

29 March 2017

Mairead Hawes
Hawes and Swan Planning
Suite 4, Level 4
35 Buckingham Street
SURRY HILLS NSW 2010

Dear Mairead

**Subject: Development Application: 10.2017.35189.1
407 Olive Street SOUTH ALBURY
Affordable Housing - Thirty Eight (38) Multi Dwelling Units, Community Centre,
Carparking, Landscaping and Demolition of Existing Buildings**

I refer to the application for development as described above and to our recent conversations with your office regarding the development and the potential impacts of the development as proposed.

As advised, notification of the development resulted in objections being lodged to the development, including some concerns regarding the impact of the development upon the neighbours, and the area more generally. Additionally, preliminary assessment of the application by Council has also raised issues which need to be addressed, including some issues which correspond with the issues raised by the neighbours.

In particular, the following matters are considered to require further consideration and response prior to the application being referred to Council and the Joint Regional Planning Panel:

1. **Density, bulk and scale of development:** Whilst the density is not inconsistent with the provisions of the Affordable Housing SEPP, the development has a significantly greater density, bulk and scale to the former development on the site and in comparison to development in the area in general. Whilst the density does not exceed the SEPP provisions, coupled with the car parking, landscaping and access issues raised below, it is considered that the proposed density of development in this area requires further consideration and assessment of the impacts on the locality. Mere compliance with the SEPP does not guarantee that there are no impacts arising from the development.

It is noted that the Statement of Environmental Effects (SEE), at Page 18, claims that a 2.5:1 floor space ratio (FSR) applies to the site, however the applicable FSR (including bonus provided under the SEPP) is 2:1. It is noted that the SEE states that the FSR is less than 2.5:1, but does not quantify the actual FSR to enable compliance to be confirmed.

2. **Car parking:** Concerns have been raised by Council and the neighbouring land owners regarding existing parking conflicts in the area, arising from all day commuter parking in the streets surrounding the site during the day, and that this development will exacerbate the issue. The site is located in close proximity to the Albury CBD in an area of mixed character where on-street car parking is relied upon to offset historical shortfalls in car parking in the CBD and CBD fringe retail and commercial areas. This development results in the loss of on-street parking in Olive Street by the provision of multiple driveways, the impact of which has not been addressed in the Traffic and Car Parking Assessment report lodged with the DA. It is further noted that the Traffic and Car Parking Assessment report recommends a “No Stopping” restriction on Olive Street for 20m south on the service vehicle entry to provide adequate sight distance, further reducing on-street parking availability.

Albury has limited public transport and, as a result, higher vehicle ownership rates and reliance on private vehicle transport is noted across all socio-economic groups (the 2011 census indicates that 84.6% of Albury households own at least one car). The cumulative impact of the proposed car parking provision on site (proposing less than one car parking space per dwelling), the limited visitor parking provided and the reduction of on-street parking caused by the access driveways and recommendations of the traffic consultant is likely to result in negative impacts to the surrounding street network. These matters have not been adequately addressed in the context of this site and the existing conditions, notwithstanding the numeric compliance of the proposed car parking provision with the SEPP requirements.

3. **Limited open space and landscape area provision:** Concern has been raised by the submitters that the development does not provide sufficient ground level open space and landscaping for 38 units. Of particular concern is that the existing character of the site (comprising well-spaced buildings and extensive landscaped areas) will be changed to higher density development with limited landscaping provided at the street frontages to respect the low density character of the residential areas surrounding the development.

Council is concerned that the required 35sqm of landscaping area per dwelling for units 19-38 is achieved *through combined ground floor, balcony and communal open space areas within the site* (p19 of SEE). Given the wording of the SEPP, it is considered that **at least** 35sqm of landscaped area **per dwelling** is required and that calculating the combined area of balconies, ground floor areas and communal open space is inconsistent with the SEPP. Detailed calculations of the area of landscaped area to be provided **to each unit** needs to be provided to enable compliance with the SEPP to be confirmed.

4. **Traffic movements and road widths:** The narrow internal road widths (4.0m for one way sections and 5.5m for 2 way sections) are likely to create conflicts as a result of the combination of 2 way traffic through the site for resident, visitor and community centre staff vehicles, garbage truck travel path from Olive Street to Richs Lane and access and manoeuvring for resident vehicles to open car parking and garages.

Richs Lane does not have sufficient width to provide 2 way access to the site and the traffic flows need to be reconsidered in this respect. Both the SEE and the Traffic and Car Parking Assessment state that Richs Lane has a width of 6.1m, however the lane has a trafficable

width closer to 5m given the existing constraints from electricity supply poles, bollards, buildings, drains and the like.

The Traffic and Car Parking Assessment report states that *Richs Lane terminates at the ingress/egress to the site and, therefore, there are no through traffic movements and/or potential conflicts at this location*. It is noted, however, that Richs Lane services a number of commercial sites in the B4 *Mixed Use* zone, providing access to loading and unloading areas, secondary vehicular access to sites and direct access to car parking areas. The width is not suitable for two-way traffic of this magnitude, particularly as the exit onto Kiewa Street has limited visibility due to the proximity of the existing buildings to the boundary of the lane and the Kiewa Street footpath.

No assessment of the existing traffic volumes in Richs Lane or the capacity of the lane to cater for the proposed 2 way traffic to this development, in addition to service vehicle egress, has been provided.

It is also noted that the path of travel for the garbage truck through the site has not been adequately addressed in either the SEE or the Traffic and Car Parking Assessment report in regard to pedestrian and light vehicle safety within the site.

5. **Increase in community housing within a small geographic area:** Council is required to have regard to the character of the area in assessing the application. Neighbours have expressed concerns that area already contains a number of community/affordable housing developments and that the additional affordable housing proposed by this development would result in a concentration of such housing in a small geographic area. The potential impact upon the character of the area, specifically as an area which would have a high proportion of affordable housing, needs to be further considered in the SEE.
6. **Impact upon ROW adjacent to western boundary:** An existing Right of Way (ROW) is located on the western boundary of the site, providing access from a neighbouring property to the south west of the site to Richs Lane. The surface treatments proposed on the ROW (e.g. bark mulch and grass) do not provide for adequate and unimpeded access along that ROW. It is also noted that the turning head for the internal road extends over and also interferes with access on the ROW. Redesign of the development to address this issue is required.
7. **Waste storage and screening:** The waste storage area at the front of the site is proposed to provide for up to 10 garbage receptacles (as shown on the plan). The capacity and adequacy of those receptacles to cater for 38 units and the Community Centre is not stated or discussed. There is no detail of the frequency of the garbage truck servicing the area and no indication that cleaning facilities (i.e. a wash bay) will be provided to keep the receptacles clean. The proposed screen wall is not detailed, but appears to be approximately 1.8m high, but 3m distant from the enclosure, which may reduce its value as a screen of the area.
8. **Pedestrian movement and safety:** The plans show that all letterboxes and garbage receptacles are located at the Olive Street frontage of the property. No pedestrian paths are provided through the development to provide safe pedestrian movement from the units to

those areas (separate from the internal roads though the development). The safety of pedestrians within the site has been raised above in regard to the internal road widths and, in the absence of any dedicated pedestrian paths within the site, Council is concerned that inadequate provision has been made for safe and efficient pedestrian movement through the site.

9. **Fencing:** The Landscaping Plan does not adequately detail the locations of each fence type and insufficient detail has been provided in regard to the fencing adjacent to the open space area to the south of the site, and to neighbouring property boundaries.
10. **Clarification of proposed development:** The recent press release issued by St Vincent de Paul stated that the development will cater for “over 55 housing”. The SEE addresses the requirements of the Affordable Housing SEPP, not the Seniors Living SEPP. Clarification of the appropriate categorisation of the development would be appreciated.
11. **Earthworks** – To enable servicing of the site, particularly stormwater drainage, and to achieve appropriate Finished Floor Levels (FFLs) to address potential flooding, filling of the site is anticipated. The Geotechnical Report does not detail the quantum of fill, only the method of achieving appropriate compaction for any filling that may be required. The extent and volume of required earthworks, particularly fill, have not been provided in either the SEE or the elevation and section plans submitted. Any fill on the site may have impacts upon flood behaviour and may also result in overlooking impacts to neighbouring sites if the FFLs of the proposed buildings are elevated above existing ground levels.

To address the above concerns, Council requires the submission of additional information and amended plans. These plans and information will be further notified to enable the submitters to determine if their concerns are addressed in the amended application.

A response to this request would be appreciated within 21 days.

Please note that in accordance with clause 109 of the *Environmental Planning and Assessment Regulation 2000* the assessment period for this application is suspended from the date of this letter until the above information is provided, or Council is advised, in writing, that the information will not be provided.

Should any further information be required Council's Senior Town Planner Terri O'Brien will be pleased to oblige on (02) 6023 8285.

Yours faithfully

David Christy
**Team Leader Town Planning
Planning & Environment**