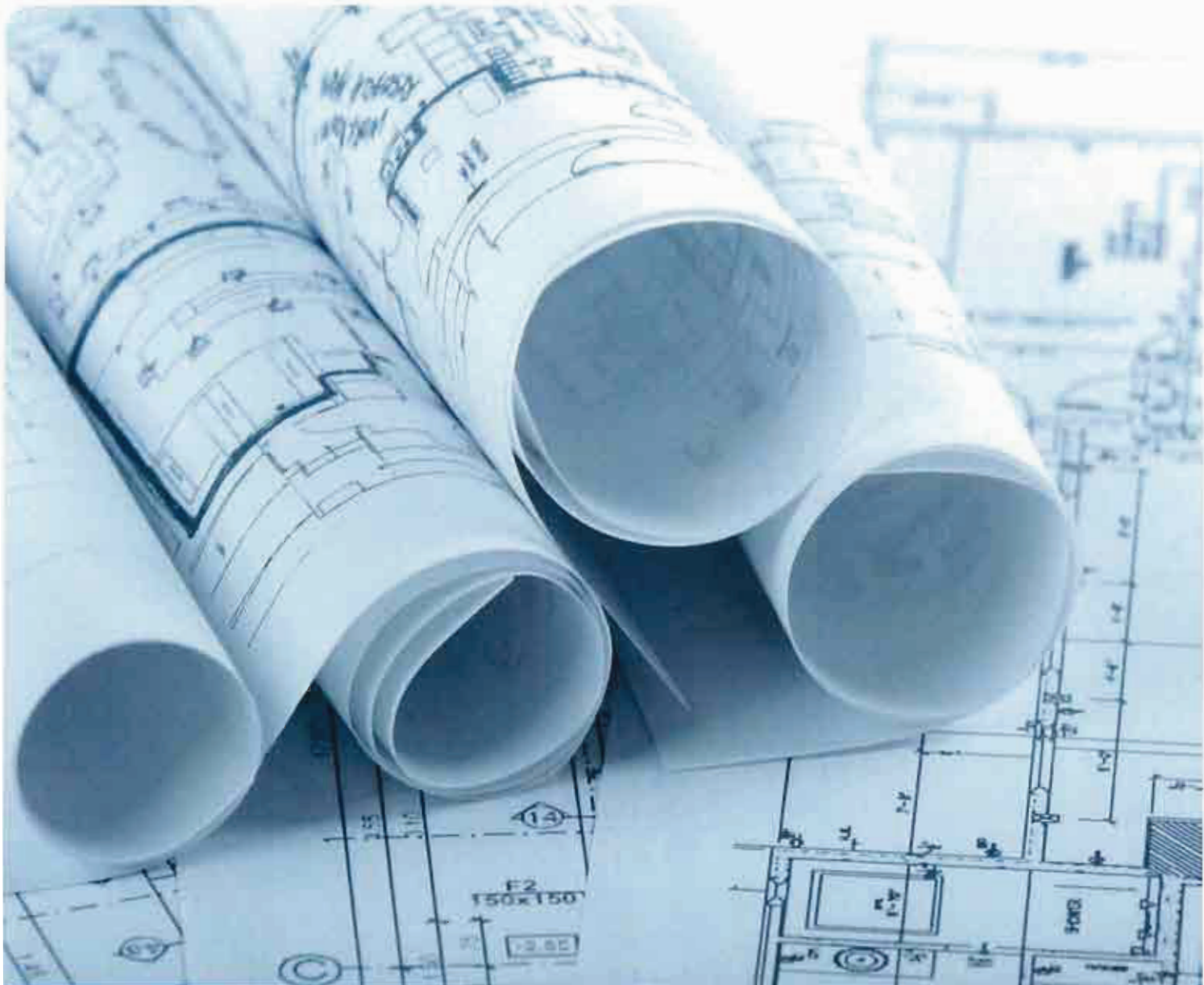


APPENDIX 4

Blueprint Planning Report



PLANNING REPORT & STATEMENT OF ENVIRONMENTAL EFFECTS

"NORTHPOINT" DEVELOPMENT

360-368 Griffith Road and 353-355 Wagga Road, LAVINGTON

December 2010

Prepared by:

Blueprint Planning

For:

Zauner Construction

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Document Control



Ref	Version No.	Date	Revision Details	Author
1188	1	07/12/2010	Initial Draft to Zauner Construction	JL
	2	16/12/2010	Final for DA lodgement	JL

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1.0 INTRODUCTION

1.1 Purpose of report

The purpose of this report is to provide information in accordance with the *Environmental Planning and Assessment Act 1979* (the EP&A Act), the *Environmental Planning and Assessment Regulation 2000* (the Regs), and relevant land use and development policies to inform the statutory development assessment and development application process.

More specifically, this report has been prepared in accordance with clause 50(1)(a) of the Regs and is to be included in a development application (the DA) to the Albury City Council (the Council) seeking development consent via the Southern Joint Regional Planning Panel (the Southern JRPP).

1.2 The Proposal

This DA, in general terms, is for 'Stage 3' of what is known as the Northpoint Development, being for the construction of a mixed use development comprising office premises, business premises, and food and drink premises with an overall construction value of \$8M in the Lavington CBD (the Proposal). The Proposal is more fully described below, and is shown on the **attached** site, floor, building-section, building elevation, building perspective, and landscaping plans.

Firstly, this report discusses the location of the Proposal and then an overview of surrounding land uses is provided. The statutory town planning development assessment framework applicable to the land and the Proposal is then introduced, followed by a detailed listing of the Proposal, including its operational parameters. Then assessment responses to the relevant land use and development planning policies is provided followed by a section summarising information presented in this report.

1.3 The Site

The land comprises seven (7) lots and is located in the northeastern area of the Lavington CBD and has dual frontage to Griffith Road and Wagga Road. The land is described as:

- Lots 1 and 2 SP 57929,



- Lots 1, 2, and 3 DP 23650,
- Lot 33 DP 544990, and
- Lot 23 DP 627560,

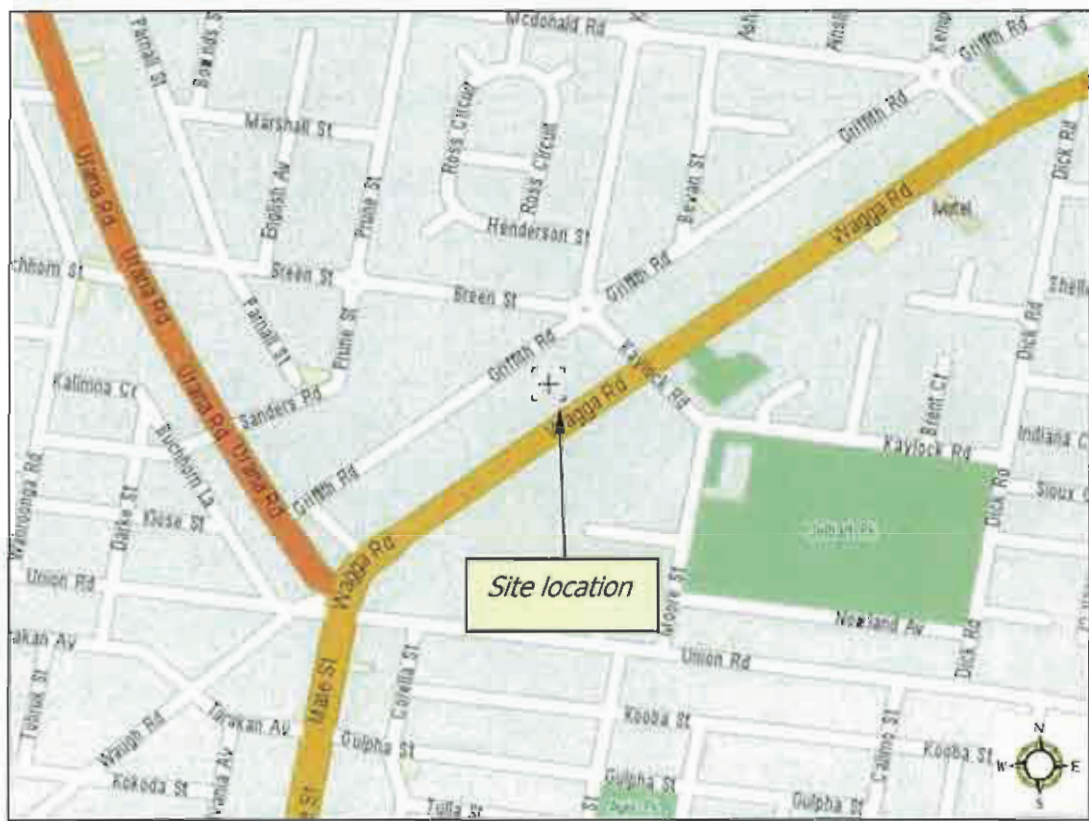
and is otherwise known as 360-368 Griffith Road and 353-355 Wagga Road, Lavington (the Site).

Pedestrian and vehicle access to the Site is available via Griffith Road and Wagga Road.

A location map of the Site is shown at **Figure 1** and an aerial photograph and cadastral map is shown at **Figure 2**. Title diagrams of the Site are shown at **Appendix A**.

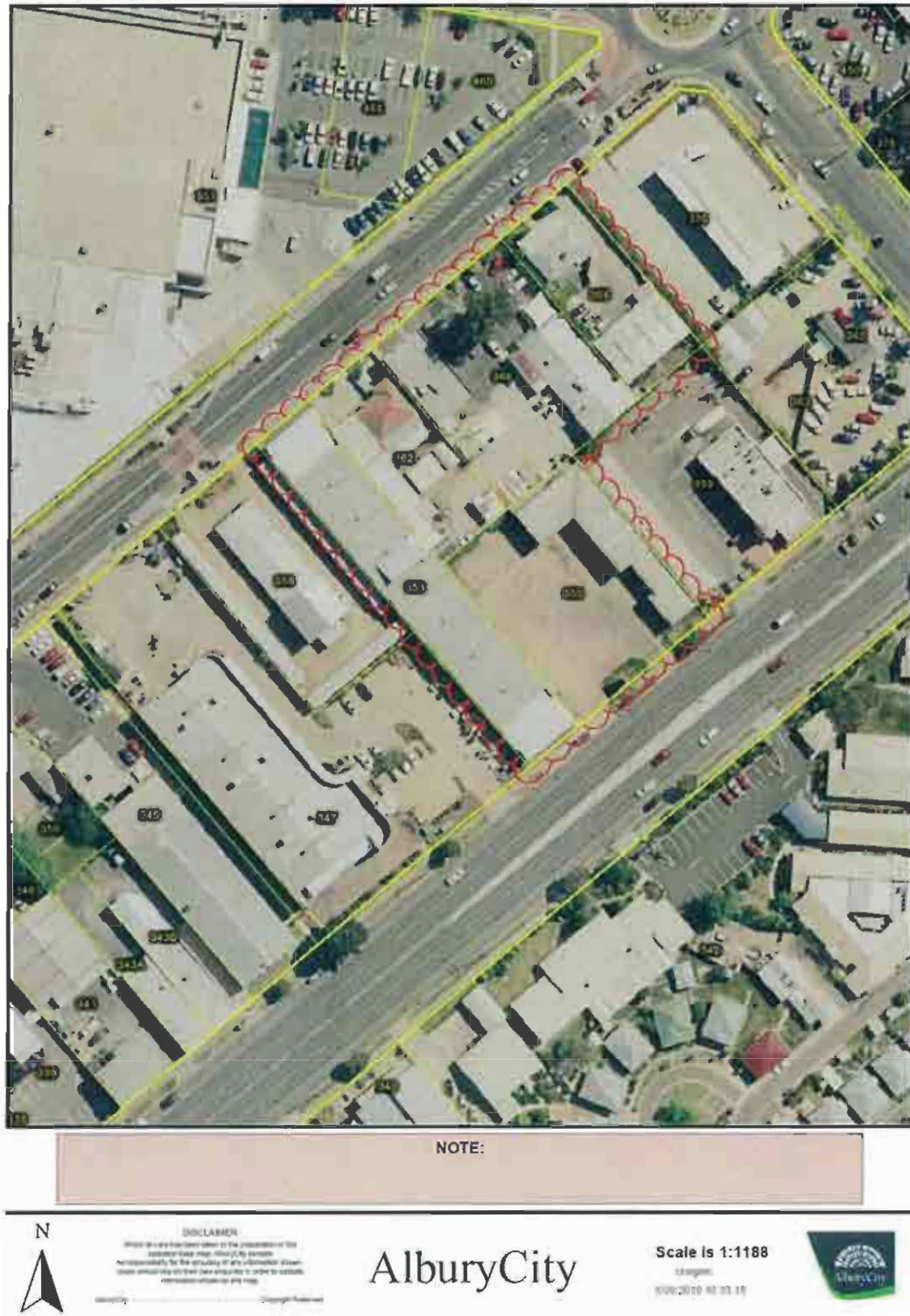
A description of the Site and surrounding land use and development context is provided at **Section 2.1**.

Figure 1: Location map



Source: Street Directory (2010)

Figure 2: Aerial photograph of the Site and surrounding area



Source: Albury City Council (2010)



1.4 Current land use

The Site has been used and occupied by retail, light industry, business, and commercial offices for many years. A copy of a feature and level survey plan of the Site is **attached**, with most recent land uses shown.

1.5 Development consents applying to the Site

To assist understanding about the context of this DA in regard to previous recent development approvals it is noted that Development Consent No. 10.2010.30451.1 for site preparation and demolition works and Development Consent No. 10.2010.30457.2 for 'Stage 1' and 'Stage 2' works comprising a mixed use commercial development apply to the Site. Works for both approvals are currently underway, however 'Stage 2' is not proceeding as it is being superseded by the Proposal.

It is noted that the vehicle accessways to both Griffith Road and Wagga Road shown on the **attached** plans were approved via Development Consent No. 10.2010.30457.1.

1.6 The design response and concept

The design response and concept has generated following a thorough site analysis, investigation, and consultation process: A process which has assisted design principals to more comprehensively understand the nature of the Site and the general area, and to provide a design response which responds to stakeholder interests and the land use and development policies and guidelines detailed in this report.

The design concept has been to provide a development response consistent with the strategic land use planning aspirations of the community of Lavington as articulated through the Council's planning documents applicable to the Site and area, namely the *Lavington CBD Masterplan 2009* (the Masterplan), the *Albury Local Environmental Plan 2010* (the LEP), and the *Albury Development Control Plan 2010* (the DCP). Specific design parameters and aspirations include:

- providing business and office accommodation in the Lavington CBD area, with café and supporting retail land uses onsite;
- providing adequate onsite carparking, motorcycle, and bicycle facilities with ease of access from dual road frontages with supporting open space, landscaping, and secure parking facilities;

- providing ease of pedestrian access and mobility for persons with disabilities;
- providing a safe and secure development consistent with crime prevention through environmental design (CPTED) principles, including:
 - visual surveillance;
 - 'non-concealment' building design;
 - carparking and landscaping design; and
 - security lighting.

1.7 Consultation to inform design response and concept

Consultation with several adjoining landowners and leaseholders and the Council has occurred to inform the design response and concept of the Proposal and to receive general feedback.

In regard to servicing and infrastructure the following consultation also occurred:

- Council, in regard to:
 - strategic and statutory land use and development planning,
 - traffic safety and engineering, and
 - reticulated water, sewerage, and stormwater drainage;
- Roads and Traffic Authority (RTA), in regard to traffic safety and engineering via Development Consent No. 10.2010.30457.1;
- Country Energy, in regard to reticulated electricity;
- Origin Energy, in regard to reticulated natural gas; and
- Telstra, in regard to reticulated telecommunications.

1.8 Statutory development application processing and assessment procedure

Pursuant to clause 13B of *State Environmental Planning Policy (Major Development) 2005* (SEPP MD) this DA is required to be determined by the Southern JRPP as the Proposal includes development with a capital investment value of more than \$5M and a council is a party to an agreement or arrangement relating to the development. In this case, the Site has been the subject of a resolution of Council regarding the relocation of the Lavington Library.

Clause 13F of SEPP MD essentially provides that the Council will carry out administrative handling of this DA, including coordinating public notification and the preparation of a planning report for the Southern JRPP to consider and determine the DA.

1.9 Statutory land use and development assessment framework

1.9.1 Legislation

Environmental Planning and Assessment Act 1979

Pursuant to sections 77A and 91 of the EP&A Act the Proposal is not respectively identified as “designated development” or “integrated development”.

Environmental Planning and Assessment Regulation 2000

Pursuant to clause 5(2)(d) of the Regs and Appendix C of the DCP the Proposal is not identified as “other advertised development”.

State Environmental Planning Policy

The Proposal is affected by considerations within *State Environmental Planning Policy – Remediation of Land* (SEPP55).

Local Environmental Plans

The Site is affected by considerations within the LEP.

1.9.2 Policy

State Environmental Planning Policy

SEPP55 (and *Managing Land Contamination: Planning Guidelines* (DUAP & EPA 1998)) generally requires that consideration be given to whether or not land proposed to be developed is contaminated and fit for use for its intended purpose.

An assessment table which lists the full content of these provisions and detailed responses are provided below at **Table 1** and include relevant considerations under Appendix J of the DCP.

Local Environmental Plans

The following provisions of the LEP are considered relevant to assessment of the Proposal:

- Land Use Table – Zone B4 Mixed Use: Objectives of zone.

An assessment table which lists the full content of these provisions and detailed responses are provided below at **Table 2**.

Development Control Plans

The Site is affected by the DCP and the following provisions are considered relevant to assessment of the Proposal:

- 11.7.1: Development in the B3 Commercial Core and B4 Mixed Use Zones;
- 11.7.21: Land Use Precincts – Lavington;
- 11.7.22: Building Heights – Lavington;
- 11.7.23: Street Wall Heights and Upper Level Setbacks – Lavington;
- 11.7.24: Floor Space Ratio (FSR) – Lavington;
- 11.7.25: Building Design – Lavington;
- 11.7.26: Building Setbacks – Lavington;
- 11.7.27: Building Depth – Lavington;
- 11.7.28: Building Separation – Lavington;
- 11.7.29: Open Space and Landscaping – Lavington;
- 11.7.30: Car Parking, Traffic and Access – Lavington;

- 11.7.31: Streetscape – Lavington;
- 11.7.32: Urban Design and Pedestrian Circulation – Lavington;
- 11.7.33: Outdoor Advertising – Lavington;
- 11.7.34: Masterplan Requirement – Lavington;
- 16.2: Design Principles for Advertisements and Signage;
- 17.8: Parking Provision by Land Use;
- 17.9.1: Car Parking Design;
- 17.9.2: Disabled Persons Parking;
- 17.9.3: Bicycle Racks and Motorcycle Parking Spaces;
- 17.9.4: Off Street Loading Facilities;
- 17.9.5: Pedestrian Movements; and
- 17.9.6: Contributions in Lieu of Physical Provision of Car Parking.

Similarly for provisions of the LEP, an assessment table is provided below at **Table 3**.

Lavington CBD Masterplan 2009

The following provisions of the Masterplan are considered relevant to assessment of the Proposal:

- Section 3.2: Sites Requiring a Masterplan; and
- Section 3.3: Street Setbacks;
- Section 3.4: Building height;
- Section 3.6: FSR;
- Section 3.7: Precincts; and
- Section 3.9: Supporting CBD Precinct.

Assessment considerations for the Masterplan are contained within considerations for the DCP in **Table 3**.

LEP definitions

For the purposes of this report the following definitions listed in the Dictionary of the LEP are considered relevant:

building height (or **height of building**) means the vertical distance between ground level (existing) at any point to the highest point of the building, including plant and lift overruns, but excluding communication devices, antennae, satellite dishes, masts, flagpoles, chimneys, flues and the like.

business premises means a building or place at or on which:

- (a) an occupation, profession or trade (other than an industry) is carried on for the provision of services directly to members of the public on a regular basis, or
- (b) a service is provided directly to members of the public on a regular basis, and may include, without limitation, premises such as banks, post offices, hairdressers, dry cleaners, travel agencies, internet access facilities, medical centres, betting agencies and the like, but does not include sex services premises.

floor space ratio [c.f. clause 4.5] The floor space ratio of buildings on a site is the ratio of the gross floor area of all buildings within the site to the site area.

[**site area** In determining the site area of proposed development for the purpose of applying a floor space ratio, the site area is taken to be:

- (a) if the proposed development is to be carried out on only one lot, the area of that lot, or
- (b) if the proposed development is to be carried out on 2 or more lots, the area of any lot on which the development is proposed to be carried out that has at least one common boundary with another lot on which the development is being carried out.]

food and drink premises means retail premises used for the preparation and retail sale of food or drink for immediate consumption on or off the premises, and includes restaurants, cafes, take away food and drink premises, milk bars and pubs.

gross floor area means the sum of the floor area of each floor of a building measured from the internal face of external walls, or from the internal face of walls separating the building from any other building, measured at a height of 1.4 metres above the floor, and includes:

- (a) the area of a mezzanine, and
- (b) habitable rooms in a basement or an attic, and
- (c) any shop, auditorium, cinema, and the like, in a basement or attic,

but excludes:

- (d) any area for common vertical circulation, such as lifts and stairs, and
- (e) any basement:
 - (i) storage, and
 - (ii) vehicular access, loading areas, garbage and services, and
- (f) plant rooms, lift towers and other areas used exclusively for mechanical services or ducting, and
- (g) car parking to meet any requirements of the consent authority (including access to that car parking), and
- (h) any space used for the loading or unloading of goods (including access to it), and
- (i) terraces and balconies with outer walls less than 1.4 metres high, and
- (j) voids above a floor at the level of a storey or storey above.

mixed use development means a building or place comprising 2 or more different land uses.

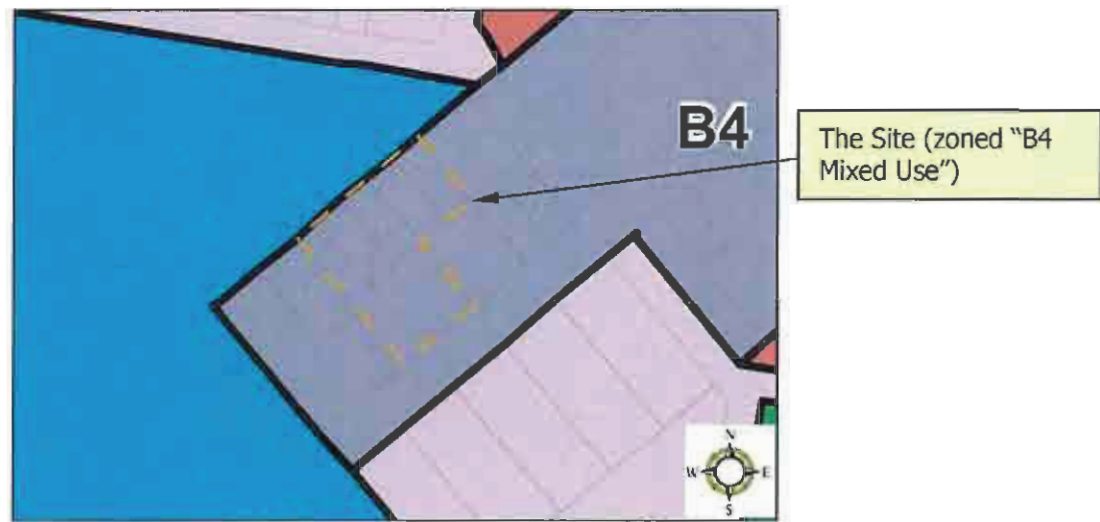
office premises means a building or place used for the purpose of administrative, clerical, technical, professional or similar activities that do not include dealing with members of the public at the building or place on a direct and regular basis, except where such dealing is a minor activity (by appointment) that is ancillary to the main purpose for which the building or place is used.

retail premises means a building or place used for the purpose of selling items by retail, or for hiring or displaying items for the purpose of selling them by retail or hiring them out, whether the items are goods or materials (or whether also sold by wholesale).

Land use zoning

The Site is zoned "B4 Mixed Use" in the LEP, which is shown in the zoning map excerpt detailed below in **Figure 3**.

Figure 3: Excerpt of land use zoning map from the LEP

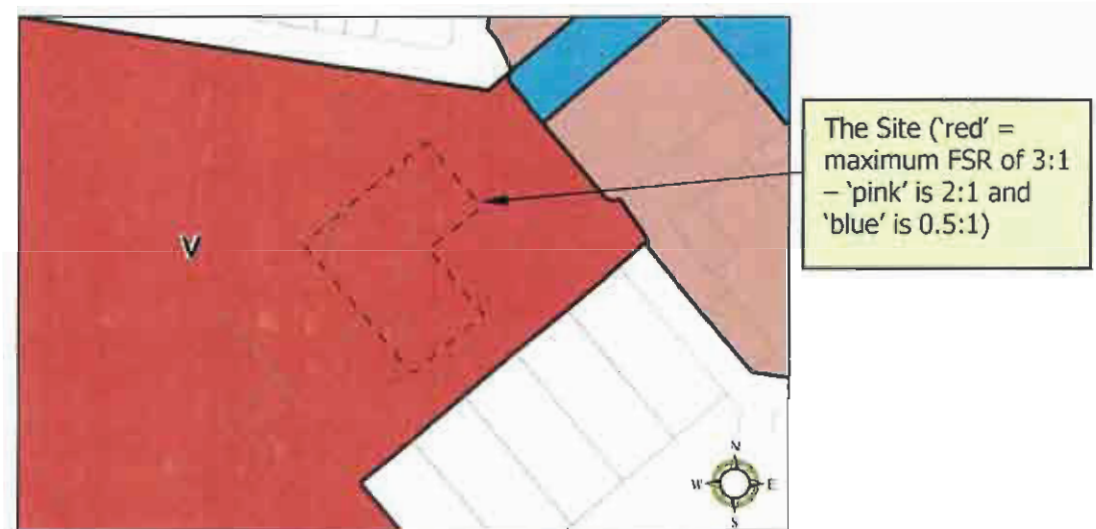


Source: Albury City Council (2010)

Floor space ratio and building height controls

Floor space ratio (FSR) controls which affect the Site are shown in **Figure 4** and building height controls are shown in **Figure 5**.

Figure 4: Excerpt of FSR map from the LEP



Source: Albury City Council (2010)

Figure 5: Excerpt of height of buildings map from the LEP



Source: Albury City Council (2010)

Heritage

The Site is not affected by any heritage controls and there are no heritage conservation areas or built items or places of heritage significance adjoining or near the Site.

2.0 DESCRIPTION OF PROPOSAL

2.1 Site description and surrounding land use and development context

The Site was briefly described in **Section 1.3** above, however more specifically the Site is located in a mixed-use commercial area with commercial land uses located surrounding the Site on all sides, except for an aged care facility to the east-southeast across and on the opposite side of Wagga Road. To the southwest of the Site is a commercial storage unit complex and a proposed medical centre (currently under construction), to the northeast is a Coles service station and a KFC restaurant, and to the west is the Centro shopping centre complex.

Surrounding buildings are predominately one to two-storeys in height and the Site has an area of 7,601 square metres.

The Site is serviced with reticulated water, sewer, electricity, natural gas, telecommunications and stormwater. The Site is serviced with several sewer junction points and water tapplings with meters.

Photographs of the Site, surrounding area and prevailing streetscapes along the Site's boundaries are shown at **Appendix B**.

2.2 Development description

2.2.1 Staging

The Proposal implements 'Stage 3' of the Northpoint Development, with 'Stage 2' (as it was known in Development Consent No. 10.2010.30451.2) not proceeding as it is being superseded by the Proposal.

2.2.2 Site preparation and demolition

To prepare the Site for the works envisaged by the Proposal in accordance with the **attached** plans the following works are required over and above Development Consent No. 10.2010.30451.2:

- demolition of existing 374 m² GFA office premises (currently known as 'Stage 2' in Development Consent No. 10.2010.30451.2, with disconnection and capping of relevant water and sewer services already approved); and
- demolition of existing 401 m² GFA office premises (Zauner Construction offices), including disconnection and capping of relevant water and sewer services; and
- demolition of existing 377 m² GFA business premises (Lavington Hairdressing Salon) and light industry (Lavington Auto Repairs), including disconnection and capping of relevant water and sewer services; and
- site preparation works and establishment of construction zone for carpark, business premises, office premises, and food and drink premises developments, including:
 - establishing security fencing and hoardings around the perimeter of the construction area;
 - removal of carpark surfaces and civil infrastructure;

- excavation, filling, and levelling earthworks to make good for site works.

It is noted that the existing gum tree on Lot 3 DP 23650 is proposed to be retained.

2.2.3 Business premises, office premises, and food and drink premises

Implementation of the business premises, office premises, and food and drink premises parts of the Proposal in accordance with the **attached** plans requires the following works:

- construction of a six-storey building fronting Griffith Road with 3,942 m² GFA and 79 additional car parking spaces;
- use of high-quality construction materials and finishes;
- weather protection awning and colonnade for the Griffith Road entranceway;
- pedestrian access is proposed via Griffith Road and Wagga Road;
- passenger vehicle access to the carpark is proposed via Griffith Road and Wagga Road (approved via Development Consent No. 10.2010.30457.1); and
- delivery vehicle access is proposed via the internal carpark via either Griffith Road or Wagga Road.

2.2.4 Re-subdivision

The Proposal includes a 7 lot to 1 lot re-subdivision.

2.2.5 Advertising signage

Advertising signage has been shown on signage panels on the **attached** building elevation plans, and any additional signage will be the subject of separate development applications where applicable.

2.3 Operational matters

The following sections provide a summary of the operational parameters for the different components of the Proposal.

2.3.1 During construction

▪ Days and hours of operation:	7 am to 6 pm, Monday to Saturday (excluding public holidays)
▪ Traffic management:	in accordance with a Traffic Management Plan (TMP)
▪ Car parking:	some onsite car parking provided in the 'construction zone'; temporary displacement of public carparking along all road frontages during the various stages of construction as applicable
▪ Loading/unloading:	onsite loading/unloading provided in the 'construction zone' and along Griffith Road frontage in accordance with the relevant TMP
▪ Waste management:	waste is stored in dedicated containers within the 'construction zone' and collected by licensed contractors for offsite disposal
▪ Safety and security:	relevant OH&S and WorkCover standards and guidelines; hoardings along road frontages designed to facilitate safe pedestrian movement
▪ Lighting:	standard security lighting
▪ Plant and machinery:	standard building industry construction equipment
▪ Noise, dust, and vibration:	standard building industry construction equipment; demolition carried out in accordance with <i>AS2601:2001–Demolition of structures</i> ; construction carried out in accordance with <i>AS2436:1981–Guide to noise control on construction, maintenance and demolition sites</i>
▪ Stormwater:	construction carried out in accordance with <i>The Blue Book – Managing Urban Stormwater: Soils and Construction</i> (Landcom 2004)

- Visual: hoardings and security fencing erected along all construction area boundaries where relevant

2.3.2 Business premises, office premises, and food and drink premises

▪ Days and hours of operation:	normal business days and hours
▪ Car parking (including for 'Stage 1'):	149 onsite car parking spaces, including 2 spaces for persons with prams and 4 spaces for persons with disabilities
▪ Motorcycle parking (including for 'Stage 1'):	5 onsite motorcycle parking spaces
▪ Bicycle parking (including for 'Stage 1'):	20 onsite bicycle parking spaces
▪ Loading/unloading (including for 'Stage 1'):	onsite loading/unloading bays
▪ Waste management:	waste is stored in dedicated containers within the buildings and/or loading/unloading bays and collected by licensed contractors for offsite disposal
▪ Safety and security:	complies with 'Safer-by-Design' principles, including: visual surveillance; 'non-concealment' building, carparking and landscaping design; and security lighting
▪ Lighting:	standard security lighting
▪ Plant and machinery:	standard air conditioning and ventilation equipment
▪ Noise and vibration:	standard air conditioning and ventilation equipment; days and hours of operation per normal business days and hours

▪ Services and easements:	all reticulated services are available, easement for sewer to be provided on a consolidated lot plan
▪ Signage:	subject to further development applications where necessary
▪ Visual:	high quality external building cladding materials, colours, and finishes
▪ Disabled parking and access:	complies with the DCP (parking for persons with disabilities provided at 3 % of onsite spaces), <i>Building Code of Australia</i> , and the <i>Disability Discrimination Act 1992</i> (Cwlth)

3.0 PLANNING ASSESSMENT MATTERS

3.1 Contaminated land considerations

Table 1: Assessment Matters – SEPP55

Clause 7: Contamination and remediation to be considered in determining development application

(1) A consent authority must not consent to the carrying out of any development on land unless:

(a) it has considered whether the land is contaminated, and

Comment: The Site is not known to be contaminated from past land use/s.

(b) if the land is contaminated, it is satisfied that the land is suitable in its contaminated state (or will be suitable, after remediation) for the purpose for which the development is proposed to be carried out, and

Comment: Not relevant.



(c) if the land requires remediation to be made suitable for the purpose for which the development is proposed to be carried out, it is satisfied that the land will be remediated before the land is used for that purpose.

Comment: Not relevant.

3.2 Land use zone objectives

Table 2: Assessment Matters – LEP

Zone B4 Mixed Use: Objectives of zone	
<ul style="list-style-type: none"> To provide a mixture of compatible land uses. 	<p><u>Comment:</u> The proposed business premises, office premises, and food and drink premises land uses applicable to the Proposal are considered to be compatible with the land use zoning of the area.</p>
<ul style="list-style-type: none"> To integrate suitable business, office, residential, retail and other development in accessible locations so as to maximise public transport patronage and encourage walking and cycling. 	<p><u>Comment:</u> The Site is located along existing public transport routes and has pedestrian and bicycle access from both Griffith Road and Wagga Road.</p>
<ul style="list-style-type: none"> To permit a range of uses that do not detract from, or compete with, the functions of the Commercial Core zones. 	<p><u>Comment:</u> The Proposal does not detract from, or compete with, the functions of the Lavington commercial core, which is primarily to provide core retail land uses.</p>
<ul style="list-style-type: none"> To identify areas in close proximity to the commercial core where commercial and retail uses may be considered. 	<p><u>Comment:</u> The Proposal directly implements this objective.</p>
<ul style="list-style-type: none"> To protect residents in close proximity to the commercial core from encroachment by commercial and retail premises which by reason of their demands for parking and/or public infrastructure, should be located within the Commercial Core. 	<p><u>Comment:</u> More than adequate car parking is provided onsite.</p>

- | | |
|--|--------------------------------------|
| <ul style="list-style-type: none"> ▪ <i>To encourage the provision of affordable housing.</i> | <p><u>Comment:</u> Not relevant.</p> |
|--|--------------------------------------|

3.3 Development controls for Commercial Zones

Table 3: Assessment Matters – DCP

Part 11: Development in the Commercial Zones	
11.7.1: Development in the B3 Commercial Core and B4 Mixed Use Zones – General objectives	
<ul style="list-style-type: none"> ▪ <i>To maintain and enhance Albury and Lavington's economic, social and cultural role in the region.</i> 	<p><u>Comment:</u> The Proposal is consistent with this objective by enhancing the economic and social vibrancy of the Lavington CBD. This is achieved through the additional office, business, and café land use diversity mix added to the Lavington CBD.</p>
<ul style="list-style-type: none"> ▪ <i>To reinforce the structure and legibility of Albury and Lavington through a clear street hierarchy and urban form.</i> 	<p><u>Comment:</u> The structure and legibility of the Lavington CBD is reinforced through locating the six-storey business premises and office premises building along the Griffith Road frontage in the southwestern corner of the Site as close as possible to the Lavington CBD core. This siting and design is consistent with the strategy to reinforce the role and function of Griffith Road in the Lavington CBD.</p>
<ul style="list-style-type: none"> ▪ <i>To promote and encourage a high design quality of buildings.</i> 	<p><u>Comment:</u> All parts of the Proposal incorporate high quality architectural building design. Particular attention has been given to the external façade appearances of the building fronting Griffith Road in regard to views from the public domain.</p>
<ul style="list-style-type: none"> ▪ <i>To ensure that the siting of new developments are</i> 	<p><u>Comment:</u> With the exception of the aged care facility to the east-southeast across Wagga Road, there are no residential developments located adjoining the Site. The</p>



<i>appropriate to their setting and use, particularly in regards to overlooking and overshadowing of residential areas.</i>	Proposal is considered to be appropriately sited for its Lavington CBD commercial land use setting in regard to applicable available development controls, including FSR (3:1), building height (35 m), and above-ground building to boundary setbacks (discussed further below).
<ul style="list-style-type: none"> ▪ <i>To manage the transition in building use and scale within low-scale residential and multi-use areas.</i> 	<u>Comment:</u> Not relevant: The Proposal is not located in a low-scale residential or multi-use area – it is located in a clearly defined commercial precinct.
<ul style="list-style-type: none"> ▪ <i>To provide a high level of pedestrian amenity to create vibrant, safe and easy-to-navigate streets.</i> 	<u>Comment:</u> The Proposal is consistent with this objective by providing ground-level access to the Site from both Griffith Road and Wagga Road (originally approved via Development Consent No. 10.2010.30451.1).
<ul style="list-style-type: none"> ▪ <i>To promote the amalgamation of small sites to deliver better quality development and adequate on-site parking.</i> 	<u>Comment:</u> The Proposal is consistent with this objective by consolidating seven existing lots into a single space-efficient development with central accessible carparking.
<ul style="list-style-type: none"> ▪ <i>To respect the existing scale and view corridors of heritage streetscapes in regards to new development.</i> 	<u>Comment:</u> The Proposal is not located in or adjoining any heritage conservation areas identified in the LEP.
<ul style="list-style-type: none"> ▪ <i>To improve and promote the use and safety of laneways for both vehicle service access and pedestrian access</i> 	<u>Comment:</u> The Proposal is not located along any laneways.

<i>to building frontages.</i>	
<ul style="list-style-type: none"> ▪ <i>To promote and encourage safer public spaces.</i> 	<u>Comment:</u> Design, access, and lighting of the carparks and road interfaces have been carried out in accordance with relevant Australian Standards and Safer-by-Design Principles. Further comment is made at Section * .
<ul style="list-style-type: none"> ▪ <i>To promote landmark buildings at gateways and entry points.</i> 	<u>Comment:</u> Not relevant.
<ul style="list-style-type: none"> ▪ <i>To simplify visual clutter, enhance tree planting and identify areas for public art and new public spaces.</i> 	<u>Comment:</u> The Proposal provides for carpark shade tree planting as indicated.
<ul style="list-style-type: none"> ▪ <i>To create a destination for tourists from which to experience and enjoy Albury.</i> 	<u>Comment:</u> The Proposal enhances the visitor experience to the Lavington CBD through the many positive attributes of the Proposal highlighted in this report.
11.7.21: Land Use Precincts – Lavington	<u>Comment:</u> The land uses envisaged by the Proposal at the Site support the Retail Core of the CBD and comply with Figure 11.14 of the DCP, being within the “Supporting CBD” Precinct.
11.7.22: Building Heights – Lavington	<u>Comment:</u> The building height of the Proposal (27.0 m) complies with the Building Height Plan at Figure 11.15 of the DCP. Further comment regarding overshadowing in made at Section 4, Table 7 .
11.7.23: Street Wall Heights and Upper Level Setbacks – Lavington	<u>Comment:</u> Not relevant to the Site.
11.7.24: Floor Space Ratio (FSR) – Lavington	<u>Comment:</u> The FSR of the Proposal at the Site, including the FSR of ‘Stage 1’, is 0.63:1 which is significantly less than 3:1 contemplated by the LEP (refer to Figure 4) and less than that envisaged by the DCP at Figure 11.17 with a “masterplan FSR to be determined” control, and is above the ‘minimum’ base of 0.5:1.

11.7.25: Building Design – Lavington	<u>Comment:</u> Building design and façade treatments at the Site address relevant design objectives, including a combination of materials, articulation, fenestration, and landscaping. Energy efficiency, Environmentally Sustainable Development (ESD) and Safer-by-Design principles have been adopted.
11.7.26: Building Setbacks – Lavington	<u>Comment:</u> The setback of the building from Griffith Road is 3.4 m with the building frontage being approximately 33 % of the total to Griffith Road frontage, which is considered appropriate given the 'masterplan' approach afforded to the Site with surplus at-grade carparking provided.
11.7.27: Building Depth – Lavington	<u>Comment:</u> The Proposal's office and business premises comply with best practice 4.5 star NABERS Energy and 5 Greenstar ratings if rated.
11.7.28: Building Separation – Lavington	<u>Comment:</u> Not relevant.
11.7.29: Open Space and Landscaping – Lavington	<u>Comment:</u> The Proposal provides for the enhancement of streetscapes surrounding the Site by implementing public domain interface landscaping and paving works with the integration of pedestrian linkages through accessway design and configuration. Special attention has been directed to the urban design of the landscaped open space area in the forecourt area of the business and office building.
11.7.30: Car Parking, Traffic and Access – Lavington	<u>Comment:</u> Car parking, carpark landscaping, and traffic and pedestrian facilities are provided in accordance with the Masterplan and onsite car parking is well above the required two-thirds of on-site requirements.
11.7.31: Streetscape – Lavington	<u>Comment:</u> The ground-level business premises and food and drink premises have been designed to have active linking street frontages which incorporate windows, articulation, and mixed use of construction materials and finishes and the use of colonnades and awnings.
11.7.32: Urban Design and Pedestrian Circulation – Lavington	<u>Comment:</u> The Proposal has been specifically designed to provide: a high visual quality public domain that provides excellent amenity and encourages extended patronage; a clear framework of "legible" pedestrian routes; and,



	linkages between street blocks for pedestrian access i.e. between Wagga Road and Griffith Road through the open space area.
11.7.33: Outdoor Advertising – Lavington	<u>Comment:</u> Advertising signage panels have been indicatively located and designed in accordance with relevant objectives.
11.7.34: Masterplan Requirement – Lavington	<u>Comment:</u> The Proposal has been the subject of master planning site analysis and design investigations and is less than the FSR requirement of 3:1 therefore an economic impact report has not been prepared. Details of proposed public benefits such as through site links, open space, and/or sustainability initiatives have been discussed above.
Part 16: Outdoor Advertising	
16.2: Design Principles for Advertisements and Signage	<u>Comment:</u> The Proposal complies with relevant design principles for advertising signage through the coordinated display of indicative business premises and office premises signage on the building through the consistent theme of flush mounted signage panels.
Part 17: Off Street Car Parking	
17.8: Parking Provision by Land Use	<p><u>Comment:</u> The Proposal (including for 'Stage 1') requires the following onsite car parking:</p> <ul style="list-style-type: none"> ▪ Office premises: 1 per 40 m² GFA ▪ Business premises: 1 per 40 m² GFA ▪ Food and drink premises: 1 per 40m² GFA (for development in the B3 Commercial Core and B4 Mixed Use zones) ▪ Retail premises < 3000 m² GFA: 1 per 40 m² GFA <p>A table summarising car parking requirements is provided at Table 4. The Proposal complies with all guidelines.</p>
17.9.1: Car Parking Design	<u>Comment:</u> All car parking has been designed in accordance with relevant guidelines.
17.9.2: Disabled Persons Parking	<u>Comment:</u> A table summarising parking for persons with disabilities, bicycle, motorcycle, and loading and unloading



<i>17.9.3: Bicycle Racks and Motorcycle Parking Spaces</i>	facility requirements is provided at Table 4 . The Proposal complies with all guidelines.
<i>17.9.4: Off Street Loading Facilities</i>	
<i>17.9.5: Pedestrian Movements</i>	<u>Comment:</u> Safe, convenient, and attractive pedestrian movement accessways and their linkage with the Lavington CBD via public footpaths along Griffith Road and Wagga Road has been a key design concept in the Proposal.
<i>17.9.6: Contributions in Lieu of Physical Provision of Car Parking</i>	<u>Comment:</u> While a financial contribution in lieu of physical car parking provision could have been taken up it has been decided to physically provide all required car parking for the Proposal on the Site, thus no 'developer contribution' for car parking is required to be made (currently \$15,000 per space as levied by Council).

Table 4: Summary of car parking requirements, including for 'Stage 1'

Land use	DCP car parking guideline rate	DCP car parking for persons with disabilities guideline rate	DCP motorcycle guideline rate	DCP bicycle guideline rate	GFA, including for 'Stage 1'	DCP guideline rate requirements	Provided on the Site	Variance	Summary
Business premises, Office premises, Retail premises, and Food and drink premises	<ul style="list-style-type: none"> Business premises: 1 per 40 m² GFA Office premises: 1 per 40 m² GFA Retail premises < 3000 m² GFA: 1 per 40 m² GFA Food and drink premises: 1 per 40m² GFA (for development in the B3 Commercial Core and B4 Mixed Use zones) 	3 %	1 space per 30 car parking spaces	1 space per 10 car parking spaces	4,792 m ² total	119.8 or 120 cars, inc. 3.6 or 4 for persons with disabilities	149 cars inc. 4 for persons with disabilities	+ 29 cars	Complies
						3.9 or 4 motorcycles	5 motorcycles	+1 motorcycle	
						11.9 or 12 bicycles	20 bicycles	+8 bicycles	

It is noted that the Proposal, including 'Stage 1', provides for the removal of 4 crossovers from Griffith Road and 2 crossovers from Wagga Road, and therefore the reinstatement of 5 on-street parallel car parking spaces on Griffith Road and 3 on-street parallel car parking spaces on Wagga Road, or the reinstatement of 8 additional on-street car parking spaces in total.

3.4 Economic impact

The Proposal has been the subject of master planning site analysis and design investigations and with an FSR of 0.63:1 is above the DCP FSR guideline requirement of 0.5:1 although the LEP allows 3:1, therefore an economic impact report has not been prepared. The construction of 3,875 m² of business and office space and 67 m² of café space should not alter the economic 'gravity' of the Lavington CBD or detract from it in any way and should only have positive and complimentary economic effects drawing more 'shoppers' (office and business employees) to the CBD for beneficial economic outcomes (multiplier effects).

3.5 Crime prevention through environmental design

Crime prevention through environmental design (CPTED) principles include:

- visual surveillance;
- 'non-concealment' building design;
- carparking and landscaping design; and
- security lighting.

Carparking

The central and secure car parking areas have been designed to provide acceptable CPTED outcomes, with relevant design features including: security lighting of carpark areas; good visual surveillance; and, non-concealment landscaping and accessway design.

Pedestrian thoroughfares

All pedestrian thoroughfares have been designed to provide acceptable CPTED outcomes, with relevant design features including: security lighting of retail premises, food and drink premises frontages; good visual surveillance; and, non-concealment building external perimeter and accessway design.

Landscaping

Landscaping has also been designed to provide acceptable CPTED outcomes, principally in relation to non-concealment opportunities and good visual surveillance, including along road frontages.

***Graffiti-prone areas***

Pedestrian level construction materials and finishes have been selected for their durability and longevity. Generally, such materials have a low porosity and in graffiti-prone areas will be protected with a non-sacrificial protective coating that on application of graffiti can be easily removed with high pressure water (a new sacrificial protective coating would then need to be re-applied).

3.6 Developer contributions analysis

Table 5 provides a summary of GFA gains and losses in consideration of building demolition proposed via Development Consent No. 10.2010.30451.1, Development Consent No. 10.2010.30457.1, and the Proposal.

Table 5: Summary of GFA gains and losses

	Increased GFA arising from Development Consent No. 10.2010.30457.1 or the Proposal	Decreased GFA arising from Development Consent No. 10.2010.30451.1 or the Proposal	Difference	Comment	Summary
Existing 'Davidson Ashby Accounting' office premises (Lot 2 DP 23650)	0 m ²	216 m ² (Development Consent No. 10.2010.30451.1)	- 216 m ²	An 'office premises' credit of 216 m ² applies	An overall increase of 2,513 m² of 'office premises' applies; an overall increase of 368 m² of 'business premises' applies; an overall increase of 67 m² of 'food and drink premises' applies; and, an overall credit of 986 m² of 'retail premises' applies
Existing 'Skylift' retail premises (Lot 23 DP 627560)	0 m ²	457 m ² (Development Consent No. 10.2010.30451.1)	- 457 m ²	A 'retail premises' credit of 457 m ² applies	
Existing 'Beta Electrical' retail premises (Lot 33 DP 544990 and Lot 1 DP 23650)	51 m ² (Development Consent No. 10.2010.30457.1)	206 m ² (Development Consent No. 10.2010.30451.1) 374 m ² (Proposal i.e. 'Stage 3' not proceeded with)	- 529 m ²	A 'retail premises' credit of 529 m ² applies	
Existing 'Zauner Construction' office premises (Lot 3 DP 23650)	0 m ²	401 m ² (Proposal)	- 401 m ²	An 'office premises' credit of 401 m ² applies	
Existing 'Lavington Hairdressing Salon' business premises and 'Lavington Auto Repairs' business premises	0 m ²	377 m ² (Proposal)	- 377 m ²	A 'business premises' credit of 377 m ² applies	
The Proposal (business premises, office premises, and food and drink premises)	3,942 m ²	See above mix (2,031 m ²)	See summary	The Proposal provides for 'business premises' of 745 m ² , 'food and drink premises' of 67 m ² , and 'office premises' of 3,130 m ²	

Table 6 provides a summary of lot gains and losses in consideration of the Proposal.

Table 6: Summary of lot gains and losses

	Increased lots arising from the Proposal	Decreased lots arising from the Proposal	Change	Summary
7 lot to 1 lot re-subdivision	0 lots	6 lots	- 6 lots	An overall credit of 6 lots applies

4.0 STATEMENT OF ENVIRONMENTAL EFFECTS

Table 7 provides a summary of the environmental effects of the Proposal.

Table 7: Statement of Environmental Effects

What are the considered environmental impacts of the development?	How have the environmental impacts of the development been identified?	What are the steps to be taken to protect the environment or to lessen the expected harm to the environment?	Are there any matters required to be indicated by any guidelines issued by the Director-General for the purposes of Part 1(2) of Schedule 1 of the <i>Environmental Planning and Assessment Regulation 2000</i> ?
<i>Demolition and construction (i.e. potential for the generation of dust, noise, vibration, construction traffic, water quality, sedimentation, construction litter etc)</i>	Site analysis	<ul style="list-style-type: none"> Demolition carried out in accordance with <i>AS2601:2001–Demolition of structures</i>; Construction carried out in accordance with <i>The Blue Book – Managing Urban Stormwater: Soils and Construction</i> (Landcom 2004) and <i>AS2436:1981–Guide to noise control on construction, maintenance and demolition sites</i>; and TMP to be implemented for all stages of construction Waste management in accordance with the <i>Environmental Guidelines: Assessment, Classification and Management of Liquid and Non-liquid Wastes</i> (EPA 1999) 	No
<i>Traffic safety of carpark generally, carpark ingress/egress locations, and traffic generation on surrounding road network (i.e. potential impacts to road efficiency and effectiveness, traffic safety, and pedestrian safety)</i>	Site analysis; desktop traffic assessment; stakeholder consultation via Development Consent No. 10.2010.30457.1	<ul style="list-style-type: none"> Overall site layout and design implemented in accordance with Development Consent No. 10.2010.30457.1 Carparks and carpark ingress/egress locations and traffic facilities designed in accordance with <i>AS2890.1: 2004 – Parking facilities – Off-street car parking</i> 	No
<i>Economic and social disruption to surrounding landowners/leaseholders, including businesses during relevant stages of construction works</i>	Site analysis	<ul style="list-style-type: none"> TMP to be implemented for all stages of construction; and Hoardings along road frontages designed to facilitate safe pedestrian movement 	No
<i>Stormwater discharge (i.e. potential impacts for downstream flooding)</i>	Site analysis; desktop civil engineering assessment	Stormwater control and management works designed in accordance with <i>AS/NZS 3500.3:2003 – Plumbing and drainage – Stormwater drainage</i>	No
<i>Overshadowing</i>	Site analysis; desktop overshadowing assessment	Building siting will not overshadow any public open space or residential private open space	No

5.0 CONCLUSIONS

This report concludes that the environmental impacts generated by the Proposal, whether considered individually or cumulatively in the context of the Volt lane Site and the Gasworks Site and broader area, are not significant and therefore the application warrants the support of Council and the Southern JRPP and the issue of development consent. In particular, the statutory town planning development assessment issues which are considered to be 'determinative' in nature are compliance with the Masterplan and socio-economic effects, which are summarised below.

Lavington CBD Masterplan

The Proposal provides for the redevelopment and revitalisation of a Lavington 'supporting CBD' precinct site comprising seven lots with dual road frontage. The Proposal directly implements applicable key strategies and aspirations of the Masterplan.

Economic development

Construction of the project is estimated to require the services of 20 to 40 individual sub-contracting building construction companies and the generation of 40 to 50 new construction jobs, with local building contractors, tradesmen, and building supply companies expected to benefit the most. Longer-term employment generation is expected to be 10 to 30 new jobs associated with 18 to 25 expected new tenancies.

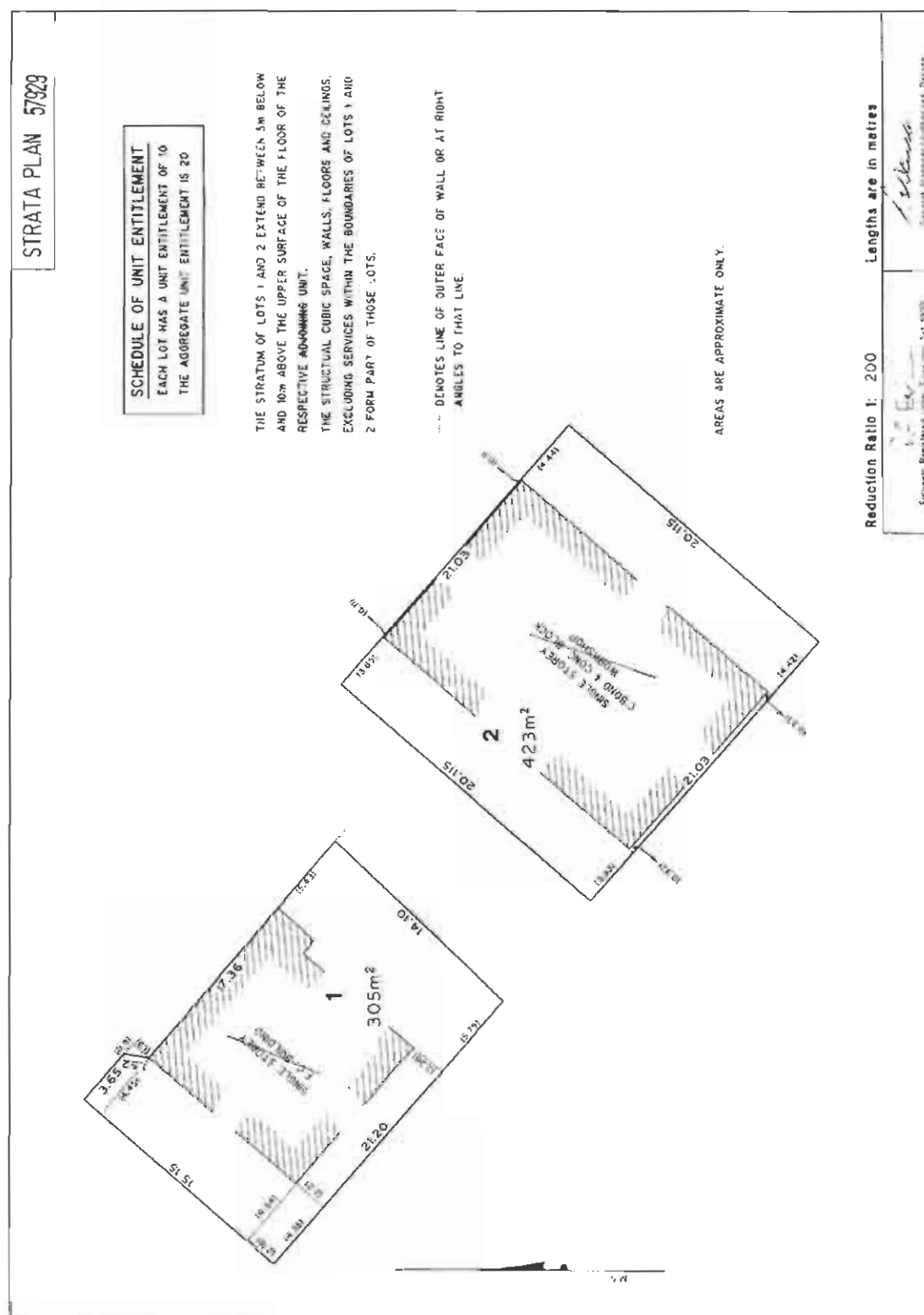
In conclusion, approval of the application is therefore considered justified and warranted.

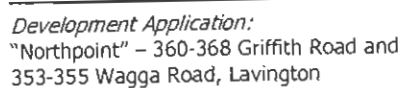
APPENDIX A:

Title diagrams



<p>COUNCIL'S CERTIFICATE</p> <p>Having been satisfied that the proposed development is in accordance with the provisions of the Planning and Development Act, 1973, and that the proposed development is in accordance with the provisions of the Planning and Development Regulations, 1974, I hereby certify that the proposed development is in accordance with the provisions of the Planning and Development Act, 1973, and that the proposed development is in accordance with the provisions of the Planning and Development Regulations, 1974.</p> <p>30.03.98 3449 [Signature]</p>		<p>SURVEYOR'S CERTIFICATE</p> <p>Having been satisfied that the proposed development is in accordance with the provisions of the Planning and Development Act, 1973, and that the proposed development is in accordance with the provisions of the Planning and Development Regulations, 1974, I hereby certify that the proposed development is in accordance with the provisions of the Planning and Development Act, 1973, and that the proposed development is in accordance with the provisions of the Planning and Development Regulations, 1974.</p> <p>30.03.98 3449 [Signature]</p>		<p>PLAN OF SUBDIVISION OF LOT 4 DP.23650</p> <p>L.G.A. ALBURY Suburb/Locality LAVINGTON</p> <p>Parish ALBURY County GOULBURN</p> <p>Reduction Ratio 1: 400 Lengths are in metres</p>	<p>STRATA PLAN 57929</p> <p>Regulation 30.10.1998</p> <p>G.A. No. 3449 OF 26.3.1998</p> <p>Page 506 STRATA PLAN 57929</p> <p>Rel. Map ALBURY Sh. 30-09 21</p> <p>Lot Plan DP.23650</p>
<p>PURSUANT TO SECTION 888 OF THE CONVEYANCING ACT, 1918 AND SECTION 131 OF THE STRATA SCHEMES (FREEHOLD DEVELOPMENT) ACT, 1973, IT IS INTENDED TO CREATE:</p> <p>11 EASEMENT FOR OVERHANG 0.7 WIDE</p>		<p>THE OWNERS: STRATA PLAN No. 57929</p> <p>368 GRIFFITH ROAD</p> <p>LAVINGTON 2641</p>		<p>PLAN OF SUBDIVISION OF LOT 4 DP.23650</p> <p>L.G.A. ALBURY Suburb/Locality LAVINGTON</p> <p>Parish ALBURY County GOULBURN</p> <p>Reduction Ratio 1: 400 Lengths are in metres</p>	<p>STRATA PLAN 57929</p> <p>Regulation 30.10.1998</p> <p>G.A. No. 3449 OF 26.3.1998</p> <p>Page 506 STRATA PLAN 57929</p> <p>Rel. Map ALBURY Sh. 30-09 21</p> <p>Lot Plan DP.23650</p>
<p>STATE BANK OF NEW SOUTH WALES LTD</p> <p>BY ITS ATTORNEY PURSUANT TO POWER OF ATTORNEY REGISTERED AND I HEREBY CERTIFY THAT I HAVE NO KNOWLEDGE OF THE EXISTENCE OF SAID POWER OF ATTORNEY</p>		<p>PLAN OF SUBDIVISION OF LOT 4 DP.23650</p> <p>L.G.A. ALBURY Suburb/Locality LAVINGTON</p> <p>Parish ALBURY County GOULBURN</p> <p>Reduction Ratio 1: 400 Lengths are in metres</p>		<p>STRATA PLAN 57929</p> <p>Regulation 30.10.1998</p> <p>G.A. No. 3449 OF 26.3.1998</p> <p>Page 506 STRATA PLAN 57929</p> <p>Rel. Map ALBURY Sh. 30-09 21</p> <p>Lot Plan DP.23650</p>	<p>STRATA PLAN 57929</p> <p>Regulation 30.10.1998</p> <p>G.A. No. 3449 OF 26.3.1998</p> <p>Page 506 STRATA PLAN 57929</p> <p>Rel. Map ALBURY Sh. 30-09 21</p> <p>Lot Plan DP.23650</p>
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PLAN OF Subdivision of		D. P. 544990	
Lot 3 in D.P. 530791		Registered: <u>3-11-1970</u>	
Town or Locality <u>Albury</u> <u>Lavington</u>		C.A.: No <u>1438</u> of <u>6-11-1969</u>	
Parish <u>Albury</u>		Title System <u>Torrens</u>	
County <u>Goulburn</u> Scale <u>60 feet to an inch</u>		Purpose <u>Subdivision</u>	
		Ref. Map: <u>Town of Lavington*</u>	
		Last Plan: <u>D. P. 530791</u>	

GRIFFITH STREET RD.

D.P. 23450

D.P. 530791

HUME HIGHWAY

D. P. 544990

Signatures, Seals and Statements of Intention to dedicate public roads or public reserves or create drainage reserves, easements or restrictions THE COMMON SEAL OF THE GOVERNMENT OF NEW SOUTH WALES BEING HEREIN AFFIXED BY CYRIL AFRONT COLLIER TREASURER IN THE PRESENCE OF: SIGNED by EAGLE STAR INSURANCE CO., LIMITED by its Attorneys NORAL LARCH HARRIS under Power No. 71527 in my presence who hereby state that they have an action of Revocation of the said Power of Attorney at the time of execution of this plan		<div style="float: right; text-align: right;"> Signature _____ Date of Affidavit _____ *Strike out either (1) or (2). Insert date of survey. </div> <div style="clear: both;"></div>	
I hereby certify that— (a) the requirements of the Local Government Act, 1919 (other than the requirements for the registration of plans), and (b) the requirements of section 54B of the Metropolitan Water, Sewerage and Drainage Act, 1924, as amended, (under District Water, Sewerage, and Drainage Act, 1924, as amended) have been complied with by the applicant in relation to the proposed subdivision. Date: <u>6.11.69</u> [Signature] _____ Council Clerk.		This part of certificate to be dated when the application is only for the opening of a new road or where the land to be subdivided is wholly outside the coast of operations of the Metropolitan Water Sewerage and Drainage Board and the Hunter District Water Board. [Delete if inapplicable.]	



PLAN FORM 1		WARNING: UNLOADING OR FOLDING WILL LEAD TO MISFEEDING		TITLE USE ONLY	
<p>Chasch Clerk's Certificate</p> <p>I hereby certify that the requirements of the Land Conversion Act, 1979 have been fully complied with in the registration of this plan and that the plan is a true and correct copy of the original plan as submitted to me by the applicant.</p> <p>APPROVED: <i>[Signature]</i> 16.4.82 CHASCH CLERK</p>		<p>Surveyor's Certificate</p> <p>I, <i>[Signature]</i>, being a duly qualified and licensed Surveyor, do hereby certify that the above is a true and correct copy of the original plan as submitted to me by the applicant and that the plan is a true and correct copy of the original plan as submitted to me by the applicant.</p> <p>APPROVED: <i>[Signature]</i> 16.4.82 SURVEYOR</p>		<p>PLAN OF CONSOLIDATION OF LOTS 11 & 12 D.P. 23650</p> <p>Man/Ship: ALBANY City: ALBANY County: GOULBURN Parish: ALBANY</p> <p>Localities: LIVINGSTON County: GOULBURN</p> <p>Reduction Ratio 1: 500</p> <p>Lengths are in metres</p>	
<p>Consolidation Details</p> <p>Register: D.P. 627560 CA: N° 2115 OF 16.4.1982 Title System: TORRENS Purpose: CONSOLIDATION Rel. Map: VILLAGE OF LIVINGSTON L.M. Plan: D.P. 23650*</p>		<p>KEYLOCK ROAD</p> <p>10</p> <p>23</p> <p>2073 m²</p> <p>131° 00'</p> <p>50.70'</p> <p>311° 00'</p> <p>50.70'</p> <p>221° 00'</p> <p>40.235'</p> <p>40.235'</p> <p>70.1 31.9</p>		<p>HUME HIGHWAY</p> <p>D.P. 627560</p>	

APPENDIX B:

Photographs of the Site and surrounding area



Photograph 1:

The northern corner of the Site (looking southeast along part of the northeastern boundary of the Site from Griffith Road, with the adjoining Coles service station shown)



Photograph 2:

The northern corner of the Site (looking south from Griffith Road at the existing 'Lavington Hairdressing Salon' and 'Lavington Auto Repairs' buildings proposed to be demolished)

The existing crossover is to be removed (see Photograph 1 as well) and the 'no parking' sign relocated to the northeast to provide an additional on-street parallel car parking space



Photograph 3:

The northern corner of the Site (looking southwest from Griffith Road showing existing streetscape works, including footpath paving and street lamps)



Photograph 4:

The Griffith Road frontage of the Site (looking south from Griffith Road opposite the northern corner of the Site)



Photograph 5:

The northern part of the Griffith Road frontage of the Site (looking northeast from Griffith Road opposite the Proposal's approved accessway to Griffith Road via Development Consent No. 10.2010.30457.1)



Photograph 6:

The centre part of the Griffith Road frontage of the Site (looking southeast from Griffith Road at the Proposal's approved accessway to Griffith Road i.e. re-use and widening of the existing crossover)



Photograph 7:

The southern part of the Griffith Road frontage of the Site (looking northeast from Griffith Road opposite the Proposal's approved accessway to Griffith Road)



Photograph 8:

The western corner of the Site (looking southeast along the southwestern boundary of the Site from Griffith Road, with the adjoining storage units shown)



Photograph 9:

The southern part of the Griffith Road frontage of the Site (looking northeast from Griffith Road opposite the western corner of the Site)
