



7th June 2013

Griffith City Council
P O Box 485
GRIFFITH NSW 2680

Att: Kelly McNicol, Coordinator of Planning and Compliance

Dear Kelly,

**COMMERCIAL DEVELOPMENT, RAILWAY STREET, GRIFFITH
PEER REVIEW OF DEVELOPMENT APPLICATION ASSESSMENT**

You have instructed me to review your assessment of a development application for a major commercial development at 55-67 Railway Street in Griffith. The review is based on:

- the documentation provided with the development application;
- additional material provided post-lodgement including amended plans and various correspondence;
- a meeting with you and Council Engineers on 28th May 2013;
- a viewing of the site on 28th May 2013; and
- State and local planning instruments accessible from government and Council websites.

The methodology adopted for the review is to consider each element of your assessment and either confirm or provide commentary where appropriate.

Site description: Concur

Proposal description: Concur

LEP permissibility: Concur

Zone objectives: Concur

Tree preservation: Whilst approval is not required, there is an insignificant tree in the road reserve of Ulong Street that may need to be removed to construct the access. This tree is not mentioned in the report.

The trunk of the second and innermost Gum tree midway along the Railway Street frontage looks to be 4 to 5 metres from the proposed footpath. Justification for its removal is more likely to be associated with interference with the car park design and/or risk to parked cars than pedestrians and vehicles in Railway Street (if that was the intention of the comment).

Flood risk: Concur. The Statement of Environmental Effects (SEE) lodged with the application indicates Council's stormwater retention requirements

will be met by a "single onsite detention tank"¹. Whilst not essential for the purposes of determining the application, it is noted the tank does not appear on any of the plans.

Heritage:	Concur
Access:	Concur. The submission of amended plans to provide a heavy vehicle access from Ulong Street and exit to Kooyoo Street is noted, as is the detailed response from Council Engineers. See additional comments below on access under 'submissions'.
Services:	Concur. The detailed advice provided by Council Engineers on this issue is noted.
SEPP's:	Concur. SEPP55 Remediation of Land is of particular relevance given the land use history of the site. The satisfactory results of the site investigations for potential contamination are noted.
DCP11:	Concur
DCP19:	Concur. The excess provision of on-site parking by Council's standards is noted.

It is not clear whether the reference to "parking structures" in Attachment B of this DCP is meant to include the type of open car park proposed here. None the less your response is satisfactory.

The non-compliance with the requirement for 10% of the car park to be landscaped is noted. I agree that an amended Landscape Plan is warranted as a condition of consent to demonstrate compliance with this requirement. Shade parking is considered an important element of large scale development in Griffith having regard for the local climate. The amended plan will also provide the opportunity for it to be aligned with the changes brought about by the new access arrangements.

Parking spaces for serviced apartments need to be clearly marked as restricted to this purpose. The submitted Management Plan for the serviced apartments recognises this.

It is noted that Council's parking requirements for retail development (1 space per 50m² GFA) is significantly less than that referenced by the NSW Roads and Maritime Services (RMS) in their submission at 1 space per 16m² GFA. It is Council's prerogative to adopt whichever standard it sees fit (for the proposal).

Section 79C:	The reference in the report to Regulations 92, 93 and 94 of the <i>Environmental Planning and Assessment Regulation 2000</i> are not relevant to the application.
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I concur with your assessment of the "*likely impacts of the development*" and in particular:

- your concerns and recommendation as to the proposed brick wall at the front of the serviced apartments from a surveillance perspective;

¹ Section 5.9 on page 28

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- the noise impacts from the railway line; and
 - the need for easements across all three lots to allow for the movement of both heavy vehicles and cars between them.

Submissions:

The absence of any submissions from the public resulting from the public exhibition of the application is noted.

The detailed response from RMS seems to deal with some matters that are outside their brief (e.g. on-site traffic management, stormwater, etc) having regard for the fact that the site has no frontage to a classified road. The RMS and Council Engineers support an arrangement that prevents 'right turn in' to the site from Ulong Street, which would mean heavy vehicles approaching the site from the south will need to cross the railway line and execute a U-turn to gain access. Whilst I am not a traffic engineer, to me this creates potential traffic conflicts on the northern side of the railway line and then increases the potential for heavy vehicles to be 'caught' on the railway line whilst queued trying to access the site. The Accident Data at Appendix D of the traffic review accompanying the Statement of Environmental Effects indicates a concentration of accidents in this location. Having said that, I am happy to defer to Council's Engineers on this issue.

It is noted that the traffic review is based on the earlier proposal that did not include access from Ulong Street. It would be useful for an addendum to be added to this review that considers the current proposal.

Contributions:

Concur

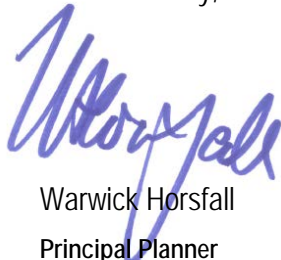
Conditions:

The list of conditions is extensive at 119 and there seems to be a substantial number relating to building matters and references to the Building Code of Australia. It is noted that the application is not seeking a Construction Certificate in addition to development consent. A review would be beneficial to the clarity of the consent with a view to avoiding duplication and application of any unnecessary conditions.

A handful of typographical errors, formatting issues and the like have been highlighted in the draft report for your attention and returned with this review.

If you have any queries in regards to the review please don't hesitate to contact me.

Yours faithfully,



Warwick Horsfall
Principal Planner

HABITAT PLANNING

encl. Assessment report highlighted for typographical errors etc.