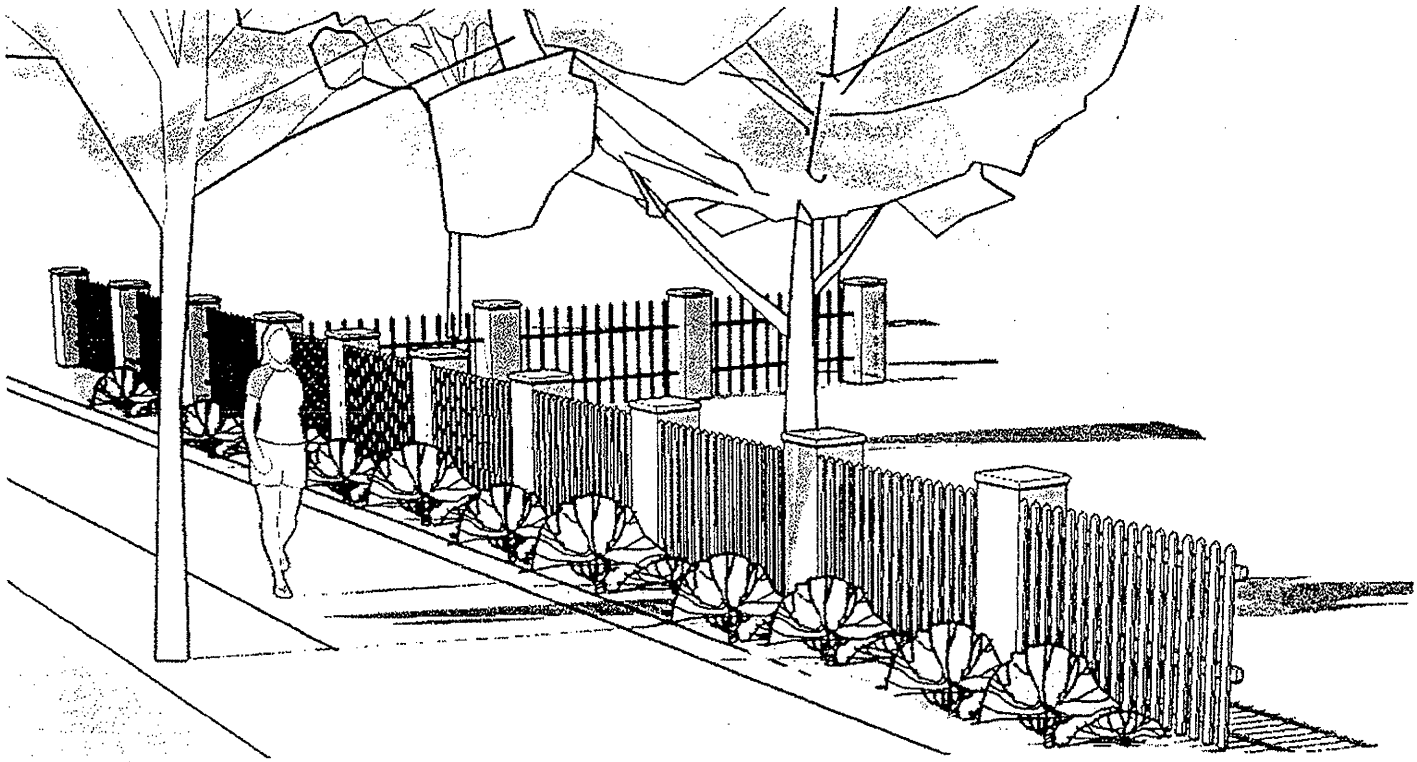
- Side fences to front area of the lot must be of the same material and design as the front fence.
- Side fences where constructed on Corner Lots, shall be of the same design and materials as the front fence and also set back 0.5m.

A side fence of timber, brick, masonry or a "Neetascreen" ™ fence coloured 'tea tree', may be constructed, provided:

- It is more than 5.0 m behind the front building set back line,
- It is setback 0.5 metres from the side street boundary to enable a landscaped edge between the footpath and the fence, and
- Is not more than 1.5 m high with an optional additional 300 mm lattice extension. Columns to support the lattice must protrude 200cm above the top of the fence and the lattice is to include decorative capping.

The Corporation will contribute $3,000 by payment of a rebate on completion of front fencing in accordance with agreed and approved design an standard lots, and $3,500 for corner lots. Applications for this rebate will close on 30 January 2007.

9.0 Special Requirements – Estate Entry Lots



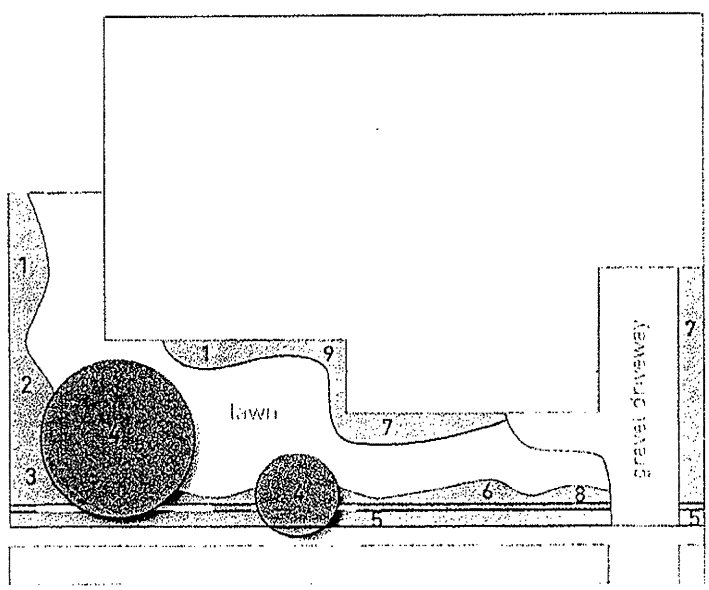
The front garden design shall include:

- Recommended plant species
- 50% vegetated mulched garden bed area
- A minimum of 2 trees
- Trees planted at a minimum of 1.5m height

The Corporation will contribute $1,000 by payment of a rebate on completion of works in accordance with an agreed and approved design for front landscaping on standard lots, and $1,500 for corner lots. Applications for this rebate will close on 30 January 2007.

Typical front garden plan (not to scale) using predominately native species

1 Correa 'Dusky Bells' at 500mm centres
2 Correa alba at 500mm centres
3 Westringea 'Jervis Gem' at 500mm centres
4 Eucalyptus 'Euckie Dwarf' 1500mm high
5 Dianella revoluta at 300mm centres in fence setback
6 Rhagodia spinescens at 300mm centres
7 Dietes grandflora at 300mm centres
8 Eriostemon myoporoides at 500mm centres
9 Dianella revoluta at 300mm centres



9.6 Fencing Colour Palatte

Colours are to be chosen from the following range. It is strongly suggested that colours reflect or are coordinated with those of the house.

If you are viewing this in black and white please contact AWDC for further information.

Piers, Posts and Infills

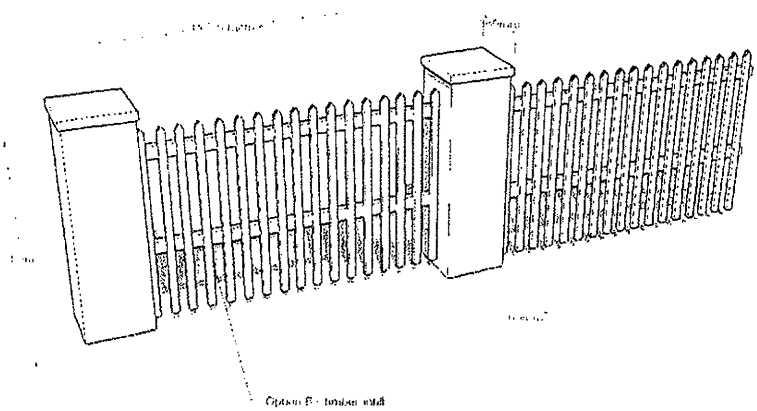


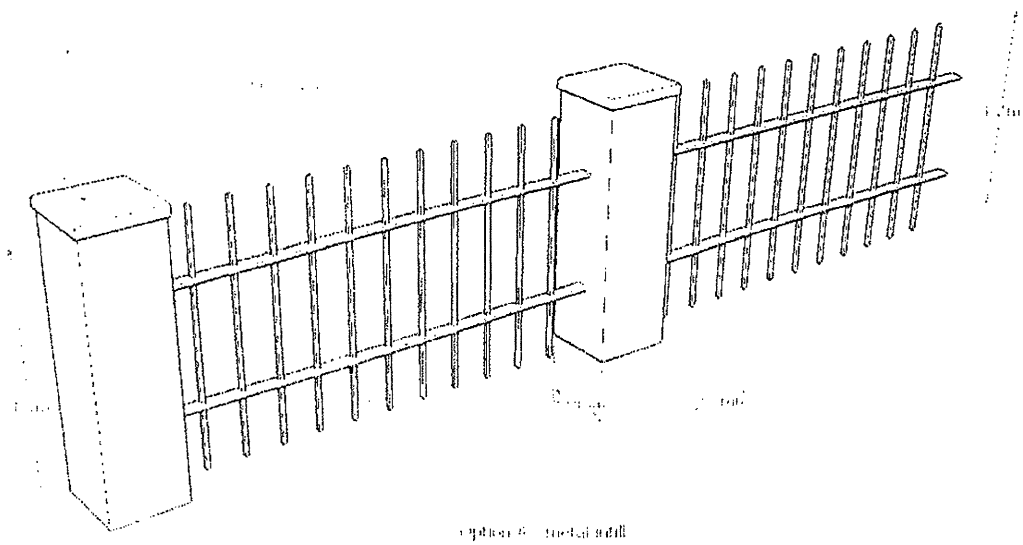








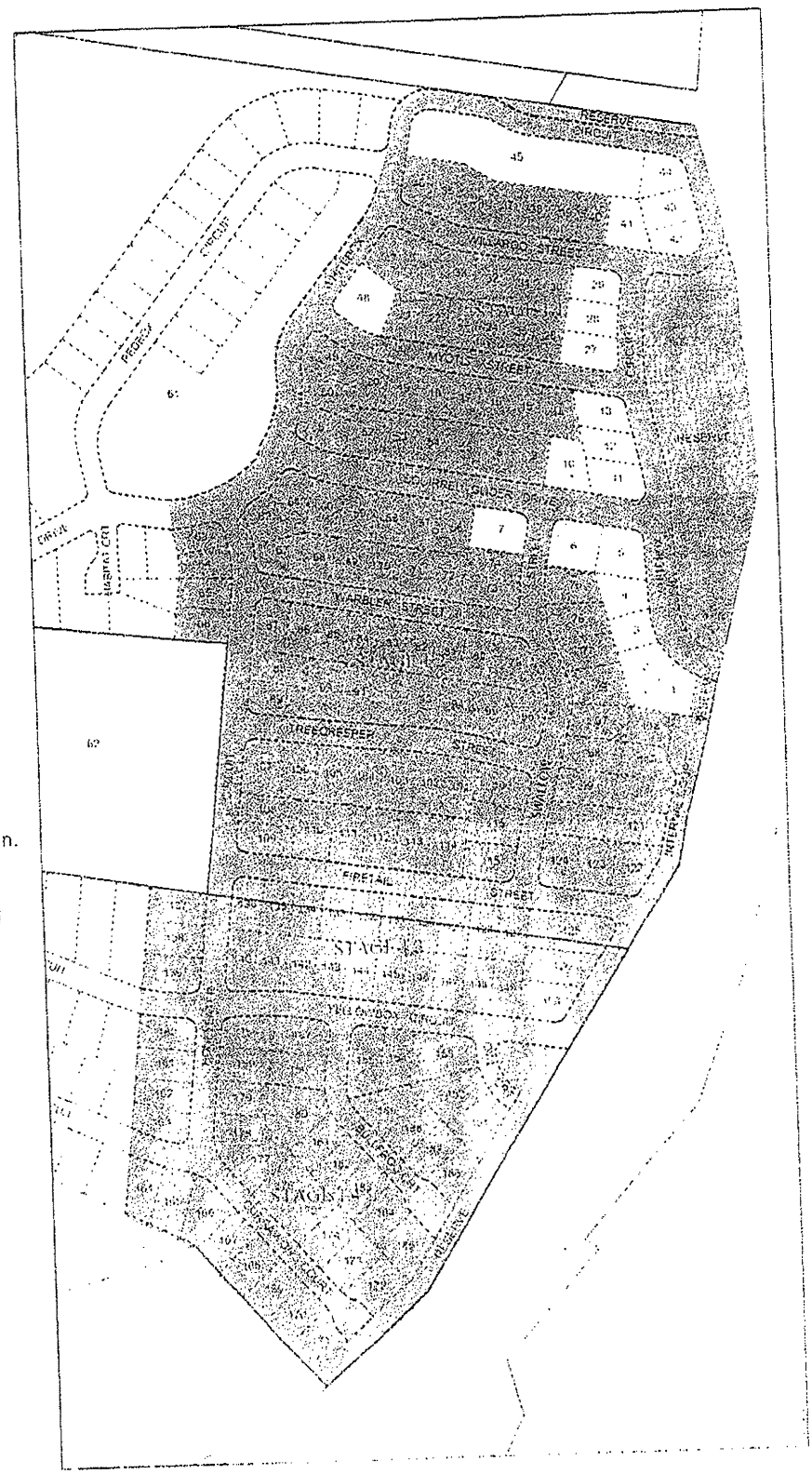




7.0 Special Requirements – Estate Entry Lots

9.1 Definition

Please note that Special Conditions will apply to the Estate Entry lots (Lots 1 - 7, 10 - 13, 27 - 29 and 41 - 44 inclusive), the integrated housing lot (Lot 45), and lots on which units (2 or more dwellings) may be erected (Lots 6, 7 and 48) - refer to the Plan for their location.



9.2 Built form

To assist in enhancing the entryway, two storey houses are:

- Strongly encouraged on lots 1, 2, 6, 13, 27, 29 and 42 to 43;
- Are required on lots 5 and 11.

9.3 Landscape and Fencing

To visually enhance the streetscape entryway and housing value, the property should be landscaped and fenced within 3 months of occupation.

To assist in this, the Corporation will contribute to the landscape and fencing costs, provided the designs are in accordance with the relevant guidelines and are consistant with the recomendations from 'Standard Landscape Guidelines: Mitchell Park' and the fencing requirements given below.

9.4 Special Landscaping Requirements

Plant species should be selected from the list included in the document 'Standard Landscape Guidelines: Mitchell Park', which recommends local species that generally have minimal need for water. The garden design should maximise the ability to absorb rainwater through the maximum use of grassed or vegetated areas, and pious paving.

10 Contact

Assistance

Staff of the Albury-Wodonga Development Corporation will provide assistance in the interpretation and application of these guidelines. It is important to discuss these guidelines with your architect or builder at the earliest instance, to ensure all parties know what is expected of them.



MITCHELL PARK

Urban Design Guidelines Summary

Background

The Albury-Wodonga Development Corporation offers the opportunity of a high quality lifestyle on its estates.

In an endeavour to achieve this quality, each lot in the Mitchell Park Estate will be sold subject to certain Urban Design Guidelines.

These provisions are in two parts:

- The interpretive Clauses referred to here as Urban Design Guidelines.
- The Urban Design Control Plan referred to here as the "UDC Plan"

Residents are encouraged to think about their living environment and how house design can impact on their quality of life and that of others.

Special Requirements

Some areas of Mitchell Park are subject to additional special requirements because of their important contribution to the overall character and quality of the development.

Urban Design Guideline Status

The guidelines are not a substitute for mandatory planning and building approvals, however they are provided to guide and assist the design decision making process.

The guidelines may be varied subject to certain principles.

Scope

The guidelines cover such areas as site layout and orientation, the presentation of your house and garden to the public streetscape, the built form of your house, fences and landscape treatments in the following sequence:

Design Philosophy
- The value of design
- Architecture (house design)
- Sustainable building design
- Environmental management

Site Layout & Orientation
- Land use
- Orientation
- Site coverage
- Dwelling size
- Side and rear setbacks
- Walls on boundary

Streetscape
- Neighbourhood character
- Street frontage
- Corner lots
- Front setbacks
- Garages and carports
- Driveways and paths
- Letter boxes

Built form
- Architecture
- Roof design
- Building height
- Colours
- External fixtures and features

Fences
- General requirements
- Front fences
- Side and rear fences
- Side fences facing open space and side streets

Landscape
- General considerations

Special Requirements, Estate Entry Lots
- Definition
- Built form
- Landscape and fencing
- Special landscaping requirements
- Special fencing requirements
- Fencing Colour Palette

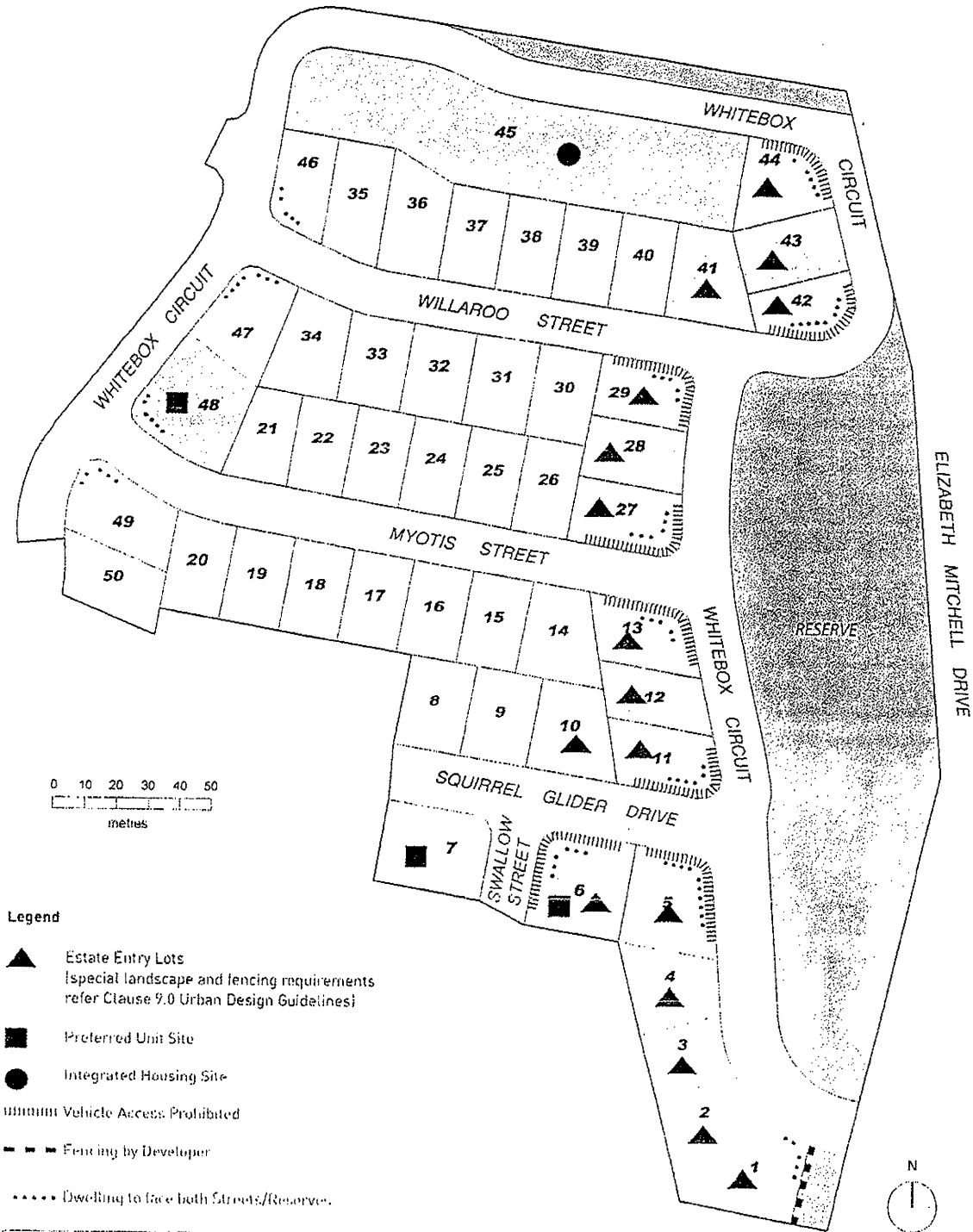
Assistance

Staff of the Albury-Wodonga Development Corporation will provide assistance in the interpretation and application of these guidelines. It is important to discuss these guidelines with your architect or builder at the earliest instance, to ensure all parties know what is expected of them.

Urban Design Control Plan

This is shown overleaf.

Mitchell Park Stage 1.1
Urban Design Control Plan



Legend

- Estate Entry Lots (special landscape and fencing requirements refer Clause 9.0 Urban Design Guidelines)
- Preferred Unit Site
- Integrated Housing Site
- Vehicle Access Prohibited
- Fencing by Developer
- Dwelling to face both Streets/Reserves

Plan No	TH3/032
CEO	
Principal Planner	
Date	

AlburyCity

Parcel Number: 43278
Your Reference: 5444 Strelec

PLANNING CERTIFICATE

Section 10.7(2)
Certificate Number: 34246
Date Issued: 31/01/2022

Shellie Graham
448 Swift Street
ALBURY NSW 2640

Subject Land
LOT: 55 DP: 1092987
16 Squirrel Glider Drive THURGOONA NSW 2640

Owner's Details
S J Strelec & C M Strelec
16 Squirrel Glider Drive
THURGOONA NSW 2640

1. Names of relevant planning instruments and DCPs
The name of:

(1)	each environmental planning instrument that applies to the carrying out of development on the land.	**Albury Local Environmental Plan 2010 (Gazetted 13/8/2010)** The consolidated *Albury Local Environmental Plan 2010* is the principal statutory planning document prepared by Council to guide planning decisions for the Albury Local Government area. An electronic version is available at: www.alburycity.nsw.gov.au **State Environmental Planning Policies** – Refer to Appendix 'B'
(2)	each proposed environmental planning instrument that will apply to the carrying out of development on the land and that is or has been the subject of community consultation or on public exhibition under the Act (unless the Planning Secretary has notified the council that the making of the proposed instrument has been deferred indefinitely or has not been approved).	None apply
(3)	each development control plan that applies to the carrying out of development on the land.	**Albury Development Control Plan 2010 (Adopted 13/08/2010)** The *Albury Development Control Plan 2010* contains detailed planning controls that set out the guidelines and considerations against which development proposals can be consistently measured and assessed for determination purposes for the Albury Local Government Area. An electronic version is available at: www.alburycity.nsw.gov.au
Note: In this clause, proposed environmental planning instrument includes a planning proposal for a LEP or a draft environmental planning instrument.		

T 02 6023 8111
F 02 6023 8190
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553 Kiewa Street
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2. Zoning and land use under relevant LEPs

For each environmental planning instrument or proposed instrument referred to in clause 1 (other than a SEPP or proposed SEPP) that includes the land in any zone (however described):

(a)	the identity of the zone, whether by reference to a name (such as "Residential Zone" or "Heritage Area") or by reference to a number (such as "Zone No 2 (a)"),	***R1 - General Residential Zone***
(b)	the purposes for which the instrument provides that development may be carried out within the zone without the need for development consent,	Refer to Appendix 'A'
(c)	the purposes for which the instrument provides that development may not be carried out within the zone except with development consent,	All development (construction and/or use) in this zone requires approval (development consent or complying development certificate) unless it is prohibited or, if listed as Exempt Development in State Environmental Planning Policy (Exempt & Complying Development Codes) 2008 or where relevant in Clause 3.1 of Albury LEP 2010 (Refer to Appendix A) The demolition of all houses and most buildings or structures on the land require development consent unless it is Exempt Development.
(d)	the purposes for which the instrument provides that development is prohibited within the zone,	Refer to Appendix 'A'
(e)	whether any development standards applying to the land fix minimum land dimensions for the erection of a dwelling-house on the land and, if so, the minimum land dimensions so fixed,	This land is subject to the planning provisions of clause 4.1-Minimum Subdivision Lot Size of the Albury Local Environment Plan 2010 and the relevant requirements of the Albury Development Control Plan 2010.
(f)	whether the land includes or comprises critical habitat	None apply
(g)	whether the land is in a conservation area (however described),	None apply
(h)	whether an item of environmental heritage (however described) is situated on the land.	None apply

2A. Zoning and land use under State Environmental Planning Policy (Sydney Region Growth Centres) 2006

To the extent that the land is within any zone (however described) under:

(a)	Part 3 of the *State Environmental Planning Policy (Sydney Region Growth Centres) 2006* (the 2006 SEPP), or	None apply
(b)	a Precinct Plan (within the meaning of the 2006 SEPP),	None apply
(c)	a proposed Precinct Plan that is or has been the subject of community consultation or on public exhibition under the Act,	None apply
the particulars referred to in clause 2 (a)-(h) in relation to that land (with a reference to "the instrument" in any of those paragraphs being read as a reference to Part 3 of the 2006 SEPP, or the Precinct Plan or proposed Precinct Plan, as the case requires).		

3. Complying development

(1)	The extent to which the land is land on which complying development may be carried out under each of the codes for complying development	**Housing Code** Complying Development may be carried out on the land under the Housing Code, subject to the

T 02 6023 8111
F 02 6023 8190
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	because of the provisions of clauses 1.17A (1) (c) to (e), (2), (3) and (4), 1.18 (1) (c3) and 1.19 of *State Environmental Planning Policy (Exempt and Complying Development codes) 2008.*	development complying with the relevant standards contained within the State Environmental Planning Policy (Exempt and Complying Development Codes) 2008. **Rural Housing Code** Complying Development may not be carried out under the Rural Housing Code as the subject land falls within a Local Environmental Plan zone that does not meet the requirements of the code. **Low Rise Housing Diversity Code** Complying Development may be carried out on the land under the Low Rise Housing Diversity Code, subject to the development complying with the relevant standards contained within the State Environmental Planning Policy (Exempt and Complying Development Codes) 2008. **Greenfield Housing Code** Complying Development may not be carried out under the Greenfield Housing Code as the subject land is not within the designated Greenfield Housing Code Area. **Inland Code** Complying Development may be carried out on the land under the Inland Code, subject to the development complying with the relevant standards contained within the State Environmental Planning Policy (Exempt and Complying Development Codes) 2008. **Housing Alterations Code** Complying Development may be carried out on the land under the Housing Alterations Code, subject to the development complying with the relevant standards contained within the State Environmental Planning Policy (Exempt and Complying Development Codes) 2008. **General Development Code** Complying Development may be carried out on the land under the General Development Code, subject to the development complying with the relevant standards contained within the State Environmental Planning Policy (Exempt and Complying Development Codes) 2008. **Demolition Code** Complying Development may be carried out on the land under the Demolition Code, subject to the development complying with the relevant standards contained within the State Environmental Planning Policy (Exempt and Complying Development Codes) 2008. **Commercial and Industrial Alterations Code** Complying Development may be carried out on the land under the Commercial and Industrial Alterations Code, subject to the development complying with the relevant standards contained within the State Environmental Planning Policy (Exempt and Complying Development Codes)
(2)	The extent to which complying development may not be carried out on that land because of the provisions of clauses 1.17A (1) (c) to (e), (2), (3) and (4), 1.18 (1) (c3) and 1.19 of that Policy and the reasons why it may not be carried out under those clauses.	
(3)	If the council does not have sufficient information to ascertain the extend to which complying development may or may not be carried out on the land, a statement that a restriction applies to the land, but it may not apply to all of the land, and that council does not have sufficient information to ascertain the extent to which complying development may or may not be carried out on the land.	

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	2008. **Container Recycling Facilities Code** Complying Development may not be carried out under the Container Recycling Facilities Code as the subject land falls within a Local Environmental Plan zone that does not meet the requirements of the code. **Subdivision Code** Complying Development may be carried out on the land under the Subdivision Code, subject to the development complying with the relevant standards contained within the State Environmental Planning Policy (Exempt and Complying Development Codes) 2008. **Commercial and Industrial (New Building and Additions) Code** Complying Development may not be carried out under the Commercial & Industrial (New Buildings and Additions) Code as the subject land falls within a Local Environmental Plan zone that does not meet the requirements of the code. **Fire Safety Code** Complying Development may be carried out on the land under the Fire Safety Code, subject to the development complying with the relevant standards contained within the State Environmental Planning Policy (Exempt and Complying Development Codes) 2008.
Disclaimer: This certificate only addresses matters raised in Clause 1.19 of the Codes SEPP. It is your responsibility to ensure that you comply with any other requirements of the Codes SEPP. Failure to comply with these provisions may mean that a Complying Development Certificate issued under the provisions of the Codes SEPP could be invalidated by the Land and Environment Court.	

4B. Annual charges under Local Government Act 1993 for coastal protection services that relate to existing coastal protection works

In relation to a coastal council – whether the owner (or any previous owner) of the land has consented in writing to the land being subject to annual charges under section 496B of the *Local Government Act 1993* for coastal protection services that relate to existing coastal protection works (within the meaning of section 553B of that Act).	None apply
Note: "Existing coastal protection works" are works to reduce the impact of coastal hazards on land (such as seawalls, revetments, groynes and beach nourishment) that existed before the commencement of section 553B of the *Local Government Act 1993.*	

5. Mine subsidence

Whether or not the land is proclaimed to be a mine subsidence district within the meaning of the *Coal Mine Subsidence Compensation Act 2017.*	This land is not proclaimed to be a mine subsidence district within the meaning of the *Coal Mine Subsidence Compensation Act 2017.*

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F 02 6023 8190
info@alburycity.nsw.gov.au
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6. Road widening and road realignment

Whether or not the land is affected by any road widening or road realignment under:

(a) (b) (c)	Division 2 of Part 3 of the *Roads Act 1993*, or any environmental planning instrument, or any resolution of the council.	The land is not in close proximity to the ring road. The land is not affected by road widening or road re-alignment under Divison 2 or Part 3 of the Roads Act 1993 or a resolution by AlburyCity Council.

7. Council and other public authority policies on hazard risk restrictions

Whether or not the land is affected by a policy:

(a) adopted by the council, or

(b) adopted by any other public authority and notified to the council for the express purpose of its adoption by that authority being referred to in planning certificates issued by the council,

that restricts the development of the land because of the likelihood of land slip, bushfire, tidal inundation, subsidence, acid sulphate soils or any other risk (other than flooding).

None apply

7A. Flood related development controls information

(1) If the land or part of the land is within the flood planning area and subject to flood related development controls.

(2) If the land or part of the land is between the flood planning area and the probable maximum flood and subject to flood related development controls.

None apply

(3)	In this clause - ***flood planning area*** has the same meaning as 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 ***probable maximum flood*** has the same meaning as in the Floodplain Development Manual.	None apply

8. Land reserved for acquisition

Whether or not any environmental planning instrument, or proposed environmental planning instrument referred to in clause 1 makes provision in relation to the acquisition of the land by a public authority, as referred to in section 3.15 of the Act.	None apply

9. Contributions plans

The name of each contribution plan applying to the land.

Section 94 Development Servicing Plan, March 2005 as amended
This plan details charges to be levied on development, lodged prior to 30 June 2014.

Section 64 Development Servicing Plan, July 2004 as amended
This plan details charges to be levied on development, lodged prior to 30 June 2014.

Albury Infrastructure Contributions Plan 2014
This plan details the Local Infrastructure Contributions, including Section 64 contributions, Section 7.11 (formerly Section 94) contributions or Section 7.12 (formerly Section 94A contributions), to be levied on development and complying development lodged from 1 July 2014, to meet the cost of new and upgraded Local Infrastructure, Water and Wastewater Management Works.

The *Albury Infrastructure Contributions Plan 2014* is available to view on Council's website: www.alburycity.nsw.gov.au

9A. Biodiversity certified land

If the land is biodiversity certified land under Part 8 of the *Biodiversity Conservation Act 2016*, a statement to that effect.

Yes, applies. The Minister of Climate Change and the Environment has by Order Conferring biodiversity

certification on the Albury Local Environmental Plan 2010 (except where amended by Biodiversity Certification of Environmental Planning Instruments Order 2017 dated 21 November 2017) conferred Biodiversity Certification on the subject land on 16 February 2011. Biodiversity Certification takes effect from the date of publication of this Order in the Government Gazette, being 25 February 2011, and shall remain in force for a period of 10 years from that date.
Note: Biodiversity certified land includes land certified under Part 7AA of the *Threatened Species Conservation Act 1995* that is taken to be certified under Part 8 of the *Biodiversity Conservation Act 2016.*

10. Biodiversity stewardship sites

If the land is biodiversity stewardship site under the biodiversity stewardship agreement under Part 5 of the *Biodiversity Conservation Act 2016*, a statement to that effect (but only if the council has been notified of the existence of the agreement by the Chief Executive of the Office of Environment and Heritage).	None that Council is aware of.
Note: Biodiversity stewardship agreements include biobanking agreements under Part 7A of the *Threatened Species Conservation Act 1995* that are taken to be biodiversity stewardship agreements under Part 5 of the *Biodiversity Conservation Act 2016.*	

10A. Native vegetation clearing set asides

If the land contains a set aside area under section 60ZC of the *Local Land Services Act 2013,* a statement to that effect (but only if the council has been notified of the existence of the set aside area by Local Land Services or it is registered in the public register under that section).	None that Council is aware of.

11. Bush fire prone land

If any of the land is bush fire prone land (as defined in the Act), a statement that all or, as the case may be, some of the land is bush fire prone land. If none of the land is bush fire prone land, a statement to that effect.	None apply

12. Property vegetation plans

If the land is land to which a property vegetation plan under Part 4 of the *Native Vegetation Act 2003* (and that continues in force) applies, a statement to that effect (but only if the council has been notified of the existence of the plan by the person or body that approved the plan under that Act).	None apply

13. Orders under *Trees (Disputes Between Neighbours) Act 2006*

Whether an order has been made under the *Trees (Disputes Between Neighbours) Act 2006* to carry out work in relation to a tree on the land (but only if the council has been notified of the order).	None that Council is aware of.

14. Directions under Part 3A

If there is a direction by the Minister in force under section 75P(2)(c1) of the Act that a provision of an environmental planning instrument prohibiting or restricting the carrying out of a project or a stage of a project on the land under Part 4 of the Act does not have effect, a statement to that effect identifying the provision that does not have effect.	None apply

15. Site compatibility certificates and conditions for seniors housing

If the land is land to which *State Environmental Planning Policy (Housing for Senior or People with a Disability) 2004* applies: (a) a statement of whether there is a current site compatibility certificate (seniors housing), of which the council is aware, in respect of proposed development on the land and, if there is a certificate, the statement is to include: (i) the period for which the certificate is current, and (ii) that a copy may be obtained from the head office of the Department, and (b) a statement setting out any terms of a kind referred to in clause 18(2) of that Policy that have been imposed as a condition of consent to a development	None apply

application granted after 11 October 2007 in respect of the land.	

16. Site compatibility certificates for infrastructure, schools or TAFE establishments

A statement of whether there is a valid site compatibility certificate (infrastructure) or site compatibility certificate (schools or TAFE establishments), of which the council is aware, in respect of proposed development on the land and, if there is a certificate, the statement is to include: (a) the period for which the certificate is valid, and (b) that a copy may be obtained from the head office of the Department.	None that Council is aware of.

17. Site compatibility certificates and conditions for affordable rental housing

(1) A statement of whether there is a current site compatibility certificate (affordable rental housing), of which the council is aware, in respect of proposed development on the land and, if there is a certificate, the statement is to include: (a) the period for which the certificate is current, and (b) that a copy may be obtained from the head office of the Department. (2) A statement setting out any terms of a kind referred to in clause 17(1) or 38(1) of *State Environmental Planning Policy (Affordable Rental Housing) 2009* that have been imposed as a condition of consent to a development application in respect of the land.	None that Council is aware of.

18. Paper subdivision information

(1) The name of any development plan adopted by a relevant authority that applies to the land or that is proposed to be subject to a consent ballot. (2) The date of any subdivision order that applies to the land. (3) Words and expressions used in this clause have the same meaning as they have in Part 16C of this Regulation.	None apply

19. Site verification certificates

A statement of whether there is a current site verification certificate, of which the council is aware, in respect of the land and, if there is a certificate, the statement is to include: (a) the matter certified by the certificate, and **Note:** A site verification certificate sets out the Planning Secretary's opinion as to whether the land concerned is or is not biophysical strategic agricultural land or critical industry cluster land – see Division 3 of Part 4AA of *State Environmental Planning Policy (Mining Petroleum Production and Extractive Industries) 2007*. (b) the date on which the certificate ceases to be current (if any) and (c) that a copy may be obtained from the head office of the Department.	None that Council is aware of.

20. Loose-fill asbestos insulation

If the land includes any residential premises (within the meaning of Division 1A of Part 8 of the *Home Building Act 1989*) that are listed on the Register that is required to be maintained under that Division, a statement to that effect.

None apply

Information regarding loose-fill asbestos insulation

Some residential homes located in the AlburyCity area have been identified as containing loose-fill asbestos insulation, for example in the roof space. NSW Fair Trading maintains the Register of homes that are affected by loose-fill asbestos insulation.

You should make your own enquiries as to the age of the buildings on the land to which this certificate relates and, if it contains a building constructed prior to 1980, the Council strongly recommends that any potential purchaser obtain advice from a licensed asbestos assessor to determine whether loose-fill asbestos is present in any building on the land and, if so, health risks (if any) this may pose for the building's occupants.

Contact NSW Fair Trading for further information.

21. Affected building notices and building product rectification orders

(1)	A statement of whether there is any affected building notice of which the council is aware that is in force in respect of the land.	None that Council is aware of.
(2)	A statement of: (a) whether there is any building product rectification order of which the council is aware that is in force in respect of the land and has not been fully complied with, and (b) whether any notice of intention to make a building product rectification order of which the council is aware has been given in respect of the land and is outstanding.	
(3)	In this clause: ***affected building notice*** has the same meaning as in Part 4 of the *Building Products (Safety) Act 2017.* ***building product rectification order*** has the same meaning as in the *Building Products (Safety) Act 2017.*	

Note: The following matters are prescribed by section 59 (2) of the *Contaminated Land Management Act 1997* as additional matters to be specified in a planning certificate.

(a)	that the land to which the certificate relates is significantly contaminated land within the meaning of that Act-if the land (or part of the land) is significantly contaminated land at the date when the certificate is issued,	None apply
(b)	that the land to which the certificate relates is subject to a management order within the meaning of that Act-if it is subject to such an order at the date when the certificate is issued,	None apply
(c)	that the land to which the certificate relates is the subject of an approved voluntary management proposal within the meaning of that Act-if it is the subject of such an approved proposal at the date when the certificate is issued,	None apply
(d)	that the land to which the certificate relates is subject to an ongoing maintenance order within the meaning of that Act-if it is subject to such an order at the date when the certificate is issued,	None apply
(e)	that the land to which the certificate relates is the subject of a site audit statement within the meaning of that Act-if a copy of such a statement has been provided at any time to the local authority issuing the certificate.	None apply
Contaminated Land: The council has adopted by resolution a policy on contaminated land which may restrict the development of the land. This policy is implemented when zoning or land use changes are proposed on lands which have previously been used for certain purposes. Consideration of council's adopted policy and the application of provisions under relevant State legislation is warranted.		

NOTATIONS:

Threatened Species
None apply

Other Development Constraints
None apply

T 02 6023 8111
F 02 6023 8190
info@alburycity.nsw.gov.au
alburycity.nsw.gov.au

PO Box 323
553 Kiewa Street
Albury NSW 2640
ABN 92 965 474 349

AlburyCity

GENERAL COMMENTS
See Appendix A for the objectives of the zones affecting the subject land.

Planning Instruments and the *Albury Development Control Plan 2010* impose various restrictions on the use of the land which are not attributable to the zoning or reservation of the land.

Albury Development Control Plan 2010 complements the provisions *of Albury Local Environmental Plan 2010* and contains the detailed planning provisions relating to development standards and guidelines which will be considered by Council when assessing a development application.

The above information has been taken from the Council's records but Council cannot accept responsibility for any omission or inaccuracy.

The provisions of any covenant, agreement or instrument applying to this land purporting to restrict or prohibit certain development may be inconsistent with the provisions of a *Regional Environmental Plan*, *State Environmental Planning Policy, Albury Local Environmental Plan 2010* or *Albury Development Control Plan 2010*. In these circumstances any such covenant, agreement or instrument may be overwritten under clause 1.9A of the *Albury Local Environmental Plan 2010*.

David Christy
Service Leader City Development
Infrastructure, Planning and Environment

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