



Use of land for General Industry, Construction
of Industrial Shed and Associated Earthworks
21 McLaurin Road, Ettamogah

JULY 2024

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Contents

1. Introduction.....	5
1.1. Supporting Plans and Documentation.....	5
2. Site Analysis	6
2.1. Site Location and Context	6
3. Description of Proposal	12
3.1. Overview.....	12
3.2. Industrial Building and Offices.....	13
3.3. Traffic, Access and Parking.....	14
3.4. Signage	15
3.5. Utilities, Infrastructure and Stormwater	15
3.6. Earthworks.....	15
3.7. Operational Summary	16
4. Planning Assessment	17
4.1. Applicable Environmental Planning Policies, Instruments and Controls.....	17
4.2. Environmental Planning and Assessment Act 1979	17
4.1. State Environmental Planning Policy (Resilience & Hazards) 2021	18
4.2. State Environmental Planning Policy (Transport & Infrastructure) 2021	19
4.3. State Environmental Planning Policy (Sustainable Buildings) 2022	20
4.4. Albury Local Environmental Plan 2010	21
4.5. Albury Development Control Plan 2010	24
5. Assessment of Environmental Impacts	29
5.1. Context and Setting.....	29
5.2. Access, Traffic & Parking	29
5.3. Infrastructure	30
5.4. Heritage	30
5.5. Cultural Heritage	30
5.6. Soils & Erosion	30
5.7. Flora and Fauna	31
5.8. Waste	31
5.9. Noise	31
5.10. Stormwater	31
5.11. Landscaping	31
5.12. Flooding.....	32
5.13. Bushfire	32
5.14. Social & Economic Impacts.....	32
5.15. Suitability of the Site for Development	32
5.16. The Public Interest	32
6. Conclusion	33

List of Figures

Figure 1 Site Context Map (NSW Six Maps 2023)	6
Figure 2 Site Aerial (Nearmap October 2023)	8
Figure 3 View of subject site from western boundary looking east	8
Figure 4 View of subject site from western boundary looking south	9
Figure 5 View of subject site from western boundary looking north	9
Figure 6 View of 24 McLaurin Road from subject site looking west	10
Figure 7 View of building at 10 McLaurin Road from McLaurin Road looking west	10
Figure 8 View of outdoor storage at 10 McLaurin Road from McLaurin Road looking west	11
Figure 9 View of 7 McLaurin Road from McLaurin Road looking east	11
Figure 10 Proposed Site Layout	13
Figure 11 Elevations of the proposed Industrial Building and Offices	14
Figure 12 Map showing areas of potential contamination (site outlined in red dashed line)	19
Figure 13 Extract of Land Zoning Map	21

List of Tables

Table 1 Site Description	6
Table 2 Key Development Summary	12
Table 3 Operational requirements of the proposed industrial development	16
Table 4 Matters for Consideration	19
Table 5 Summary of variations sought to development controls	25
Table 6 Car Parking Rates	27
Table 7 Part 6: Planning for Hazards DCP Compliance Table	43
Table 8 Compliance table for Development in the industrial zone – (Part 12 of the ADCP 2010)	48
Table 9 Compliance table for Off Street Car Parking (Part 17 of the ADCP 2010)	66
Table 10 Albury Industrial Hub Master Plan Design Principles	73

1. Introduction

This Statement of Environmental Effects (SEE) has been prepared by Habitat Planning on behalf of Barker Group NSW Pty Ltd and is submitted to Albury City Council in support of a Development Application (DA) for the use of the land for general industry, construction of an industrial shed and associated earthworks on land described as Lot 2 on DP1276039 and addressed as 21 McLaurin Road, Ettamogah.

The DA and this Report have been prepared in accordance with the Environmental Planning and Assessment Act 1979 (“EP&A Act”) and the Environmental Planning and Assessment Regulation 2000 (“EP&A Regs”).

The Report addresses the relevant heads of consideration listed under Section 4.15(1) of the EP&A Act and provides an assessment of the proposed development against the relevant Environmental Planning Instruments (EPIs) and other planning controls applicable to the site and to the proposal. It provides a detailed description of the site and its environs, and an assessment of the environmental impacts and identifies the steps to be taken to protect or lessen the potential impacts on the environment.

This Report has assessed the potential impacts arising from the proposal on surrounding properties and road network, including traffic and access, odour, visual amenity, noise and waste and water management and is accompanied and supported by relevant technical reports as required. It concludes that the site is well suited for an industrial premises given the desired industrial setting and interface, its proximity to major arterial roads and infrastructure, its overall size and dimension and accessibility. The subject site is located in a Council owned industrial precinct (NEXUS) that is zoned explicitly for significant industrial operations.

The proposal is compliant with applicable provisions of the relevant EPIs and given the absence of any significant adverse environmental impacts, the DA is considered to be in the public interest.

1.1. Supporting Plans and Documentation

This application is accompanied by:

- Appendix A: Title information
- Appendix B: Site Survey, prepared by Walpole Surveying
- Appendix C: Proposed Site Plan, prepared by RD Designs Plus
- Appendix D: Proposed Building Plans, prepared by RD Designs Plus
- Appendix E: Proposed Civil Plans, prepared by SJE Consulting
- Appendix F: Landscape Plan, prepared by SITE IMAGE
- Appendix G: Geotechnical Report, prepared by Albury Wodonga Geotechnical
- Appendix H: Embodied Emissions Report, prepared by Barker Group Pty Ltd
- Appendix I: Cost Estimate Report, prepared by Napier & Blakeley
- Appendix J: DCP Compliance Tables, prepared by Habitat Planning

2. Site Analysis

2.1. Site Location and Context

The subject land is formally known as Lot 2 on DP1276039 and addressed as 21 McLaurin Road, Ettamogah NSW 2640.

The site, identified in the site context map and aerial image below, is located 13.8 kilometres northeast of the Albury CBD.

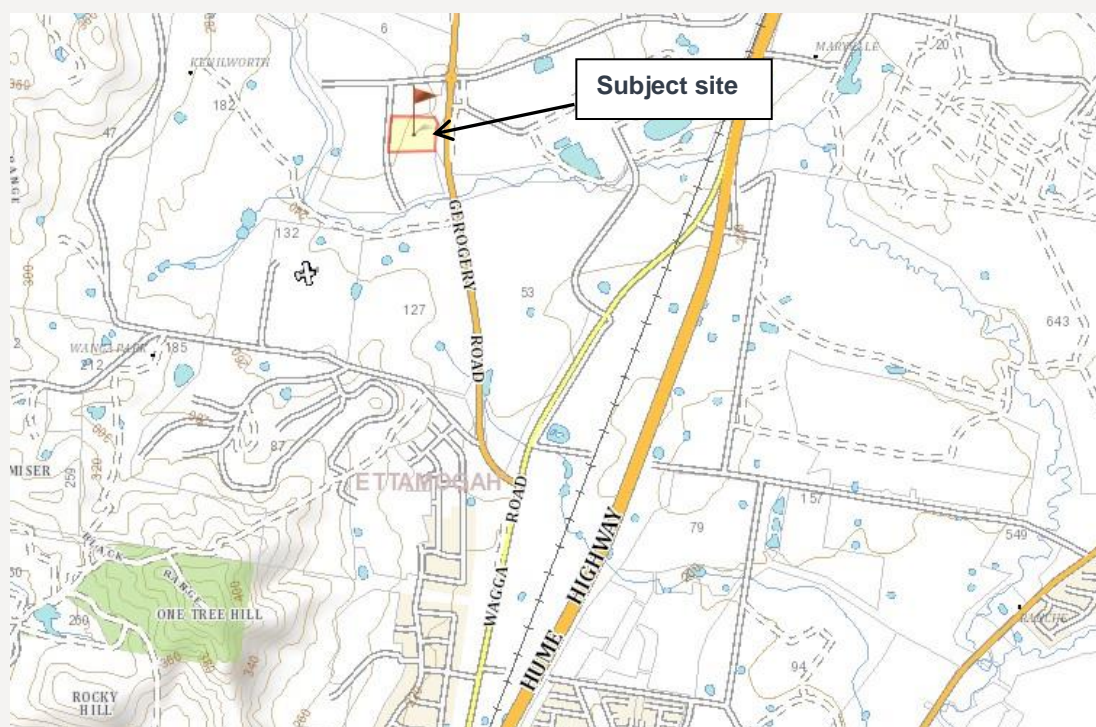


Figure 1 | Site Context Map (NSW Six Maps 2023)

Table 1 | Site Description

Legal Description (Lot and DP)	Lot 2 on DP1276039
Address	21 McLaurin Road, Ettamogah NSW 2640
Site Location	The site is within an SP4 Enterprise zone in the establishing NEXUS Industrial Precinct. The site has access to an established road network with connectivity to significant transport infrastructure and road networks in the Hume Freeway via Gerogery Road to the south.
Site Description	The land, identified in Figure 2 below is 46,150m ² (4.615 ha) in size being of an irregular rectangular shape and having approximate boundary

	<p>dimensions of 230 metres to the north, a 180 metre non-linear boundary to the east, a 245 metre boundary across the south, and a frontage to McLaurin Road to the west of 200 metres. <i>(all measurements approximate)</i>.</p> <p>A 7.5-metre drainage and sewerage easement is located at the rear of the site.</p>
Existing Development	<p>The land has no known previous land uses beyond grazing and is currently vacant with no permanent structures or improvements yet shows evidence of past clearing and scraping to establish a level site.</p> <p>The land is predominantly covered by exotic grasses, containing an even low-level coverage, no trees are present on the site.</p> <p>The topography of the site is described as being generally flat yet has a 6 metre fall over 300 metres from the northwest of the site to the southeast (2% fall).</p>
Existing Access	<p>The site is accessed from McLaurin Road.</p>
Surrounding context	<p>The surrounding land uses comprise a complex mix of newly establishing industrial developments associated with the NEXUS Industrial Precinct and land zoned C3 Environmental Management.</p> <p>North – Land to the north, adjoining the subject site is vacant industrial land of Lot 1 (7 McLaurin) which fronts McLaurin Road.</p> <p>South – Adjoining land to the south is the vacant industrial land of Lot 3 (35 McLaurin) fronting McLaurin Road.</p> <p>East – To the east lies land zoned C3 Environmental Management, with the Gerogery Road running north/south 45 metres from the rear of the site.</p> <p>West – Land to the west consists of a similar industrial development at Lot 8 (10 McLaurin Road), and vacant industrially subdivided land at 24 McLaurin Road.</p>
Natural Hazards	<p>Bushfire Prone: Vegetation Category Buffer across the rear of the property.</p> <p>Flood: Low Hazard Flood Planning Area across the south-west corner of the property.</p>



Figure 2 | Site Aerial (Nearmap October 2023)



Figure 3 | View of subject site from western boundary looking east



Figure 4 | View of subject site from western boundary looking south



Figure 5 | View of subject site from western boundary looking north



Figure 6 | View of 24 McLaurin Road from subject site looking west



Figure 7 | View of building at 10 McLaurin Road from McLaurin Road looking west



Figure 8 | View of outdoor storage at 10 McLaurin Road from McLaurin Road looking west



Figure 9 | View of 7 McLaurin Road from McLaurin Road looking east

3. Description of Proposal

3.1. Overview

The application seeks development consent for the use of the land for general industry, construction of an industrial shed with ancillary offices, a hardstand area, and associated earthworks.

The proposed development includes the following as outlined in the below table.

A detailed description of the proposal is provided in the following sections and the images below provided an overview of the extent of works. The proposed building plans are included in **Appendix B:** and a copy of the proposed site layout plan is reproduced in **Figure 10** below.

Table 2 | Key Development Summary

Element	Detail
Site Area	46,150m ² (4.615 ha)
Development type	Shed – 10,045 m ² Office and amenities – 705m ² Hard Stand Area – 14,706m ²
Access and Parking	Sealed hardstand vehicle circulation, loading/unloading areas including: <ul style="list-style-type: none"> 95 car spaces (inc. 4 accessible spaces) 4 motorcycle spaces 10 bicycle spaces
Building Height	<u>Shed</u> 10.5 metre ceiling height 12.5 metre (approx.) skillion roof height <u>Offices</u> 3.0 metre ceiling height 4.2 metre flat roof height
Vehicle Crossovers	Two (2) industrial width (10 metre) vehicle crossovers.
Landscaping	Landscaping to be provided across the site's frontage and northern lot boundary.
Signage	Future Signage: 14 metres wide x 2.8 metres high. Minor directional signage, is also proposed as part of the works, but is however exempt from development consent in accordance with <i>State Environmental Planning Policy (Exempt and Complying Development Codes) 2008</i> .

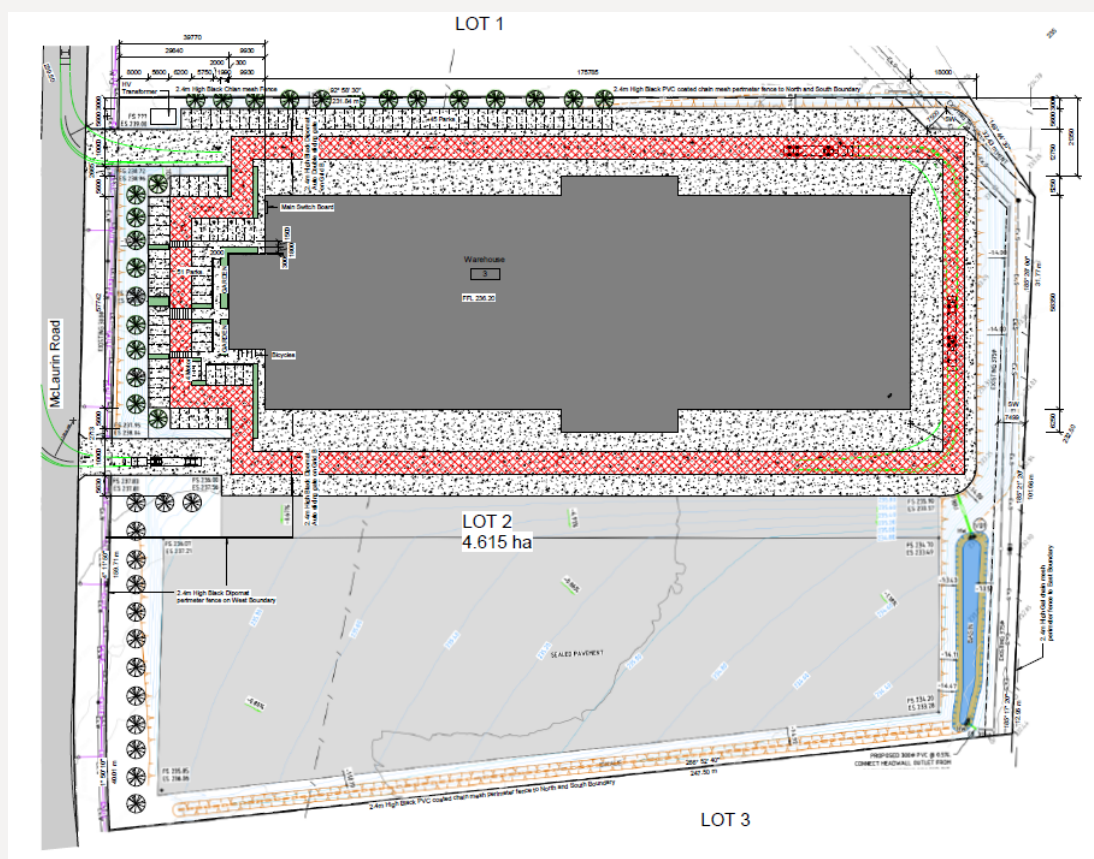


Figure 10 | Proposed Site Layout

3.2. Industrial Building and Offices

The development proposes to construct a new industrial building, including three attached office breakout, storage and staff amenities ancillary buildings on the west, north, and southern elevations.

The new building will be setback 30 metres from the site's frontage (western lot boundary), 21.35 metres from the northern (side) boundary, 18 metres from the eastern (rear) boundary and approx. 93 metres from the southern (side) boundary. The site will host a proposed tenant to manufacture and distribute products from the site.

The industrial building will have a total GFA of 10,045m². Internally, the building will be an open space that can be configured to suit the needs of the future tenant.

The front office (west elevation) will feature 7 x office spaces, reception area, board room, and staff amenities.

The office attached to the northern wall will consist of 2 x office spaces, 2 x storerooms, and staff amenities.

The office attached to the southern wall of the shed building will consist of a compressor room, an office, a foreman room, and staff amenities.

The offices will connect and integrate directly with the proposed operations of the shed and will be visually differentiated from the industrial building by varying the selection of building materials, colour schemes, and fenestration.

Externally, the industrial building is of a modern industrial design, consistent with other contemporary industrial developments recently constructed within this industrial estate. The building itself includes Colorbond metal sheeting for the walls, with the west, north, and south elevations having neutral tones.

The colour of the Colorbond metal sheeting for the eastern elevation is proposed to be 'Southerly'. For visual interest, roller doors, eaves, and downpipes for both the industrial building and offices are proposed to be painted Colorbond 'Night Sky'.

The street facing façade of the industrial building will be broken up by the front office component. This western elevation office will feature a masonry brick façade when viewed from the street. This side of the industrial building will include a non-illuminated future wall sign measuring 2.8m (h) x 14m (w) located on the top south-west corner of the building, approximately 7 metres above ground level.

A strip of translucent sheeting the length of the southern elevation will allow the industrial building to access natural light.

Metal roller doors with Colorbond finishes are located on the eastern, northern, and western elevations at intervals for loading/unloading purposes.

A sealed pavement hardstand area to the south of the industrial building will be constructed of a two-coat spray bitumen base. This area will be used for heavy vehicle turning, overflow car parking, and outdoor storage.

Combined elevations of the industrial building and offices are reproduced from the plans below.

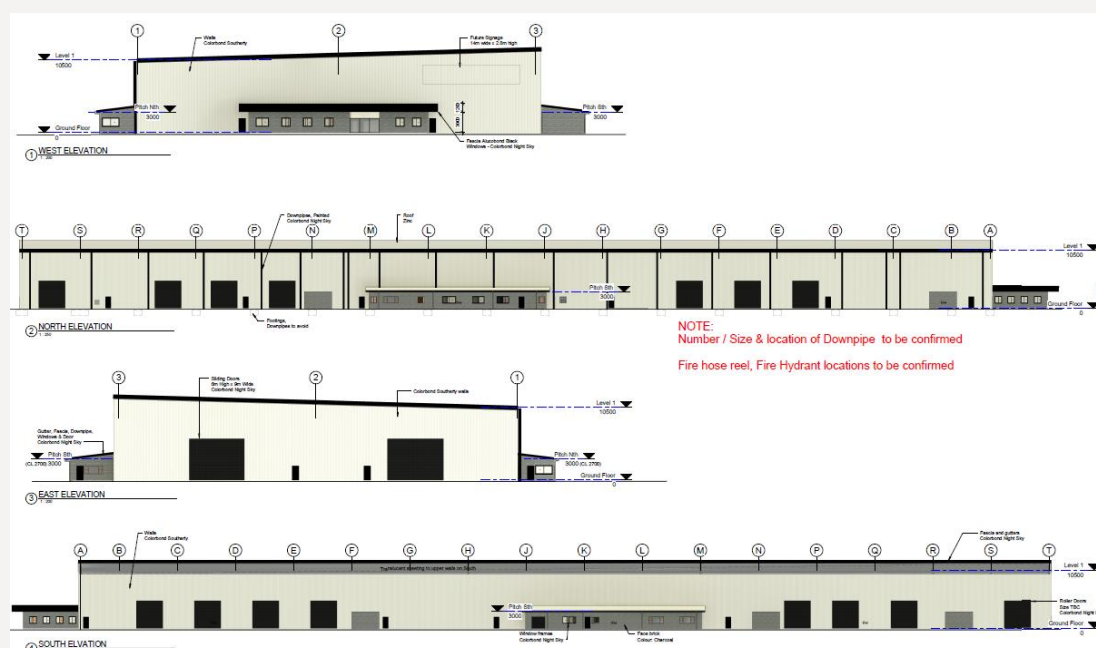


Figure 11 | Elevations of the proposed Industrial Building and Offices

3.3. Traffic, Access and Parking

The development's siting and design provides for a functional layout permitting car and heavy vehicle ingress/egress from McLaurin Road via 2 x industrial crossovers of 10 metres wide each. The northern crossover is proposed to be an ingress point, and the southern crossover the egress point.

The site allows for the forward internal circulation of heavy vehicles for loading and unloading of materials or goods. Both cars and heavy vehicles will be able to enter and exit the site in a forward direction.

The development incorporates a total of 95 car parking spaces including four (4) dedicated disabled parking spaces, ten (10) bicycle spaces and four (4) motorcycle spaces along the northern boundary and the site's frontage (western interface of the site). These spaces will be appropriately sealed, landscaped, line marked, and drained.

Access to the Hume Highway is available via a diamond interchange off Wagga Road to the north, or Thurgoona Drive to the south. The surrounding road network is designed to B Triple capacity.

3.4. Signage

The development incorporates a non-illuminated flush wall sign measuring 2.8m (h) x 14m (w), which will be affixed at the apex of the front façade (north elevation) of the building fronting McLaurin Road.

In addition, the development also seeks to install minor directional signage, which is classified as exempt development and does not require formal development consent.

3.5. Utilities, Infrastructure and Stormwater

The subject site is urban zoned and has access to relevant infrastructure and services including reticulated water, sewerage, electricity, drainage, telecommunications, and gas. Access to the services is available from McLaurin Road or for a sewer and stormwater connection can be extended to the site via an easement at the property's rear. Vehicular access to the property is available from McLaurin Road.

These existing services will be connected to the development, and it is confirmed that there is ample capacity within this infrastructure to service the development.

A finished floor level (FFL) of 236.10 AHD is proposed in response to the Flooding Study and levee construction by Albury City Council. A stormwater detention basin will be constructed in the bottom south-east corner of the site to hold and slowly release stormwater in the event of a weather event. In addition, two 22,500L water tanks situated external to the north of the building will capture roof runoff. A swale to the south of the property will direct water to the detention basin.

A Concept Stormwater Management Plan has been prepared and accompanies the application attached in **Error! Reference source not found.** as per Council's Development Application information requirements.

3.6. Earthworks

A balance of cut and fill is proposed across the site in order to provide a level base on which the development will be constructed. Landscaped battered slopes will be utilised around the perimeter in order to provide for site stabilisation, as well as a small 1.8 metre high retaining wall on the north-eastern boundary.

3.7. Operational Summary

A summary of the operational requirements of the proposed development is outlined in **Table 3** below.

Table 3 | Operational requirements of the proposed industrial development

Operational Matters	
Days & hours of operation	24 hours/day; 7 days/week
Staff/Employees	150 persons
Car parking	95 car park spaces (inc. 4 accessible spaces). 4 Motorcycle spaces 10 Bicycle spaces
Deliveries	Deliveries will occur at frequent intervals throughout the day and will include the presence of B-doubles and B-triples.
Loading/Unloading	All loading and unloading will occur within the buildings and on-site as per the enclosed plans.
Storage	Materials will be stored internally within the proposed buildings or within the dedicated sealed pavement area that will be screened from view via extensive landscape plantings.
Signage	1 x freestanding directory board located within the front landscaped area. Business identification signage affixed to the façade/wall of the building.
Waste management	Waste generated by the site will be disposed of via private waste contracts and managed in accordance with relevant legislation.
Security	All roller door and personal access doors will be fitted with suitable locking mechanisms. A security system will be installed by a qualified electrician.

4. Planning Assessment

This section considers the planning issues relevant to the proposed development and provides an assessment of the relevant matters prescribed in Section 4.15(1) of the Environmental Planning and Assessment Act 1979 (EP&A Act).

4.1. Applicable Environmental Planning Policies, Instruments and Controls

- Environmental Planning and Assessment Act 1979
- State Environmental Planning Policy (Resilience & Hazards) 2021
- State Environmental Planning Policy (Transport & Infrastructure) 2021
- State Environmental Planning Policy (Sustainable Buildings) 2022
- Albury Local Environmental Plan 2010
- Albury Development Control Plan 2010

Compliance with the applicable legislation and policies is discussed below.

4.2. Environmental Planning and Assessment Act 1979

The Environmental Planning and Assessment Act 1979 (“the EP&A Act”) is the principal piece of legislation governing the use and development of land in NSW. The objects of the Act are:

- (a) to promote the social and economic welfare of the community and a better environment by the proper management, development and conservation of the State’s natural and other resources,*
- (b) to facilitate ecologically sustainable development by integrating relevant economic, environmental and social considerations in decision-making about environmental planning and assessment,*
- (c) to promote the orderly and economic use and development of land,*
- (d) to promote the delivery and maintenance of affordable housing,*
- (e) to protect the environment, including the conservation of threatened and other species of native animals and plants, ecological communities and their habitats,*
- (f) to promote the sustainable management of built and cultural heritage (including Aboriginal cultural heritage),*
- (g) to promote good design and amenity of the built environment,*
- (h) to promote the proper construction and maintenance of buildings, including the protection of the health and safety of their occupants,*
- (i) to promote the sharing of the responsibility for environmental planning and assessment between the different levels of government in the State,*
- (j) to provide increased opportunity for community participation in environmental planning and assessment.*

The objects of the EP&A Act are intended to guide land planning and management. Section 4.15 (discussed below) of the Act lists matters for consideration when assessing and determining a development application.

4.2.1. Evaluation

Section 4.15 of the EP&A Act 1979 sets out the statutory matters for consideration against which the proposed development is to be evaluated. The matters for consideration under Section 4.15 are as follows:

- (1) Matters for consideration—general*

In determining a development application, a consent authority is to take into consideration such of the following matters as are of relevance to the development the subject of the development application:

(a) the provisions of:

(i) any environmental planning instrument, and

(ii) any proposed instrument that is or has been the subject of public consultation under this Act and that has been notified to the consent authority (unless the Secretary has notified the consent authority that the making of the proposed instrument has been deferred indefinitely or has not been approved), and

(iii) any development control plan, and

(iiia) any planning agreement that has been entered into under section 7.4, or any draft planning agreement that a developer has offered to enter into under section 7.4, and

(iv) the regulations (to the extent that they prescribe matters for the purposes of this paragraph), and

(v) any coastal zone management plan (within the meaning of the Coastal Protection Act 1979), that apply to the land to which the development application relates,

(b) the likely impacts of that development, including environmental impacts on both the natural and built environments, and social and economic impacts in the locality,

(c) the suitability of the site for the development,

(d) any submissions made in accordance with this Act or the regulations,

(e) the public interest.”

The matters for consideration identified in Section 4.15(1) of the EP&A Act 1979 are addressed in the following section. Subsections (b) to (e) of Section 4.15(1) of the EP&A Act 1979 are addressed in Section 5 of this SEE.

4.2.2. Approval Pathway

The proposal is not identified as “Designated Development”, pursuant to section 4.10 of the EP&A Act. Similarly, the works are not classified as “Integrated Development”, pursuant to section 4.46 of the EP&A Act.

Lastly, the works are not classified as ‘Regionally significant Development’ as they do not have a Capital Investment Value of more than \$30M for general development.

Consequently, Council is the relevant approval authority.

4.1. State Environmental Planning Policy (Resilience & Hazards) 2021

4.1.1. Chapter 4 – Remediation of Land

As part of the subdivision and re-zoning of the land, a Technical Report – Soils Geology and Contamination was prepared by Environmental Resources Management Australia Pty Ltd, dated 20 September 2023. It is noted that the findings of this report identified areas of potential contamination which are not proximate to the Nexus Industrial Precinct, not the subject site as shown in the below extracted image.

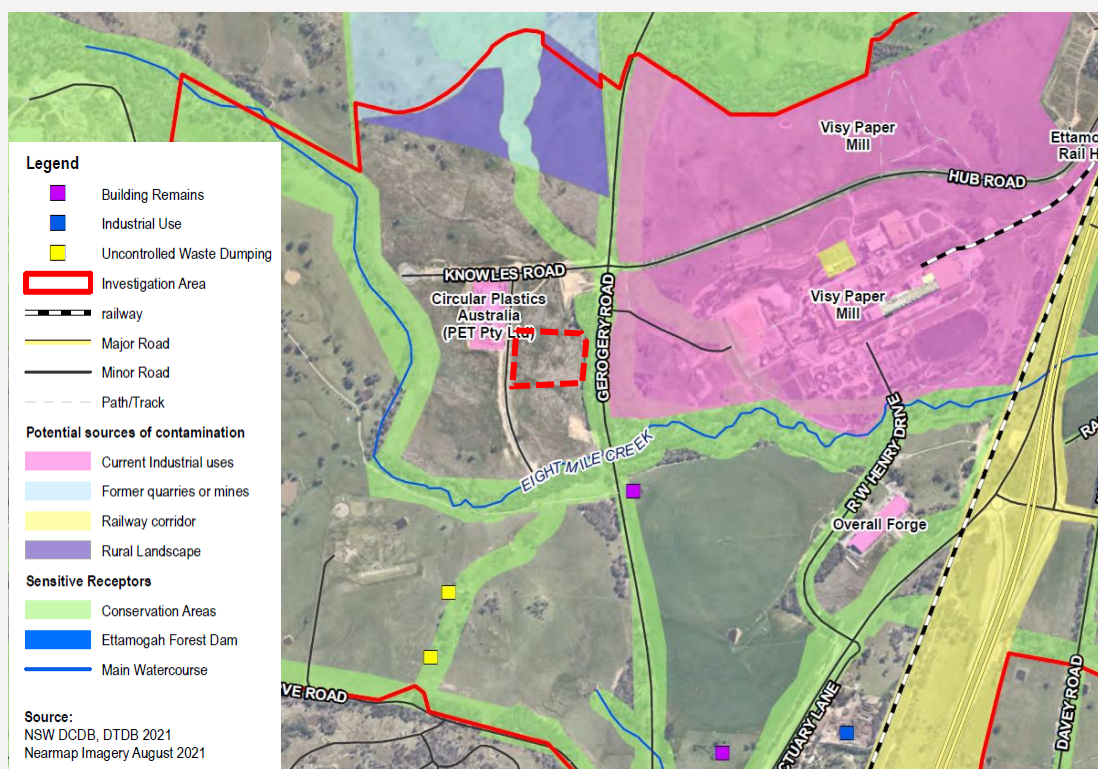


Figure 12 | Map showing areas of potential contamination (site outlined in red dashed line)

The subject land has no known historical uses and is not expected to be at risk of contamination given the surrounding land uses and context. A review of historical aerial photographs did not reveal any previously contaminating uses and a site inspection did not identify any instances of land contamination. Lastly, it is confirmed that the subject land is not identified in either Council's or the EPA's contaminated land register.

Consequently, the land is considered fit for use for its intended purposes (industrial) and therefore the relevant considerations of the SEPP are satisfied by the current proposal.

4.2. State Environmental Planning Policy (Transport & Infrastructure) 2021

4.2.1. Chapter 2 – Infrastructure

There are several Clauses under the SEPP that trigger referral and concurrence matters. The relevant clauses are addressed in the table below for consideration.

Table 4 | Matters for Consideration

Matter for consideration	Response
Clause 2.48 – Determination of development applications – other development	<p>This clause applies to a development application (or an application for modification of a consent) for development comprising or involving any of the following—</p> <p>(a) <i>the penetration of ground within 2m of an underground electricity power line or an electricity distribution pole or within 10m of any part of an electricity tower,</i></p> <p>(b) <i>development carried out—</i></p>

Matter for consideration	Response
	<p>(i) <i>within or immediately adjacent to an easement for electricity purposes (whether or not the electricity infrastructure exists), or</i></p> <p>(ii) <i>immediately adjacent to an electricity substation, or</i></p> <p>(iii) <i>within 5m of an exposed overhead electricity power line,</i></p> <p>(c) <i>installation of a swimming pool any part of which is—</i></p> <p>(i) <i>within 30m of a structure supporting an overhead electricity transmission line, measured horizontally from the top of the pool to the bottom of the structure at ground level, or</i></p> <p>(ii) <i>within 5m of an overhead electricity power line, measured vertically upwards from the top of the pool,</i></p> <p>(d) <i>development involving or requiring the placement of power lines underground, unless an agreement with respect to the placement underground of power lines is in force between the electricity supply authority and the council for the land concerned.</i></p> <p>Comment:</p> <p>Referral under Clause 2.48 will be required to the relevant electricity supply authority due to the proximity of the exposed overhead powerline and underground cable located on McLaurin Road.</p>
Clause 2.122 – Traffic generating development	<p>This clause applies to development specified in Column 1 of the Table to Schedule 3 that involves—</p> <p>(a) <i>new premises of the relevant size or capacity, or</i></p> <ul style="list-style-type: none"> • 'Industry' 20,000m² in site area or (if the site area is less than the gross floor area) gross floor area. <p>Comment:</p> <p>As the proposed Industrial development does meet these thresholds (46,034.46m²), the development is classified as 'traffic-generating development' and referral to TfNSW is required.</p>

4.3. State Environmental Planning Policy (Sustainable Buildings) 2022

The provisions of *State Environmental Planning Policy (Sustainable Buildings) 2022* replaces *State Environmental Planning Policy (Building Sustainability Index: BASIX) 2004* with updated standards for energy use and thermal performance in homes. Thermal performance standards for new housing will be required to be at least 7 stars based on the star-rating scale defined by the Nationwide House Energy Rating Scheme.

Non-residential development with a Capital Investment Value (CIV) of more than \$5M also now requires the submission of an Embodied Emissions Report in accordance with the NABERS Embodied

Emissions Tool. As the CIV of the project is valued at more than \$5M, an Embodied Emissions Report is required and is **attached**.

4.4. Albury Local Environmental Plan 2010

The Albury Local Environmental Plan 2010 ("the LEP") is the principal planning instrument that guides development within the Albury City LGA.

The applicable provisions of the LEP are:

- Clause 2.2 – Zoning of land to which Plan applies
- Clause 2.3 – Zone objectives and Land Use Table
- Clause 5.10 – Heritage conservation
- Clause 5.21 – Flood planning
- Clause 7.1 – Earthworks
- Clause 7.6 – Essential services
- Clause 7.15 – Development on land in and surrounding the Albury Regional Jobs Precinct

The below provides an assessment of compliance of the proposal against the relevant provision.

4.4.1. Clause 2.2 – Zoning of land to which Plan applies Land Use and Permissibility

The subject land is zoned SP4 Enterprise ("SP4 zone") under the LEP, as shown in **Figure 13** below.

'General Industry' is a Section 3 use in the SP4 zone and is 'Permitted with Consent'.

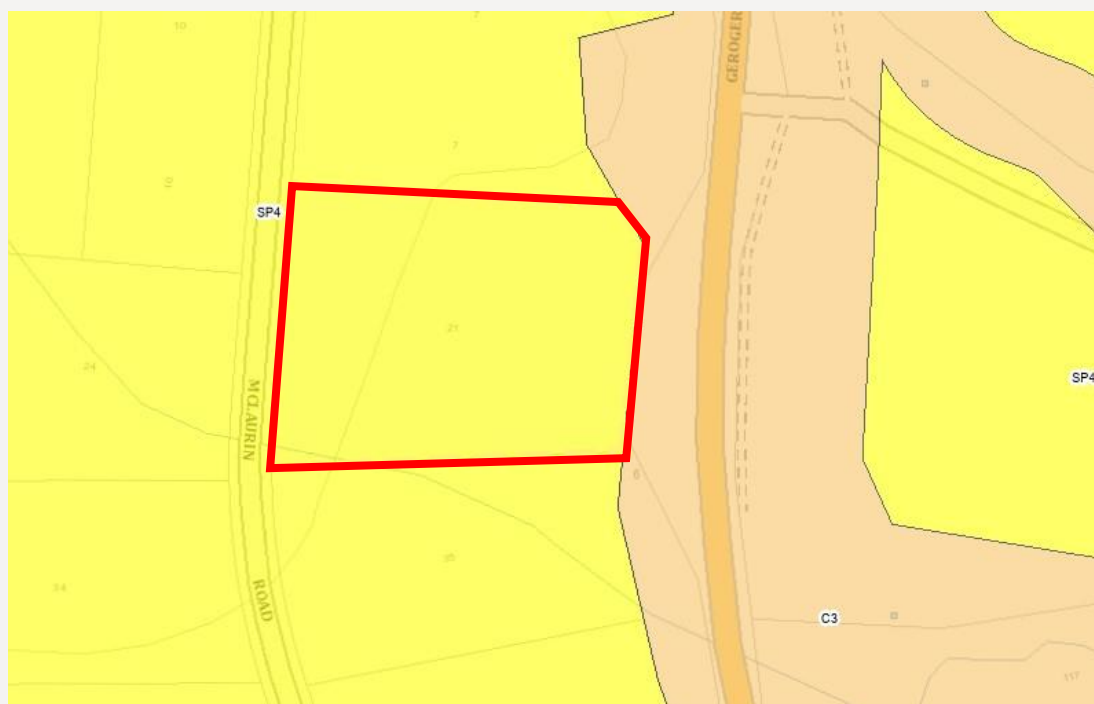


Figure 13 | Extract of Land Zoning Map

4.4.2. Clause 2.3 – Zone objectives and Land Use Table

The objectives of the SP4 Enterprise zone are as follows:

- *To provide for development and land uses that support enterprise and productivity.*
- *To provide for development and land uses that encourage regional enterprise and innovation in industry and environmental management.*
- *To effectively manage land uses of varying intensities or environmental sensitivities, and to minimise the risk of conflict associated with incompatible land uses.*
- *To facilitate industries that contribute to and benefit from being close to major freight transport networks.*
- *To encourage the development of innovative circular economy resource and waste management.*
- *To protect and enhance the unique qualities and character of the Albury Regional Jobs Precinct.*
- *To support rural industries and service the broader urban and rural economy.*

The proposed development is consistent with the objectives of the SP4 zone as follows:

- The development of the land for a steel industry is proposed as part of this application.
- The development will allow the local Albury/Wodonga steel industry to expand its operations.
- The development is well setback from the nearest sensitive receptors and located in an appropriate zone.
- The site the development is proposed to be located on is approximately 2 kilometres from the Hume Highway, allowing for express heavy vehicle connections to the Port of Melbourne (3.5 hours), and Port Botany (Sydney – 5.5 hours). The Ettamogah Rail Hub is located approximately 2 kilometres north east from the site for freight that is carried by rail.
- The development will uphold the qualities and character of the NEXUS Industrial Estate.
- The development will support a local business, that in-turn will support the manufacturing of steel products for the region. The steel products will be used for residential, commercial, community, and industrial development projects.

4.4.3. Clause 5.10 – Heritage conservation

Clause 5.10 of the LEP relates to heritage conservation and seeks to conserve the environmental heritage of Albury, the heritage significance of heritage items and heritage conservation areas, archaeological sites and Aboriginal objects and places of heritage significance.

The subject land is not identified as a heritage item nor is it located within a heritage conservation area following a review of Schedule 5 and the Heritage Map of the LEP.

Similarly, matters regarding Aboriginal Cultural Heritage have also been investigated. A review of the Aboriginal Heritage Information Management System (AHIMS) database was undertaken on 11th January 2024, and it is confirmed that there are no recorded items of Aboriginal cultural significance within 200 metres of the subject site.

The subject land is also heavily disturbed following previous subdivision civil construction works and is therefore not expected to contain any items of cultural significance. It is also expected that Council may have investigated matters regarding Aboriginal Cultural Heritage as part of a due diligence assessment during the subdivision process for the NEXUS Industrial Precinct.

4.4.4. Clause 5.21 – Flood planning

Clause 5.21 of the LEP refers to flood planning considerations and applies to land shown on the flood planning area. Specifically, the subject site is identified as being 'low hazard mainstream flooding' and is subject to certain considerations outlined in this LEP clause.

The development incorporates a Stormwater Management Plan attached to **Appendix C**: that details expected surface stormwater flows and the flows to the detention basin. Two x 22500L water tanks will capture roof runoff.

A forthcoming flooding Study and levee construction by Albury City Council will facilitate the floor level of the building to be constructed to 236.10m AHD.

4.4.5. Clause 7.1 – Earthworks

Clause 7.1 of the LEP relates to earthworks and applies in this instance as the excavation works are not classified as exempt development under *State Environmental Planning Policy (Exempt and Complying Development Codes) 2008*. Consequently, consent is required for the earthworks and the provisions of this clause require consideration.

Before Council can grant development consent, it must consider the following matters:

- (a) *the likely disruption of, or any detrimental effect on, existing drainage patterns and soil stability in the locality of the development,*
- (b) *the effect of the development on the likely future use or redevelopment of the land,*
- (c) *the quality of the fill or the soil to be excavated, or both,*
- (d) *the effect of the proposed development on the existing and likely amenity of adjoining properties,*
- (e) *the source of any fill material and the destination of any excavated material,*
- (f) *the likelihood of disturbing relics,*
- (g) *the proximity to and potential for adverse impacts on any watercourse, drinking water catchment or environmentally sensitive area.*

The proposed development is consistent with these matters for consideration as follows:

- It will not adversely affect existing drainage conditions or soil stability in the area as it does not involve works to an existing drainage line. Furthermore, the proposed development will be connected to Council's established drainage network and the land will be stabilised post works.
- The purpose of the works is to allow for the construction of a new industrial building and attached offices, and associated drainage infrastructure.
- The soil to be excavated represents clean virgin fill.
- The proposed earthworks are not expected to adversely affect any adjoining properties.
- Any surplus excavated material will be removed off site and where possible used in other local construction projects.
- As outlined in response to Clause 5.10, it is confirmed that there are no recorded items of Aboriginal cultural significance within 200 metres of the subject site and the site is not expected to contain any relics.
- The subject land is separated from nearby watercourses and is not expected to reduce water quality in the

4.4.6. Clause 7.6 – Essential Services

Clause 7.6 of the LEP refers to essential services and aims to ensure that all relevant services are available to the site. Development consent must not be granted to development unless the consent authority is satisfied that any of the following services that are essential for the proposed development are available or that adequate arrangements have been made to make them available when required:

- (a) *the supply of water,*

- (b) the supply of electricity,
- (c) the disposal and management of sewage,
- (d) stormwater drainage or on-site conservation,
- (e) suitable road access.

The proposed development satisfies this requirement as the site will be connected to reticulated water, sewerage, electricity, stormwater drainage and roads. The land has suitable road access, having access from a public roadway.

4.4.1. **Clause 7.15 – Development on land in and surrounding the Albury Regional Jobs Precinct**

Clause 7.15 of the LEP refers to the development of land in and surrounding the Albury Regional Jobs Precinct. Development consent must not be granted to development on land in Zone E3 Productivity Support (now the SP4 Enterprise zone) in the Precinct unless—

- (a) the consent authority has considered—
 - (i) the impact, including the impact of noise, odour and hours of operation, of nearby industrial land uses and associated activities on the development, and
 - (ii) the impact, including the impact of noise, odour and hours of operation, of the development on nearby residential accommodation, and
- (b) the gross floor area of each business premises, office premises and specialised retail premises on land in Zone E3 Productivity Support in the Precinct does not exceed 250m².

The proposed works are not expected to adversely impact on the functions of the zone or nearby residential and industrial uses as per below.

- The manufacturing and distribution of steel products may produce untoward amenity impacts for surrounding development; however, the site is located within the NEXUS Industrial Precinct. *Visy Paper Albury* is in operation >500m to the east from the subject site, and *Circular Plastics Australia* is located across the road at 10 McLaurin Road. These are significant operations that may have a similar amenity impact to the proposal.
- Noise, odour, and the proposal for the site to operate 24/7 will not impact the closest residentially zoned land, which is located approximately 1.4 kilometres to the south of the site. The combined mix of distance, topography, and vegetation confirms that the operations of the proposed steel manufacturing business will not impact negatively on residential areas.
- The three office premises attached to the industrial building are ancillary to the operation of the site as 'General Industry'.

4.5. **Albury Development Control Plan 2010**

The Albury Development Control Plan 2010 ("the DCP") provides specific requirements for development within the LGA, including the subject site.

The following chapters of the DCP are applicable to the proposed works:

- Chapter 3 – Development Notification Policy
- Chapter 4 – Developer Contributions Plans
- Chapter 6 – Planning for Hazards
- Chapter 12 – Development in the Industrial Zones
- Chapter 16 – Outdoor Advertising
- Chapter 17 – Off-Street Car Parking

- Appendix K – Albury Industrial Hub Master Plan

These matters are addressed in the following sections below.

4.5.1. Variations to Development Controls

It is important to acknowledge that the principal purpose of a DCP is to provide guidance to a consent authority rather than statutory controls. If a development application does not comply with provisions in a DCP, the consent authority must be flexible in the way it applies the controls and allow for reasonable alternative solutions to achieve the objectives of those standards.

The following summarises the items of non-compliance which are sought by this application.

Table 5 | Summary of variations sought to development controls

Guideline	Requirement	Compliance	Justification
17.2 Parking Provisions by Land Use	142 car parking spaces	Variation sought	<p>A total of 142 car parking spaces are required for the uses, however 95 spaces are provided.</p> <p>The proposed development will provide for a suitable amount of car parking to accommodate parking at peak times such as at shift changeover times. It is noted that the car parking is calculated based on floor area, where much of the floor area will be dedicated to storage rather than uses that will require significant staffing numbers.</p> <p>Further, visitation to the site is limited. It is noted that there is hardstand area to the south of the building where overflow parking can be provided if required, including truck parking.</p> <p>The proposed car parking is considered to suitably provide for the proposed use.</p>

4.5.2. Chapter 3 – Development Notification Policy

Part 3 of the DCP provide Council's requirements for notification of applications. This chapter defers to the requirements of Appendix B, which has been subsequently repealed by Council's Community Participation Plan (CPP).

The proposal is not identified as a type of development exempt from notification and therefore must be notified in accordance with the requirements of the CPP.

4.5.3. Chapter 4 – Developer Contributions Plans

Chapter 4 of the DCP provides details regarding the payment of developer contributions, which will be levied in accordance with the requirements of the Albury Infrastructure Contributions Plan 2014 (ICP).

The subject site is located within a Section 7.11 area (formerly Section 94) ('Thurgoona/Wirlinga' area) and will be levied in accordance with these developer contributions.

Furthermore, Section 64 of the Local Government Act 1993 outlines the relevant contribution requirements with respect to water and sewer, which will be calculated in accordance with the NSW Water Directorate.

It is expected that a condition of development consent will require the payment of developer contributions in accordance with the above requirements.

A Section 7.11 plan applies to the growth area of Hamilton Valley, Thurgoona/Wirlinga and the Albury Industrial Hub, with a Section 94A plan applicable to the remaining established areas of the city. Section 64 charges for water and sewer are charged in addition. As the subject land is located within the identified Albury Industrial Hub, it is subject to the Section 94 Plan.

The section 94 developer contribution charge rate for land in the Albury Industrial Hub is \$3,397 per square hectare of site area. With a site area of 4.615ha, this totals to a charge of \$15,677.15.

Section 64 of the Local Government Act 1993 outlines the relevant contribution requirements with respect to water and sewer. A developer contribution will be levied in relation to water and sewer.

4.5.4. Chapter 6 – Planning for Hazards

Chapter 6 of the DCP seeks to minimise the risks associated with natural hazards, including bushfire, flooding and land contamination. The subject land is subject to both flooding and bushfire risk.

As outlined within the attached compliance tables, both of these risks are suitably managed to an acceptable level to warrant approval of the proposal.

4.5.5. Chapter 12 – Development in the Industrial Zones

Chapter 12 of the DCP refers to Development in the Industrial Zones.

An assessment of the proposal against the relevant controls of Chapter 12 is undertaken within the DCP compliance tables attached in **Appendix G**. The development is not subject to specific development guidelines and is therefore subject to the general guidelines.

The general objectives for industrial development in Albury are outlined below:

1. *To provide opportunities to:*
 - *Expand the local employment base by providing for a wide range of industrial, service industrial, highway business, wholesale trades, materials recycling, warehousing, scientific and computer based-businesses, and other related uses.*

- Support and not detract from the functions of the main business centres.
 - Contribute to improvements in the built environment.
 - Improve traffic access and safety conditions.
 - Protect the amenity of the public domain and residential areas in the vicinity.
 - Soften the appearance of industrial developments through landscaping works.
2. To provide suitable areas for a range of special industries and uses that, by the nature of the processes involved, the scale or type of use or the material used and produced, need large areas of land that are physically separated from other more sensitive land uses.

The proposed development complies with these broad objectives as the proposed use will provide additional employment opportunities, proposes generous perimeter landscaping, and provides adequate land separation measures to avoid negative amenity impacts on sensitive receptors.

4.5.6. Chapter 16 – Outdoor Advertising

Chapter 16 of the DCP relates to outdoor advertising. Pursuant to section 16.3, the proposed flush wall sign is exempt from development consent. The proposal also includes a free-standing directional sign which does require development consent. The sign is proposed in the landscape setback in order to direct vehicles and pedestrians to the site and is considered to be generally consistent with the requirements of this chapter.

4.5.7. Chapter 17 – Off-Street Car Parking

Chapter 17 of the DCP relates to car parking, and sets out requirements for various land uses, as well as other design related requirements for the operation and embellishment of car parking.

Part 17.2(i) of the DCP requires that parking be calculated in accordance with the land uses listed at Table 17.1, or “the most similar use of equivalent intensity” if the land use is not specifically listed. Part 17.2(ii) also requires that the total parking requirements shall be the sum of the requirements for the various uses.

Table 6 | Car Parking Rates

Parking Provision	Rate	Gross Floor Area	Required Spaces
General Industry	1 space per 80m ² of gross floor area	10,045m ²	125 spaces
Office	1 space per 40m ² of gross floor area	705m ²	17 spaces
Accessible Parking	1 space minimum plus an additional 1 space per 33 spaces or part thereof	-	4 spaces
Total			142 spaces

A total of 95 car parking spaces are proposed to be provided across the site, in addition to four (4) motorcycle spaces and ten (10) bicycle spaces.

Based on the expected staffing numbers for the business, this is considered to be suitable to accommodate the peak demand for car parking on the site including at shift changeover times, noting that majority of the floor area is to be used for storage.

Other requirements of the DCP are addressed in **Appendix G**.

4.5.8. Appendix K – Albury Industrial Hub Master Plan

The Albury Industrial Hub Master Plan is intended to provide a long term vision to explore the maximum opportunity for the site. It specifies several design principles, which have been responded to in the Code Compliance Tables found in **Appendix G**. The proposed development is consistent with the principles outlined.

5. Assessment of Environmental Impacts

This section of the SEE identifies potential impacts which may occur as a result of the proposed development and are relevant matters for the consideration of the DA under Section 4.15(1)(b) to (e) of the EP&A Act 1979.

These impacts and mitigating measures have been identified following comprehensive analysis of the site and the proposed plans.

The analysis and impact identification under this section is informed by:

- Site analysis and visual inspection of the subject land and surrounding properties.
- Analysis of the proposed plans for development (provided attached for reference)
- Desktop review of applicable Environmental Planning Instruments
- Consideration of the Councils Development Plans and Policies including the DCP
- Assessment of relevant strategic planning documents.
- Consultation with Council and other authorities

5.1. Context and Setting

The subject land is zoned SP4 Enterprise, which primarily seeks to provide for the establishment and expansion of industrial operations in proximity to the regional road and rail network. The subject land is located in a purpose-built industrial hub, with direct access to major transport routes and a rail terminal. The proposed development is appropriate for the context and setting and will have limited impacts on the surrounding area.

5.2. Access, Traffic & Parking

The proposal is located in a purpose-built industrial estate with easy access to heavy vehicle networks and with anticipation of B-double truck movements to and from the site.

The development will experience significant truck movements to and from the site, in accordance with the intentions of the estate which seeks to provide a large scale heavy industry and logistics operation. The roads within the estate have been designed to B-triple capacity and can accommodate the movements anticipated from this development.

The proposed development will provide for loading areas within the building, and an easy perimeter access way to accommodate truck movements with sufficient width for turns.

To provide for car parking, a total of 95 car parking spaces are provided at the entry to the site via a shared entry and exit crossover with trucks. Within the 95 spaces, four (4) disabled spaces are provided within close proximity to the entry to the building. In addition, four (4) motorcycle spaces are provided within the car parking area, and five (5) bicycle rails are provided which will accommodate up to ten (10) bicycles.

While unlikely to be required with the proposed workforce of the building, overflow car parking will be available within the sealed hardstand area in the southern portion of the land.

5.3. Infrastructure

The subject site is industrially zoned and recently subdivided and therefore has access to relevant infrastructure and services including reticulated water, sewerage, electricity, drainage, telecommunications and gas. Vehicular access to the property is available via a public road.

There is ample capacity within this infrastructure to service the proposed development.

5.4. Heritage

The subject land and its surrounds are not identified on the heritage map or within Schedule 5 of the LEP as being of heritage significance.

5.5. Cultural Heritage

Matters regarding Aboriginal Cultural Heritage have been considered and assessed. An AHIMS search of the site noted that there were no recorded Aboriginal sites or places within proximity of the site.

The subject land is a highly modified site following previous civil construction works and therefore has very little likelihood of containing any items of cultural heritage.

There are also no other landscape features that would indicate increased likelihood such as permanent or ephemeral water sources, raised terraces, sand dunes, caves, scarred or modified trees.

Consequently, further investigation of matters regarding Aboriginal Cultural Heritage is not considered necessary in this instance. In the event that the proponent does identify or uncover archaeological items during works, the items will be left in place and appropriate protocols for dealing with such instances will be observed ('unexpected finds protocol').

5.6. Soils & Erosion

The subject land is not expected to be contaminated given the previous activities conducted on-site and is appropriate for the proposed use.

The proposed works will involve disturbance of the existing site. Minor excavation works will be required as part of the extension and connection of services, as well as the construction of the proposed building.

In order to avoid impacts of sediment loss or erosion, an Erosion and Sediment Control Plan (ESCP) will be prepared in accordance with Managing Urban Stormwater: Soils & Construction (Landcom 2004) and will be implemented throughout the life of the project to minimise impacts. This plan will include provisions to:

- Install erosion and sediment controls prior to and during construction;
- An inspection protocol for erosion and sediment controls, particularly following large rainfall events;
- Regular equipment cleaning to minimise the tracking of sediment from vehicles, plant and equipment;
- Stockpile topsoil appropriately to minimise weed infestation and maintain soil organic matter, soil structure and microbial activity; and
- Minimise surface disturbance and maintain surface cover where possible; and
- Minimise excavation and compaction of soils.

5.7. Flora and Fauna

The subject land is clear of vegetation. There is an existing vegetation conservation area adjoining the site to the east. The proposed development will not impact on any of this vegetation.

5.8. Waste

The proposal will generate waste during the construction phase that would be typical of an industrial construction development of this scale. This will typically include excavated soil, off-cuts and excess construction material, concrete; and domestic and putrescible waste (including food waste, bottles, cans and paper). During the construction works, appropriate waste receptacles will be maintained on-site by building contractors.

All waste generated during construction would be collected or stored in appropriate locations and either removed from the site for disposal or reused if appropriate. Any waste which cannot be reused shall be classified in accordance with the Waste Classification Guidelines (EPA, 2014), removed from the site and disposed of at a facility that can lawfully accept the waste.

Waste management plans and procedures are to be established before construction works occurring on-site, subject to appropriate conditions imposed by Council. This plan and procedures will be incorporated into the construction management plan for the site.

Once occupied, the development will generate general domestic, recyclable and business wastes. These will be stored on site and managed under a commercial waste contract. Waste bins associated with the development will be screened and stored at the rear of the building or stored inside. A trade waste agreement will also be entered into with Albury City Council if required.

5.9. Noise

Construction works will include a period of noise generation during establishment, which will occur over a short period of time, and will be limited to appropriate hours of operation, as determined by Council, and expressed through conditions of approved consent.

Noise outputs will result predominantly from machinery and vehicle noise.

Ongoing noise impacts are not expected to create adverse amenity impacts given the large setbacks of the development from sensitive uses and the expectations of noise within the industrial estate.

5.10. Stormwater

Stormwater from the site will be captured and diverted to a combination of pits and pipes, water tanks, and a retention basin within the site. From there, the runoff will be suitably treated in order to reduce the levels of Suspended Solids, Phosphorus, Nitrogen, and Gross Pollutants before entering the stormwater network. A Stormwater Management Plan and MUSIC model is provided attached to this report which demonstrates compliance.

5.11. Landscaping

The proposed development includes extensive landscaping around the perimeter of the site, incorporating lawns, shrubs and trees as well as grassy swales and the opportunity to landscape the retention basin in the south-east corner of the site. Canopy trees are provided adjacent to car parking areas to provide for suitable shading and reduction of the urban heat island effect. Detailed landscaping plans will be provided via a condition of consent.

5.12. Flooding

The site is partially affected by the Albury City Council Flood Planning Area, which identifies the south-west corner of the site as being in the low hazard flood planning area. However, Council is currently in the process of constructing a levee bank to manage floodwater in the estate, and this is anticipated to be completed by mid-2024.

In accordance with Council advice, the development has been designed to have a FFL of 236.10m AHD, which it was determined was appropriate subject to the construction of the levee bank being constructed prior to the building being occupied. It is expected that a condition of any consent will ensure that an occupation certificate is not granted until such time that the levee bank is functioning.

5.13. Bushfire

The site is partially affected by the Bushfire Vegetation buffer along the east, which identifies it as bushfire prone land. Notwithstanding this, the Planning for Bushfire Protection guidelines do not provide design requirements for industrial developments. Regardless, the development achieves several elements of inadvertent bushfire protection, including through the use of perimeter access to allow for suitable emergency vehicles access, the availability of water tanks, large hardstand areas to accommodate evacuation of occupants, and safe storage of any hazardous materials.

5.14. Social & Economic Impacts

The development will have a positive social and economic impact as it will involve the creation of several employment opportunities, and additional stimulus to the economy.

The subject site is strategically located and well separated from sensitive uses, thereby minimising the impact of the construction and operation of the industrial use.

The proposed development represents continued investment in industrial development within Albury's identified industrial hubs.

It is expected that the proposal will also generate flow on effects, including to local trades and services and indirect impacts of additional spending in the city.

5.15. Suitability of the Site for Development

The subject land has been created for the purpose of increasing opportunities for industrial developments in Albury and creating a purpose-built large-scale industry and logistics hub within Albury. The site is suitable for the proposed development.

5.16. The Public Interest

The public interest is a broad consideration relating to many issues and is not limited to any one particular issue. Taking into account the full range of matters for consideration under Section 4.15C of the Environmental Planning and Assessment 1979 (as discussed within this report), it is considered that approval of the application is consistent with the public interest.

The development of land in an orderly and economic way is in the public interest.

6. Conclusion

The DA seeks consent for the development of land for general industry at 21 McLaurin Road, Ettamogah.

The application seeks development consent under Part 4 of the EP&A Act and has been assessed against the provisions of Section 4.15(1) of the EP&A Act.

As demonstrated by the detailed assessment above, the proposal satisfies the intent of the provisions of the applicable EPIs and will result in a positive development outcome in terms of social, environmental, and economic impacts.

The proposed development offers a significant economic investment from the landowner in the local economy, and provides for further activation of a relatively vacant industrial precinct.

Having regard for the content of this report, the proposal deserves the support of Council because:

- it is consistent with the relevant environmental planning instruments and development control plan;
- it proposes a new and preferred use of the Albury Industrial Hub;
- it allows for the continued operation of a local business which strongly supports the local economy;
- it offers a significant boost to the local construction sector;
- it effectively manages off-site amenity impacts to an appropriate level;
- it furthers the objectives of the Albury Industrial Hub and Nexus precinct to provide for large-scale industry uses in an appropriate location;
- it offers a high-quality building design.

In light of the above considerations, it is our opinion that the proposal is appropriate from a planning point of view and is in the public interest. The proposed development warrants support by Council.

Appendix A: Title Details

Appendix B: Development Plans

Appendix C: Stormwater Management Plan

Appendix D: Landscape Plan

Appendix E: Cost Estimate Report

Appendix F: Embodied Emissions Report

Appendix G: Planning Compliance Tables

Table 7 | Part 6: Planning for Hazards DCP Compliance Table

Standard	Compliance	Comment
6.2 Flooding		
Development consent is required for all development proposed on land that is within a 'Flood Planning Area', as identified on the Flood Planning Map (refer to Figure 6.1 – consisting of sheets 001-011). Where development is proposed within a Flood Planning Area, it shall be constructed to the 'Flood Planning Level' (being 500mm above the 1 in 100 year flood level).	Variation sought	<p>The site is affected by the Flood Planning Area, being located in the low hazard planning area along the south-western corner of the site. However, a levee bank is currently being constructed by Albury City Council to service the estate, and in accordance with ongoing discussions with Council the development has been designed with consideration to these mitigation works.</p> <p>Accordingly, it is understood that a finished floor level of 236.1m AHD would be acceptable to Council, subject to the construction of the levee bank being completed prior to occupation of the building.</p>
Despite control (i), a minimum floor level will not be required where a certificate from a Registered Surveyor is supplied showing that the existing ground level of the development site (disturbed area) is not less than Council's Flood Planning Level and that no excavation and/or fill is proposed as part of the development.	Not applicable	As above.
Development (including the excavation and/or filling of land) will not be permitted on land that is designated by Council to be located within a 'Floodway' (refer to Figure 6.1 – consisting of sheets 001-011).	Complies	The subject site is not located within a 'Floodway'.

Council will not issue an Occupation Certificate for a building that is subject to a minimum floor level unless a Registered Surveyor has certified the floor level.	Noted.	Noted.
For areas North of the levee bank system, and between Macauley Street and the Railway Drain and between Nurigong and Hume Streets, the minimum floor level of a new building is to be at least 300mm above the 1 in 100 year flood level. The South Albury Flood Referral Area can be seen in Figure 6.1 of this Part.	Not applicable	The site is not located in this area.
Alterations and additions to existing buildings in ‘Low Hazard Mainstream Flooding Areas’ (as defined in Figure 6.1) with a maximum floor area of 40m2 in size, may be carried out at the same floor level as the existing building.	Not applicable	There are no alterations and additions to an existing building as part of this application.
Alterations and additions which are greater than 40m2 in size in Low Hazard Mainstream Flooding Areas, or are located in High Hazard Mainstream Flooding Area are to comply with the minimum floor level requirements outlined in (i) above.	Not applicable	As above.
Despite controls (i) to (vii) above, minimum floor levels are not required for “non-habitable structures or buildings” where they are constructed of flood compatible materials and all electrical fixtures and fittings are installed above the Flood Planning Level. Alternatively, this requirement may be waived by the submission of a flood calculation damages report with the	Not applicable	Proposal is for habitable buildings and a FFL will be adhered to as part of the construction process.

application that accurately estimates what the cost of flooding would be compared to the cost of applying the control.		
6.3 Contaminated Land	Not applicable	The subject land is not known to be contaminated, and it is understood that contamination has been investigated across the Nexus precinct as part of the subdivision and re-zoning process. See further discussion in Section 4.1.1 of this report.
6.4 Bushfire		
Applicants seeking consent for subdivision and development on bushfire prone land shall ensure that the requirements of Planning for Bushfire Protection, NSW Rural Fire Service 2018 has been satisfied.	Complies	<p>The proposal is for an industrial development, for which there are no design requirements to minimise the risk of bushfire.</p> <p>Regardless, the following principles are achieved by the proposed design:</p> <ul style="list-style-type: none"> • Safe access from the public road system for firefighters; • Perimeter access to the building; • Water storage on the site; • General construction requirements of the NCC.

Applications for consent shall contain sufficient information to demonstrate how these requirements have been satisfied	Complies	As above.
Council may consult with the Commissioner of the NSW Rural Fire Service concerning measures to be taken with respect to subdivision or development to protect persons, property and the environment from any danger that may arise from a bushfire.	Complies	As above.
<p>A Bushfire Safety Authority shall be obtained separately from the Commissioner of the NSW Rural Fire Service for the following:</p> <ul style="list-style-type: none"> • Subdivision of bushfire prone land that could lawfully be used for residential or rural residential purposes. • Development of bushfire prone land for a special fire protection purpose. <p>Notation</p> <p>A bushfire safety authority authorises subdivision or development to the extent that it complies with standards regarding setbacks, provision of water supply and other matters considered by the Commissioner to be necessary to protect</p>	Not applicable	

persons, property or the environment from danger that may arise from a bushfire.		
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Table 8 | Compliance table for Development in the industrial zone – (Part 12 of the ADCP 2010)

Control	Compliance	Comment
12.3 Industrial Development		
12.3.1 Building Setbacks		
i. The primary setback to the street frontage is to be a minimum of 7 metres or the average of the setbacks of adjoining buildings, whichever is the greater.	Complies	The subject land adjoins vacant land and therefore there is no average front setback applicable. The development proposes a primary street setback of 30 metres, well over the requirements of this control.
ii. The secondary setback (for corner sites) is to be a minimum of 3 metres.	Not Applicable	Site is not on a corner.
iii. Side and rear setbacks (where a building adjoins a residence, community facility, public park or Residential Zone) are to be a minimum of 5 metres.	Not Applicable	The subject land does not adjoin any of the specified zones. The development proposes side and rear setbacks in excess of 5 metres.
12.3.2 Car parking & vehicular access		
i. Part 17 of the DCP contains the full set of requirements for off street car parking, including land use related parking rates, turning circles, aisle widths and parking bay configurations.	Variation sought	A total of 142 car parking spaces are required for the uses, however 95 spaces are provided. See section 4.5.1 for further discussion.

Control	Compliance	Comment																
<table><tr><td colspan="2">Table 12.1</td></tr><tr><td>Use</td><td>Car parking spaces</td></tr><tr><td>Industry (including light industry)</td><td>1 space per 80m² GFA</td></tr><tr><td>Warehousing</td><td>1 space per 100m² GFA</td></tr><tr><td>Industry & Warehousing (Office component)</td><td>1 space per 40m² GFA of office area</td></tr><tr><td>Industry & Warehousing (Ancillary Retail component)</td><td>1 space per 40m² GFA of ancillary retail area</td></tr><tr><td>Disabled persons parking</td><td>At least 1 space, then 1 additional space per 15 spaces or part thereof</td></tr><tr><td>Visitor parking</td><td>Minimum 1 space, otherwise 1 space per 500m² GFA (capped at 5 visitor spaces)</td></tr></table>	Table 12.1		Use	Car parking spaces	Industry (including light industry)	1 space per 80m ² GFA	Warehousing	1 space per 100m ² GFA	Industry & Warehousing (Office component)	1 space per 40m ² GFA of office area	Industry & Warehousing (Ancillary Retail component)	1 space per 40m ² GFA of ancillary retail area	Disabled persons parking	At least 1 space, then 1 additional space per 15 spaces or part thereof	Visitor parking	Minimum 1 space, otherwise 1 space per 500m ² GFA (capped at 5 visitor spaces)		
Table 12.1																		
Use	Car parking spaces																	
Industry (including light industry)	1 space per 80m ² GFA																	
Warehousing	1 space per 100m ² GFA																	
Industry & Warehousing (Office component)	1 space per 40m ² GFA of office area																	
Industry & Warehousing (Ancillary Retail component)	1 space per 40m ² GFA of ancillary retail area																	
Disabled persons parking	At least 1 space, then 1 additional space per 15 spaces or part thereof																	
Visitor parking	Minimum 1 space, otherwise 1 space per 500m ² GFA (capped at 5 visitor spaces)																	
ii. Disabled persons and visitor car parking spaces are to be clearly marked or signposted.	Complies	The development proposes several disabled car parking spaces in accordance with the AS. The spaces will be clearly marked.																
iii. All car spaces are to be clearly line marked.	Complies	All formal car parking spaces will be line-marked in accordance with this control.																
iv. The preferred location for car parking is between the front landscaped area and the proposed building unless located in a zone other than IN1 General Industrial and IN2 Light Industrial where off street car parking is to be provided behind the front building line. This is to encourage employees to park off the street. The car parking area should be separated from the activity areas on site (e.g. loading, storage, heavy vehicle manoeuvring).	Complies	The development proposes car parking spaces between the front landscaped area and the proposed building, in an area that is separate to the heavy vehicle manoeuvring.																

Control	Compliance	Comment
v. All vehicles are to enter and exit the site in a forward direction.	Complies	All vehicles will enter and exit the site in a forward direction with all vehicle manoeuvring to occur on-site.
vi. The heavy vehicle manoeuvring areas, especially at loading and unloading points should be designed to accommodate a three-point turn or semi-circular turn. As a general rule, the minimum (unobstructed) width of a manoeuvring area should be at least as wide as the anticipated heavy vehicle where the vehicle fully enters the building.	Complies	The proposed development includes manoeuvring areas for B-doubles.
vii. Where the vehicle meets an external loading point or partially recessed dock, the Council may request the submission of vehicle movement templates. In these cases, the unobstructed three-point turn/ semi-circular turn rule will apply. The Council will generally refer to the vehicle movement templates published by the RTA. <i>Notation</i> <i>Heavy vehicles are those which are designed to carry more than 10 passengers, or which are designed to carry more than 1.5 tonnes of cargo.</i>	Not applicable	Not applicable – the development is not for a type that will require a dedicated external loading point or partially recessed dock. All loading and unloading will be done within the site and no formal loading area is proposed.
viii. Internal roadways and driveways utilised by heavy vehicles are to be a minimum of 7 metres wide (two-way movement) or 5 metres (one way movement). Internal	Complies	The proposed internal driveways for heavy vehicles will be one-way and have a width of 6 metres. Internal driveways for non-heavy vehicles will be one-way and have a width of 6 metres.

Control	Compliance	Comment
roadways/driveways for non-heavy vehicles are to be 6 metres and 3.5 metres wide respectively.		
ix. All internal roadways, and loading areas are to be fully sealed and drained via a system of surface inlet pits.	Complies	All internal roadways will be fully sealed and drained to Council's stormwater system.
x. Refuelling and workshop areas are to be adequately sealed and bunded and are not to be connected to the stormwater system.	Not applicable	No refuelling will occur on-site.
xi. New vehicular access to classified/main roads will require the prior approval of the RTA.	Not applicable	None required.
xii. All vehicular manoeuvring areas must permit forward vehicle ingress and egress to a public road.	Complies	See above for further details.
xiii. All loading and unloading operations shall be carried out wholly within the confines of the site at all times.	Complies	All loading and unloading will occur on-site.
xiv. All loading docks, car parking spaces and access driveways shall not be used for storage purposes, including garbage storage and must be kept clear of goods at all times.	Complies	All car parking spaces and access driveways will be kept clear and will not be used for storage purposes.
12.3.3 Building Design		

Control	Compliance	Comment
i. The Council will require a high standard of appearance for buildings within the Industrial Zones. Monotonous front facades consisting of one plane and colour are discouraged.	Complies	The proposed building design response includes an articulated façade, varying colours and materials and a high quality design appearance that creates visual interest.
ii. Building entrances should be clearly defined and well-articulated through form, materials and colour and provide level or ramped access.	Complies	The proposed entrance along the western façade of the building will be clearly defined and well-articulated as shown on the plans, with level access.
iii. Building walls to the primary street frontage shall have a minimum 3 metre return and must be constructed of face brick, decorative concrete blocks or suitable treated and painted concrete panels (for example “granosite” or similar product).	Complies	The face brick office frontage will include a return.
iv. Office components shall be located at the street frontage of the structure to enable the placement of windows and doors to break up the façade.	Complies	The proposed ancillary office is located and positioned at the front of the building to address the adjoining street frontage and be clearly identifiable.
v. The office and/or administration areas of any buildings are to be architecturally differentiated from the remainder of the building by the use of fenestration, materials of construction and differing horizontal/vertical planes. The Council will not permit office/administration areas clad in metal, or designs with little fenestration, colour, or dimensional detail.	Complies	As above.

Control	Compliance	Comment
vi. Highly reflective materials are to be avoided.	Complies	The proposed shed will not comprise highly reflective materials.
vii. Factory units are to be designed with particular attention to materials, the articulation of the façade, the practical placement of loading areas and the location of car parking close to each particular unit.	Not applicable	None apply.
viii. Buildings should incorporate energy-saving measures, where possible, in the design to reduce the possible environmental impacts of that development.	Complies	The building has been sited and designed to achieve an appropriate level of energy efficiency.

12.3.4 Landscaping

i. Landscaping areas are to be identified on development application plans submitted to Council, with comprehensive landscape plans required to show all areas of vegetation, pathways, ground-based lighting and vehicle access areas.	Complies	Landscaping areas are identified on the plans. Detailed landscape design will be subject to detailed design and provided by condition.
ii. Pursuant to the AlburyCity Tree Preservation Order existing trees should be retained on site wherever possible. Refer to Clause 5.9 of the LEP and Part 5 of this DCP that relate to the preservation of trees or vegetation for more information.	Not applicable	No trees are proposed to be removed to facilitate this development.

Control	Compliance	Comment
iii. A minimum 3-metre wide landscape strip is to be located immediately inside the front property boundary. The Council encourages this area to be mounded, whilst the remainder of the setback to the building not occupied by car parking or other vehicular access areas is to be grassed.	Complies	The development proposes a landscape strip exceeding 3 metres in width at the front of the property boundary.
iv. Site areas not containing hardstand areas or not used for vehicle access areas should be grassed.	Complies	Unused areas not containing hardstand will be grassed and/or landscaped.
v. Advanced (minimum 1.2 metres in height) trees are to be planted in the front landscaping strip at the rate of 1 tree every 4 metres. These trees are to be accompanied by plantings of shrubs and/or groundcovers.	Complies	Subject to a detailed design, the development proposes planted trees in the front landscaping strip to comply with the provisions of this control.
vi. Native species are preferred, and generally the species chosen should be fast growing, low maintenance and water hardy.	Noted to comply	As above.
vii. Secondary street frontages are required to be landscaped in accordance with the above controls, although the extent of landscaping required will be assessed on merit.	Not applicable	Site is not a corner lot.
viii. Where a development will provide more than 10 parking spaces in any one area, advanced trees are to be planted	Complies	The development proposes trees and landscaping to the car parking area to comply with the provisions of this control.

Control	Compliance	Comment
(at the top corner of the space) at the rate of one tree every third car space.		
<p>ix. Landscaping areas are to be protected from vehicle activity areas by a minimum 100mm high kerb, wheel stops or other similar barrier devices to prevent the damage to these vegetated areas.</p> <p><i>Notation</i></p> <p><i>Appendix A of this DCP contains the information requirements for applications, including landscape plans.</i></p> <p><i>Appendix I of this DCP contains a list of trees that are recommended for the Albury area.</i></p> <p><i>AlburyCity staff are available to recommend appropriate species.</i></p>	Noted to comply	Car park landscaping will be protected in accordance with this control.

12.3.5 Impacts on adjoining land

Development in the Industrial Zones is to have regard to the following matters relating to adjoining land:

<ul style="list-style-type: none"> The emission of any form of pollutant, including noise and vibration, air, water, dust or odour pollution, which is not to affect the amenity of adjoining land/s. 	Complies	The proposed industry use is not expected to create any significant adverse amenity impacts and will be subject to relevant conditions of development consent for the reasons outlined within this report.
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Control	Compliance	Comment
<ul style="list-style-type: none"> Sources of noise, where practicable, should be sited away from adjoining properties and where necessary, be screened by acoustic treatments 	Not applicable	<p>The development does not involve any large noise generating activities and the building has been designed to contain any generated noise.</p> <p>The proposal has been sited to face away from sensitive land uses.</p>
<ul style="list-style-type: none"> The proposed development shall not unreasonably cause overshadowing of adjoining properties 	Complies	<p>The proposed location and scale of the development will not cause any overshadowing or an adverse impact on adjoining properties.</p> <p>The proposed building has been designed and sited with large setbacks that will limit the level of overshadowing to the adjoining sites.</p>
<ul style="list-style-type: none"> The appearance of the development from adjoining land shall have regard to these areas. It is advised that long blank walls which may adversely affect adjoining land/s will not be favoured. 	Complies	<p>As outlined above, the proposed development will be of high standard design consistent with other industrial developments within the immediate surrounds.</p>
<ul style="list-style-type: none"> The development is not to incorporate the use of highly reflective building materials such as zincalume, aluminium and galvanised iron. 	Complies	<p>The proposal will use zincalume on the roof of the building, which accords with the predominant roofing materials in the locality. Notwithstanding this, the development is not within an industrial zone and so this control is considered to be a guide only.</p>
<ul style="list-style-type: none"> Light sources shall be directed away from adjoining residential properties. 	Complies	<p>Any lighting associated with the development will be baffled and positioned to prevent light spill onto adjoining properties.</p>
<ul style="list-style-type: none"> Should development be proposed on land adjoining an Environmental Zone, the application to Council is 	Complies	<p>Whilst it is acknowledged that the subject land adjoins land zoned C3 Environmental Management, the proposed development will minimise impacts on this zone as the</p>

Control	Compliance	Comment
to incorporate evidence to the satisfaction of Council that appropriate mitigation measures are in place to ensure any environmental impacts are minimised as far as practical.		proposed development has been setback from the eastern boundary to ensure any impact on the environmental zoned land is minimised.
12.3.6 Open Storage Areas		
i. Open storage areas must be screened from public places, including public roads, and are to be sealed to prevent the emission of dust.	Complies	The hardstand area on the south of the land will be sealed and screened by landscaping and fencing.
ii. Screen fences are to be a maximum of 2.4 metres in height and goods are not to be stacked higher than the actual fence.	Complies	Fencing will be up to 2.4 metres high and stacks will not exceed this height.
iii. Open storage areas are to be located behind the building or another part of the site that cannot be seen from the street or from adjoining properties.	Complies	As above, storage areas will be concealed by landscaping and fencing.
iv. Landscaping is generally not an acceptable method of screening, unless it is already well established and the applicant can demonstrate that the storage area will be effectively screened.	Noted	As above, landscaping will be used in conjunction with fencing to offer a suitable screening solution.
<i>Notation</i>		

Control	Compliance	Comment
<i>Landscaping may only be used for screening purposes when undertaken in conjunction with fencing, and other screening devices.</i>		
12.3.7 Outdoor Advertising		
<p>i. Specific controls relating to all advertising structures are contained in Part 16 of this DCP, which relates to Outdoor Advertising.</p> <p>Any advertising signage component of an industrial development, or the erection of any new signage within the Industrial Zones is to be compliant with the provisions of Part 16.</p>	Complies	The development proposes to erect a flush wall business identification sign on the western (front) façade of the building. This is exempt under the DCP.
12.3.8 Security Fencing		
<p>i. Security fencing is required for the protection of property and is not usually required to protect non-productive areas of a site such as car parking and landscaping areas.</p>	Complies	Proposed security fencing will not project forward of the building, with only diplomat fencing to project forward.
<p>ii. Security fencing should not obstruct the view of landscaping from the street and should preserve driver's sightlines.</p>	Complies	All fencing will be positioned and located so as not to obstruct driver and pedestrian views.

Control	Compliance	Comment
iii. Security fencing should incorporate landscaping to reduce its visual impact, particularly on large sites, and must be powder-coated black or dark green only.	Complies	Fencing will be accompanied by landscaping and will be black or dark green only.
iv. Cyclone mesh security fencing should not be located in front of the main building wall towards the street and must not be erected to a height greater than 2.4 metres.	Complies	Fencing height will not exceed 2.4 metres and mesh fencing will not project forward of the building.
v. Security fencing should not be an electric fence or incorporate barbed wire due to the visual appearance of these fence types.	Not applicable.	The development does not propose to incorporate barbed wires in fences, or any electric fence.
12.3.9 Utility Services		
i. All developments within the Industrial Zones are to be fully serviced by reticulated water and reticulated sewerage.	Complies	The subdivision of the subject lot included the provision of easements for underground services.
ii. Despite control i. the Ettamogah Industrial Area (North of Central Reserve Road and West of Wagga Road/ Hume Highway) may dispose of sewerage on-site subject to a land assessment report being submitted and endorsed by Council demonstrating that climate, geology, hydrology, topography, soils composition and vegetation renders the land capable of disposing effluent on-site.	Not applicable	The proposed development will be sewered.

Control	Compliance	Comment
iii. The applicant should make contact with AlburyCity regarding water and sewer requirements	Noted	Noted.
iv. The applicant should make contact with relevant providers of gas, electricity and telephone services at the earliest possible stage, in order to determine available services, easements and other requirements for servicing.	Noted	Noted.
v. Overhead power connection will not be permitted where the street service is presently underground.	Complies	The development does not propose any overhead power connection.
vi. Development is to incorporate techniques such as leaky wells, gravel filled trenches and rainwater tanks to capture roof run-off and disposal on-site, thereby reducing peak flows and the volume of polluted water flowing downstream.	Complies	The development will be constructed in accordance with relevant engineering and building code requirements.
vii. Any surplus roof and stormwater drainage collected is to be piped to the nearest adequate Council drainage system. This on-site piping system is to be designed to the satisfaction of Council and shall be approved prior to the release of the Construction Certificate.	Complies	The development will be constructed in accordance with relevant stormwater and drainage requirements.
12.3.10 Flooding		

Control	Compliance	Comment
i. The development is not to be located within a floodway.	Complies	The development is not located in a floodway.
ii. The development shall not adversely affect the efficiency of, or unduly restrict the capacity of the flood fringe to carry and discharge flood waters.	Complies	The site will not impact on flood capacity.
iii. The development shall not significantly increase the level of flooding on adjoining land/s.	Complies	As above.
iv. The floor level of any part of the building is to be at least 300mm or 500mm above the 1 in 100 year flood level (refer to Part 6 for the required freeboard level).	Complies	A suitable floor level of 236.10 AHD was determined acceptable by Albury City Council Development Engineers.
v. The development proposal is to be accompanied by relative levels to AHD, details of all trees and structures on the site and any areas of known or suspected filling.	Complies	See attached plans.
12.3.11 Potentially Hazardous or Offensive Industry	Not applicable	The development is not a potentially hazardous or offensive industry.
12.4 Hazardous and Offensive Industries	Not applicable	The development is not a hazardous and offensive industry.
C12.5 Light Industry		

Control	Compliance	Comment
<p>i. The following uses are not considered to be light industry and are not permitted within the Light Industrial Zone:</p> <ul style="list-style-type: none"> • Asbestos cement products manufacturing. • Bitumen manufacturing or processing. • Boilermaking. • Brick, tile, pipe and fire clay products manufacturing. • Cement, cement product manufacturing and concrete batching works. • Chemical factory or works involving chemical processes or involving the use of toxic, radioactive or flammable or otherwise volatile unstable materials. • Chemical storage establishments (other than the storage of inert, nontoxic, non-flammable and non-radioactive materials or products). • Cutting, crushing and grinding of rocks, ore or minerals. • Drum reconditioning works. • Glass, fibreglass and associated products manufacturing. • Hardboard manufacturing. 	Not applicable	The subject land does not fall within a Light Industrial Zone.

Control	Compliance	Comment
<ul style="list-style-type: none"> • Heavy engineering, boilermaking and heavy machine manufacturing. • Liquid, chemical, oil or petroleum waste works. • Metallurgical works involving the processing of metals or their ores. • Motor body building and motor vehicle manufacturing. • Panel beating and spray painting. • Paper or pulp works. • Petroleum products refineries. • Hazardous or potentially hazardous developments. • Offensive or potentially offensive developments. • Rubber (including tyres) or plastics manufacturing. • Extractive industries. • Liquid fuel depots. 		
12.6 Commercial Activities in the Industrial Zones	Not applicable	The development does not involve commercial activities.
12.6.1 Retailing and Display		

Control	Compliance	Comment
i. Retailing and the display of goods in Industrial Zones will only be considered where it is ancillary to the principal industrial land use onsite,	Not applicable	N/A
ii. Only those goods that have been manufactured on the land that the industry is carried out can be retailed or displayed on-site.	Not applicable	N/A
iii. The amount of retail/display area must not exceed: <ul style="list-style-type: none"> 20% of the total combined building GFA of the building or place on which the relevant industry is carried out, or 200 square metres, whichever is the lesser. 	Not applicable	N/A
12.6.2 Shops or Services	Not applicable	N/A
12.6.3 Office Space		
i. Office space is to be ancillary to the principal industrial land use onsite, and to be occupied only by employees for that particular business.	Complies	<p>The proposed office space is ancillary to the principal use of the proposed industrial shed and will occupy only a small proportion of the overall floor space of the development.</p> <p>The office space is only utilised by the employees of the business which is to be carried out on site.</p>

Control	Compliance	Comment
ii. The size of the office area and number of office employees will be treated on a merits-based assessment.	Complies	The office area is proposed to total to 705sqm in size which is considered acceptable to enable the functioning of the facility on site. It is noted that this area includes staff amenities for the shed staff and truck drivers.
iii. The office shall not detrimentally affect the trading performance, singularly or cumulatively, of the Albury or Lavington B3 Commercial Core and B4 Mixed Use Zones.	Complies	The office will not detrimentally affect the trading performance, either singularly or cumulatively of the Albury or Lavington B3 and B4 zoned areas.

Table 9 | Compliance table for Off Street Car Parking (Part 17 of the ADCP 2010)

Control	Compliance	Comment
17.2 Parking Provisions by Land Use		
i. Car parking spaces are to be provided in accordance with the standards set out in Table 17.1. For land uses not specifically listed, the car parking must be provided as per the most similar use of equivalent intensity, or otherwise in accordance with the requirements of the Council and/or RTA (whichever is the greater).	Variation sought	<p>The appropriate land use classifications are general industry and office.</p> <p>A total of 142 car parking spaces are required for the uses, however 95 spaces are provided.</p> <p>See section 4.5.1 for further discussion.</p>
ii. Where a combination of uses is intended, the total parking requirements shall be the sum of the requirements for the various uses. This may be reduced at the Council's discretion in cases where the proponent can demonstrate that the lesser amount will satisfy the expected demand.	Noted	As above.
17.3 Car Parking Controls		
17.3.1 Car Parking Design		

Control	Compliance	Comment
i. Access, car bay dimensions and orientation, and aisle width must comply with requirements for car parking areas contained in Austroads Guide to Traffic Management; Part 11: Parking.	Complies	Complies with the relevant Australian Standards.
ii. A Car parking areas are to be adequately finished with fully sealed surfaces, internal drainage systems, line markings, appropriate kerbing, paved aisle dividers and/or wheel stops compliant with the requirements contained in the <i>AlburyCity Engineering Guidelines for Subdivisions and Development Standards</i> and the <i>Austroads Guide to Traffic Management; Part 11: Parking</i> .	Complies	The car park will be constructed in accordance with Council standards.
iii. Appropriate landscaping which responds to the site conditions and surrounding context, particularly the transition between public and private spaces must be provided on-site. Landscaping shall include trees that provide shade, but do not have a growth characteristic that sheds limbs or significant fruit or nuts.	Complies	<p>The proposed landscape treatment to the car park responds to the site conditions and surrounding context.</p> <p>The proposed landscape will provide shade and will not cause detrimental impacts to the car park usage.</p>
iv. A Pedestrian and vehicular connections with adjacent public roads and footpaths, and other adjacent private car parking areas shall ensure integration of vehicle and pedestrian configurations and movement patterns.	Complies	Vehicle and pedestrian configurations and movement patterns will be integrated and connected with the adjacent McLaurin Road.

Control	Compliance	Comment
v. Car parking entrances shall be located in consultation with AlburyCity staff, to ensure the safe and efficient integration with the local road network, and shall be configured and signposted, containing adequate site lines as outlined in Austroads Guide to Traffic Management; Part 11: Parking.	Complies	The car park entrance has been configured to suit the subject land with adequate sight lines and to ensure safe and efficient egress from the subject land. The car park will also be signposted in accordance with the relevant controls.
17.3.2 Disabled Persons Parking		
i. Disabled persons parking spaces are to be provided at the rate of 1 space (minimum) for all development/s and an additional 1 space per 33 spaces or part thereof.	Complies	4 spaces are provided in accordance with this control.
ii. The spaces shall be located close to an accessible lift, ramp or building entrance and be provided with an accessible path of travel.	Complies	The proposed disabled parking spaces are located in front of the main entry with an accessible path of travel.
iii. Disabled spaces shall be in accordance with the design and dimensions required by the relevant current <i>Australian Standard AS 2890.6 – Parking Facilities – Part 6: Off-Street Parking for People with Disabilities</i> .	Complies	The disabled spaces have been designed to comply with this Australian Standard.
iv. Disabled spaces should be indicated by a permanent sign as specified in <i>Australian Standard AS 1428.1 – (General Requirements for Access – Buildings)</i> .	Complies	The disabled spaces will be sign posted in accordance with this Australian Standard.

Control	Compliance	Comment
v. Disabled parking spaces are to be constructed in accordance with the minimum dimensions provided in <i>AS2890.6 – Parking Facilities – Part 6: Off-Street Parking for People with Disabilities</i> . This includes a clear space, which may be shared, of minimum dimension 5.4 metres long by 2.4 metres wide adjacent to every dedicated space.	Complies	The disabled spaces have been designed to comply with this Australian Standard.
17.3.3 Bicycle Racks and Motorcycle Parking Spaces		
i. Car parks with 30 or more spaces are to provide 1 bicycle rack space for each 10 spaces.	Complies	Appropriate bicycle parking is provided adjacent to the building entry as required, providing for the parking of up to 10 bicycles.
ii. Car parks with 30 or more spaces are to provide 1 motorcycle space per 30 car parks or part thereof.	Complies	Four (4) motorcycle spaces are provided.
17.3.4 Off Street Loading Facilities		
i. Adequate provision is to be made within the site area for loading, unloading and access area facilities.	Complies	The proposed development will include loading and unloading within the building.
ii. If a building has access to a rear lane, the loading and unloading facilities are to be provided from that lane unless the lane is considered inadequate for the purpose.	Not Applicable	The subject land does not have access to a rear lane.

Control	Compliance	Comment
iii. The dimensions of a loading bay will depend upon the vehicles to be accommodated. The minimum dimensions should be 4 metres x 9 metres and 3.8 metres high clear of all obstructions.	Complies	The proposed loading bays will have the ability to comply with those minimum dimensions.
iv. Design of off-street parking facilities for commercial vehicles shall have regard to the current <i>Australian Standard AS 2890.2 – (Commercial Vehicle Facilities)</i> published 1989.	Not Applicable	The proposal does not generate demand for commercial parking spaces.
v. Provision should be made in the design of loading bays so that delivery vehicles do not conflict with customer traffic. These areas should be in a physically defined location that is not used for other purposes such as the storage of goods and equipment.	Complies	Heavy vehicle movements will be separate to small vehicle movements where possible.
vi. Loading provisions will not apply to development being minor alterations to an existing building if, in the opinion of the Council, the size and shape of the land or the existing building render the provision of facilities impracticable.	Not Applicable	
vii. All service vehicles are to enter and leave a site in a forward direction.	Complies	All vehicles will clearly be able to enter and exit the site in a forward direction.

Control	Compliance	Comment
17.3.5 Pedestrian Movements		
i. Pedestrian safety and permeability is to be a primary consideration in the design of car parking. Aisle designs shall include obvious surface treatments, signage and other markers to ensure motorists and pedestrians understand the likely movements of both parties within car parking areas.	Complies	The proposed car parking areas is a linear design featuring a central aisle with 90-degree parks. This arrangement is considered to have good surface treatments and will be obvious in terms of how it is intended to function and consequently, pedestrians will be able to reasonably anticipate the behaviour of drivers.
ii. Pedestrian movements should be separated from vehicular traffic as much as physically possible. Where possible pedestrian thoroughfares within the parking area should be provided. Such areas are to be suitably integrated with the landscaping proposals for the parking area.	Complies	Pedestrian and vehicular movements are separated as much as possible, and well defined with appropriate landscaping.
17.3.6 Contributions in Lieu of Physical Provision of Car Parking		
i. In cases of development where, off street car parking does not meet the requirements of this DCP (shortfall), or where in the opinion of the Council, the provision of off-street parking is not physically possible, and where the Council has established or proposes to establish car parking facilities in the vicinity, the Council will give consideration to the acceptance of a cash contribution in satisfaction of part, or all, of the requirements under this	Not Applicable	The Council has not indicated any plans to establish car parking facilities in the vicinity.

Control	Compliance	Comment
DCP. Where the Council agrees to accept a cash contribution under these circumstances, the amount of such contribution shall be as set by the Council in its Developer Contributions Plans.		

Table 10 | Albury Industrial Hub Master Plan Design Principles

Control	Compliance	Comment
Site Planning		
Subdivision Layout	Not applicable	
Internal Road Network	Not applicable	
Site Coverage		
Design Objectives 1. Ensure that adequate area is available to accommodate landscaping, open space for employees and screening of loading and storage areas. 2. Ensure that adequate area is available for driveways and access, onsite parking and manoeuvring of vehicles. 3. Achieve appropriate building setbacks that are landscaped to ensure integration with streetscape and road tree plantings. 4. Ensure that adequate area is available and that use of the site is carried out to allow the continued and safe operation of Transgrid easements (where relevant).	Complies	The proposal includes a site coverage of 23%, which is appropriate in this context noting the industrial surrounds.

Control	Compliance	Comment
Design Requirements		
• Maximum site coverage permitted is 65% of the lot area.	Complies	Proposed site coverage is 10750sqm, which is 23.29% site coverage.
• Minimum site coverage permitted is 20% of the lot area.	Complies	Proposed site coverage is 10750sqm, which is 23.29% site coverage.
• Building setbacks to collector roads is to be a minimum of 10m.	Not applicable	The building is not proximate to a collector road.
• Building setbacks to local roads is to be a minimum of 10m.	Complies	Proposed building setback to McLaurin Road will exceed 10m.
• 5m setbacks to side and rear boundaries where adjoining lots are zoned for industrial uses.	Complies	Proposed side and rear setbacks will exceed 5m.
• Front setbacks are sufficient to enable landscaping to screen large footprint buildings and create an integrated and coherent public / private interface.	Complies	The proposed development includes a generous front setback with significant meaningful landscaping consisting of trees and shrubs.
• Car parking, water tanks, structures and storage areas are not permitted within front setback areas.	Complies	The proposed development incorporates a generous landscaping setback. The area behind the setback includes car parking. No storage areas or water tanks are located at the front of the building.

Control	Compliance	Comment
<ul style="list-style-type: none"> Outdoor storage areas are to be screened from the public realm through the siting of building, rather than fencing. 	Variation sought	<p>The development includes a sealed pavement area which will be utilised for outdoor storage, as well as vehicle manoeuvring and overflow parking if required.</p> <p>While it is acknowledged that the preference of this provision is to provide screening to outdoor area in the forms of buildings, the proposal seeks to screen the outdoor storage area from the public realm with a combination of fencing and dense landscaping treatments along the western boundary. The development includes dense tree plantings along this boundary, with a combination of shrubs and accents. Trees may consist of variations of a gum tree, which have mature heights ranging from 7 metres to 30 metres. Accordingly, the proposed screening is considered to suitably mitigate the visual impact of the outdoor storage area when viewed from the streetscape.</p>
<ul style="list-style-type: none"> Black PVC coated chainwire fencing to a maximum of 1.8 metres in height is permitted forward of the building line. 	Complies	Fencing will be constructed to this standard.
<ul style="list-style-type: none"> All work activities within Transgrid easements are in strict accordance and fully comply with the Electrical Supply Association of Australia (ESAA) National Guidelines for Safe Approach Distances to Electrical Apparatus. 	Not applicable	No works are proposed within the Transgrid easements.
Building Height and Built Form		
Design Objectives		

Control	Compliance	Comment
<p>1. Ensure that buildings are of architectural merit, diversity, scale and high quality built form.</p> <p>2. Ensure that built form contributes to the visual amenity of the area.</p>	Complies	As shown in the attached plans, the proposed development includes an attractive built form with varying building colours and articulation.
Design Requirements		
<ul style="list-style-type: none"> Building heights are to be in keeping with the scale and land use type of adjoining land. 	Complies	Proposed building height includes a wall height of 10.5m. There are no buildings located on adjoining land.
<ul style="list-style-type: none"> The height of buildings and works should take into account the proximity of the structure to roads, conservation areas and any adjoining sensitive land uses. 	Complies	The proposed building height is minor for a use of this nature, at a wall height of 10.5 metres. Given the significant setbacks proposed this is considered to be appropriate and minor when given consideration to the future built form of the area.
<ul style="list-style-type: none"> Warehouse buildings are to be a maximum of 20m in height from natural ground level. 	Not applicable	No warehouse building is proposed.
<ul style="list-style-type: none"> Office / commercial components are permitted to exceed the maximum building height by 50% in order to provide visual interest and articulation of heights. 	Noted	Noted
<ul style="list-style-type: none"> Variation to the maximum height may be permitted provided proposed building height is compatible with the scale, bulk and height of surrounding 	Noted	No variation is proposed.

Control	Compliance	Comment
buildings and will not generate excessive overshadowing of adjacent properties.		
Access, Movement and Car Parking		
Site Access and Manoeuvring		
Design Objectives		
1. Ensure that access and manoeuvring arrangements to/from and within the site cater for large vehicles, are safe and do not cause detriment to other road users.	Complies	The proposed layout has capacity for a B-double truck movement.
Design Requirements		
<ul style="list-style-type: none"> Truck access, manoeuvring and loading areas are to be separated from car parking areas. 	Variation sought	The proposed car parking areas will share an access with the truck movements, however manoeuvring and loading areas will remain separate at the rear of the site. This is considered to be appropriate given that the car parking area provides for only 95 spaces and will see limited movements except at shift changeover time. There are clear sight lines to maximise safety when entering and exiting the site, as well as for cars exiting the car parking area to the shared access area. Further, trucks will be moving at a low vehicle speed throughout the site.
<ul style="list-style-type: none"> Consider separating truck and small vehicle access points to reduce vehicle conflicts. 	Noted	The proposal includes two crossovers that provide for a separate entry and exit, however are shared between trucks and vehicles. As above, vehicle conflicts are suitably managed by design.

Control	Compliance	Comment
<ul style="list-style-type: none"> All vehicles must be able to enter and leave the site in a forward direction. 	Complies	This is achieved.
<ul style="list-style-type: none"> Pedestrian access through car parking areas should be clearly marked, and where possible emphasised by the use of raised and textured surfaces and articulated through landscaping where feasible. 	Variation sought	As the proposed car parking area will result in minimal traffic movements, this is not thought to be necessary.
<ul style="list-style-type: none"> As far as possible, pedestrian access through car parks should be kept separate from vehicle access ways. 	Variation sought	As above.
<ul style="list-style-type: none"> Buildings shall be designed to allow loading / unloading of vehicles within the building. 	Complies	Loading is provided within the building via the rollers doors which will facilitate truck access.
<ul style="list-style-type: none"> Loading docks should be situated to the side or rear of buildings. 	Complies	The proposed loading docks are located at the side of the building.
<ul style="list-style-type: none"> Where not subdivided, all driveways are to satisfy AS2890.1 and AS2890.2. 	Complies	The proposed driveways satisfy these standards.
Car Parking		

Control	Compliance	Comment
<p>1. Ensure that on-site car parking is adequate, safe and convenient.</p> <p>2. Ensure that the layout of parking areas are visually attractive and integrated.</p>	Complies	The proposed car parking area has been designed to reduce conflicts between small vehicle and truck movements. The car parking area enjoys generous landscaping to soften the appearance.
Design Requirements		
<ul style="list-style-type: none"> Sufficient car parking is provided on each lot to satisfy the likely peak parking demands of the development. 	Complies	The proposal includes 95 designated car parking spaces, as well as 4 motorcycle spaces and 10 bicycle spaces. While the floor area would warrant additional car parking spaces pursuant to the ACC DCP, the actual demands of the business do not warrant this amount of car parking spaces being provided formally on the site. Notwithstanding this, there is a significant area of sealed pavement which can accommodate overflow car parking as required.
<ul style="list-style-type: none"> Required car parking shall be located behind the required minimum front setback area, however visitor car parking may be permitted forward of the building line where it can be demonstrated that the landscape quality of the streetscape can be maintained. 	Variation sought	The proposal includes a generous front setback area of 8 metres, with significant landscaping. The proposed car parking areas will be located forward of the building line. However, the dense tree plantings will assist to maintain the landscape quality of the streetscape.
<ul style="list-style-type: none"> Access routes to car parking areas for each lot are to be clearly signposted. 	Complies	Signposting will be provided in accordance with requirements.

Control	Compliance	Comment
<ul style="list-style-type: none"> All car parking spaces are to be constructed of hardstand, all weather material, adequately drained, marked and designated. 	Complies	Proposed car parking areas will be constructed of bitumen/asphalt, will be drained to the legal point of discharge, and will be appropriately linemarked.
<ul style="list-style-type: none"> Sufficient spaces are to be provided for disabled car parking. 	Complies	The proposal includes four disabled parking spaces.
<ul style="list-style-type: none"> Landscaping shall be integrated into the design of car parks and hardstand areas to allow for canopy and shade planting to reduce the 'heat island effect'. 	Complies	Landscaping will be provided in car parking areas.
Building Configuration		
Sustainable Building Design		
Design Objectives		
1. Reduce greenhouse emissions through appropriately designed buildings and best practice energy management. 2. Adopt economically viable energy efficient design initiatives.	Complies	The proposed development will employ suitable sustainability measures and allow for solar panels on the roof in future.

Control	Compliance	Comment
Design Requirements		
• Building orientation and design should be such that they maximise northern exposure and shade east and west facing windows and openings.	Complies	While it is limited to maximise northern exposure due to the site orientation and use of the building, western windows are shaded by an extended awning.
• Windows and openings should be positioned to maximise natural cross ventilation.	Complies	There are openings on the eastern, northern and southern walls which are similar in height and promote cross ventilation.
• Minimise winter heat loads through the arrangement of glazed parts of buildings to face north and east.	Noted	No glazed components are provided, noting that the street frontage is to the west.
• Use light coloured materials in hardstand areas to minimise heat absorption.	Noted	Light coloured materials can be utilised if practical.
• External shading devices (e.g. awnings, shutters, canopy trees) are to be used to protect east, north and west facing windows from summer heat.	N/A	There are minimal windows to the building, so this is not necessary.
• Use skylights and light wells to capture natural light for internal building areas.	Complies	This will be utilised if required.
• Maximise insulation and thermal mass and minimise air building leakages, where appropriate.	Noted	Noted.

Control	Compliance	Comment
<ul style="list-style-type: none"> Capture and store rainwater from roofs and other impervious surfaces within tanks for reuse. Drain hardstand / car park areas to appropriate stormwater treatment devices prior to discharge from the site. 	Complies	Stormwater will be appropriately managed in accordance with the attached Stormwater Management Plan.
<ul style="list-style-type: none"> Place trees and buildings along the south western fringes of the site to reduce the effects of hot westerly summer breezes. 	Complies	The proposed development includes plantings on the western and southern fringes of the site, and these can include trees if required.
Sustainable Building Materials		
Design Objectives		
<ol style="list-style-type: none"> 1. Minimise the total material resources used. 2. Minimise the environmental impacts of material used. 3. Encourage the use of environmentally sustainable materials, with low embodied energy content. 4. Encourage high quality architect designed buildings within areas of high visibility. 	Complies	Sustainable building materials will be utilised wherever possible.

Control	Compliance	Comment
Design Requirements		
<ul style="list-style-type: none"> Consider materials with recycled content. Examples include: recycled concrete, brick, timber, steel etc. 	Complies	Recycled materials will be used where possible.
<ul style="list-style-type: none"> Consider using certified plantation (Forest Stewardship Council) or engineered timber materials, and avoid unsustainable imported timber from old growth forests. 	Complies	Sustainable timber will be used where possible.
<ul style="list-style-type: none"> Choose low volatile organic compound (VOC) materials, including low/no VOC paints and coatings, floor coverings and underlays. 	Complies	Low VOC materials will be used where possible.
<ul style="list-style-type: none"> Source local materials to reduce transportation impacts. 	Complies	Local materials will be used where possible.
Building Appearance		
Design Objectives		
1. Encourage building forms, materials and finishes that add visual interest to the area.	Complies	The proposed development provides a built form with a level of visual interest and façade articulation.

Control	Compliance	Comment
<p>2. Encourage building typologies that add visual interest to the area.</p> <p>3. Promote industrial development that is both functional and attractive in the context of its local environment through appropriate design.</p>		
Design Requirements		
<ul style="list-style-type: none"> Built form and facades visible from the street or public open space should be modulated and articulated to provide visual interest. Long blank walls will not generally be supported. Articulation of walls can be achieved by variations in setback, use of glazing and differing architectural materials, finishes and colours. 	Complies	The proposed front façade will include varied materials such as steel cladding and varying Colorbond shades, as well as articulation achieved by the varied setbacks between the office, and main building.
<ul style="list-style-type: none"> Buildings should be designed with regard to site topography to step back and step down to help break up masses and ‘box’ style development. Consider breaking large buildings into sub-units or modules to reduce perceived scale. 	Complies	The building is broken up into sub-units to reduce visual bulk.
<ul style="list-style-type: none"> Office areas sited in front of buildings can be designed to help reduce building mass and increase visual interest. Setbacks may be reduced to improve building articulation. 	Complies	The proposed office area at the front of the building has been designed to reduce visual bulk, including face brick and a reduced setback.

Control	Compliance	Comment
<ul style="list-style-type: none"> Locating the office components to the front reduces building bulk and presents an attractive frontage. 	Complies	The proposed office is at the front.
<ul style="list-style-type: none"> Buildings are to address the street and provide surveillance to streetscape. 	Complies	The proposed building includes an office at the front with clear glazed doors and a window.
<ul style="list-style-type: none"> Entries and building bases should be articulated through the use of colour, material change and texture, and strengthened through landscape design. 	Complies	Colours and materials vary.
<ul style="list-style-type: none"> Built form within lots which lend themselves to 'landmark' or 'gateway' treatment should have a contemporary style and incorporate high quality architectural detail and visibility. 	Noted	The subject lot does not lend itself to a gateway treatment, however does provide an attractive built form.
<ul style="list-style-type: none"> Large areas of smooth finish concrete wall panels should be enhanced with some form of texture. Consider using heavy textured paint or forming textures into selected areas of wall panels to avoid a glossy/high glare building surface. 	Not applicable	No concrete wall panels are proposed.
<ul style="list-style-type: none"> Hardstand, loading, storage, rubbish disposal, plant and equipment areas are to be softened from the front, side and rear through landscaping or integrated building form. 	Complies	The proposed development includes generous plantings along the western and northern boundaries.

Control	Compliance	Comment
Landscaping		
Landscape Design		
Design Objectives		
<p>1. Encourage a well designed, legible and cohesive landscape framework for development.</p> <p>2. Encourage a relationship between public and private landscape through a language of plant material and planting styles.</p> <p>3. Encourage the use of species that will increase the biodiversity of the site.</p> <p>4. Provide a visual buffer between neighbouring land uses and proposed development.</p> <p>5. Encourage the design of both hard and soft landscape to assist in creating comfortable micro climatic conditions and minimise the 'heat Island effect' of development.</p>	Complies	The proposed landscape design will provide for a suitable improvement of the site in accordance with these objectives.
Design Requirements		

Control	Compliance	Comment
<ul style="list-style-type: none"> Retain significant existing trees or groups of trees wherever feasible in setbacks, medians, reserves and stormwater detention areas. 	Not applicable	There are no significant existing trees on the site.
<ul style="list-style-type: none"> Create a legible, clearly defined streetscape that provides the structure within which a more naturalised planting style can be contained. 	Complies	The proposed landscaping setback will provide for this.
<ul style="list-style-type: none"> Utilise high canopy trees and low grasses generally within verge and median planting to ensure sightlines are maintained. 	Complies	The proposed landscaping will include high canopy trees and low grasses at the front of the site.
<ul style="list-style-type: none"> Provide private landscape setbacks frontages that are distinctive but well integrated with, and contributing positively to the public streetscape character. 	Complies	A generous landscape setback is provided.
<ul style="list-style-type: none"> Use native grasses and groundcovers as lawn alternatives where possible to reduce irrigation demands. 	Complies	This will be utilised where possible.
<ul style="list-style-type: none"> Create well integrated stormwater detention and treatment areas which provide open space amenity and visual interest. 	Complies	As provided in the attached Stormwater Management Plan.
<ul style="list-style-type: none"> Integrate stormwater treatment into the road reserve where possible. 	Complies	Stormwater from the site will be captured and directed to the stormwater network.

Control	Compliance	Comment
<ul style="list-style-type: none"> Promote passive irrigation of landscapes by directing nearby hardstand areas to vegetated areas. 	Complies	This will be applied where possible.
<ul style="list-style-type: none"> Use side and front boundary landscape setbacks to create windbreaks and provide shade to westerly sun and winter winds as appropriate. 	Complies	The proposed development includes significant setbacks and landscaping along the western boundary.
<ul style="list-style-type: none"> Design well integrated shade planting within car park areas. 	Complies	Shade trees are provided in the car parking area.
<ul style="list-style-type: none"> Use endemic species suited to the environment that have low water requirements and low maintenance. 	Complies	Can be required by condition if necessary.
<ul style="list-style-type: none"> Use light coloured paving materials and surfaces and non impervious surfaces where practical to reduce heat absorption. 	Complies	Can be required by condition if necessary.
<ul style="list-style-type: none"> Locate hard stand areas within the southerly side of lots to reduce their heat absorption. 	Complies	Hardstand areas are primarily located to the south.
<ul style="list-style-type: none"> Provide suitably located and unobtrusive waste storage areas. These areas are to be screened from public view by landscaping and or fencing. 	Complies	The services area will provide for waste collection in a discrete location.

Control	Compliance	Comment
Site Topography and Management of Level Change		
Design Objectives		
1. Encourage design that minimises cut and fill requirements. 2. Encourage well considered interfaces between lots and roads/setbacks/conservation areas. 3. Ensure that cut and fill requirements do not adversely impact upon adjoining land uses.	Complies	The proposed development minimises cut and fill, as the subject site is relatively flat.
Design Requirements		
<ul style="list-style-type: none"> Retaining wall heights should be minimised. Where walls need to be greater than 3m in height, the retaining wall should be terraced or staggered with screen planting at the base and on intermittent levels. 	Complies	Retaining walls are limited where possible, although a small extent of retaining wall is proposed along the north-eastern boundary, with a total height of 1.8 metres.
<ul style="list-style-type: none"> Landscaped batters are preferable to retaining walls and should be considered where space permits. Slopes should be no greater than 1 in 3 and suitably planted to provide screening or buffer as required by its location. 	Complies	Landscape batters are provided around the perimeter of the site, except where a small retaining wall is provided.

Control	Compliance	Comment
<ul style="list-style-type: none"> Retaining walls and batters should be well integrated into the design of the building and its envelope. 	Complies	The proposed battering and retaining wall will be integrated in a landscaping setback at the perimeter of the property.
<ul style="list-style-type: none"> Retaining walls should be visually softened through planting. 	Complies	The proposed retaining wall will be visually softened by plantings in the bioretention basin.
<ul style="list-style-type: none"> Material excavated from site to form lots should be re used wherever possible. 	Noted	
Environmental Management		
Stormwater Management		
Design Objectives		
<ol style="list-style-type: none"> Reduce demands on potable water. Improve the quality of stormwater that is discharged from the site in order to protect the ecosystem health of the receiving waterways. Attenuate the velocity and magnitude of flows that is discharged from the site in order to protect the stability of the receiving waterways. 	Complies	Stormwater will be managed in accordance with the attached Stormwater Management Plan.
Noise and Vibration		

Control	Compliance	Comment
Design Objectives		
1. Provide for the mitigation and management of noise and vibration impacts from all proposed development.	Noted	Noise and vibration will be appropriately managed in accordance with relevant requirements.
Air Emissions		
Design Objectives		
1. Provide for the mitigation and management of odour, dust and stack emissions from proposed operations.	Noted	Odour will be appropriately managed in accordance with relevant requirements.
Risk and Hazard		
Design Objectives		
1. Ensure that all proposed development operates at acceptable levels of risk and hazard to ensure the safety of persons or property on within the development area, or in surrounding areas.	Noted	The operation of the site will be appropriately managed in accordance with relevant requirements.