

DATE OF DEFERRAL	Tuesday, 20 October 2020
PANEL MEMBERS	Gordon Kirkby (Chair), Renata Brooks, Tim Fletcher, Henk van der Ven and David Thurley
APOLOGIES	None
DECLARATIONS OF INTEREST	None

Papers circulated electronically on 1 October 2020.

MATTER DEFERRAL

PPSSTH-38 – Albury City – DA10.2020.37386.1 at 580 - 584 Smollett Street & 470 Wodonga Place, Albury NSW 2640 – Eight-storey Mixed Use Development and Five-storey Car Park (as described in Schedule 1).

REASONS FOR DEFERRAL





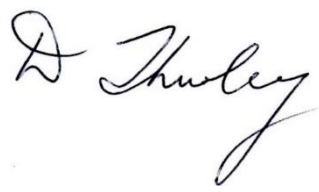
The panel agreed to defer the determination of the matter until the following required information or assessment is provided by the Council and the Applicant:

- Confirmation that the legal rights associated with the Right-of-Way for the adjoining property at 473 Townshend Street (“Kia Ora”) are maintained. In particular:
 - that the right-of-way is not compromised by the 3m clearance associated with the pedestrian connection between the mixed use building and car park; and
 - that the access to and egress from the rear of 473 Townshend Street to Smollett Street can be maintained and proposed management measures could be put in place, if required.
- Further information on the proposed waste management arrangements. The Panel requires the Applicant to provide :
 - Justification for the proposed waste management arrangements. In this regard, the Panel does not support the proposed arrangements for transfer of waste bins to Smollett Street for collection. The Applicant should consider revisions to the project to facilitate the collection of waste for both commercial and residential uses on-site, preferably through the car park area in the mixed use building.
- The inclusion of a new condition in the draft instrument of consent that requires, prior to the issue of a construction certificate for the mixed use building, advice to be obtained from a suitably qualified heritage expert on the proposed finishes schedule (Plan 580DA 23) in the context of the compatibility with surrounding heritage buildings including items I173 (Shop), I174 (Kia Ora) and Item I153 (Australian Tax Office) in Schedule 5 of Albury LEP 2010. Should the expert require revisions to the building finishes, a revised plan shall be submitted for Council endorsement.

Following receipt of the independent assessment, Council shall prepare a supplementary report for the Panel on the additional information.

When this information has been received, the panel will determine the matter electronically.

The decision to defer the matter was unanimous. The Panel adjourned at the conclusion of the meeting to deliberate on the matter and formulate a resolution.

PANEL MEMBERS	
 Gordon Kirkby (Chair)	 Renata Brooks
 Tim Fletcher	 Henk van der Ven
 David Thurley	

SCHEDULE 1		
1	PANEL REF – LGA – DA NO.	PPSSTH-38 – Albury City – DA10.2020.37386.1
2	PROPOSED DEVELOPMENT	Eight-storey Mixed Use Development and Five-storey Car Park
3	STREET ADDRESS	580 - 584 Smollett Street & 470 Wodonga Place, Albury NSW 2640
4	APPLICANT/OWNER	Blueprint Planning/ 590 Smollett Street Pty Ltd on behalf of Zauner Construction Pty Ltd
5	TYPE OF REGIONAL DEVELOPMENT	General development over \$30 million
6	RELEVANT MANDATORY CONSIDERATIONS	<ul style="list-style-type: none"> • Environmental planning instruments: <ul style="list-style-type: none"> ○ Environmental Planning & Assessment Act 1979 ○ Albury Local Environmental Plan 2010 (Albury LEP 2010) and ○ Deemed State Environmental Planning Policy – Murray Regional Environmental Plan No. 2 – Riverine Land (MREP2) ○ State Environmental Planning Policy (Infrastructure) 2007 ○ State Environmental Planning Policy No 65 – Design Quality of Residential Flat Buildings (SEPP 65) ○ State Environmental Planning Policy (SEPP) – Building Sustainability Index (BASIX) ○ State Environmental Planning Policy No. 55 – Remediation of Land • Draft environmental planning instruments: Nil • Development control plans: <ul style="list-style-type: none"> ○ Albury Development Control Plan 2010 • Planning agreements: Nil • Provisions of the <i>Environmental Planning and Assessment Regulation 2000</i>: Environmental Planning and Assessment Regulation 2000 • Coastal zone management plan: Nil • The likely impacts of the development, including environmental impacts on the natural and built environment and social and economic impacts in the locality • The suitability of the site for the development • Any submissions made in accordance with the <i>Environmental Planning and Assessment Act 1979</i> or regulations • The public interest, including the principles of ecologically sustainable development
7	MATERIAL CONSIDERED BY THE PANEL	<ul style="list-style-type: none"> • Council assessment report: 16 September 2020^{16 September 2020} • Written submissions during public exhibition: 2 • Total number of unique submissions received by way of objection: 2
8	MEETINGS, BRIEFINGS AND SITE INSPECTIONS BY THE PANEL	<p>Site inspection: Tuesday, 6 October 2020</p> <p>Panel members: Henk van der and David Thurley</p> <p>Final briefing to discuss council's recommendation: Wednesday, 7 October 2020</p> <p>Panel members: Gordon Kirkby (Chair), Renata Brooks, Tim Fletcher, Henk van der Ven and David Thurley</p> <p>Council assessment staff: Matt Wilson and Marius Shepherd</p>
9	COUNCIL RECOMMENDATION	Approval
10	DRAFT CONDITIONS	Attached to the council assessment report