



# Planning Proposal

## Rezoning to Industrial 1 Zone

### Willowbank, South Albury

October 2012

**habitatplanning**  
town planning | urban design

Suite 1, 622 Macauley Street  
ALBURY NSW 2640  
t 02 6021 0662 | f 02 6021 0663  
e [habitat@habitatplanning.com.au](mailto:habitat@habitatplanning.com.au)

[www.habitatplanning.com.au](http://www.habitatplanning.com.au)

**Prepared for**

M Riccardi

Willowbank Road  
SOUTH ALBURY NSW 2640

**habitatplanning**  
town planning | urban design

Suite 1 / 622 Macauley Street  
ALBURY NSW 2640

Phone: 02 6021 0662

Fax: 02 6021 0663

[habitat@habitatplanning.com.au](mailto:habitat@habitatplanning.com.au)

[www.habitatplanning.com.au](http://www.habitatplanning.com.au)



Member – NSW Consulting Planners



**Document Control**

| Version | Date     |                         | Author | Reviewed | Approved |
|---------|----------|-------------------------|--------|----------|----------|
| A       | 17/10/11 | Draft for client review | TOB    | WH       | WH       |
| B       | 24/01/12 | Final                   | TOB    | WH       | WH       |
| C       | 29/06/12 | Final                   | DH     | WH       | WH       |
| D       | 26/10/12 | Revised Final           | DH     | WH       | WH       |

© 2012 Habitat Planning

The information contained in this document produced by Habitat Planning is solely for the use of the person or organisation for which it has been prepared and Habitat Planning undertakes no duty to or accepts any responsibility to any third party who may rely upon this document.

All rights reserved. No section or element of this document may be removed from this document, reproduced, electronically stored or transmitted in any form without the written permission of Habitat Planning.

## CONTENTS

|     |                                                    |    |
|-----|----------------------------------------------------|----|
| 1.  | INTRODUCTION .....                                 | 1  |
| 1.1 | BACKGROUND.....                                    | 2  |
| 2.  | INTENDED OUTCOMES .....                            | 4  |
| 3.  | EXPLANATION OF THE PROVISIONS .....                | 4  |
| 4.  | JUSTIFICATION .....                                | 4  |
| 4.1 | NEED FOR THE PLANNING PROPOSAL .....               | 4  |
| 4.2 | RELATIONSHIP TO STRATEGIC PLANNING FRAMEWORK ..... | 10 |
| 4.3 | ENVIRONMENTAL, SOCIAL & ECONOMIC IMPACT .....      | 38 |
| 4.4 | STATE & COMMONWEALTH INTERESTS.....                | 39 |
| 5   | COMMUNITY CONSULTATION.....                        | 40 |
| 6   | CONCLUSION .....                                   | 40 |

## APPENDICES

- A. POTENTIAL SUBDIVISION LAYOUT
- B. PRELIMINARY GROUNDWATER LEVEL ASSESSMENT
- C. TRAFFIC IMPACT ASSESSMENT REPORT
- D. DRAFT MURRAY RIVER FLOOD STUDY EXTRACT AND CONTOUR LEVELS
- E. DRAFT MURRAY REGIONAL STRATEGY – SUSTAINABILITY ASSESSMENT

## 1. INTRODUCTION

This is a Planning Proposal relating to a parcel of land in Willowbank Road, South Albury (see Figure 1). The subject land is described as Lot 156 DP 753326, Lot 2 DP 999814 and Lot 37 DP 1007315 (see Figure 2).

The Planning Proposal seeks to change the zoning of the subject land to rezone that part of the site which is located north of the levee bank from RU2 Rural Landscape to IN1 General Industrial (see Figure 3 for extent of land to be rezoned).

The Planning Proposal has been prepared in accordance with the Department of Planning's *A Guide to Preparing Planning Proposals* ("the Guide") and other information specified in Council's correspondence dated 9<sup>th</sup> December 2010.

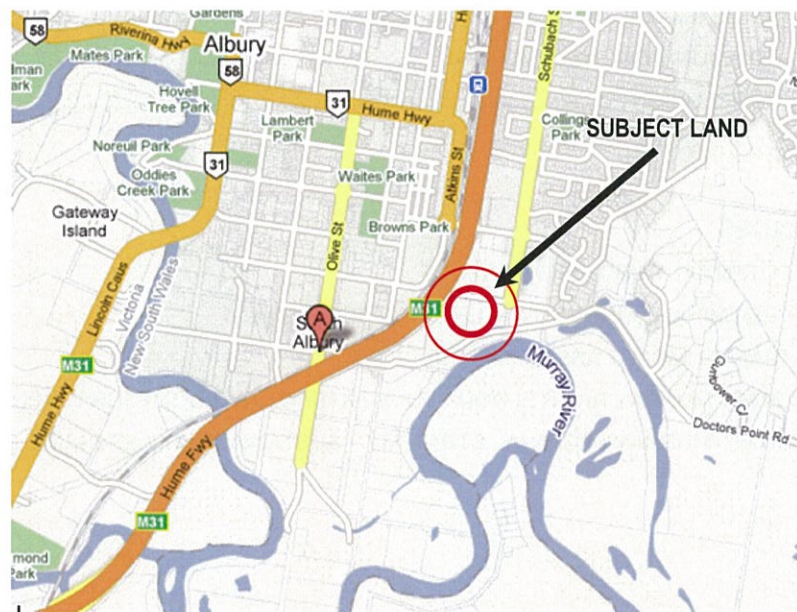


Figure 1 – Location of subject land within the context of Albury (Source: Google Maps)

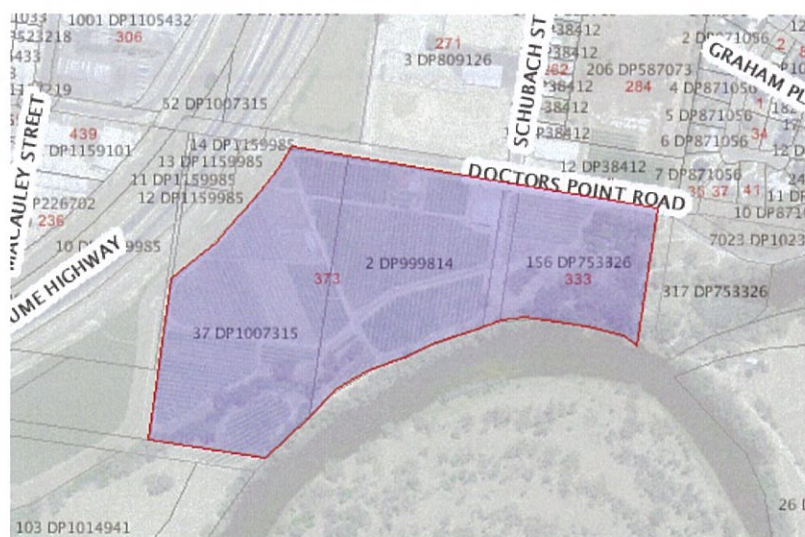


Figure 2 –Subject land (Source: Six Viewer)



Figure 3 –Extent of land to be rezoned (Source: Six Viewer)

### 1.1 Background

The subject land was purchased as industrial land by the Riccardi family in the mid-1960's and was inadvertently back-zoned in 1995 from an industrial zone (see Figure 4) to environment protection without the landowners consent or knowledge. In 2005 a portion in of the subject land in the north-western corner was acquired from the landowners by the RTA for the purposes of the new freeway. The zoning history of the subject land is as follows.

**Albury Local Environmental Plan No. 8** was gazetted in mid-1982 and applied the following zones to the subject land (see Figure 4):

- majority Industrial 4(a) - being that land north of the licensed flood levee
- river frontage strip Reservation Local Open Space 9(c)
- north-western corner included in Zone 9(a) Reservations Proposed Arterial Roads (this is the section later acquired by the RTA)

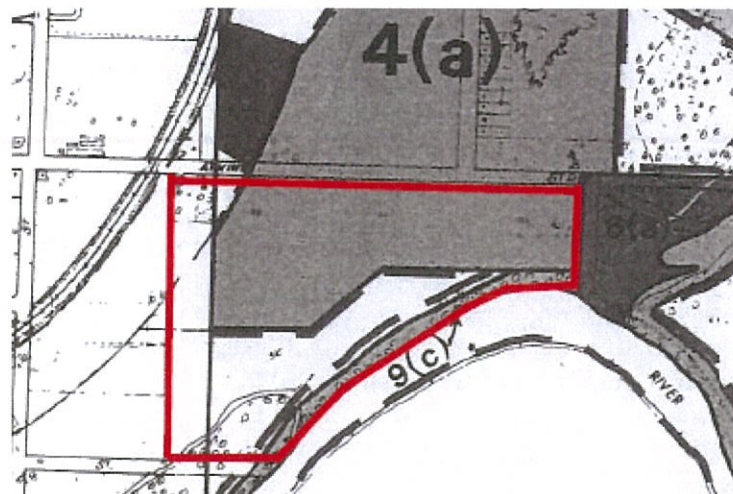


Figure 4 – Extract from LEP 8 map showing the 4(a) industrial zoning over the subject land until 1996. The red outline applies to the whole of the subject property.

- the portion south of the levee bank was within Albury and Hume Designated Area Local Environmental Plan No.1

**Albury Local Environmental Plan 1995** was gazetted on 4<sup>th</sup> April 1996. Under this LEP, the subject land was zoned as follows:

- majority Environment Protection
- river frontage strip Open Space
- north-western corner included in Reservation (Proposed Arterial Road), which was later acquired by the RTA

The Environment Protection zoning applied to that part of the subject land north of the flood levee appears to have been made in error in 1995 and without the knowledge of the landowner. In the absence of any evidence to the contrary, it seems a mapping error occurred in the preparation of the Albury LEP 1995 that inadvertently back zoned flood protected urban land to a rural zone. At the time of purchase by the Riccardi family, the flood protected land was zoned Industrial 4(a) as shown in Figure 4 above.

**Albury Local Environmental Plan 2000** was gazetted on 28<sup>th</sup> July 2000. This LEP was largely a review of the 1995 instrument and did not implement any major changes across the city. Under this LEP, the subject land was zoned as follows:

- majority Environment Protection
- river frontage strip Open Space
- north-western corner National Highway (this is the section acquired by the RTA)

**Albury Local Environmental Plan 2010** was gazetted on 13<sup>th</sup> August 2010 and applied the following zones to the land:

- majority RU2 Rural Landscape
- river frontage strip of RE1 Public Recreation

During the exhibition of the draft Albury LEP 2010, a submission was made on behalf of the landowner outlining the above history and requesting that the zoning error made in 1996 be rectified as part of the new LEP. This submission was considered by Council prior to the adoption of the draft LEP, but Council declined to rezone the site as part of the new LEP, claiming that the RU2 zone was a reasonable change to the existing zone, having regard to the horticultural use of the site. However, Council further resolved that:

*Further discussions be initiated with the land owner to facilitate the preparation of necessary investigations and supporting documentation that will allow Albury City to reconsider zoning for the subject land which would be subject to a separate consideration and reporting process.*

An on-site meeting was held with Council officers on 8<sup>th</sup> November 2010 to discuss implementation of the above resolution. Subsequent advice from Council dated 9<sup>th</sup> December 2010 detailed the matters that must be considered in any application for rezoning (i.e. a Planning Proposal).

This Planning Proposal has been prepared in accordance with the Department of Planning's Guide and having regard to the information specified in Council's correspondence dated 9<sup>th</sup> December 2010.

## 2. INTENDED OUTCOMES

The intended outcome of this planning proposal is the rezoning of the land to reinstate the former industrial zoning of the land to enable it to be developed to its potential. The IN1 General Industrial zone is consistent with the zoning of adjacent lands to the north.

## 3. EXPLANATION OF THE PROVISIONS

The site is proposed to be zoned IN1 General Industrial under Albury LEP 2010. The objectives of the IN1 zone are:

- To provide a wide range of industrial and warehouse land uses.
- To encourage employment opportunities.
- To minimise any adverse effect of industry on other land uses.
- To support and protect industrial land for industrial uses.
- To provide for industrial uses in close proximity to transport infrastructure.

The proposed zoning is consistent with the historic zoning of the property and the location of the site will ensure that the above objectives are achieved.

The proposed zoning allows for the development of the site in accordance with the future development aspirations of the owner at the time of purchase. The land is suited to a wide range of industrial uses; will help to create employment opportunities in proximity to the city centre; will have less adverse effects on nearby land than the current horticultural use; and is located in close proximity to transport infrastructure, being within a kilometre of the East Street/Bridge Street full interchange with the Hume Freeway and within 1.5 kilometres of the Albury Railway Station.

The rezoning would be affected via an amended instrument and Map which, when made, will amend the provisions of the Albury LEP 2010, as they apply to this land. Specifically, the following changes would be required to the Maps accompanying the Albury LEP 2010:

- Amendment of Map No LZN 005 – to zone the land to the north of the levee as IN1 General Industrial
- Amendment of Map No LSZ 005 – to remove the rezoned area from the minimum allotment size applying to the Rural Landscape Zone.

It is noted that no changes are required to Map No LRA 005 (the Land Reservation Acquisition Map) as no changes are proposed to the RE1 Public Recreation Zone.

## 4. JUSTIFICATION

This section of the Planning Proposal sets out the justification for the intended outcomes and provisions, and the process for their implementation. The questions to which responses have been provided are taken from the Guide.

### 4.1 Need for the Planning Proposal

#### **Is the Planning Proposal a result of any strategic study or report?**

The 2007 *Albury Land Use Strategy* (ALUS) identified the land as agricultural in nature, in the same manner as land to the east and south west of the site, which are agricultural lands on the Murray River floodplain. It is acknowledged that the ALUS did not recommend a change in land use; however, it is also known that no detailed investigations of the existing urban area were undertaken, with the focus of attention being on the growth corridors outside the current urban area. This site is

protected by the flood levee, unlike the agricultural lands in the vicinity and consequently has a higher development potential than the ALUS recognised.

The back zoning of the site in 1996 to Environmental Protection was also not subject to any detailed strategic investigations or environmental studies. Despite a request from the proponent, Council has been unable to provide any documentation that addressed or justified the back zoning. It is therefore not unreasonable to assume the removal of the industrial zoning in the 1995 LEP was not based on any study or environmental assessment of the land. Consequently, it can only have been a mapping anomaly or error that has been perpetuated through all LEPs since that time. To conclude otherwise would mean there has been a breach of the statutory process for rezoning land.

This Planning Proposal will provide the necessary information to support a rezoning of the site to reinstate the industrial opportunities recognised for some time under previous LEPs.

**Is the Planning Proposal the best means of achieving the objectives or intended outcomes, or is there a better way?**

Given the zoning that has been applied to this flood protected urban land under Albury LEP 2010, it is not possible to achieve the best development of the site under the current planning regime.

Council declined to rezone the site as part of the preparation of the Albury LEP 2010, notwithstanding that no justification for the continued incorrect zoning of the property was provided, except that it represented a near approximation of the existing zoning.

As previously stated, this is a perpetuation of the zoning anomaly or error from 1996.

It is therefore necessary to rezone the site via a planning proposal.

**Is there a net community benefit?**

On balance, there is a net community benefit to be gained from the Planning Proposal. This is considered in greater detail within the below table.

**Table 4.1 – Net Community Benefit Test**

| Evaluation Criteria                                                                                                                                                                                  | Comment                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                           |
|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| Will the LEP be compatible with agreed State and regional strategic direction for development in the area (e.g. land release, strategic corridors, development within 800 metres of a transit node)? | <p>The <i>Draft Murray Regional Strategy 2009</i> ('the Draft Strategy') was prepared by the Department of Planning (DoP) in October 2009. The draft Strategy was also exhibited and is therefore a relevant matter to be considered in this planning proposal.</p> <p>It is noted that this strategy is draft only and has not been adopted as a final strategy document. Notwithstanding this, the matters of this document are considered against the proposal.</p> <p>The primary aim of the Draft Strategy is to:</p> <ul style="list-style-type: none"> <li>▪ <i>Protect and manage the sensitive Riverine environment of the Region's major waterways (such as the Murray River) to safeguard the future health and wellbeing of one of Australia's most important natural catchments...</i></li> </ul> <p>It is considered that the Planning Proposal responds to this aim by providing new industrial lands for the city, while maintaining adequate buffers to the adjacent Murray River environs.</p> <p>In addition, the provision of new industrial lands within Albury is considered to be consistent with the aims of the Draft Strategy in supporting growth of the major regional centre of the Upper Murray subregion.</p> <p>Overall, the proposal is consistent with the aims and objectives of the Draft Strategy (considered in greater detail at Section 4.2 below). While the Planning Proposal seeks a change in land use zoning to industrial, it ensures a suitable buffer area between the Murray River and proposed allotments, with opportunity for protection and enhancement of biodiversity.</p> |
| Is the LEP located in a global/regional city, strategic centre or corridor nominated within the Metropolitan Strategy or other regional/subregional strategy?                                        | <p>Albury is noted as being the Major Regional Centre of the Upper Murray Subregion by the draft Strategy, having the following role:</p> <p><i>Major regional centres are existing centres suited to accommodate the majority of regional population growth and employment opportunities and to deliver State and regional services to the entire Region or within the centre's subregion. A concentration of medium to higher density living, business, employment, professional services, higher order shopping, warehouses, transport logistics and bulky goods operations will be located in these centres. They will be the focal point for subregional road and other transport networks.</i></p> <p>The Planning Proposal will further enhance the role of Albury as a 'Major Regional Centre', by providing additional industrial opportunities within close proximity to a major national transport corridor. The increased availability of industrial land has the potential to attract new industrial developments and activities to Albury.</p>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                      |
| Is the LEP likely to create a precedent or create or change in expectations of the land owner or other land owners?                                                                                  | <p>The Planning Proposal seeks to rezone the land from RU2 Rural Landscape to IN1 General Industrial. The proposed industrial zoning is already utilised within the ALEP 2010, and as such the proposal will not introduce any new zoning mechanism.</p> <p>The proponent of the proposal is the current landowner and given the location of the land it is not considered that the proposed rezoning will be unexpected. Further, the landowner has made public submissions to Council under the previous draft LEP processes seeking to rezone the land. These submissions have been discussed by Council and identified in public documents (Council meeting minutes and agendas).</p>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                         |

| Evaluation Criteria                                                                                                                                                                                                                                                                          | Comment                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                      |
|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| Have the cumulative effects of other spot rezoning proposals in the locality been considered?<br>What was the outcome of these considerations?                                                                                                                                               | <p>Given the draft LEP was been under preparation for the past 4-5 years prior to adoption of the ALEP 2010 in August 2010, there were minimal spot rezonings of land in Albury, as much of the land use change was consolidated through the preparation of the new LEP. Notwithstanding this, recent rezoning proposals in Albury generally, including publicly land owned land, have been completed without significant detriment to the surrounding locality or public interest.</p> <p>In this instance, the proposal has considered the surrounding locality to immediate north, which is largely very low density residential and industrial.</p>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                      |
| Will the LEP facilitate a permanent employment generating activity or result in a loss of employment lands?                                                                                                                                                                                  | <p>The proposal will result in provision of additional employment generating lands for Albury by provision of additional industrial lands within the LGA. The rate of employment will be dependent on the specific nature of future industrial development.</p>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                              |
| Will the LEP impact upon the supply of residential land and therefore housing supply and affordability?                                                                                                                                                                                      | <p>Not applicable as the development does not involve any current residential land, nor will it allow future residential development. Notwithstanding this, the provision of additional employment (i.e. industrial) generating land may have a flow-on effect in terms of creating demand for additional residential land to accommodate an increased workforce within the city.</p>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                        |
| <p>Is the existing public infrastructure (roads, rail, and utilities) capable of servicing the proposed site?</p> <p>Is there good pedestrian and cycling access?</p> <p>Is public transport currently available or is there infrastructure capacity to support future public transport?</p> | <p>The site is located generally within the urban area of the city, and is able to obtain infrastructure access from existing services within the surrounding area.</p> <p>Roads are presently provided to the site in an urban sealed formation. Willowbank Road provides direct access to the subject land, linking with East Street and Schubach Street at a roundabout to the north. These roads also provide direct access to the Hume Freeway.</p> <p>A Traffic Impact Assessment Report has been submitted with this Planning Proposal to provide a preliminary assessment of the likely impact upon the surrounding road network by the rezoning of this land. While several road network modifications will be necessary as part of future detailed design work, the current Level of Service is expected to remain the same at LOS A, due to the 50kph speed limit and the lane capacities of the roads being well below capacity. Modifications to the road network to accommodate articulated vehicles will be minimal and comprise mostly kerb adjustments to the Willowbank/Schubach roundabout and installation of splitter islands and median strips to improve traffic function and safety, as considered necessary.</p> <p>Reticulated infrastructure is provided within the surrounding area, and is able to be extended to service the subject land, subject to detailed engineering consideration during future development works. Consultation with Council's engineers has confirmed that the existing sewer infrastructure at Schubach Street is nearing capacity, and it is likely that the future development of the land may require upgrading and/or augmentation of sewer provisions. This does not preclude future development, but rather should be noted as part of future infrastructure considerations for detailed design work.</p> <p>Formed pedestrian and cycling facilities are not presently provided along Willowbank Road or Doctors Point Road given the industrial and orchard context of the surrounding area. The width of the existing road reserves means that there is adequate area for 'informal' pedestrian and cycling movements. It is not expected that the provision of additional industrial land will result in demand for new pedestrian and cycling infrastructure in this part of the city.</p> |

| Evaluation Criteria                                                                                                                                                                                                                     | Comment                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                               |
|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
|                                                                                                                                                                                                                                         | Public transport does not service this particular area, given its industrial/commercial and agricultural nature. It is noted that bus services operate along Schubach Street and East Street, which are in close proximity to the subject land.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                       |
| Will the proposal result in changes to the car distances travelled by customers, employees and suppliers? If so, what are the likely impacts in terms of greenhouse gas emissions, operating costs and road safety?                     | The rezoning of this land will result in provision of new industrial lands adjacent to existing commercial/industrial activities. The introduction of new industrial opportunities within close proximity to the urban area is considered to be a preferred outcome and will minimise the likely future emissions.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                    |
| Are there significant Government investments in infrastructure or services in the area whose patronage will be affected by the proposal? If so, what is the expected impact?                                                            | There is existing government investment in the area in the form of utility services and physical infrastructure. The increased development expected as a result of rezoning of the land will have different impacts upon these existing services, which are further discussed throughout this report. Generally, the proposed rezoning will have minimal impact upon existing infrastructure, with the existing services considered to be able to cope with the increased demand. In some circumstances, such as sewer, there will be a need for some upgrades or augmentation to ensure ongoing efficient operation.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                 |
| Will the proposal impact on land that the Government has identified a need to protect (e.g. land with high biodiversity values) or have other environmental impacts? Is the land constrained by environmental factors such as flooding? | <p>The subject land is located adjacent to the Murray River which represents a sensitive environmental area, as well as a natural hazard by way of flood risk. The need to protect and enhance the Murray River floodplain is encouraged in the <i>Murray Regional Environmental Plan No. 2</i> and the draft <i>Murray Regional Strategy</i>.</p> <p>It is acknowledged that the proposal has the potential to impact upon the Riverine environment through future industrial development and activities on land located within the river front area. Despite this, it is noted that the land is presently utilised for intensive orchard activities, which involves extensive landscape modification and ongoing use of chemicals and other agricultural operations and machinery. As such, it is recognised that there is already a potential impact by way of the existing use. The use of the land for general industrial purposes is anticipated to have a lesser or similar impact upon the Murray environs, as it likely that there will no trade waste, chemicals or other products draining towards the river environs. In addition, the land to be rezoned is only that part of the land which has already been highly modified as a result of intensive activities.</p> <p>The area to be rezoned is set back from the river behind the existing levee bank, with the area of land to be developed being only that land north of the existing levee bank, which already highly disturbed. A proposed development concept has been included at the rezoning stage to indicate the likely future development of the land for the benefit of Council. The concept identifies a substantial buffer area to the river, south of the existing levee bank, to ensure adequate protection of the riverine environment.</p> <p>Future development of the land for both subdivision and individual development of allotments will also require additional consideration by Council, subject to the particular activities proposed and their specific functions.</p> |

| Evaluation Criteria                                                                                                                                                                          | Comment                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                |
|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| <p>Will the LEP be compatible/complementary with surrounding land uses?</p> <p>What is the impact on amenity in the location and wider community?</p> <p>Will the public domain improve?</p> | <p>The subject land is presently used as an orchard, and is surrounded by a variety of industrial and residential land uses to the north and north east respectively. Land immediately north of the subject land is already zoned IN1 General Industrial zone and has been developed with various commercial/industrial land uses. The proposal will effectively result in an extension of the existing industrial zone which will be entirely consistent with existing development to the north.</p> <p>'Sensitive' land uses, being residential land, are adequately buffered to the north east by an RE1 Public Recreation zone. The proposed rezoning will not result in a common interface with the R1 zone; however it is noted that this residential area already shares an interface with industrial zoned land. Overall, it is considered that the proposed rezoning area is suitably located with regard to protection of residential amenity.</p> <p>The provision of an enlarged industrial area is not considered likely to have an adverse impact upon amenity. Rather, it is considered that the future development of this area will be consistent in character to that of the adjacent established industrial area to the north.</p> <p>Presently, the subject land is used for a private agricultural activity. The rezoning and subsequent establishment of the property for industrial purposes will provide a number of new internal streets and direct and indirect improvements to surrounding streetscapes. Further, it is also likely to contribute to an improved urban character through modern industrial/commercial properties within the land. Overall, it is considered that future development will lead to an improvement in public domain and character of the surrounding area.</p> |
| <p>Will the proposal increase choice and competition by increasing the number of retail and commercial premises operating in the area?</p>                                                   | <p>The proposed development will increase the area of industrial zoned land within this part of Albury. Despite this, there is considered to be demand for additional industrial zoned land in Albury generally based on recent sales history. The preferred supply of industrial land for Albury City is 10 years with recent sales data identifying that there is a need for additional employment generating lands in the city.</p> <p>Notwithstanding the above, the majority of the industrial land to the immediate north of the land is already developed, and as such it is considered that there is demand and justification for additional industrial zoned land within this part of the city.</p>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                           |
| <p>If a stand-alone proposal and not a centre, does the proposal have the potential to develop into a centre in the future?</p>                                                              | <p>The proposed rezoning essentially represents an expansion of the existing industrial zone to the north, however will be developed in isolation of the adjacent properties. The future development of this land has the effect of creating an industrial/commercial hub, centred upon a major interstate traffic route, being the Hume Freeway.</p>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                  |
| <p>What are the public interest reasons for preparing the draft plan?</p> <p>What are the implications of not proceeding at that time?</p>                                                   | <p>The public interest is served by this Planning Proposal as it will provide for additional industrial zoned land and subsequent employment generating activities. The land is located within an urbanising area of South Albury/East Albury and this proposal provides greater certainty as to the future development of the land through a well considered Planning Proposal process.</p>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                           |

Further to the above table, the proposal will result in the following additional benefits generally:

- The land would be available for development which would boost investment in the area and employment opportunities within the community, it being noted that manufacturing and industry are the largest employment sector in this region.

- The rezoning would recognise the highest and best use of the land, achieving one of the objects of the EP&A Act for *the promotion and co-ordination of the orderly and economic use and development of land* and one of the aims of the Albury LEP 2010 to *promote sustainable urban development by providing for efficient management of urban growth and resource utilisation*.
- The land is closely located to major transport infrastructure which will reduce travel times and distances for employees, suppliers and distributors.
- The location of the site minimises the need to use local roads for efficient transport of goods outside of this region, being located within 1 kilometre of a major interchange with the Hume Freeway, providing access to both the north and the south. Access to the Riverina Highway for east and west travel is available from the same network of transport infrastructure.
- A Traffic Impact Assessment Report has been prepared (see Appendix C) for this proposal and has concluded that the proposed industrial development of the site would not detrimentally impact upon the road network and would utilise the existing infrastructure in an appropriate manner.
- The use of the site for industrial purposes would not have a detrimental impact on surrounding lands and, in some respects, the change to industrial uses would reduce potential negative impacts from horticultural practices on the site.
- The land is protected from flooding by a licensed flood levee and is similar in physical characteristics to the surrounding industrial land. The rezoning would provide consistency in land use planning for this area, as was recognised by earlier LEPs for the area.

#### 4.2 Relationship to strategic planning framework

**Is the Planning Proposal consistent with the objectives and actions contained within the applicable regional or sub-regional strategy (including exhibited draft strategies)?**

There is no adopted regional strategy applicable to the Planning Proposal.

However the draft *Murray Regional Strategy* was prepared by the Department of Planning (DoP) in October 2009. The draft Strategy was also exhibited and is therefore a relevant matter to be considered in this planning proposal.

The table below considers the proposal against the main aims of the draft Strategy.

**Table 4.2 - Consistency with draft *Murray Regional Strategy* (Department of Planning October 2009)**

| Aims                                                                                                                                                                                                                                                                                                                                                                                             | Response                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                    |
|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| <ul style="list-style-type: none"> <li>Protect and manage the sensitive Riverine environment of the Region's major waterways (such as the Murray River) to safeguard the future health and wellbeing of one of Australia's most important natural catchments, its associated \$1 billion agricultural industry, the needs of downstream users and the \$400 million tourism industry.</li> </ul> | <p>A critical objective of the draft Strategy is to protect and properly manage the sensitive riverine environment of the Murray. In addition, growth and development of the region must also be balanced in context to the important environmental conditions.</p> <p>It is acknowledged that the proposal has the potential to impact upon the Riverine environment through future industrial development and activities on land located within the river front area. The part of the land to be developed involves only that land north of the existing levee bank, which already highly disturbed. In addition, the proposal includes a development concept to indicate the likely future development of the land. The concept identifies a substantial buffer area to the river, south of the existing levee bank, to ensure adequate protection of the riverine environment.</p> <p>It is also noted that the land to be rezoned is only that part of the land which has already been highly modified as a result of intensive activities.</p> <p>Future development of the land for both subdivision and individual development of allotments will also require additional consideration by Council, subject to the particular activities proposed and their specific functions.</p> <p>The Planning Proposal is considered to be consistent with the objective.</p> |
| <ul style="list-style-type: none"> <li>Cater for a housing demand of 13,900 new dwellings by 2036 to accommodate the combined pressure of the forecast population increase, the needs of a significantly changing population and growing tourism demands for new dwellings.</li> </ul>                                                                                                           | <p>Not relevant as the proposal does not relate to residential development. The provision of additional industrial and employment generating land is considered to have potential to increase the population of Albury and in turn, encourage new residential development.</p>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                              |
| <ul style="list-style-type: none"> <li>Prepare for and manage the significantly ageing population and ensure that new housing meets the needs of smaller households and ageing populations by encouraging a shift in dwelling mix and type.</li> </ul>                                                                                                                                           | <p>Not relevant as the proposal does not involve current or future residential land.</p>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                    |
| <ul style="list-style-type: none"> <li>Reinforce the role of Albury as the Region's major centre and the opportunities in taking advantage of its strategic location and emerging economic strengths, including transport, distribution, manufacturing, health services and education.</li> </ul>                                                                                                | <p>The Planning Proposal seeks to establish additional industrial land adjacent to a major national transport and freight route. The provision of industrial land in this location further diversifies the options available to industrial development, i.e. Airport related lands at East Albury and transport related functions adjacent to the Hume Freeway.</p> <p>It is considered that the addition of new industrial lands within a prominent location adjacent to the Hume Freeway will further enhance Albury's role as the major centre of the region.</p>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                        |

| Aims                                                                                                                                                                                                                                                                                                                | Response                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                            |
|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| <ul style="list-style-type: none"> <li>Ensure an adequate supply of employment land, particularly in Albury and other major towns to accommodate a projected 3,100 new jobs.</li> </ul>                                                                                                                             | <p>Assessment of industrial land in Albury generally has identified that there is presently 10 years supply of industrial zoned land in Albury, based on sales figures for the five year period to 2011/2012. A 10 year supply represents the preferred supply rate for Albury City. The recent sales history is considered to be low given the impact of the GFC, and as such forecast demand for industrial lots has been estimated at approximately 15 lots per year, meaning that additional land will be required to provide appropriate supply of industrial land.</p> <p>The addition of this land to the industrial land supply of Albury is considered to ensure Albury can meet the preferred industrial land supply and employment rates.</p>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                            |
| <ul style="list-style-type: none"> <li>Protect the rural landscape and natural environment by limiting urban sprawl, focusing new settlement in areas identified on local strategy maps and restricting unplanned new urban or rural residential settlement.</li> </ul>                                             | <p>The Planning Proposal, while rezoning existing RU2 zoned land, promotes efficient and logical growth of the city by consolidating industrial activities adjacent to recent industrial and commercial developments (i.e. Joss/Mountain H2O Warehouse and Distribution Centre, Coates Hire etc). The land is also highly accessible to the Hume Freeway. As such, it is considered to be a logical location for provision of new industrial land.</p> <p>It is also noted that the Environment Protection zoning applied to that part of the subject land north of the flood levee appears to have been made in error in 1995, during the preparation of the former ALEP 1995, and without the knowledge of the landowner. As a result of the ALEP 1995 the land was inadvertently back zoned from flood protected urban land to a rural zone. At the time of purchase by the current landowner, the flood protected land was zoned Industrial 4(a) as shown in Figure 4 above.</p> <p>As such, the land has been zoned and envisaged by previous environmental planning instruments for industrial development. With the construction of the Hume Freeway and East Street full Interchange, there is considered to be greater strategic justification for rezoning of the land to industrial.</p> |
| <ul style="list-style-type: none"> <li>Only consider additional development sites outside of agreed local strategies if they can satisfy the Regional Strategy's Sustainability Criteria (as provided in Appendix 1 of Draft Murray Regional Strategy 2009)</li> </ul>                                              | <p>The ALUS identifies the subject land as 'Agriculture' given its current use as an orchard. The Planning Proposal is seeking a change in land use zoning to industrial. Notwithstanding, it is further noted that the ALUS did not undertake comprehensive investigations of land within the existing urban centre, but rather took a broader approach of carrying forward existing zones and land uses into the strategy maps for the urban centre.</p> <p>An assessment against the sustainability criteria of the draft strategy is provided at Appendix D.</p>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                |
| <ul style="list-style-type: none"> <li>Ensure that the land use planning system can respond to changing circumstances for settlement and agricultural activity arising from water trading, by setting a strategic framework for decisions on land use change and investment in irrigation infrastructure</li> </ul> | <p>Not relevant. The proposal does not relate to a change in circumstances for settlement and agricultural activity arising from water trading.</p>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                 |

| Aims                                                                                                                                                                                                                                                                                                                  | Response                                                                                                                           |
|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|------------------------------------------------------------------------------------------------------------------------------------|
| <ul style="list-style-type: none"><li>Recognise, value and protect the cultural and archaeological heritage values of the Region for both Aboriginal and European cultures, including the visual character of rural towns and the cultural landscapes of Aboriginal people.</li></ul>                                 | Not relevant. The proposal does not relate to a cultural or archaeological heritage site, or the visual character of a rural town. |
| <ul style="list-style-type: none"><li>Where development or rezoning increases the need for State infrastructure, the Minister for Planning may require a contribution to the provision of such infrastructure, having regard to the NSW Government State Infrastructure Strategy and equity considerations.</li></ul> | Not relevant. Likely additional infrastructure will be local services only.                                                        |

Further to the above assessment, the draft Strategy sets out a number of objectives and actions relating to areas such as employment, housing, transport, environment and public places.

In terms of the proposal, the draft Strategy recognises that the *eastern part of the region has a strong and growing manufacturing sector and is realising transport and distribution opportunities due to its strategic location on the main Sydney-Melbourne transport route.* The draft Strategy further identifies that some of the economic challenges include:

- Ensure an adequate supply of employment land to help cater for an expected 3,100 additional jobs by 2036
- Build on or harness opportunities derived from the strategic location of the Region in relation to major cities of Sydney, Melbourne, Adelaide and Canberra.

The draft Strategy recognises the need for appropriately located employment lands, as well as a quantum supply to cater for economic growth, whilst protecting sensitive environmental lands, water resources and the Murray River system.

The proposal is consistent with the draft Strategy.

**Is the Planning Proposal consistent with the local Council's community strategic plan or other local strategic plan?**

The ALUS was adopted by Council as a strategic document providing guidance for the Albury LEP 2010 and Albury DCP 2010. As previously stated, the ALUS did not undertake comprehensive investigations of land within the existing urban centre and took a broad approach to carrying forward existing zones and land uses into the strategy maps for the urban centre.

However, as previously outlined, the anomalous zoning of the site in 1996 was also not underpinned by any justification, study or rationale and was, in effect, an error which placed flood protected industrial land into a zone which substantially reduced the development potential of the land and removed a viable industrial site from this area.

All subsequent LEPs and strategies have perpetuated this anomaly, which had no identifiable strategic basis.

**Table 4.3 - Consistency with *Albury 2030*.**

| Relevant Aims of Albury 2030                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                               | Comment                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                     |
|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| <p><b>Theme No. 1 – A Growing Economy</b></p> <ul style="list-style-type: none"> <li>▪ Grow the city and its population to provide confidence to local business expansion and growth</li> <li>▪ Provide integrated transport routes to meet the needs of the expanding city</li> <li>▪ Provide for connections with key transport routes;</li> <li>▪ Enhance promote and maintain the built environment to serve the needs of the city;</li> <li>▪ Become a leader in health and education services</li> <li>▪ Support Albury's population and employment growth</li> <li>▪ Support and promote business opportunities across all sectors of the economy;</li> <li>▪ Promote Albury as a 'hub' for regional investment</li> </ul> <p>Encourage new manufacturing and commercial businesses to Albury with a focus on 'green industry'.</p> | <p>The Planning Proposal is generally consistent with the broad objectives and aims of this theme of Albury 2030 as it supports economic growth of the city by providing additional employment generating land for future investment.</p> <p>More specifically, the proposal consistent with the following strategic actions.</p> <p><b>1.11 Support Albury's population growth.</b> The proposal will provide new employment generating lands, which will have a flow on effect upon population growth.</p> <p><b>1.17 Promote Albury as an inland city that is attractive to visit live and invest in.</b> The proposal will provide additional industrial land which will provide greater opportunity for business investment within the industrial and commercial sectors of Albury's economy.</p> <p><b>1.19 Economic Development Strategy Priorities.</b> The proposal will provide additional industrial and employment generating land which offers potential for greater investment in the industrial and commercial activities of Albury. The location of the land adjacent to existing industrial land and ease of access to interstate freight corridors makes the site particularly attractive for future industrial growth.</p>                                                               |
| <p><b>Theme No. 2 – An Enhanced Natural Environment</b></p> <ul style="list-style-type: none"> <li>▪ Improve the health of the Murray River</li> <li>▪ Become a leader in water and waste-water management and protecting local plants and animals</li> <li>▪ Manage access to sensitive areas to protect and promote the natural assets of Albury;</li> <li>▪ Raise community awareness of relevant climate change issues;</li> <li>▪ Promote energy efficient building design and operation;</li> <li>▪ Implement strategies to minimise waste generation.</li> </ul>                                                                                                                                                                                                                                                                    | <p>The Planning Proposal is generally consistent with the broad objectives and aims of this theme of Albury 2030 as it recognises and responds to the natural context of the site, and seeks to provide an initially framework (through land use zoning) which will protect the sensitive riverine environment.</p> <p>More specifically, the proposal consistent with the following strategic actions.</p> <p><b>2.4 Enhance, protect and promote natural assets.</b> The proposal recognises the location of the adjacent Murray River environs, and seeks to zone only that land which is flood free (i.e. within the levee bank for this part of South Albury).</p> <p><b>2.7 Resource efficient building design and refurbishment.</b> Future detailed design work of both the subdivision infrastructure and subsequent building design will be encouraged to meet best practice design standards through compliance with relevant matters within the ALEP 2010 and ADCP 2010.</p> <p><b>2.9 Regional waste minimisation strategies.</b> Future development of the land has adequate opportunity to minimise and reuse, where possible, waste generated by future activities. Compliance with Council's relevant controls will ensure an appropriate level of waste minimisation can be achieved.</p> |

| Relevant Aims of Albury 2030                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                             | Comment                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                          |
|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| <b>Theme No. 3 – A Caring Community</b> <ul style="list-style-type: none"> <li>▪ Become a cultural and creative city that embraces and celebrates diversity.</li> <li>▪ Provide quality health care, aged care services, encourage health lifestyles and provide community services.</li> <li>▪ Become a city which values lifelong learning and knowledge.</li> <li>▪ Provide quality education.</li> <li>▪ Support skills and development and provide incentives for employers.</li> <li>▪ Promote multi use of facilities and services.</li> <li>▪ Facilitate a safe and caring community.</li> </ul> | <p>The Planning Proposal is generally consistent with the broad objectives and aims of this theme of Albury 2030 as future development of this land will have an indirect impact upon the population growth and ongoing use and investment in community facilities and services.</p> <p>There are no specific strategic actions relevant to this Planning Proposal.</p>                                                                                                                                                                                                                                                                                                                                          |
| <b>Theme No. 4 – A Leading Community</b> <ul style="list-style-type: none"> <li>▪ Promote strong government and regional networks</li> <li>▪ Empower the community to contribute to the future direction of the city and providing inclusive decision making processes</li> <li>▪ Develop strategies to allow young people to contribute to the city's future</li> <li>▪ Council consult with the community on all major changes that will affect them.</li> </ul>                                                                                                                                       | <p>The Planning Proposal is generally consistent with the broad objectives and aims of this theme of Albury 2030 as future development of this land in terms of rezoning and subsequent detailed development, will be subject to notification and consultation.</p> <p>More specifically, the proposal consistent with the following strategic actions.</p> <p><b>4.1 A central communication resource, 4.2 Community engagement strategies and 4.3 Evaluate ongoing effectiveness of community strategy.</b> The proposal, by way of this Planning Proposal and subsequent exhibition processes, will provide adequate communication to the surrounding community of changes affecting this area of Albury.</p> |

**Is the Planning Proposal consistent with applicable State Environmental Planning Policies?**

There are a number of State Environmental Planning Policies (SEPP's) relevant to the Planning Proposal.

**Table 4.4 - Consistency with relevant State Environmental Planning Policies**

|    | SEPP Title                                                                                                       | Applicable to Planning Proposal                                          | Assessment |
|----|------------------------------------------------------------------------------------------------------------------|--------------------------------------------------------------------------|------------|
| 1  | State Environmental Planning Policy – Development Standards                                                      | No, does not apply to land in the Albury LGA since gazettal of ALEP 2010 |            |
| 4  | State Environmental Planning Policy – Development without consent & Miscellaneous Exempt & Complying Development | No, does not apply to land in the Albury LGA since gazettal of ALEP 2010 |            |
| 6  | State Environmental Planning Policy – Number of Storeys in a Building                                            | Not applicable to this proposal.                                         |            |
| 14 | State Environmental Planning Policy – Coastal Wetlands                                                           | No, does not apply to the Albury LGA                                     |            |
| 15 | State Environmental Planning Policy – Rural Landsharing Communities                                              | No, does not apply to the Albury LGA                                     |            |
| 19 | State Environmental Planning Policy – Bushland in Urban Areas                                                    | No, does not apply to the Albury LGA                                     |            |
| 21 | State Environmental Planning Policy – Caravan Parks                                                              | Not applicable to this proposal.                                         |            |
| 22 | State Environmental Planning Policy – Shops & Commercial Premises                                                | Not applicable to this proposal.                                         |            |
| 26 | State Environmental Planning Policy – Littoral Rainforests                                                       | No, does not apply to the Albury LGA                                     |            |
| 29 | State Environmental Planning Policy – Western Sydney Recreation Area                                             | No, does not apply to the Albury LGA                                     |            |
| 30 | State Environmental Planning Policy – Intensive Agriculture                                                      | Not applicable to this proposal.                                         |            |

|    | SEPP Title                                                                              | Applicable to Planning Proposal                                             | Assessment                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                |
|----|-----------------------------------------------------------------------------------------|-----------------------------------------------------------------------------|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| 32 | State Environmental Planning Policy – Urban Consolidation (Redevelopment of Urban Land) | Not applicable (applies to urban land only)                                 |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                           |
| 33 | State Environmental Planning Policy – Hazardous & Offensive Development                 | Yes, as the proposed rezoning involves a change to general industrial land. | <p>State Environmental Planning Policy No. 33 (SEPP 33) sets out definitions of and requirements for potentially hazardous or offensive development. The SEPP presents a systematic approach to planning and assessing proposals for potentially hazardous and offensive development for the purpose of industry or storage. Given the proposed rezoning will provide for additional industrial zoned land, SEPP 33 must be considered.</p> <p>Clause 3 of the SEPP includes the following definitions of potentially hazardous and offensive development:</p> <p><i>potentially hazardous industry</i> means a development for the purposes of any industry which, if the development were to operate without employing any measures (including, for example, isolation from existing or likely future development on other land) to reduce or minimise its impact in the locality or on the existing or likely future development on other land, would pose a significant risk in relation to the locality:</p> <ul style="list-style-type: none"> <li>(a) to human health, life or property, or</li> <li>(b) to the biophysical environment,</li> </ul> <p>and includes a hazardous industry and a hazardous storage establishment.</p> <p><i>potentially offensive industry</i> means a development for the purposes of an industry which, if the development were to operate without employing any measures (including, for example, isolation from existing or likely future development on other land) to reduce or minimise its impact in the locality or on the existing or likely future development on other land, would emit a polluting discharge (including for example, noise) in a manner which would have a significant adverse impact in the locality or on the existing or likely future development on other land, and includes an offensive industry and an offensive storage establishment.</p> <p>Clause 4 of the SEPP refers to hazardous and offensive development<sup>1</sup> and states:</p> <p><i>hazardous industry</i> means a development for the purposes of an industry which, when the development is in operation and when all measures proposed to reduce or minimise its impact on the locality have been employed (including, for example, measures to isolate the development from existing or likely future development on other land in the locality), would</p> |

<sup>1</sup> (it is noted at clause 7 of the SEPP that in an environmental planning instrument (whether made before, on, or after the date on which SEPP 33 takes effect) a reference to an offensive or hazardous industry, an offensive industry or a hazardous industry, however defined in that instrument, is to be taken to be a reference to development for the purposes of an industry (as defined in that instrument) that is a hazardous industry or an offensive industry within the meaning of clause 4 of SEPP 33:

| SEPP Title | Applicable to Planning Proposal | Assessment                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                       |
|------------|---------------------------------|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
|            |                                 | <p>pose a significant risk in relation to the locality:</p> <ul style="list-style-type: none"> <li>(a) to human health, life or property, or</li> <li>(b) to the biophysical environment.</li> </ul> <p><i>hazardous storage establishment</i> means any establishment where goods, materials or products are stored which, when in operation and when all measures proposed to reduce or minimise its impact on the locality have been employed (including, for example, measures to isolate the establishment from existing or likely future development on the other land in the locality), would pose a significant risk in relation to the locality:</p> <ul style="list-style-type: none"> <li>(a) to human health, life or property, or</li> <li>(b) to the biophysical environment.</li> </ul> <p><i>offensive industry</i> means a development for the purposes of an industry which, when the development is in operation and when all measures proposed to reduce or minimise its impact on the locality have been employed (including, for example, measures to isolate the development from existing or likely future development on other land in the locality), would emit a polluting discharge (including, for example, noise) in a manner which would have a significant adverse impact in the locality or on the existing or likely future development on other land in the locality.</p> <p><i>offensive storage establishment</i> means any establishment where goods, materials or products are stored which, when in operation and when all measures proposed to reduce or minimise its impact on the locality have been employed (including, for example, measures to isolate the establishment from existing or likely future development on other land in the locality), would emit a polluting discharge (including, for example, noise) in a manner which would have a significant adverse impact in the locality or on the existing or likely future development on other land in the locality.</p> <p>The future development of the land is unknown at this stage, however the zone provisions of the IN1 zone allow for future potentially hazardous or offensive development to occur on the land. Notwithstanding this, any future development of the land will be subject to detailed planning consideration by Council officers.</p> <p>Part 2 of SEPP 33 refers to hazardous or offensive development. Clause 8 of the SEPP states:</p> <p>In determining whether a development is:</p> <ul style="list-style-type: none"> <li>(a) a hazardous storage establishment, hazardous industry or other potentially hazardous industry, or</li> <li>(b) an offensive storage establishment, offensive industry or other potentially offensive industry,</li> </ul> |

| SEPP Title | Applicable to Planning Proposal | Assessment                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                            |
|------------|---------------------------------|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
|            |                                 | <p>consideration must be given to current circulars or guidelines published by the Department of Planning relating to hazardous or offensive development.</p> <p>Part 3 of SEPP 33 sets out the matters for consideration by consent authorities for potentially hazardous or offensive development, and states the following:</p> <p>In determining an application to carry out development to which this Part applies, the consent authority must consider (in addition to any other matters specified in the Act or in an environmental planning instrument applying to the development):</p> <ul style="list-style-type: none"> <li>(a) current circulars or guidelines published by the Department of Planning relating to hazardous or offensive development, and</li> <li>(b) whether any public authority should be consulted concerning any environmental and land use safety requirements with which the development should comply, and</li> <li>(c) in the case of development for the purpose of a potentially hazardous industry—a preliminary hazard analysis prepared by or on behalf of the applicant, and</li> <li>(d) any feasible alternatives to the carrying out of the development and the reasons for choosing the development the subject of the application (including any feasible alternatives for the location of the development and the reasons for choosing the location the subject of the application), and</li> <li>(e) any likely future use of the land surrounding the development.</li> </ul> <p>The future specific activities for the land are unknown, and will be considered as part of future detailed development applications by Council. Without specific details of the future activities, assessment against the range of hazard identification and mitigation guidelines cannot be accurately prepared.</p> <p>Notwithstanding this, consideration of the suitability of this land for industrial development generally can be made, and is provided throughout this planning proposal.</p> <p>The land is located directly adjacent to existing industrial land, which has developed over time into a commercial and industrial precinct, which functions appropriately within its urban context. It is noted that the existing industrial area shares a common interface with an existing residential zone. The proposed area to be rezoned is set back a greater distance from the existing residential land, and does not share any common interfaces with either existing or potential residential land.</p> <p>The location of the property some distance from the surrounding residential zone means that there are adequate buffer distances for future industrial development, in addition to implementation of a variety of mitigation measures such as screening, hours of operation, capacity limits and the like.</p> <p>The sensitive environmental location of the Murray River environs surrounding the property</p> |

| SEPP Title |                                                                                                         | Applicable to Planning Proposal                                                 | Assessment                                                                                                                                                                                                                                   |
|------------|---------------------------------------------------------------------------------------------------------|---------------------------------------------------------------------------------|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
|            |                                                                                                         |                                                                                 | Is also noted for the purposes of this planning proposal. The operation of future industrial lands will be required to ensure that any waste or drainage from the site is directed to reticulated services and away from the river environs. |
| 36         | State Environmental Planning Policy – Manufactured Home Estate                                          | Not applicable to this proposal.                                                |                                                                                                                                                                                                                                              |
| 39         | State Environmental Planning Policy – Spit Island Bird Habitat                                          | No, does not apply to the Albury LGA                                            |                                                                                                                                                                                                                                              |
| 41         | State Environmental Planning Policy – Casino Entertainment Complex                                      | No, does not apply to the Albury LGA                                            |                                                                                                                                                                                                                                              |
| 44         | State Environmental Planning Policy – Koala Habitat Protection                                          | Not applicable. Only applies to part of the Albury LGA (former Hume Shire LGA). |                                                                                                                                                                                                                                              |
| 47         | State Environmental Planning Policy – Moore Park Showground                                             | No, does not apply to the Albury LGA                                            |                                                                                                                                                                                                                                              |
| 50         | State Environmental Planning Policy – Canal Estate Development                                          | Not applicable to this proposal.                                                |                                                                                                                                                                                                                                              |
| 52         | State Environmental Planning Policy – Farm Dams and Other Works in Land and Water Management Plan Areas | No, does not apply to the Albury LGA                                            |                                                                                                                                                                                                                                              |
| 53         | State Environmental Planning Policy – Metropolitan Residential Development                              | No, does not apply to the Albury LGA                                            |                                                                                                                                                                                                                                              |

|    | SEPP Title                                                                                       | Applicable to Planning Proposal                                         | Assessment                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                |
|----|--------------------------------------------------------------------------------------------------|-------------------------------------------------------------------------|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| 55 | State Environmental Planning Policy – Remediation of Land                                        | Yes, as the planning proposal will affect land that may be contaminated | <p>SEPP 55 contains the matters that must be considered when assessing rezoning or development of a potentially contaminated site. Clause 6 of the SEPP requires that Council is:</p> <ul style="list-style-type: none"> <li>not to include in a particular zone (within the meaning of the instrument) any land specified in subclause (4) if the inclusion of the land in that zone would permit a change of use of the land, unless: <ul style="list-style-type: none"> <li>(a) the planning authority has considered whether the land is contaminated, and</li> <li>(b) if the land is contaminated, the planning authority is satisfied that the land is suitable in its contaminated state (or will be suitable, after remediation) for all the purposes for which land in the zone concerned is permitted to be used, and</li> <li>(c) if the land requires remediation to be made suitable for any purpose for which land in that zone is permitted to be used, the planning authority is satisfied that the land will be so remediated before the land is used for that purpose.</li> </ul> </li> </ul> <p>Subclause (4) identifies that the above provisions apply to 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. Agricultural/horticultural uses are identified in Table 1 to the guidelines as being potentially contaminating uses.</p> <p>The site is currently used for horticultural purposes, a land use which requires Council to have regard to this SEPP in any rezoning proposal. However, the proposed IN1 General Industrial zone is not one which permits the types of sensitive land uses identified in the SEPP such as residential, educational, recreational or child care purposes, or for the purposes of a hospital.</p> <p>Consequently, whilst the site is potentially contaminated for the purposes of the SEPP, the proposed zoning and future land uses are not considered to be impacted by this potential. Further, fill will be required on the site to ensure that floor levels of any future buildings are positioned 500 millimetres above the 1 in 100 year flood level (known as "flood planning level" or FPL) and outdoor areas such as car parks, driveways, loading areas etc will be sealed, reducing any potential for workers to have contact with potentially contaminated soil.</p> |
| 59 | State Environmental Planning Policy – Central Western Sydney Regional Open Space and Residential | No, does not apply to the Albury LGA                                    |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                           |

|    | SEPP Title                                                                                | Applicable to Planning Proposal                                                       | Assessment                                                                                      |
|----|-------------------------------------------------------------------------------------------|---------------------------------------------------------------------------------------|-------------------------------------------------------------------------------------------------|
| 60 | State Environmental Planning Policy – Exempt & Complying Development                      | Not applicable – does not apply to land in the Albury LGA since gazettal of ALEP 2010 |                                                                                                 |
| 62 | State Environmental Planning Policy – Sustainable Aquaculture                             | Applicable                                                                            |                                                                                                 |
| 64 | State Environmental Planning Policy – Advertising & Signage                               | Not applicable to this proposal.                                                      |                                                                                                 |
| 65 | State Environmental Planning Policy – Design Quality of Residential Flat Development      | Not applicable to this proposal.                                                      |                                                                                                 |
| 70 | State Environmental Planning Policy – Affordable Housing (Revised Schemes)                | No, does not apply to the Albury LGA                                                  |                                                                                                 |
| 71 | State Environmental Planning Policy – Coastal Protection                                  | No, does not apply to the Albury LGA                                                  |                                                                                                 |
|    | State Environmental Planning Policy (Affordable Rental Housing) 2009                      | Not applicable to this proposal.                                                      |                                                                                                 |
|    | State Environmental Planning Policy (Building Sustainability Index: BASIX) 2004           | Not applicable to this proposal.                                                      |                                                                                                 |
|    | State Environmental Planning Policy (Exempt & Complying Development Codes) 2008           | Not applicable to this proposal.                                                      |                                                                                                 |
|    | State Environmental Planning Policy (Housing for Seniors & People with a Disability) 2004 | Not applicable to this proposal.                                                      |                                                                                                 |
|    | State Environmental Planning                                                              | Yes, as the proposal                                                                  | State Environmental Planning Policy (Infrastructure) 2007 facilitates the effective delivery of |

| SEPP Title                   | Applicable to Planning Proposal                            | Assessment                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                       |
|------------------------------|------------------------------------------------------------|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| Policy (Infrastructure) 2007 | may require a referral to the Roads and Maritime Services. | <p>Infrastructure across the State. The aims of the SEPP are:</p> <ul style="list-style-type: none"> <li>(a) improving regulatory certainty and efficiency through a consistent planning regime for infrastructure and the provision of services, and</li> <li>(b) providing greater flexibility in the location of infrastructure and service facilities, and</li> <li>(c) allowing for the efficient development, redevelopment or disposal of surplus government owned land, and</li> <li>(d) identifying the environmental assessment category into which different types of infrastructure and services development fall (including identifying certain development of minimal environmental impact as exempt development), and</li> <li>(e) identifying matters to be considered in the assessment of development adjacent to particular types of infrastructure development, and</li> <li>(f) providing for consultation with relevant public authorities about certain development during the assessment process or prior to development commencing.</li> </ul> <p>The Planning Proposal is considered to be consistent with these broad objectives, particularly in that future development will make efficient use of existing infrastructure and also provide further improvements to the surrounding services.</p> <p>The subject land is located adjacent to the Hume Freeway corridor, and is also within close proximity to a classified road (East Street). It is noted that the subject land addresses the Hume Freeway corridor in its western extent, however is buffered to the roadway by Willowbank Road, with no future access to be made to the freeway corridor. All access to the land and future lots will be achieved from Willowbank Road, which is classified as a minor road.</p> <p>Clause 104 of the SEPP refers to traffic generating development and states:</p> <ul style="list-style-type: none"> <li>(1) This clause applies to development specified in Column 1 of the Table to Schedule 3 that involves: <ul style="list-style-type: none"> <li>(a) new premises of the relevant size or capacity, or</li> <li>(b) an enlargement or extension of existing premises, being an alteration or addition of the relevant size or capacity.</li> </ul> </li> <li>(2) In this clause, "relevant size or capacity" means: <ul style="list-style-type: none"> <li>(a) in relation to development on a site that has direct vehicular or pedestrian access to any road-the size or capacity specified opposite that development in Column 2 of the Table to Schedule 3, or</li> <li>(b) in relation to development on a site that has direct vehicular or pedestrian access to a classified road or to a road that connects to a classified road where the access (measured along the alignment of the connecting road) is within 90m of the connection-the size or capacity specified opposite that development in Column 3 of the Table to Schedule 3.</li> </ul> </li> </ul> <p>The table at schedule 3 of the SEPP sets out those developments which must be referred to</p> |

| SEPP Title                                                                                      | Applicable to Planning Proposal                                               | Assessment                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                     |
|-------------------------------------------------------------------------------------------------|-------------------------------------------------------------------------------|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
|                                                                                                 |                                                                               | the RMS for consideration. A number of development types likely to be undertaken within the subject land are listed in the table at Schedule 3, which may trigger a referral to the RMS, such as 'industry' and 'subdivision of land'. The particular details of future development within the subject are not yet known, and will be subject to future detailed design and development interest. The need for referral to RMS will be considered as part of any future Development Applications for the subject land.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                         |
| State Environmental Planning Policy (Kosciuszko National Park – Alpine Resorts) 2007            | No, does not apply to the Albury LGA                                          |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                |
| State Environmental Planning Policy (Major Development) 2005                                    | Not applicable to this proposal.                                              |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                |
| State Environmental Planning Policy (Mining, Petroleum Production & Extractive Industries) 2007 | Not applicable to this proposal.                                              |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                |
| State Environmental Planning Policy (Rural Lands) 2008                                          | Yes, as the proposal involves a change in zoning from an existing rural zone. | <p>State Environmental Planning Policy (Rural Lands) 2008 (SEPP Rural Lands) applies to all rural lands across the state. The subject land is presently zoned RU2 Rural Landscape and is proposed to be rezoned to IN1 General Residential. As such, the planning proposal involves existing rural lands and the general provisions of the SEPP Rural Lands are relevant.</p> <p>Clause 7 of the SEPP sets out the general rural planning principles:</p> <ul style="list-style-type: none"> <li>(a) the promotion and protection of opportunities for current and potential productive and sustainable economic activities in rural areas,</li> <li>(b) recognition of the importance of rural lands and agriculture and the changing nature of agriculture and of trends, demands and issues in agriculture in the area, region or State,</li> <li>(c) recognition of the significance of rural land uses to the State and rural communities, including the social and economic benefits of rural land use and development,</li> <li>(d) in planning for rural lands, to balance the social, economic and environmental interests of the community,</li> <li>(e) the identification and protection of natural resources, having regard to maintaining biodiversity, the protection of native vegetation, the importance of water resources and avoiding constrained land,</li> <li>(f) the provision of opportunities for rural lifestyle, settlement and housing that contribute to the social and economic welfare of rural communities,</li> <li>(g) the consideration of impacts on services and infrastructure and appropriate location when</li> </ul> |

| SEPP Title | Applicable to Planning Proposal | Assessment                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                              |
|------------|---------------------------------|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
|            |                                 | <p>providing for rural housing.</p> <p>(h) ensuring consistency with any applicable regional strategy of the Department of Planning or any applicable local strategy endorsed by the Director-General.</p> <p>An assessment of the Planning Proposal against these principles reveals the following:</p> <ul style="list-style-type: none"> <li>▪ This land is presently utilised for agricultural activities, however is constrained from future growth and diversification by its urban location and adjacent sensitive river environs. As such, it is expected to be difficult for the land (in its present configuration as an orchard) to continue to develop and compete with larger activities elsewhere in generally unconstrained rural locations.</li> <li>▪ The current use of the land for agricultural purposes is recognised, however given the urbanising context of the immediately surrounding land, it is not considered to represent significant agricultural land. The land is highly constrained for agricultural operations, and there are significant issues for the landowners to continue to grow the activities into a regionally competitive operation.</li> <li>▪ The need for the landowners to diversify their agricultural production is representative of the changing nature of rural industries. The land presently offers limited opportunity to expand and diversify the current agricultural activities and the urbanised surrounding location represents a more appropriate and logical long term use of the land.</li> <li>▪ The significance of this land is considered to be more closely related to the Murray River environs than the agricultural or natural conditions of the land itself. The future zoning and development of the land is intended to recognise the significance of the Murray River environs by allowing a significant buffer to the river area.</li> <li>▪ The proposal represents transition of existing rural land into a more logical future urban zoning. As discussed elsewhere, the ability for future growth and diversification of agricultural production in this location is limited, however there is demand for additional urban growth and expansion of the existing commercial/industrial area developed north of the land.</li> <li>▪ The sensitivity of the river environs is noted, and the future zoning of the land is provided to ensure adequate protection and ongoing opportunities for improvement of the river conditions. The proposed industrial zoning will be applied up to the existing levee bank, with the land between the levee bank and the river being retained as 'foreshore protection area', with no development to be undertaken. Further, future detailed design of new development within the expanded industrial zone will be carefully designed to ensure no additional impacts upon the river environs.</li> <li>▪ While it is recognised that the land is located adjacent to sensitive riverine environment, the design response is considered to ensure an appropriate framework for future</li> </ul> |

| SEPP Title                                                                | Applicable to Planning Proposal                                                                       | Assessment                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                           |
|---------------------------------------------------------------------------|-------------------------------------------------------------------------------------------------------|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
|                                                                           |                                                                                                       | <p>protection of this sensitive environmental location. The more specific details of the location of the new zones, buffers and future design approach are discussed elsewhere throughout this planning proposal.</p> <ul style="list-style-type: none"> <li>This proposal provides alternative opportunities for the land which will benefit the economic growth and development of Albury City generally. The ongoing agricultural capacity of the LGA, in core rural areas outside of the urban area, will continue and be unaffected by this proposal.</li> </ul>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                |
| State Environmental Planning Policy (Sydney Region Growth Centres) 2006   | No, does not apply to the Albury LGA                                                                  |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                      |
| State Environmental Planning Policy (Temporary Structures) 2007           | Not applicable to this proposal.                                                                      |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                      |
| State Environmental Planning Policy (Western Sydney Employment Area) 2009 | No, does not apply to the Albury LGA                                                                  |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                      |
| Murray Regional Environmental Plan No. 2 – Riverine Land (MREP2)          | Yes, the MREP2 is now a deemed SEPP and is applicable to the Murray River environs within Albury LGA. | <p>MREP2 is now deemed to be a SEPP for the purposes of the <i>Environmental Planning and Assessment Act 1989</i> (EP&amp;A Act). The aims of MREP2 are to conserve and enhance the riverine environment of the River Murray for all users. This environment includes all waterways, river beds and banks, associated tributaries, wetlands and water bodies. MREP2 requires (at clause 4) Council to consider the objectives and planning principles expressed in it when preparing an LEP.</p> <p>The specific principles in MREP2 applicable to the Planning Proposal include access, flooding, landscape, and river related uses.</p> <p>MREP2 specifically includes the following matters to be taken into account in regard to those specific principles, which are relevant to the proposal:</p> <ul style="list-style-type: none"> <li>The waterway and much of the foreshore of the River Murray is a public resource. Alienation or obstruction of this resource by or for private purposes should not be supported.</li> <li>Development along the main channel of the River Murray should be for public purposes.</li> <li>Where land is subject to inundation by floodwater: <ul style="list-style-type: none"> <li>a) the benefits to riverine ecosystems of periodic flooding,</li> <li>b) the hazard risks involved in developing that land,</li> <li>c) the redistributive effect of the proposed development on floodwater,</li> </ul> </li> </ul> |

| SEPP Title | Applicable to Planning Proposal | Assessment                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                     |
|------------|---------------------------------|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
|            |                                 | <ul style="list-style-type: none"> <li>d) the availability of other suitable land in the locality not liable to flooding,</li> <li>e) the availability of flood free access for essential facilities and services,</li> <li>f) the pollution threat represented by any development in the event of a flood,</li> <li>g) the cumulative effect of the proposed development on the behaviour of floodwater, and</li> <li>h) the cost of providing emergency services and replacing infrastructure in the event of a flood.</li> </ul> <ul style="list-style-type: none"> <li>▪ Flood mitigation works constructed to protect new urban development should be designed and maintained to meet the technical specifications of the Department of Water Resources.</li> <li>▪ Development should seek to avoid land degradation processes such as erosion, native vegetation decline, pollution of ground or surface water, groundwater accession, salination and soil acidity, and adverse effects on the quality of terrestrial and aquatic habitats.</li> <li>▪ Measures should be taken to protect and enhance the riverine landscape by maintaining native vegetation along the riverbank and adjacent land, rehabilitating degraded sites and stabilising and revegetating riverbanks with appropriate species.</li> <li>▪ Only development which has a demonstrated, essential relationship with the river Murray should be located in or on land adjacent to the River Murray. Other development should be set well back from the bank of the River Murray.</li> <li>▪ Development which would intensify the use of riverside land should provide public access to the foreshore.</li> </ul> <p>An assessment of the Planning Proposal against these principles reveals the following:</p> <ul style="list-style-type: none"> <li>▪ The subject site is located within the identified flood referral area of the Albury DCP 2010, however, the site is traversed by the flood levee (constructed to a height of 155 metres AHD), which protects the northern part of the site up to the FPL for this site. The planning proposal relates only to the protected land north of the levee.</li> <li>▪ The site has existing ground levels ranging from 153 metres AHD on the north western corner (a dam) to 154.5 metres AHD at the point where the land abuts the levee. The levee has a height of 155 metres AHD at its crest. Consequently, filling of the site to ensure that any future buildings have a floor level 500 millimetres clear of floodwaters will be required, but only in the vicinity of the buildings i.e. outdoor areas for storage, car parking and the like do not need to be above the flood level. It is therefore not necessary to raise the level of the whole of the northern portion of the site above the FPL.</li> <li>▪ The land has similar levels and characteristics to other land in the vicinity which has been developed for industrial purposes and which has not had a detrimental impact</li> </ul> |

| SEPP Title | Applicable to Planning Proposal | Assessment                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                               |
|------------|---------------------------------|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
|            |                                 | <p>upon the riverine environment.</p> <ul style="list-style-type: none"> <li>▪ A suitable visual and physical buffer between industrial development and the river is provided by the land to the south of the levee which will not be developed for industrial purposes.</li> <li>▪ The flood prone area to the south of the levee is not included in the planning proposal and will retain its current RU2 Rural Landscape and RE1 Public Recreation zoning.</li> <li>▪ The strip of land located along the river frontage, which is identified for future acquisition by Council, will not be impacted by the proposal.</li> <li>▪ The vegetation on the site comprises cultivated fruit trees which have no environmental value in terms of the natural riverine environment.</li> </ul> <p>In conclusion, the Planning Proposal can satisfy the relevant planning principles expressed in MREP2.</p> |

**Is the Planning Proposal consistent with applicable Ministerial Directions (S.117 Directions)?**

Section 117 of the EP&A Act allows the Minister for Planning to give directions to Councils regarding the principles, aims, objectives or policies to be achieved or given effect to in the preparation of draft LEPs. A Planning Proposal needs to be consistent with the requirements of the Direction but can be inconsistent if justified using the criteria stipulated such as a Local Environmental Study or the proposal is of "*minor significance*". Those S117 Directions considered relevant to this Planning Proposal are as follows:

Table 4.5 - Consistency with relevant Section 117 Directions

| No.                                | Direction Title             | Applicable to Planning Proposal                                  | Consistency                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                       |
|------------------------------------|-----------------------------|------------------------------------------------------------------|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| <b>1. Employment and Resources</b> |                             |                                                                  |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                   |
| 1.1                                | Business & Industrial Zones | Yes, as the proposal will rezone the land to an Industrial zone. | <p>The Planning Proposal will support the growth and development of additional industrial land in Albury, without impacting upon the viability of other industrial land releases in the area. The proposal will further diversify the availability of industrial land in Albury by providing new industrial land which is highly accessible to the Hume Freeway and offers industrial land for potential development which does not seek airport related transport proximity (Airport Park Industrial and Airside North) or larger intermodal services (Nexus).</p> <p>This direction also seeks to ensure that existing lands are retained for that purpose and that the total potential floor space of industrial areas is not reduced. However, it further requires that <i>proposed new employment areas are in accordance with a strategy that is approved by the Director-General of the Department of Planning.</i></p> <p>Planning proposals may be inconsistent with this Direction if the Planning Proposal is:</p> <ul style="list-style-type: none"> <li>(a) justified by a strategy which: <ul style="list-style-type: none"> <li>(i) gives consideration to the objective of this direction, and</li> <li>(ii) identifies the land which is the subject of the planning proposal (if the planning proposal relates to a particular site or sites), and</li> <li>(iii) is approved by the Director-General of the Department of Planning, or</li> </ul> </li> <li>(b) justified by a study (prepared in support of the planning proposal) which gives consideration to the objective of this direction, or</li> <li>(c) in accordance with the relevant Regional Strategy or Sub-Regional Strategy prepared by the Department of Planning which gives consideration to the objective of this direction, or</li> <li>(d) of minor significance.</li> </ul> <p>As previously noted, the land was not identified by the ALUS for rezoning; however, the previous zoning of the land is also relevant in terms of this Direction. The industrial area of South Albury was reduced in area by the anomalous back zoning of the property in 1996 and this Planning Proposal is seeking to restore the envisaged development potential for the site.</p> <p>The Planning Proposal is consistent with the objectives of this Direction. The Planning Proposal may be inconsistent with the Direction as the ALUS did not recognise the previous zoning of the site, nor its protection from flooding. The inconsistency is considered justified on the basis that the proposal is of minor significance.</p> |

| No. | Direction Title                                      | Applicable to Planning Proposal                   | Consistency                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                          |
|-----|------------------------------------------------------|---------------------------------------------------|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| 1.2 | Rural Zones                                          | Yes, involves land within an existing rural zone. | <p>This direction applies to all relevant planning authorities and has the objective of protecting the agricultural production value of rural land.</p> <p>This direction states:</p> <p>(4) A planning proposal must:</p> <ul style="list-style-type: none"> <li>(a) not rezone land from a rural zone to a residential, business, industrial, village or tourist zone.</li> <li>(b) not contain provisions that will increase the permissible density of land within a rural zone (other than land within an existing town or village).</li> </ul> <p>Planning proposals may be inconsistent with this Direction if the Planning Proposal is:</p> <ul style="list-style-type: none"> <li>(a) justified by a strategy which: <ul style="list-style-type: none"> <li>(i) gives consideration to the objective of this direction, and</li> <li>(ii) identifies the land which is the subject of the planning proposal (if the planning proposal relates to a particular site or sites), and</li> <li>(iii) is approved by the Director-General of the Department of Planning, or</li> </ul> </li> <li>(b) justified by a study (prepared in support of the planning proposal) which gives consideration to the objective of this direction, or</li> <li>(c) in accordance with the relevant Regional Strategy or Sub-Regional Strategy prepared by the Department of Planning which gives consideration to the objective of this direction, or</li> <li>(d) of minor significance.</li> </ul> <p>Again, and as noted above, the land was anomalously back zoned from an industrial zone in 1996 and has remained as a rural zone under the subsequent environmental planning instruments. This Planning Proposal represents a study and investigation into the suitability of the land for industrial purposes generally, and reinstating the original zoning of the land.</p> <p>While it is noted that the ALUS does not recognise the land as future industrial, it is considered that the expansion of the industrial zone in this location is preferable and justified given the surrounding industrial context and interstate transport routes, as detailed throughout this report. Further, there is demonstrable demand for future industrial land within the city, which can be appropriately accommodated by this land.</p> |
| 1.3 | Mining, Petroleum Production & Extractive Industries | Not applicable                                    | Not applicable                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                       |

| No.                                                    | Direction Title                | Applicable to Planning Proposal                                                               | Consistency                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                      |
|--------------------------------------------------------|--------------------------------|-----------------------------------------------------------------------------------------------|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| 1.4                                                    | Oyster Aquaculture             | Not applicable                                                                                | Not applicable                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                   |
| 1.5                                                    | Rural Lands                    | Yes, as it involves land within an existing or proposed rural or environment protection zone. | <p>The objectives of this direction are to protect the agricultural production value of rural land and to facilitate the orderly and economic development of rural lands for rural and related purposes.</p> <p>This direction is applicable when:</p> <ul style="list-style-type: none"> <li>(a) a relevant planning authority prepares a planning proposal that will affect land within an existing or proposed rural or environment protection zone (including the alteration of any existing rural or environment protection zone boundary) or</li> <li>(b) a relevant planning authority prepares a planning proposal that changes the existing minimum lot size on land within a rural or environment protection zone.</li> </ul> <p>This Planning Proposal represents a change under subclause 3(a) above as it will change the zoning of the land from its existing rural zone (RU2) to an industrial zone (IN1). Consequently, the direction then requires that <i>"A planning proposal to which clauses 3(a) or 3(b) apply must be consistent with the Rural Planning Principles listed in State Environmental Planning Policy (Rural Lands) 2008"</i>.</p> <p>The Rural Planning Principles of the SEPP Rural Lands have been considered earlier within this report at Table 4.4.</p> |
| <b>2. Environment and Heritage</b>                     |                                |                                                                                               |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                  |
| 2.1                                                    | Environmental Protection Zones | Not applicable                                                                                | Not applicable                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                   |
| 2.2                                                    | Coastal Protection             | No (does not apply to land in the Albury LGA)                                                 | Not applicable                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                   |
| 2.3                                                    | Heritage Conservation          | Yes, applies to all Relevant Planning Authorities where a Planning Proposal is prepared       | The Planning Proposal does not affect or alter any heritage items or heritage conservation areas or relevant controls contained in clause 5.10 of ALEP 2010.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                     |
| 2.4                                                    | Recreation Vehicle Areas       | Not applicable                                                                                | Not applicable                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                   |
| <b>3. Housing Infrastructure and Urban Development</b> |                                |                                                                                               |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                  |
| 3.1                                                    | Residential Zones              | Not applicable                                                                                | Not applicable                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                   |

| No.       | Direction Title                           | Applicable to Planning Proposal                                                                                        | Consistency                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                           |
|-----------|-------------------------------------------|------------------------------------------------------------------------------------------------------------------------|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| 3.2       | Caravan Parks & Manufactured Home Estates | Not applicable                                                                                                         | Not applicable                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                        |
| 3.3       | Home Occupations                          | Not applicable                                                                                                         | Not applicable                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                        |
| 3.4       | Integrating Land Use and Transport        | Yes, applies to any Planning Proposal which will create, alter or remove a zone or a provision relating to urban land. | <p>The Direction requires that:</p> <p>(1) A planning proposal must locate zones for urban purposes and include provisions that give effect to and are consistent with the aims, objectives and principles of:</p> <p>(a) Improving Transport Choice – Guidelines for planning and development (DUAP 2001), and</p> <p>(b) The Right Place for Business and Services – Planning Policy (DUAP 2001).</p> <p>The location of the site within a kilometre of a full interchange with the Hume Freeway, and in close proximity to walking and cycling trails along the freeway corridor, assists in reducing travel distances by employees, suppliers and distributors. The area is also serviced by local private buses, which have a route from central Albury through East Albury and along East Street, less than a kilometre to the north of the site. This service provides connections to the Albury CBD and from there to Lavington, Thurgoona and Wodonga. Albury Railway Station is approximately 1.5 kilometres to the north west of the site, providing access to transport of goods via the Main Southern Railway. The Albury Airport is located approximately 5 kilometres to the east of the subject site.</p> <p>The location of the site is consistent with the objectives and principles of the Guidelines and Policy identified in this Direction.</p> <p>A Traffic Impact Assessment Report (see Appendix C) has been prepared which has concluded that the proposed development would not reduce the level of service of the surrounding road network and would be capable of being serviced by the existing and proposed roads.</p> |
| 3.5       | Development Near Licensed Aerodromes      | Not applicable                                                                                                         | Not applicable                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                        |
| 3.6       | Shooting Ranges                           | Not applicable                                                                                                         | Not applicable                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                        |
| <b>4.</b> | <b>Hazard and Risk</b>                    |                                                                                                                        |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                       |
| 4.1       | Acid Sulphate Soils                       | No (does not apply to land in the Albury LGA)                                                                          | Not applicable                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                        |
| 4.2       | Mine Subsidence & Unstable Land           | No (does not apply to land in the Albury LGA)                                                                          | Not applicable                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                        |

| No.                         | Direction Title                                                      | Applicable to Planning Proposal                                     | Consistency                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                    |
|-----------------------------|----------------------------------------------------------------------|---------------------------------------------------------------------|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| 4.3                         | Flood Prone Land                                                     | Yes, as the planning proposal affects land that is flood prone.     | <p>The subject land is identified in the Albury DCP 2010 as being located in a flood referral area. It is noted that whilst the Albury LEP 2010 contains provisions relating to Flood Prone Land, there is no Flood Planning Map or Flood Planning Level identified in Albury LEP 2010.</p> <p>This Direction prohibits rezoning flood prone land from rural to industrial, notwithstanding that much of the surrounding area is already developed for urban purposes and the site has been zoned previously for that purpose. The Planning Proposal may be inconsistent with this Direction.</p> <p>The Draft Murray River Flood Study (the draft Flood Study) has examined flood levels and flood behaviour along the Murray River through Albury and the subject land is examined as part of that draft Flood Study. The draft Flood Study is currently on exhibition and is a relevant matter to consider in this Planning Proposal.</p> <p>The land has been identified as land which may be subject to flooding, but which is protected by the existing levee. Table G1 in the draft Flood Study indicates that the levee protects the subject land up to and including the 1:200 year flood event and that sufficient freeboard (ranging between 570-750mm) above the 1:100 year event exists on the current levee to protect development on the site. Specific floor levels for new buildings may be imposed by Council on any future developments on the site, which is considered to be acceptable and consistent with other developments in the vicinity.</p> <p>The possible inconsistency with this Direction is justified on the basis the Planning Proposal is of "minor significance" with regard to flooding given that the land is protected by the flood levee; will not increase the flood risk to nearby land, nor impede floodwaters; and will pose no greater risk to water quality than the existing development in the vicinity and the existing use on the site.</p> |
| 4.4                         | Planning for Bushfire Protection                                     | Not applicable                                                      | Not applicable                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                 |
| <b>5. Regional Planning</b> |                                                                      |                                                                     |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                |
| 5.1                         | Implementation of Regional Strategies                                | No (there is no regional strategy applicable to the AlburyCity LGA) | Not applicable                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                 |
| 5.2                         | Sydney Drinking Water Catchment                                      | No (does not apply to the AlburyCity LGA)                           | Not applicable                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                 |
| 5.3                         | Farmland of State & Regional Significance on the NSW Far North Coast | No (does not apply to the AlburyCity LGA)                           | Not applicable                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                 |

| No.                         | Direction Title                                                              | Applicable to Planning Proposal                                                                       | Consistency                                                                                                                                                                                                                                                                                                                                                                                                                                                   |
|-----------------------------|------------------------------------------------------------------------------|-------------------------------------------------------------------------------------------------------|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| 5.4                         | Commercial and Retail Development along the Pacific Highway, North Coast     | No (does not apply to the AlburyCity LGA)                                                             | Not applicable                                                                                                                                                                                                                                                                                                                                                                                                                                                |
| 5.5                         | Development in the Vicinity of Eitalong, Paxton and Millfield (Cessnock LGA) | Not applicable. Revoked 18 June 2010                                                                  | Not applicable                                                                                                                                                                                                                                                                                                                                                                                                                                                |
| 5.6                         | Sydney to Canberra Corridor                                                  | Not applicable. Revoked 10 July 2008.                                                                 | Not applicable                                                                                                                                                                                                                                                                                                                                                                                                                                                |
| 5.7                         | Central Coast                                                                | Not applicable. Revoked 10 July 2008.                                                                 | Not applicable                                                                                                                                                                                                                                                                                                                                                                                                                                                |
| 5.8                         | Second Sydney Airport: Badgerys Creek                                        | No (does not apply to the AlburyCity LGA)                                                             | Not applicable                                                                                                                                                                                                                                                                                                                                                                                                                                                |
| <b>6. Local Plan Making</b> |                                                                              |                                                                                                       |                                                                                                                                                                                                                                                                                                                                                                                                                                                               |
| 6.1                         | Approval and Referral Requirements                                           | Yes                                                                                                   | The Planning Proposal does not propose any additional provisions which will require referral of development applications to the Minister or any other public authority, over and above what is already required for development in the river front area.                                                                                                                                                                                                      |
| 6.2                         | Reserving Land for Public Purposes                                           | No, would apply if the RE1 zone applying to the river frontage were affected by the Planning Proposal | This Direction seeks to protect land zoned for public purposes from rezoning which would remove them from that purpose.<br>As identified, this Direction would apply if the RE1 zone currently applying to the river frontage were affected by the Planning Proposal. However, no change to this zone or to the Land Acquisition Map of Albury LEP 2010 is proposed.<br>Consequently, the provisions of this Direction do not apply to the Planning Proposal. |

| No.       | Direction Title                         | Applicable to Planning Proposal                                                    | Consistency                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                   |
|-----------|-----------------------------------------|------------------------------------------------------------------------------------|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| 6.3       | Site Specific Provisions                | Yes, as the Planning Proposal will allow particular development to be carried out. | <p>This Direction seeks to reduce the imposition of site specific controls on land rezoned for a particular development.</p> <p>While the Planning Proposal relates to a general zone amendment, not a particular development of the site (although an indicative lot layout has been prepared to assist with the assessment of the suitability of the site for industrial development) the new zone will allow industrial developments to be carried out as a result of the new zone designation.</p> <p>The Albury LEP 2010 contains sufficient provisions relating to industrial development, flood planning and any other relevant considerations and therefore no site specific controls are considered necessary for this site. The Planning Proposal is therefore considered to be consistent with this Direction.</p> |
| <b>7.</b> | <b>Metropolitan Planning</b>            |                                                                                    |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                               |
| 7.1       | Implementation of Metropolitan Strategy | Not applicable                                                                     | Not applicable                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                |

#### 4.3 Environmental, Social & Economic Impact

**Is there any likelihood that critical habitat or threatened species, populations or ecological communities, or their habitats, will be adversely affected as a result of the proposal?**

The proposal will not result in any disturbance of habitat areas or natural features of the area because it relates to the rezoning of a significantly altered site within an urban area. The land to be rezoned has been subject to ongoing intensive agriculture (orchard activities) for some years.

It is also noted that the Planning Proposal does not relate to the land located south of the levee or along the Murray River.

The potential environmental impacts have been discussed elsewhere within this report including with regard to the Murray REP 2 and draft Murray Regional Strategy.

**Are there any other likely environmental effects as a result of the Planning Proposal and how are they proposed to be managed?**

There are few environmental effects anticipated as a result of the Planning Proposal.

The site is protected from flooding by the existing licensed levee and any future buildings will be subject to minimum floor height requirements which will require the use of fill for building platforms. The redevelopment of the area will assist in managing any potential contamination issues arising from the use of the site for horticulture.

The redevelopment of the site will also decrease any potential impacts on adjacent lands by reducing horticultural practices (broad acre crop spraying etc) in the urban area.

The site can be serviced by all urban servicing, in a similar manner to adjacent industrial sites.

A preliminary Groundwater Level Assessment (see Appendix B) has been undertaken on the subject site. The assessment identifies that two (2) locations are identified where ground water was observed – an irrigation bore and an irrigation dam. The preliminary assessment estimates that the current groundwater level on site is approximately 151.50 AHD.

The preliminary assessment also outlines that given the proximity to the Murray River, it is anticipated that groundwater levels would periodically fluctuate in response to surface water fluctuations in the River.

Whilst the assessment anticipates that excavations on the site may intersect with groundwater levels, it is outlined that the impacts *would be of a temporary nature and can be mitigated through the development of an appropriate dewatering methodology and a site construction environmental management plan which considered water quality impacts.*

The assessment concludes that no long term negative impacts to groundwater levels are anticipated from development at the site.

**How has the Planning Proposal adequately addressed any social and economic effects?**

The social and economic benefits of the Planning Proposal are considered to be positive (see assessment earlier in the report). The Planning Proposal relates to provision of well located, serviced urban land for industrial uses. This is the largest employment sector in this region and the Planning Proposal represents an

opportunity to create more employment generating development. It is also noted that there are few vacant industrial sites available in South Albury and that this site, being located so close to transport networks and the commercial centre of Albury, represents an ideal opportunity to provide industrial land which is proximate to the urban area and population.

Economic assessment of industrial land in Albury generally has been undertaken as part of the East Albury Industrial Master Plan. The assessment identifies that there is presently 10 years supply of industrial zoned land in Albury, based on sales figures for the five year period to 2011/2012. A 10 year supply represents the preferred supply rate for Albury City. The recent sales history is considered to be low given the impact of the GFC, and as such forecast demand for industrial lots has been estimated at approximately 15 lots per year, meaning that additional land will be required to provide appropriate supply of industrial land.

At present, industrial land is predominantly contained within several estate environs, being Airport Industrial Estate (East Albury), Airside North (Thurgoona/East Albury) and Nexus (Ettamogah). The subject land will offer further variety of industrial land in Albury, by providing further lot size and layout configurations to present greater choice for future industrial development. The provision of greater variety and choice is considered to be a significant factor in ensuring opportunities for diversification of industrial activities and providing opportunities for attracting new industrial activities to Albury.

The majority of current industrial land in Albury is generally associated with the airport (i.e. Airport Industrial and Airside North), or rail freight (Nexus). As such, the proximity and visibility of the subject land from the Hume Freeway provides a clear point of difference to other industrial land and allows Albury to offer differing industrial land opportunities.

The social and economic effects of the Planning Proposal are considered to be entirely positive.

#### 4.4 State & Commonwealth interests

##### **Is there adequate public infrastructure for the Planning Proposal?**

Yes, the site can be provided with all required urban infrastructure.

Consultation with Council's engineers has confirmed that the existing sewer infrastructure at Schubach Street is nearing capacity, and it is likely that the future development of the land may require upgrading and/or augmentation of sewer provisions. It is noted that Council expect that any future development of the land for industrial purposes will require an upgrade to the existing infrastructure.

The exact timeframe of development is not known at this stage, and is subject to a variety of external influences by planning authorities and other agencies. Despite this, it is expected that a development application for subdivision of the land would be made within 12 months of the gazettal of the Planning Proposal. Upon which, it is anticipated that it would be at least 12-18 months before any subsequent construction work for new industrial properties would commence (allowing for construction works for the subdivision, registration of titles, sale of individual lots etc.).

Notwithstanding the above, it is considered that given the location of the land adjacent to existing urban development and the flat topography, that infrastructure can be efficiently provided to the land, subject to detailed consideration at subsequent detailed design and development stages of the land.

##### **What are the views of State and Commonwealth public authorities consulted in accordance with the gateway determination?**

Responses are not required until after the Gateway determination.

## 5 COMMUNITY CONSULTATION

The Planning Proposal will be subject to public exhibition and agency consultation as part of the Gateway process. The gateway determination will specify the community consultation that must be undertaken on the planning proposal. As such, the exact consultation requirements will be determined upon receipt of the gateway determination.

This Planning Proposal is considered to be a major proposal given it will result in a rezoning to IN1 General Industrial. As such, the proposal will be exhibited for a period of 28 days in accordance with the requirements of section 57 of the *Environmental Planning & Assessment Act 1979* and the NSW Department of Planning's: *A guide to preparing local environmental plans* (July 2009).

At a minimum, the future consultation process is expected to be in accordance with the consultation requirements set out in "A guide to preparing local environmental plans" (Department of Planning, 2009), being:

- written notification will be provided to adjoining and surrounding landowners who may be directly or indirectly impacted by the proposed development, with a minimum notification period of 28 days;
- consultation with relevant Government Departments and Agencies, service providers and other key stakeholders, as determined in the gateway determination;
- public notices to be provided in local media, including in a local newspaper and on Councils' website;
- static displays of the Planning Proposal and supporting material in Council public buildings, including (at a minimum) the Albury City Administration Building and the Albury Library Museum;
- electronically available via Albury City's website including provision for electronic submissions; and
- electronic copies of all documentation being made available to the community free of charge.

At the conclusion of the notification and public exhibition period Council staff will consider submissions made with respect to the Planning Proposal and prepare a report to Council.

It is considered unlikely that a Public Hearing will be required for the proposal.

The site was the subject of a detailed submission to the exhibited draft Albury LEP 2010 and that submission was considered by Council in a public meeting prior to the finalisation of the LEP. Consequently, the issues relating to the anomalous zoning of the site in 1996 and the desired development for the site have been in the public arena for some time.

## 6 CONCLUSION

The subject site is ideally located for urban development, being situated between the licensed flood levee and the existing industrial development on adjacent lands. The levee provides protection for the subject land from flooding up to the 1 in 200 year event; the site benefits from the levee's existing 500mm (up to 750mm in parts) freeboard above the 1:100 year flood level; and building pads can ensure the floor heights of any buildings are positioned 500 millimetres above that level. The site was previously zoned for industrial development and is located in an urban area which is able to be serviced by all required infrastructure.

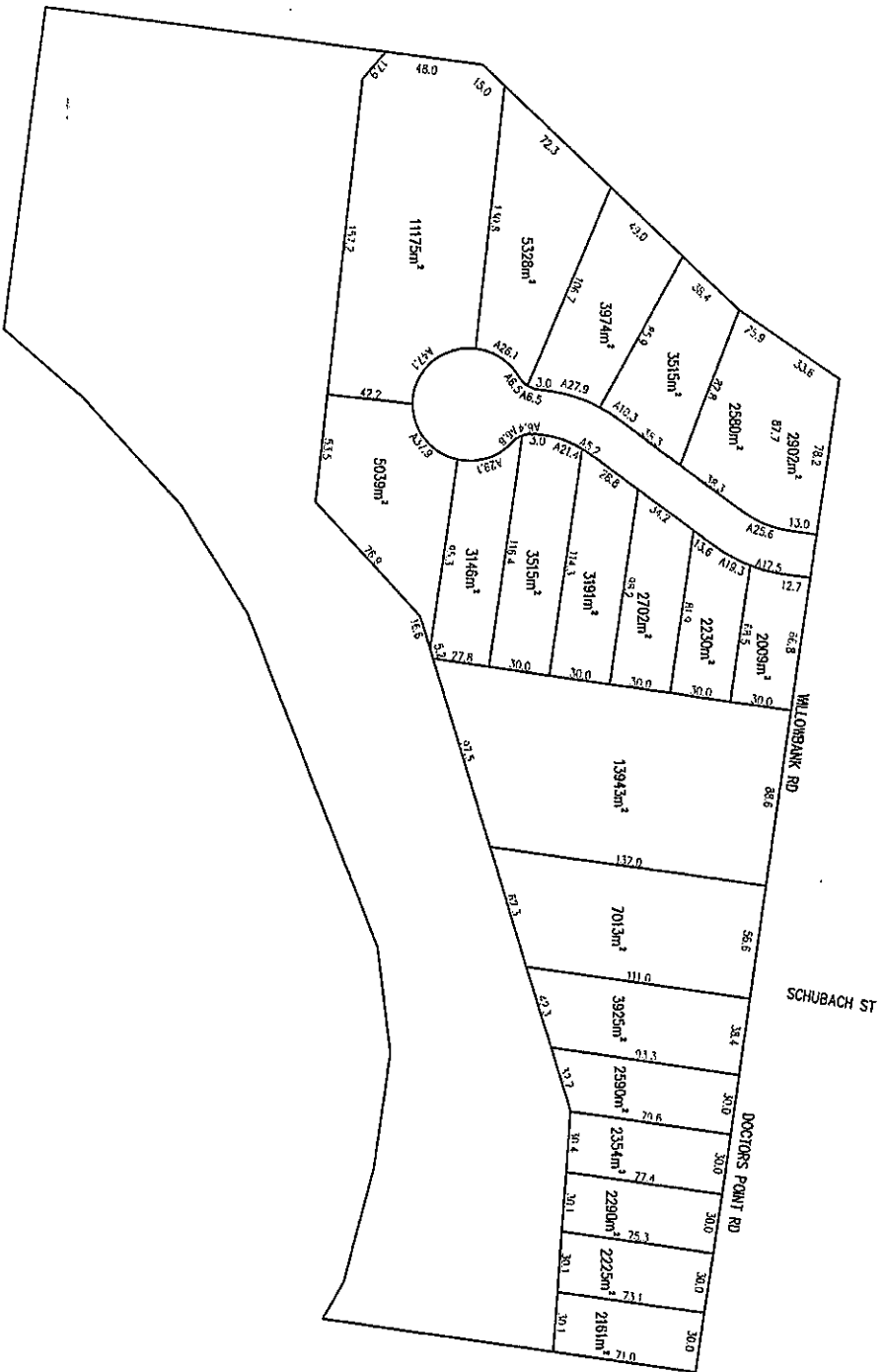
The area has a mixed character, but in this part of South Albury, the character is predominantly industrial in nature. The Main Southern Railway and Hume Freeway are located immediately west of the site, and access to this national transport network is located within a kilometre of the site.

In conclusion, the Planning Proposal is worthy of support and will deliver a net positive social and economic outcome for the residents of Albury.

## Appendix A

### Potential Subdivision Concept





# GENERAL ARRANGEMENT PLAN – OPTION 1

SCALE 1:2500

© THESE DRAWINGS ARE THE INTELLECTUAL PROPERTY OF SJE CONSULTING. COPYRIGHT RESERVED - NO PORTION OF THESE DRAWINGS MAY BE REPRODUCED BY ANY PROCESS WHATSOEVER WITHOUT THE WRITTEN CONSENT OF SJE CONSULTING. IF IN DOUBT ASK!



**SJE Consulting**

SUITE 2, 400 DAVID ST. ALBERT, N.S.W. 2640  
PH: (02) 60217233, FAX: (02) 60412578, EMAIL: CONSULTING@SJE.COM.AU

TITLE:

|  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |    |
|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|----|
|  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  | </ |
|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|----|

|                       |                       |          |
|-----------------------|-----------------------|----------|
| DESIGN: JONATHAN KEYS | DRAWN: NEL BURBIDGE   | A3       |
| CHECKED:              | DRAWING NO. 50068_C01 | REVISION |
| SHEET: OF             |                       |          |



Appendix B  
Preliminary Groundwater Level Assessment





5th October 2011

Habitat Planning  
1/622 Macauley Street  
Albury-Wodonga NSW 2640

Dear Sir,

**Re: Proposed Industrial Subdivision  
Preliminary Groundwater Level Assessment  
Willowbank Drive, South Albury**

We refer to our recent discussions, and now have pleasure in submitting the following groundwater impact at the above mentioned property during September. In accordance with our initial proposal, our assessment focuses on groundwater levels and not groundwater quality issues, which are beyond the scope of this preliminary assessment.

Following our site inspection to establish groundwater depth, we confirm that two locations could be identified where groundwater was observed.. These include two locations, the first being the irrigation bore which has been installed in August 2007 and the irrigation dam which is filled by groundwater. Based upon our observations, we have estimated that the current groundwater level on site is at approximately (reduced level) 151.50 AHD.

Due to the close proximity of the nearby Murray River, we anticipate there is a high likelihood that the groundwater throughout the site is directly connected to the Murray River surface flows. Therefore, we consider it likely that site groundwater levels will fluctuate periodically across the site in response to surface water level fluctuations within the nearby Murray River. For this reason, further assessment of groundwater levels and impacts may be warranted closer to the detailed design stage, if rezoning is successful.



Suite 2, 490 David Street ALBURY NSW 2640 AUSTRALIA

Phone (Australia) 02 6021 7233 (Inter.) + 61 2 60 217 233 Fax (Australia) 02 6041 2579 (Inter.) +61 2 60 412 579

Ron Emptage & Associates Pty Ltd ABN 42 632 289 540 - Trading as SJE Consulting

E-Mail: [consulting@sje.com.au](mailto:consulting@sje.com.au)  
S:\50000\50066\50066 DOCUMENTS\50066 CLIENT\5-10-11 Ground Water Report.doc  
Website: [www.sje.com.au](http://www.sje.com.au)



We note that during the construction period, it is possible that deeper excavations may intersect the groundwater level, potentially requiring dewatering from deeper service excavations. However, we consider that these impacts are of a temporary nature and can be mitigated through the development of an appropriate dewatering methodology and a site construction environmental management plan which considers water quality impacts.

We have assumed that in relation to groundwater quality, that any future subdivision will be constructed in accordance with Council and EPA requirements, including appropriate bunding, storage facilities and construction of stormwater drainage infrastructure. Based upon our preliminary assessment of groundwater levels and assumptions, we do not anticipate long term negative impacts to groundwater levels from development at this site.

Please do not hesitate to contact Jonathan Keys on 02 60 217 233 if you require any further information on this matter.

Yours faithfully  
SJE Consulting PTY LTD

  
Jonathan Keys  
Civil Design Manager



Suite 2, 490 David Street ALBURY NSW 2640 AUSTRALIA

Phone (Australia) 02 6021 7233 (Inter.) + 61 2 60 217 233 Fax (Australia) 02 6041 2579 (Inter.) +61 2 60 412 579

Ron Emptage & Associates Pty Ltd ABN 42 632 289 540 - Trading as SJE Consulting

E-Mail: [consulting@sje.com.au](mailto:consulting@sje.com.au)  
S:\50000\50066\50066 DOCUMENTS\50066 CLIENT\5-10-11 Ground Water Report.doc  
Website: [www.sje.com.au](http://www.sje.com.au)

Appendix C  
Traffic Impact Assessment Report



**INDUSTRIAL DEVELOPMENT**  
**TRAFFIC IMPACT ASSESSMENT REPORT**  
**FOR**  
**INDUSTRIAL DEVELOPMENT**  
**ON WILLBANK ROAD AND DOCTORS POINT ROAD**  
**SOUTH ALBURY, NSW**

Our Reference 50066  
August 2011

**INDUSTRIAL DEVELOPMENT**  
**Willowbank Road, South Albury**

COPYRIGHT SJE CONSULTING 2010

This document is and shall remain the property of SJE Consulting. The document may only be used for the purposes for which it was commissioned and in accordance with the Terms of Engagement for the Commission. Unauthorised use of this document in any form whatsoever is prohibited.

Prepared By: \_\_\_\_\_ Date: \_\_\_\_\_

Peter Lenaghan  
Project Engineer

Reviewed By: \_\_\_\_\_ Date: \_\_\_\_\_

Jonathon Keys  
Engineering Manager

Authorised by: \_\_\_\_\_ Date: \_\_\_\_\_

Ron Emptage  
Managing Director

This report is to provide advice and recommendations in accordance with the scope of services set out in the attached brief. That scope of services was defined and limited by the requests of the Client, by the time and budgetary constraints imposed by the Client, and by the uncertainties inherent in the planning and political processes.

The date in this report is derived from examination of records in the public domain, and interviews with officers of various Authorities which have a stake holding in this site. Time and impacts of future events may require further examination and data analysis, and may change the conclusions in this report.

SJE has relied upon presumed accurate information provided by Authorities, the Client and others identified herein.

No warranty or guarantee, whether express or implied, is made with respect to the data reported or to the findings, observations and conclusions expressed in this report. Further, such data, findings, observations and conclusions are based solely upon site conditions, information, drawings supplied by the Client in existence at the time of the investigation.

No liability or responsibility can be accepted by SJE if this Report is relied upon by any third party.

## TABLE OF CONTENTS

|                                                       |    |
|-------------------------------------------------------|----|
| 1. Executive Summary .....                            | 5  |
| 2. Introduction .....                                 | 5  |
| a. History of development .....                       | 5  |
| b. Statutory authority to undertake development ..... | 6  |
| 3. Performance Objectives .....                       | 6  |
| a. New Access Locations .....                         | 6  |
| b. Level of Service .....                             | 6  |
| c. Crashes .....                                      | 6  |
| 4. Existing Conditions .....                          | 7  |
| a. Existing layout (refer Appendix A) .....           | 7  |
| b. Traffic volumes.....                               | 7  |
| c. Traffic movements / speed environment .....        | 7  |
| d. Sight distances .....                              | 7  |
| e. Parking / Loading .....                            | 7  |
| f. Pedestrian / cycle activity .....                  | 7  |
| g. Public transport.....                              | 7  |
| h. Crash statistics .....                             | 7  |
| 5. Proposed Development.....                          | 8  |
| a. Proposed Site Usage .....                          | 8  |
| b. Proposed Layout (Refer Appendix C) .....           | 8  |
| c. Access requirements / points of conflict .....     | 8  |
| d. Travel movements .....                             | 9  |
| e. Safety Issues.....                                 | 9  |
| f. Pedestrian / cycle activity .....                  | 9  |
| 6. Traffic Generation.....                            | 9  |
| a. Traffic generation by area in development: .....   | 9  |
| b. Peak traffic generation .....                      | 9  |
| c. Directional splits .....                           | 10 |

|                                          |    |
|------------------------------------------|----|
| d. Network Traffic Volumes .....         | 10 |
| 7. Parking and Loading .....             | 10 |
| a. Requirements.....                     | 10 |
| b. Internal traffic movements.....       | 11 |
| c. Impact on surrounding properties..... | 11 |
| 8. Current Conditions .....              | 11 |
| a. Base Case LOS .....                   | 11 |
| 9. Post Development Conditions.....      | 11 |
| a. Level of Service (LOS).....           | 11 |
| b. Extent of network impact .....        | 11 |
| 10. Mitigating Treatments.....           | 12 |
| a. Proposed treatments.....              | 12 |
| b. Design standards.....                 | 12 |
| c. Proposed Layout .....                 | 12 |
| 11. Appendices .....                     | 13 |
| a. APPENDIX A - Locality Plan .....      | 13 |
| b. APPENDIX B - Existing Layout.....     | 14 |
| c. APPENDIX C – Existing Photos.....     | 15 |
| d. APPENDIX D – Proposed Layout.....     | 18 |
| e. APPENDIX E - References .....         | 19 |

## 1. Executive Summary

This proposal is to develop the existing 9.6ha orchard on the southern side of Willowbank Road into an industrial estate to cater for mixed industrial uses.

The land opposite has recently been developed for a large lot industrial estate with access primarily from Schubach St.

Traffic passing through the area is predominantly to Doctors Point Estate several kilometres to the east.

The existing traffic entering Schubach Street is estimated at 740 vpd growing to 1080vpd over a 20 year period on the basis of a 2%pa growth rate. When the traffic from the proposed development is included the traffic on the northern side of the intersection in Schubach Street the 20 years projection becomes 2180vpd and 218vph. This indicates that the existing roads remain well within the lane capacity of 900vph for level of service A.

The intersection at Willowbank Road is to be modified to better accommodate safe turning of larger vehicles by reducing the outstand on the southern side of the intersection to allow for adequate traffic lanes and a small median to separate opposing traffic.

The subdivision west of Schubach Street has an internal road with an adequate radius to accommodate the turning movement of a B double should the need arise.

All lots are designed with adequate width for a crossing to accommodate site access/ egress in a forward direction.

Overall the current level of service (LOS) is expected to remain at LOS A with minimal impact from the increased traffic.

## 2. Introduction

### a. History of development

#### i. Location

1. The site is an existing orchard and has an area of 9.6ha. It is located adjacent to the Doctors Point Road and the Willowbank Road.

#### ii. Brief description of development proposal

1. It is proposed to develop the area as an industrial subdivision with a mix of lot sizes ranging from 0.1ha to 1ha. Several lots are to have direct access to the roads they front and an internal road is proposed to service some additional lots.
2. The anticipated yield is expected to be approx 30 lots. The developed lots are expected to have a gross floor area (GFA) of about 25% of the total lot areas (8.8ha).
3. It is anticipated the most businesses would operate between the hours of 7.00am and 5.00pm 5 days a week.
4. The development is expected to create positions for approx 250 employees ( based on 28 employees per ha – RTA - GTGD – 3.10.1).

iii. Summary of surrounding road and traffic network

1. The estate impacts on three roads.

- a. Doctors Point Road which leads to Schubach St to the west and the Riverina Hwy to the east.
- b. Willowbank Road which is a link road from Schubach Street to South Albury. There is a low clearance height where it passes under the freeway and railway.
- c. Schubach St which provides access to the freeway, south Albury, central Albury and the Riverina Hwy. This will be the primary access route for any heavy vehicles.

iv. Sources of traffic generation

- 1. Existing traffic from Doctors Point and Schubach St.
- 2. The recently developed industrial Estate opposite the site
- 3. The proposed development
- 4. An area of land on the northern side of Doctors Point Road to the east of this development.

b. Statutory authority to undertake development

i. Planning Zone

- 1. The land is Rural Landscape (RU2) under the Albury Local Environment Plan (LEP) and a proposal is being prepared to rezone it to Industrial 1(IN1).

ii. Objectives for traffic from the Development

- 1. The development is to provide for a smooth transition of traffic from this development into the existing traffic streams with adequate safety for other road users.

3. Performance Objectives

a. New Access Locations

- i. Accesses are to be located clear of intersections and of adequate width to provide access to the lots without vehicles crossing to the opposite side of the road to enter / exit the lots.

b. Level of Service

- i. The level of service in the immediate vicinity of the estate will be maintained at LOS A with no interference to the existing traffic streams.

c. Crashes

- i. All roads are to conform to current Albury City Road Design Standards to minimise the potential for crashes.

#### 4. Existing Conditions

- a. Existing layout (refer Appendix A)
- b. Traffic volumes.
  - i. A traffic count was conducted from 7.30am to 9.00am on 9<sup>th</sup> August 2011. The peak hour traffic is assumed to be 10% of the daily traffic to enable a daily traffic volume to be extrapolated. The directional splits are assumed to be constant throughout the day. The evening peak will reflect the morning peak. There were no articulated vehicles observed and the traffic comprised cars , some service trucks, 2 school buses and several push bikes.
- c. Traffic movements / speed environment
  - i. The speed environment in this area is 50kph.
  - ii. The predominant traffic direction is towards / from the Schubach Street / East St intersection.
- d. Sight distances
  - i. Sight distance to the intersection is approx 160m to the east and 265 m to the west. These exceed the safe sight distance of approx 100m for an intersection in a 50 kph zone.
- e. Parking / Loading
  - i. All parking and loading associated with the existing orchard is carried out on site.
- f. Pedestrian / cycle activity
  - i. Internal – Not applicable.
  - ii. External – the adjacent roads are used by recreational pedestrians and cyclists on an ad hoc basis. Most of the activity is expected to occur outside the anticipated operating times for these businesses (early mornings, evenings and weekends). There were 5 bicycles which passed through the count site during the peak hour.
- g. Public transport
  - i. Doctors Point is serviced by 2 school buses.
  - ii. There is a public bus service linking the civic centre and the Albury Base Hospital via East Albury that includes the roundabout at the intersection of Schubach St and East St
  - iii. Taxis and club buses provide the only other form of public transport.
- h. Crash statistics
  - i. Crash statistics are available for Albury City via the RTA website on a city wide basis. However they do not provide data to an individual road level.

## 5. Proposed Development

### a. Proposed Site Usage

- i. The developments in this estate are expected to be a combination of:
  - 1. Service industries- such as suppliers to trades
  - 2. Trades depots
  - 3. Small Fabricators
  - 4. Commercial Activities – eg boutique brewery etc
  - 5. Storage facilities.
  - 6. Major anchor fabricator / supplier

### b. Proposed Layout (Refer Appendix C)

- i. The layout allows for several sites to directly access the Doctors Point Road
- ii. Willowbank Road will have several direct access lots and a new service road.

### c. Access requirements / points of conflict

- i. 10 lots are expected to access directly to both Doctors Point Rd and Willow Bank Rd via a single industrial crossing.
- ii. A new road will be created off Willowbank Road for access to the internal lots. The road will have a court bowl to enable turning in a forward direction.
- iii. Currently B Double access has been approved to the development south of East St. At this stage it is envisioned that B Double Access will not be required to this subdivision. However the layout has been designed to allow a B Double to enter Willowbank road , enter the internal road and U turn in the court bowl should it be necessary.
- iv. There is potential conflict
  - 1. for vehicles accessing or exiting individual sites turning across the opposing traffic lane or merging into the through traffic lane.
  - 2. for vehicles entering/ exiting the internal access road turning across the opposing traffic lane or merging into the through traffic lane.

d. Travel movements

- i. Employee traffic will come from the three access roads.
- ii. Customer traffic will come via the three access roads
- iii. Heavier delivery vehicles either delivering or collecting products will be in a north/ south direction along Schubach St.
- iv. The existing general traffic movements in the area are not expected to change as the surrounding areas are substantially developed, are reserves or are flood prone.

e. Safety Issues

- i. There is potential conflict
  - 1. for vehicles turning across the northbound lane on Doctors Point Rd.
  - 2. for vehicles turning into Schubach Street
  - 3. between various modes of transport

f. Pedestrian / cycle activity

- i. Currently there is no link to any of the Albury bike pedestrian walkways / cycle paths.
- ii. Internal – There may be some activity due to those staff choosing to ride or walk to work.
- iii. External –
  - 1. There may be some activity due to those staff choosing to ride or walk to work.
  - 2. The adjacent roads will continue to be used by recreational pedestrians, runners and cyclists on an ad hoc basis. Most of the activity is expected to occur outside the anticipated operating times for these businesses (early mornings, evenings and weekends).

6. Traffic Generation

a. Traffic generation by area in development:

- i. Predicted traffic generation is based on 5 vpd/100m<sup>2</sup> of gross floor area (RTA- GTGD-3.10.1).
- ii. The gross floor area is taken as 25% of the developable site area.

b. Peak traffic generation

- i. The peak hour traffic generation was taken as 1vph per 100m<sup>2</sup> of gross floor area (RTA- GTGD-3.10.1).

- ii. The development traffic volumes were added to the extrapolated existing traffic VPD for a 20 year period based on 0.5% growth. The low growth rate arises from Doctors Point being fully developed and the areas to the west being flood plain and Willowbank Road having limited headroom under the bypass and railway.

c. Directional splits

- i. The traffic was apportioned on a 90/10 basis between Willowbank Road and Doctors Point Road to reflect the number of lots being accessed by the respective roads.

d. Network Traffic Volumes

- i. The following table shows the derivation of the traffic volumes.

Traffic Count 9th August 2011 7.30am - 9.00am

|                             | 7:30-7:45(AM) | 7:45-8:00(AM) | 8:00-8:15(AM) | 8:15-8:30(AM) | 8:30-8:45(AM) | 8:45-9:00(AM) | VPH |
|-----------------------------|---------------|---------------|---------------|---------------|---------------|---------------|-----|
| Traffic Direction           | count         | count         | count         | count         | count         | count         |     |
| Willowbank to Schubach      |               |               | 1             | 2             | 2             | 3             | 8   |
| Willowbank to Doctors Point |               |               |               | 1             | 2             |               | 3   |
| Schubach to Willow Bank     |               | 1             | 2             |               | 1             |               | 3   |
| Shubach to Doctors Point    | 1             | 2             | 3             | 2             | 4             | 7             | 14  |
| Doctors Point to Schubach   | 4             | 10            | 7             | 11            | 21            | 10            | 49  |
| Doctors Point to Willowbank |               | 2             | 2             | 3             | 1             | 2             | 8   |

|              |      |                  |
|--------------|------|------------------|
| VPD to VPH   | 0.1  |                  |
| 20 yr growth | 1.46 | for 2% growth pa |
| Estate VPD   | 1100 |                  |
| Estate VPH   | 220  |                  |

Existing Traffic

| Traffic Split         | VPH | VPD | VPD20 |
|-----------------------|-----|-----|-------|
| Willowbank to East    | 11  | 110 | 161   |
| Willowbank to west    | 11  | 110 | 161   |
| Schubach to South     | 17  | 170 | 248   |
| Schubach to North     | 57  | 570 | 832   |
| Doctors Point to West | 57  | 570 | 832   |
| Doctors Point to East | 17  | 170 | 248   |

Projected Traffic to 20 Years

| Traffic       | VPD | VPD20 | VPD estate | VPD total | VPH 20 | VPH estate | VPH total |
|---------------|-----|-------|------------|-----------|--------|------------|-----------|
| Willowbank    | 220 | 321   | 990        | 1311      | 32     | 198        | 230       |
| Schubach      | 740 | 1080  | 1100       | 2180      | 108    | 220        | 328       |
| Doctors Point | 740 | 1080  | 220        | 1300      | 108    | 22         | 130       |

Assume AM and PM peak are equal

## 7. Parking and Loading

a. Requirements

- i. All parking and loading is to be on site.

b. Internal traffic movements

- i. All internal traffic movements are to provide for site access/ egress in a forward direction.

c. Impact on surrounding properties

- i. There are no properties to the east or west of the site.
- ii. The rural property to the south uses Willowbank road for access in either direction depending on the size of vehicle. The level of traffic generated from agricultural pursuits on the floodplain is unlikely to be adversely affected due to the low traffic volumes.
- iii. The industrial estate opposite will operate in harmony with this estate with most traffic using Schubach St for access.
- iv. Noise may be raised but as the business will essentially be small businesses noise is likely to be restricted to reversing forklifts. This noise generating source will occur during normal daytime working hours.

8. Current Conditions

a. Base Case LOS

- i. The current area operates at LOS A with little impediment to driver speeds due to the 50kph speed limit.

9. Post Development Conditions

a. Level of Service (LOS)

- i. After the development the area will continue to operate at LOS A due to the 50kph speed limit and the lane capacities of the roads being well below capacity. The midblock lane capacity of 900 vph for LOS A is considerably greater than the anticipated peak hour traffic of approx 350vph.
- ii. However depending on the time of day (AM peak) the roundabout at East Street could hold drivers due to vehicles approaching from Schubach St and East St. This may be at LOS B with drivers held for up to 28 seconds.

b. Extent of network impact

- i. The overall traffic pattern in the area is not likely to change due to the low clearance on Willowbank Rd and the alignment of the Doctors Point Rd beyond Doctors Point.
- ii. The greatest impact envisioned is at the Schubach St/ East St intersection. Currently there are minor delays as traffic approaches the intersection on route to either accessing the freeway, South Albury or Albury Central.
- iii. Future develop on the Northern side of the Doctors Point Road will add additional traffic of a similar magnitude to the subject development.

## 10. Mitigating Treatments

### a. Proposed treatments

- i. The southern side of both Doctors Point Road and Willowbank Road along the frontage of the property is to be constructed with kerb and gutter to match the existing road width in Schubach Street.
- ii. The Willowbank Road intersection with Schubach Street only requires minor adjustments to improve the safety of traffic turning movements. The level of traffic movements (350/230vph) is below the level of activity requiring detail analysis (400/250vph) (Austroads – GTM-6 table 4.2).
  1. The southern kerb return will need to be adjusted to accommodate an articulated vehicle turning into Willowbank Road.
  2. A splitter island will need to be constructed within the intersection to restrict vehicles entering Willowbank Road from cutting the corner.
- iii. The double lines on Doctors Point Road adjacent to the subdivision will need to be converted to a single line to allow vehicles to lawfully enter and exit the property in both directions.

### b. Design standards

- i. The adjacent external roads are to be constructed to a standard in accordance with Albury City Council design standards (ie width of 12m).
- ii. The internal roads are to be constructed to a standard in accordance with Albury City Council design standards (ie width of 11m).

### c. Proposed Layout

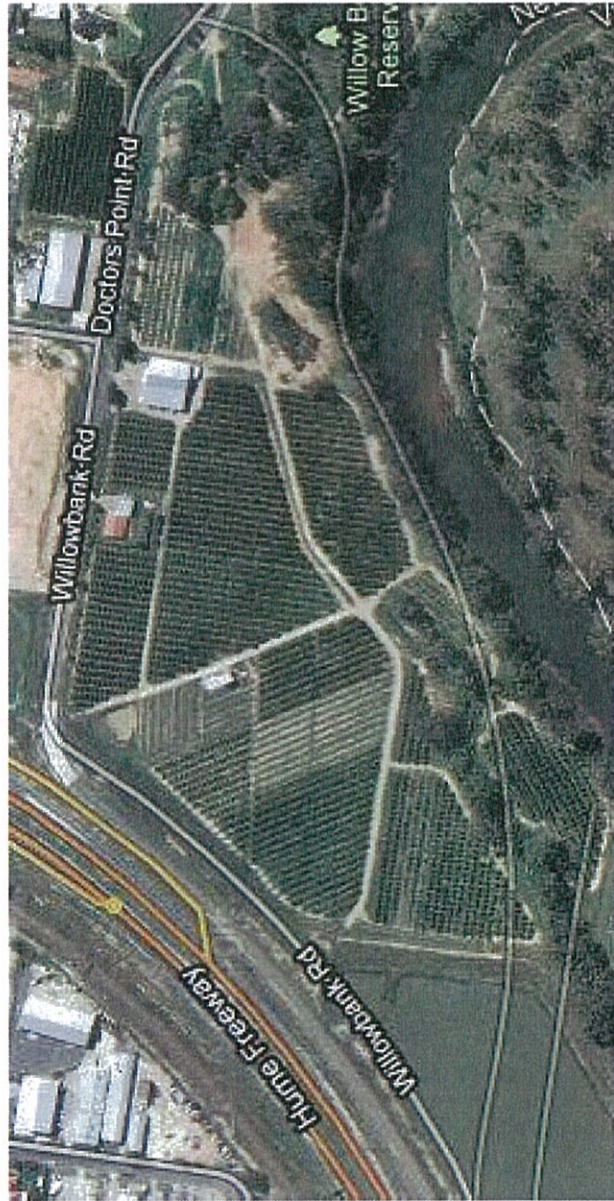
- i. The proposed layout is designed to reduce the number of lots directly accessing the Willowbank Road and Doctors Point Road by the provision of a new internal road. This road also has a court bowl of adequate radius to permit a B Double to execute a U turn.

11. Appendices

a. APPENDIX A - Locality Plan



b. APPENDIX B - Existing Layout



## c. APPENDIX C – Existing Photos



Figure 1 Doctors Point Road approach



Figure 2 Willowbank Road to East



**Figure 3 Intersection to East**



**Figure 4 Schubach St to north**



Figure 5 Intersection to west



Figure 6 Schubach St to south

d. APPENDIX D – Proposed Layout

e. APPENDIX E - References

- i. RTA – Guide to Traffic Generating Developments (RTA-GTGD)
- ii. Austroads Guides to Traffic Management Parts 3 Traffic Studies and Analysis (AGTM-3),
- iii. Austroads Guides to Traffic Management Part 6 Intersections Interchanges and Crossings (AGTM-6)
- iv. Austroads Guide to Road Design Part 3 Geometric Road Design (AGRD-3)
- v. Austroads Guide to Road Design Part 4a Unsignalised and Signalised Intersections (AGRD-4a)



## adaptable, innovative design, management & advice

391 Townsend St, Albury 2640 NSW Australia  
Phone (Aust.) 02 60 217 233 (Inter.) + 61 60 217 233  
Fax (Aust.) 02 60 412 579 (Inter.) + 61 60 412 579  
E-Mail: consulting@sje.com.au



### MEMO

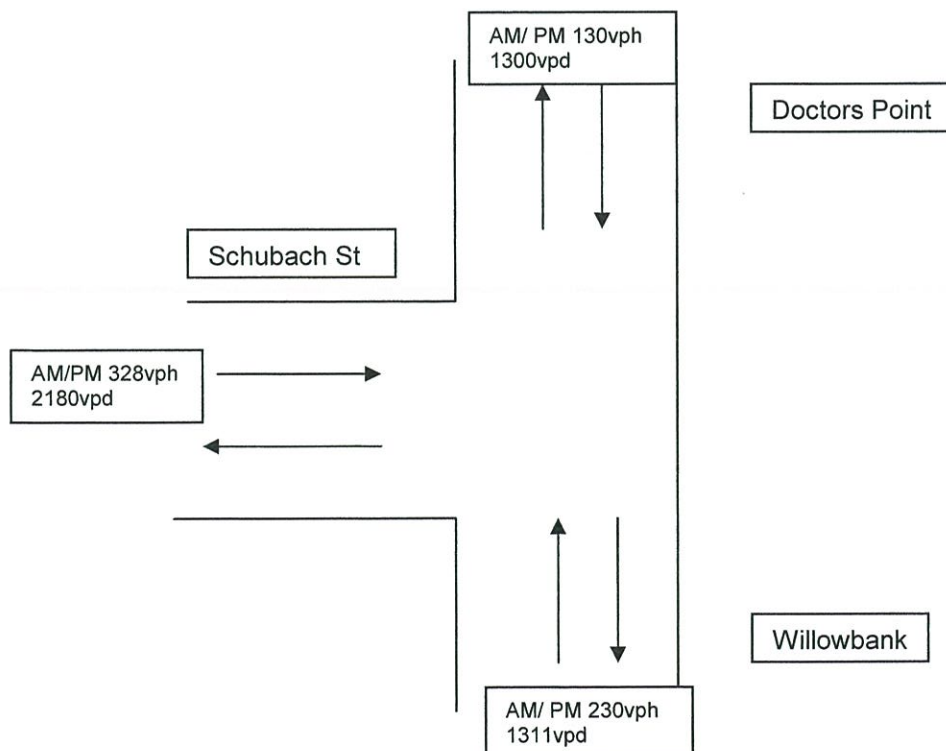
**To:** David Hunter

**Re:** Job 50066 -Willowbank TIAR – ACC Comments

**From:** Peter Lenaghan,

Responses numbered to match dot points.

1. Additional Traffic Survey
  - a. The current level of traffic is relatively low with the major source of traffic being from Doctors Point. This is a small rural-residential area so traffic flows will be relatively constant on a daily basis. Additional traffic survey is unlikely to identify any significant changes to current daily traffic.
  - b. ACC may have information from East St Roundabout design.
2. Traffic Diagrams
  - a. Projected traffic for 20 year growth.



3. Traffic Directional Split
  - a. Traffic is only servicing the industrial estate in both east and west direction from Schubach St. It is assumed heavy vehicles will access via Schubach St.
4. Intersection Analysis
  - a. The predicted volumes indicate that no treatment will be necessary for traffic volumes.
  - b. A SIIDRA analysis can be conducted in conjunction with the detail design.
5. Crash Data
  - a. The crash data can be assessed in detail at the detail design stage.
6. B Double Access
  - a. The proposed layout was checked for B-Double access for roads and intersections.
  - b. Detail can be provided with Detail Design.
7. Double Lines
  - a. Noted
8. Sight Distance
  - a. Sight distance has been measured from the intersection stopping point as per the Austroads standard.
9. No of Lots
  - a. Variation in lot numbers is unlikely to impact significantly on traffic volumes as predicted volumes is taken as a % of gross floor area as a % of lot area. Lot layouts considered in this Planning Proposal are conceptual only to demonstrate potential yield, and do not represent the final preferred layout.
10. Lot Uses
  - a. The report merely identified potential uses of the land, and the zone provisions are noted. Future development will comprise development which is permissible within the zone, subject to Council consideration. Minimal impact on traffic.

Regards,

Peter Lenaghan  
SJE Consulting  
E-mail: [plenaghan@sje.com.au](mailto:plenaghan@sje.com.au)

Appendix D  
South Albury Contour Levels &  
Draft Murray River Flood Study extracts



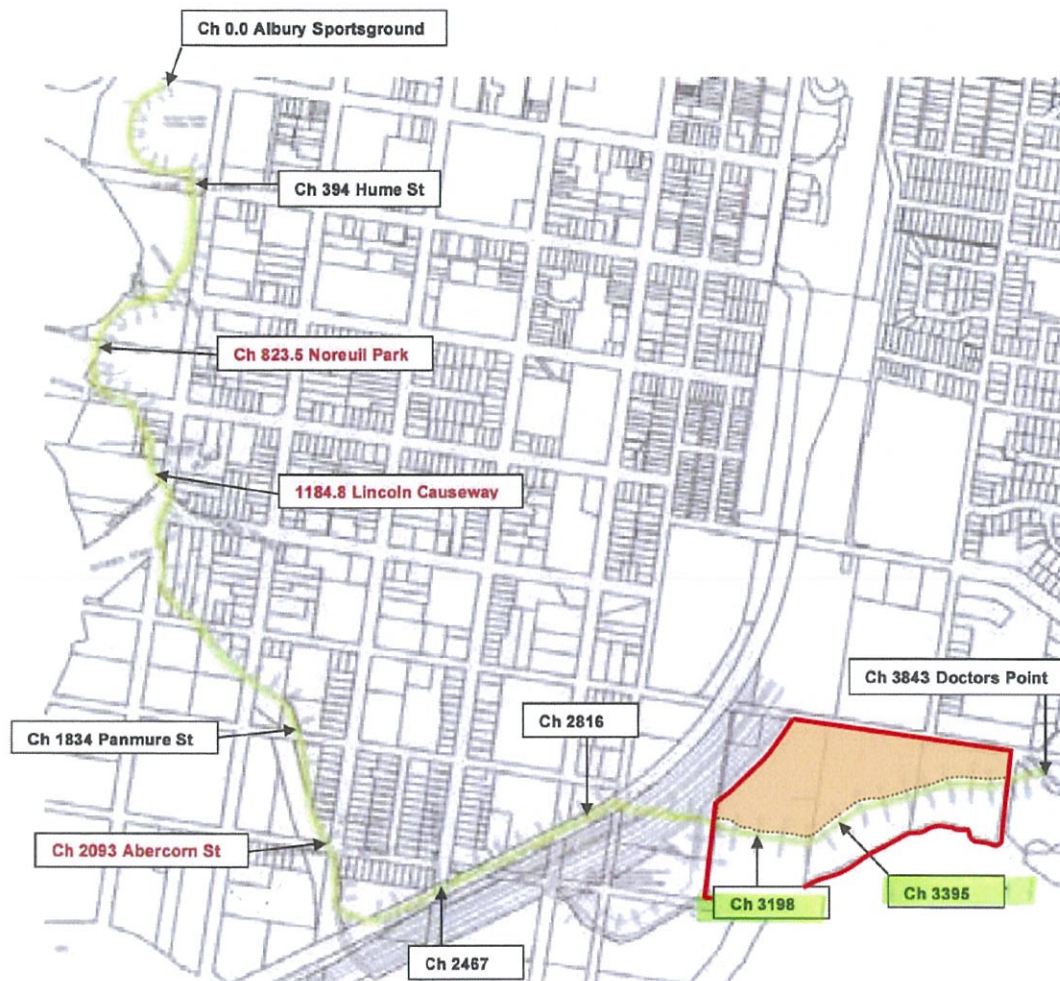
**Table D1 – South Albury Levee: Design Flood Levels (Ref: GHD, Table G1, *draft Murray River Flood Study*)**

| Chainage        | Levee Crest Height (m AHD) | Previous 100 Year ARI Flood Level (m AHD) | 2011 Conditions 100 Year ARI Flood Level |              |              | Freeboard relative to 2011 100 Year ARI Flood Level (m) |
|-----------------|----------------------------|-------------------------------------------|------------------------------------------|--------------|--------------|---------------------------------------------------------|
|                 |                            |                                           | 100 Year ARI                             | 200 Year ARI | 500 Year ARI |                                                         |
| 0 Sportsground  | 154.27                     | 153.1                                     | 153.3                                    | 153.7        | 154.3        | 0.97                                                    |
| 103.9           | 153.53                     | 153.1                                     | 153.3                                    | 153.7        | 154.3        | 0.23                                                    |
| 218.7           | 154.01                     | 153.1                                     | 153.3                                    | 153.7        | 154.3        | 0.71                                                    |
| 294.3           | 153.56                     | 153.1                                     | 153.3                                    | 153.7        | 154.3        | 0.26                                                    |
| 394.3           | 153.44                     | 153.1                                     | 153.3                                    | 153.8        | 154.4        | 0.14                                                    |
| 489.1           | 153.65                     | 153.1                                     | 153.3                                    | 153.8        | 154.4        | 0.35                                                    |
| 600.6           | 154.19                     | 153.2                                     | 153.4                                    | 153.8        | 154.4        | 0.79                                                    |
| 704.3           | 153.51                     | 153.2                                     | 153.4                                    | 153.8        | 154.4        | 0.11                                                    |
| 823.5           | 153.33                     | 153.2                                     | 153.4                                    | 153.8        | 154.4        | -0.07                                                   |
| 902.2           | 153.83                     | 153.2                                     | 153.4                                    | 153.9        | 154.4        | 0.43                                                    |
| 1011.0          | 153.43                     | 153.2                                     | 153.4                                    | 153.9        | 154.4        | 0.03                                                    |
| 1090.0          | 153.88                     | 153.3                                     | 153.4                                    | 153.9        | 154.4        | 0.48                                                    |
| 1184.8 Causeway | 153.37                     | 153.3                                     | 153.4                                    | 154.0        | 154.5        | -0.03                                                   |
| 1295.2          | 153.90                     | 153.4                                     | 153.5                                    | 154.0        | 154.5        | 0.40                                                    |
| 1436.3          | 154.59                     | 153.5                                     | 153.6                                    | 154.1        | 154.6        | 0.99                                                    |
| 1586.4          | 154.19                     | 153.6                                     | 153.7                                    | 154.2        | 154.6        | 0.49                                                    |
| 1834.2 Panmure  | 154.50                     | 153.7                                     | 153.9                                    | 154.3        | 154.7        | 0.60                                                    |
| 2027.7          | 154.10                     | 153.8                                     | 154.0                                    | 154.4        | 154.7        | 0.10                                                    |
| 2093.0 Abercorn | 153.88                     | 153.8                                     | 154.0                                    | 154.5        | 154.8        | -0.12                                                   |
| 2212.6          | 154.49                     | 153.9                                     | 154.0                                    | 154.5        | 154.8        | 0.49                                                    |
| 2321.5 Railway  | 156.21                     | 154.0                                     | 154.3                                    | 154.7        | 155.0        | 1.91                                                    |
| 2467.6          | 155.84                     | 154.2                                     | 154.5                                    | 154.9        | 155.3        | 1.34                                                    |
| 2620.5          | 155.22                     | 154.4                                     | 154.6                                    | 155.0        | 155.5        | 0.62                                                    |

\* This document is in a draft and not a final issued form. The contents of this draft document including any opinions, conclusions or recommendations contained in or which may be implied from this draft document must not in any way whatsoever be relied upon. GHD reserves the right, at any time with or without notice, to amend, modify or retract any part or all of the draft document including any opinions, conclusions, or recommendations contained therein. Unauthorised use of this draft document in any form whatsoever is strictly prohibited. To the maximum extent permitted by law, GHD disclaims any responsibility for liability howsoever arising from or in connection with this draft document.



**Figure D1 – South Albury Levee: Alignment Plan (Ref: GHD, Figure G1, *draft Murray River Flood Study*)**



**NOTE:** THIS PLAN HAS BEEN ANNOTATED BY HABITAT PLANNING TO INDICATE SUBJECT LAND (RED OUTLINE) AND AREA OF LAND TO BE REZONED (BLACK OUTLINE WITH ORANGE FILL)..

\* This document is in a draft and not a final issued form. The contents of this draft document including any opinions, conclusions or recommendations contained in or which may be implied from this draft document must not in any way whatsoever be relied upon. GHD reserves the right, at any time with or without notice, to amend, modify or retract any part or all of the draft document including any opinions, conclusions, or recommendations contained therein. Unauthorised use of this draft document in any form whatsoever is strictly prohibited. To the maximum extent permitted by law, GHD disclaims any responsibility for liability howsoever arising from or in connection with this draft document.







**Table D1 (cont.)** – South Albury Levee: Design Flood Levels (Ref: GHD, Table G1, *draft Murray River Flood Study*)

|                 |        |       |       |       |       |      |
|-----------------|--------|-------|-------|-------|-------|------|
| 2816.0          | 155.29 | 154.5 | 154.6 | 155.1 | 155.6 | 0.69 |
| 3006.3 Freeway  | 155.23 | 154.6 | 154.7 | 155.2 | 155.7 | 0.53 |
| 3198.4          | 155.37 | 154.7 | 154.8 | 155.2 | 155.7 | 0.57 |
| 3395.1          | 155.55 | 154.8 | 154.8 | 155.3 | 155.8 | 0.75 |
| 3587.7          | 155.76 | 155.0 | 154.9 | 155.4 | 155.9 | 0.86 |
| 3720.2          | 155.74 | 155.1 | 155.0 | 155.5 | 156.0 | 0.74 |
| 3843 Doctors Pt | 156.14 | 155.1 | 155.0 | 155.5 | 156.0 | 1.14 |

Note:

1. Levee route and selected chainage locations shown on Figure G1.

\* This document is in a draft and not a final issued form. The contents of this draft document including any opinions, conclusions or recommendations contained in or which may be implied from this draft document must not in any way whatsoever be relied upon. GHD reserves the right, at any time with or without notice, to amend, modify or retract any part or all of the draft document including any opinions, conclusions, or recommendations contained therein. Unauthorised use of this draft document in any form whatsoever is strictly prohibited. To the maximum extent permitted by law, GHD disclaims any responsibility for liability howsoever arising from or in connection with this draft document.



Appendix E  
Draft Murray Regional Strategy –  
Sustainability Assessment



| Aims                                                                                                                                                                     | Response                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                 |
|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| <p>1. Infrastructure Provisions</p> <p>Mechanisms in place to ensure utilities, transport, open space and communications are provided in a timely and efficient way.</p> | <p>As discussed throughout this document, the proposal is considered to be consistent with the draft Strategy, and relevant directions.</p> <p>The site is located adjacent to established urban development, which ensures that the land can be provided with all required urban infrastructure. Consultation with Council's engineers has confirmed that the existing infrastructure is generally adequate, however that the future development of the land may require upgrading and/or augmentation of some infrastructure provisions.</p>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                           |
| <p>2. Access</p> <p>Accessible transport options for efficient and sustainable travel between homes, jobs, services and recreation to existing or provided.</p>          | <p>In this instance, accessibility to the site for freight transport and the like is considered to be of most significance, given the intended future zone of industrial. The subject land is located directly adjacent to the Hume Freeway, and is highly accessible from the freeway via the East Street full diamond interchange and the existing urban roads. The land is also accessible to the wider city to provide efficient access for future employment.</p>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                   |
| <p>3. Housing Diversity</p> <p>Provide a range of housing choices to ensure a broad population can be housed.</p>                                                        | <p>Not relevant as the proposal does not involve current or future residential land.</p>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                 |
| <p>4. Employment Lands</p> <p>Provide regional/local employment opportunities to support the Murray Region's expanding role in the wider regional and NSW economies.</p> | <p>The proposal responds to the draft Strategy which states:</p> <p><i>A significant proportion of new employment land will be required in the Albury area, supporting its role as a major regional centre.</i></p> <p>The draft Strategy recognises the need for appropriately located employment lands, as well as a quantum supply to cater for economic growth, whilst protecting sensitive environmental lands, water resources and the Murray River system. Further, it also recognises Albury's significant economic strengths, including proximity to Melbourne, significant national transport infrastructure and opportunities for logistics and distribution due to having a highly accessible location.</p> <p>The proposal will offer further variety of industrial land in Albury, in terms of lot size, layout configurations and the type of transport infrastructure available in the immediate surrounds.</p> <p>Assessment of industrial land in Albury generally has identified that there is presently 10 years supply of industrial zoned land in Albury, based on sales figures for the five year period to 2011/2012. A 10 year supply represents the preferred supply rate for Albury City. The recent sales history is considered to be low given the impact of the GFC, and as such forecast demand for industrial lots has been estimated at approximately 15 lots per year, meaning that additional land will be required to provide appropriate supply of industrial land.</p> <p>The addition of this land to the industrial land supply of Albury is considered to ensure Albury can meet the preferred industrial land supply and employment rates.</p> |



| Aims                                                                                                                                                                  | Response                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                  |
|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| 5. Avoidance of risk<br>Land use conflicts, and risk to human health and life, avoided.                                                                               | It is not expected that the proposal will result in any significant land use conflicts, given the nature of surrounding urban land. The proposal includes a large buffer to the Murray River, defined by the flood levee bank.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                            |
| 6. Natural Resources<br>Natural resources limits not exceeded/environmental footprint minimised.                                                                      | The subject land can be provided with reticulated water supply. The development does not involve any resource exploitation, i.e. extractive industries, mining or the like.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                               |
| 7. Environmental Protection<br>Protect and enhance biodiversity, air quality, heritage and waterway health.                                                           | <p>The proposal will not result in any disturbance of habitat areas or natural features of the area because it relates to the rezoning of a significantly altered site within an urban area. It is also noted that the Planning Proposal does not relate to the land located south of the levee or along the Murray River.</p> <p>The land to be rezoned has been subject to ongoing intensive agriculture (orchard activities) for some years. The part of the land to be developed involves only that land north of the existing levee bank. The sensitive flood prone portion of the land will not be rezoned to industrial land.</p> <p>Future development of the land for both subdivision and individual development of allotments will also require additional consideration by Council, subject to the particular activities proposed and their specific functions.</p> <p>The potential environmental impacts have been discussed elsewhere within this report including with regard to the Murray REP 2 and draft Murray Regional Strategy.</p> |
| 8. Quality and Equity in Services<br>Quality health, education, legal, recreational, cultural and community development and other Government services are accessible. | Not considered to be relevant as the land is proposed for industrial activities.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                          |

