

## STATEMENT OF ENVIRONMENTAL EFFECTS



### **The Proposal:**

*Construction of a six (6) storey development consisting of ground floor commercial, car parking and hotel lobby/reception, one floor car parking and four floors of hotel rooms.*

### **Address:**

*Lot: 1 & 2 DP 455265 and Lot 6 DP 855 No 7 – 9 Baylis Street,  
Wagga Wagga*

### **Date:**

*April 2019 / amended January 2020*

### **Our Project:**

*18259*

This report has been prepared by

EPlanning Pty Ltd



Barry Cotten

MPIA CPP



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## 1.0 TOWN PLANNING REPORT INTRODUCTION

### 1.1 Executive Introduction

The proponent seeks development consent for a proposal consisting of “ground floor commercial, car parking and hotel lobby/reception, one level parking and four levels of hotel rooms” at Lot 1 & 2 DP 455265 and Lot 6 DP 855 No 7 – 9 Baylis Street, Wagga Wagga to the local consent authority of City of Wagga Wagga Council.

The updated plans have been clouded in red for easy comparison between this submission and the previous submission, but in summary consist of the following amendments:

- New plans show amended Ground floor, no longer building over the Right of Way.
- Increase in the Ground to L1 floor-to floor height to 4900mm, allowing a 4500mm clear height over the easement.
- Level 1 parking extends over the easement to the site boundary.
- Gated off each side of the Right of way to alleviate potential crime issues. All sites benefitting from the Right Of way will have access.
- CCTV cameras and flood lighting can be used to assist with monitoring the Right Of Way.

The subject site is a corner block located on the eastern side of Baylis Street, northern side of Edward Street (Sturt Highway) and western side of Baretta Lane. The subject site is zoned B3 Commercial Core, pursuant to the Wagga Wagga Local Environmental Plan 2010 (WLEP2010) and satisfies the Objectives of that particular Zone.



**Plate:** Site Location

EPlanning Pty Ltd have reviewed this proposal and prepared this Statement of Environmental Effects (SOEE) describing the physical characteristics of the proposal, subject site and surrounds in its Town Planning context, while having regards to matters as of relevance to the subject application pursuant to Section 4.15 (former 79C) of the Environmental Planning & Assessment Act 1979 (EP&A Act 1979).

In accordance with Part 1 of Schedule 1 of the Environmental Planning & Assessment Regulation 2000 (EPAARegs2000) the following information is provided:

- The environmental impacts of the development;
- How the environmental impacts of the development have been identified; and,
- The steps to be taken to enhance the environment or to lessen the expected impact to the environment.

## **1.2 Legislative Framework**

The environmental strategic and statutory framework on a local level are the Planning Instruments of;

- *State Environmental Planning Policy (Infrastructure)*;
- *State Environmental Planning Policy No. 55 Remediation of Land*
- *Wagga Wagga Local Environmental Plan 2010 (WLEP2010)*; and
- *Wagga Wagga Development Control Plan 2010 (WDCP2010)*.

This town planning assessment report and subsequent consultant's reports have placed emphasis on these planning instruments / guidelines during the strategic planning and statutory planning assessment of the proposal. Other Legislative Instruments have been noted and subsequently assessed throughout this report and other consultant's reports.

This report is a town planning assessment that is to be submitted in concurrence with a deemed Local Development submission to the consent authority of City of Wagga Wagga. To address the above statutory requirements, this report considers the following matters:

- Description of the proposed development, site, surrounding development and the wider locality;
- Assessment of the proposed development in accordance with all statutory controls and City of Wagga Wagga Development Control Plan 2010 (DCP2010); and,
- A broader environmental assessment of the proposal, having regard to the matters for consideration contained within Section 4.15 (79C) of the Environmental Planning & Assessment Act 1979 (EP&A Act 1979).

It is considered that the key planning instrument applying to the land is acknowledged as Wagga Wagga Local Environmental Plan 2010 (WLEP2010) and in this respect the relevant clauses of the instrument as applying to the land are discussed further below.

### ***Wagga Wagga Local Environmental Plan 2010 (WLEP2010)***

Pursuant to Wagga Wagga Local Environmental Plan 2010 (WLEP2010), the subject site is zoned B3 Commercial Core and is considered to satisfy the statutory framework for the proposed use of the land and considered to be in the Public interest.



### **1.3 Town Planning context**

This assessment and subsequent report conclude that the proposed development is consistent with the State Governments and City of Wagga Wagga's strategic planning objectives for the local Government Area for ensuring that the provision of business premises and accommodation stock is adequate to meet the varying needs of residents in the locality and local government area of Wagga Wagga.

The development application is supported by a Statement of Environmental Effects that:

- includes a satisfactory neighbourhood and site description, including the identification of the key features of the neighbourhood and site,
- shows how the siting and design response derives from and responds to the key features identified in the neighbourhood and site description, and
- demonstrates that the short term residential development proposal respects the existing or preferred neighbourhood character and satisfies objectives of the zone in the Wagga Wagga Local Environmental Plan 2010 (WLEP2010).

The proposed Hotel accommodation is defined as "*Development*" for the purposes of satisfying Section 1.4 Definitions of the Environmental Planning & Assessment Act 1979 (EP&A Act 1979) and furthermore pursuant to Section 4.2 of the Environmental Planning & Assessment Act 1979 (EP&A Act 1979), the Clause stipulates that the development must not be carried out on the subject site until consent has been obtained, of which is being obtained.

### **1.4 Executive Summary**

The proposal will provide much required additional hotel and business premises (short term accommodation) within the Local Government area of Wagga Wagga. The proposal provides for the desired future character of the streetscape / area of the commercial core of Wagga Wagga and will complement the existing look and feel of the area based on different uses, street patterns, subdivisions, densities and typologies.

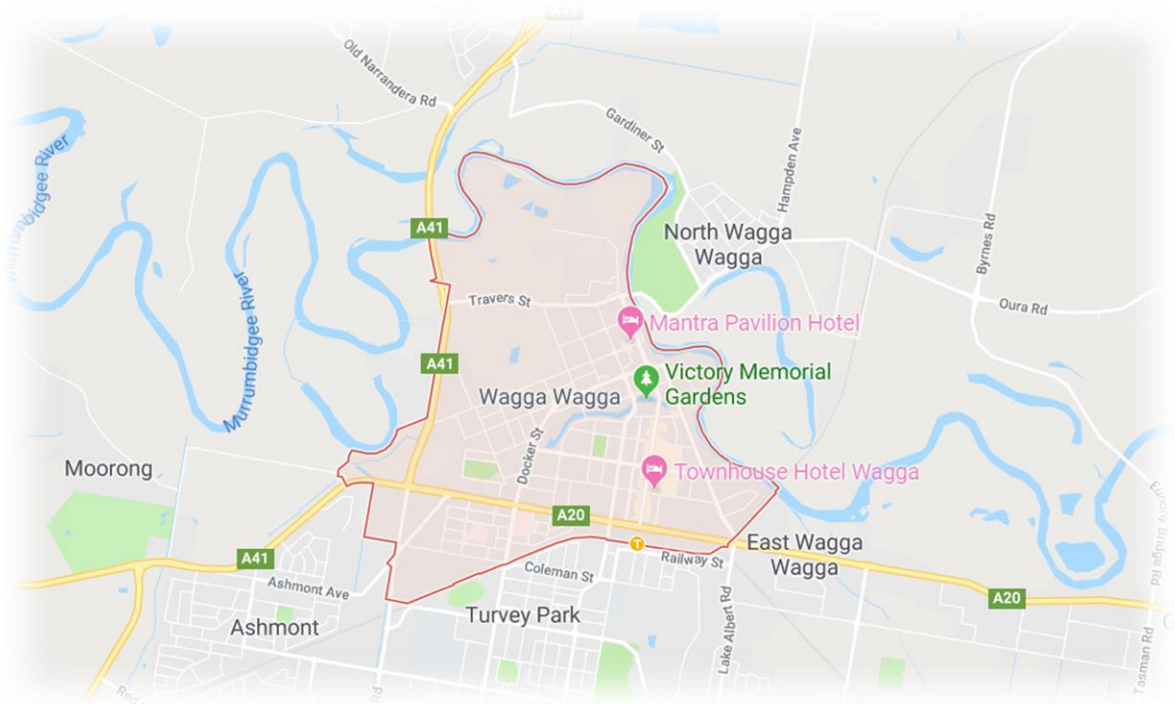
The desired future character is determined through strategic planning predominantly contained within the Wagga Wagga Local Environmental Plan 2010 (WLEP2010) and the subordinate Wagga Wagga Development Control Plan 2010 (WDGP2010).

The context during this process is crucial to support change and determine appropriate building types and planning controls. The proposal has been adequately assessed against Section 4.15 Evaluation (Heads of Consideration) of the Environmental Planning and Assessment Act 1979 (EP&A Act 1979) and found to satisfy the principles of the legislation.

Therefore, on balance the proposed redevelopment consisting of "*ground floor commercial, car parking and hotel lobby/reception, one level parking and four levels of hotel rooms*" at Lot 1 & 2 DP 455265 and Lot 6 DP 855 No 7 – 9 Baylis Street, Wagga Wagga as proposed is economically sound, ecologically sustainable and in the public interest and should be supported by City of Wagga Wagga.

## 2.0 THE SUBJECT SITE DESCRIPTION & CONTEXT

### 2.1 Wagga Wagga Suburb



**Plate:** Wagga Wagga.

**Wagga Wagga** is a major regional city in the Riverina region of New South Wales, Australia. Straddling the Murrumbidgee River, with an urban population of more than 54,000 as at the 2016 census, Wagga Wagga is the state's largest inland city,<sup>[4]</sup> and is an important agricultural, military, and transport hub of Australia. The ninth fastest growing inland city in Australia,<sup>[5]</sup> Wagga Wagga is located midway between the two largest cities in Australia—Sydney and Melbourne—and is the major regional centre for the Riverina and South West Slopes regions.

The central business district is focused around the commercial and recreational grid bounded by Best and Tarcutta Streets and the Murrumbidgee River and the Sturt Highway. The main shopping street of Wagga is Baylis Street which becomes Fitzmaurice Street at the northern end. The city is in an alluvial valley and much of the city has a problem with urban salinity.

(Reference [https://en.wikipedia.org/wiki/Wagga\\_Wagga](https://en.wikipedia.org/wiki/Wagga_Wagga))

### 2.2 Site dimensions and topography

The subject site is regular in shape and is currently vacant. The site area is approximately 1458sqm and has a frontage to Edward Street (Sturt Highway) and Baylis Street. Right of Way (R.O.W) exists along the northern boundary. A 2400mm high gated access to the Right of Way is provided for safety and security purposes, with both properties benefitting with access. The RL figures represent little site disturbance or retaining required. There appears to be no topographic or environmental constraints onsite that would restrict such proposals.



**Plate:** View of Site from Baylis Street, Wagga Wagga

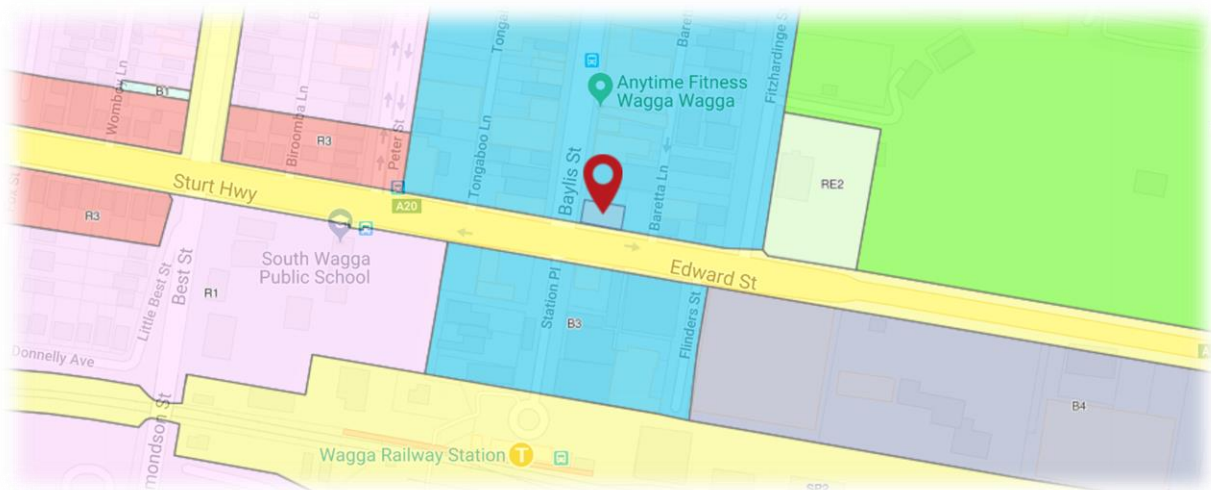


**Plate:** View of Site from Edward Street, Wagga Wagga



### 2.3 Site and surrounds context & streetscape character

The subject site is within the B3 Commercial Core zone pursuant to the Wagga Wagga Local Environmental Plan 2010 (WLEP2010) that has and is currently undergoing moderate change over recent years with a varying range of floor plates and uses and architectural designs and styles. There appears to be no building form consistency, within the streetscape.



**Plate:** B3 Commercial Core zoning



**Plate:** View of Site from CNR Baylis and Edward Street, Wagga Wagga

## 2.4 Site Analysis

The site analysis is the foundation of good design and is used as an initial source of information upon which to base the design and configuration of development taking account of all environmental constraints and opportunities, as they relate to the unique features of the site and nearby land.

### Objectives:

- *Identify the constraints and opportunities for the development of the site.*
- *Provide an understanding of how the development relates to the site.*
- *Identify the capability and suitability of the site for development.*

A Site Analysis Plan is provided in support of the development application. The scope of the site analysis has addressed:

i) *contours, slope and north point;*

**Response:** These matters have been identified and addressed on the supporting documents, with the site generally orientated east to west and relatively flat.

ii) *existing landscaping and vegetation;*

**Response:** There are no trees proposed to be removed as part of the application. Landscaping has been provided to the footpath along both Baylis and Edward Streets and to the common areas.

iii) *existing buildings and structures;*

**Response:** The subject site is clear of any structures.

iv) *location of windows and other openings on adjoining buildings;*

**Response:** Details of this nature are discussed below, with the submission capable of satisfying Councils development controls.

v) *roads, access points, parking, and traffic management devices and the like;*

**Response:** These matters have been identified and addressed. One (1) vehicle entry/exit is proposed from Barretta Lane. The application will be referred to the RMS.

vi) *linkages; open space networks, pedestrian/cycle paths and the like;*

**Response:** The site is located within the commercial core. The restored footpaths will create a new linkage to the existing pedestrian pathways.

vii) *easements, services, existing infrastructure and utilities;*

**Response:** Services have been identified. Refer to the Survey plan. Right of Way (R.O.W) exists along the northern boundary. A 2400mm high gated access to the Right of Way is provided for safety and security purposes, with both properties benefitting with access.

viii) *hydraulic features, drainage lines, water features, drainage constraints, and the like;*

**Response:** These matters have been identified. There are no constraints or restrictions that are detrimental to the proposal. Stormwater design will form part of the overall submission.

ix) *natural hazards (e.g. flooding, bushfire);*

**Response:** There are no natural hazards that would detrimentally affect the proposal.

x) *views and vistas to, from and within the site;*

**Response:** The subject site is orientated east to west on the northern side of Edward Street (Sturt Highway). There are no significant views or vistas to or from the site.

xi) *special environmental features such as threatened species habitat, endangered ecological communities and wetlands;*

**Response:** The subject site has no such species.



**Plate:** View of Site from Baretta Lane, Wagga Wagga

## **2.5 Planning Opportunities / Constraints**

The site analysis review and assessment considered the opportunities and constraints onsite, as well as the amenity and relationships to the adjoining land uses. Planning opportunities associated with the site are:-

- The subject site is appropriately zoned for a “Hotel” and “Commercial” activity;
- The subject site is well serviced by public transport;
- The site is of sufficient size and configuration to accommodate the proposal;
- Economic certainty with construction of the development, and
- Opportunity to satisfy commercial opportunities on an otherwise underutilised site.

Based on the above, it is our opinion that the development as proposed is in keeping with the future character of the area and is reflective of current and future development approvals and building structures and forms in the Centre Core locality.



## 3.0 THE PROPOSED DEVELOPMENT

### 3.1 General Introduction

The proposed development is illustrated in detail on the plans and supporting documents prepared by Design Workshop Australia (DWA) accompanying the development application and associated sub consultant's documentation.

The updated plans have been clouded in red for easy comparison between this submission and the previous submission, but in summary consist of the following amendments:

- New plans show amended Ground floor, no longer building over the Right of Way.
- Increase in the Ground to L1 floor-to-floor height to 4900mm, allowing a 4500mm clear height over the easement.
- Level 1 parking extends over the easement to the site boundary.
- We have gated off each side of the Right of way to alleviate potential crime issues. All sites benefitting from the Right Of way will have access.
- CCTV cameras and flood lighting can be used to assist with monitoring the Right Of Way.

The Use of the Noted Commercial Spaces is unknown at this point, however they could be linked to the hotel as a breakfast room or it could be a separate commercial space. The car parking spaces have been calculated as a function space at 1 per 25, in case the Commercial Use is proposed.

The proponent seeks development consent for a proposal consisting "ground floor commercial, car parking and hotel lobby/reception, one level parking and four levels of hotel rooms" at Lot 1 & 2 DP 455265 and Lot 6 DP 855 No 7 – 9 Baylis Street, Wagga Wagga. The subject site is a corner block located on the northern side of Edward Street (Sturt Highway). The subject site is zoned B3 Commercial Core, pursuant to the Wagga Wagga Local Environmental Plan 2010 (WWLEP2010).

The cost of works for the purpose of determining the DA fee for the proposed development has been calculated in accordance with *Clause 255(1)* of the *EPAR 2000* and is \$15,527,057.00 including GST. The cost of works is detailed in the Quantity Surveyors Cost Estimate prepared by Property & Building Assessments Pty Ltd and is attached to this application.



**Plate:** View of proposal from west elevation



### **3.2 Development Principles**

The Architectural plans prepared by Design Workshop Australia (DWA) embraced the key design principles adopted for development, and include:

- connecting the streetscape with the building fronting Baylis Street, Baretta Lane and Edward Street (Sturt Highway).
- the provision of a contemporary architectural design externally and internally.
- an activated street frontage to Baylis and Edward Streets.
- aesthetically pleasing facades and structures with modern materials.
- a selection of natural tones to provide the building with a soft, understated modern appearance.
- Landscaping treatments that present to the building form.

### **3.3 Development Overview**

Looking closer at the proposal the ground floor of the development proposes a total of the 70 car parking spaces on the ground and Level 1 with the following breakdown:

- 51 spaces via the TrendVario 4200 Semi-Automatic System, 4 stacked spaces, 2 small car spaces and 3 standard spaces, to be managed under valet for hotel guests. This equates to a total of 60 car spaces.
- 3 spaces (including 2 stacked spaces) for hotel staff
- 2 spaces for commercial tenants or function room/restaurant/bar visitors/patrons
- 5 spaces for commercial tenants

For the convenience of hotel guests and to support the valet operation, the development proposes a porte-cochere along the south-eastern frontage of the site. Access to the porte-cochere is provided via a 3.0m wide one-way southwards driveway on Baretta Lane in accordance with AS2890.1. The porte-cochere can accommodate up to 2 cars

Level 2 – 5 (inclusive) hold the accommodation portion of the hotel. Each of the levels contain 26 rooms. Fifteen rooms are street facing whilst the remaining eleven (11) face an internal garden area and have their own private courtyard. Each of the rooms have their own bedroom, bathroom and kitchenette.

Right of Way (R.O.W) exists along the northern boundary. A 2400mm high gated access to the Right of Way is provided for safety and security purposes, with both properties benefitting with access.

The development has been discussed with Council during a pre Development Application meeting held 6 February 2019. The following concerns were noted and a response has been prepared as follows:

## Pre Development Application Meeting comments 6 February 2019

Applicant gave background on hotel group and proposal.	
Discussion around commercial ground floor element, importance of street activation, addressing the corner with the Highway.	The streetscape has been addressed. Refer to architectural plans
Mention of staging of the development – Council raised no issues with this option.	To be conformed.
Discussion regarding Right of Way (ROW). Important issue as the ability to utilise the ROW for access/parking/loading or building over has potential to alter the details of the proposal. <ul style="list-style-type: none"> <li>Council provided details of the land titles that were available to the applicant. It was not clear the exact details of the ROW and Council advised the applicants to investigate this further.</li> </ul>	Design to make use of Barretta Lane. Right of Way (R.O.W) exists along the northern boundary. A 2400mm high gated access to the Right of Way is provided for safety and security purposes, with both properties benefitting with access.
Access to and from the property was discussed. It was indicated that the option of access from the highway would be useful to investigate. <ul style="list-style-type: none"> <li>RMS indicated that access from the Laneway as proposed would be the preferred option and in line with legislation.</li> <li>RMS said that no 'layby' drop-off would be supported on the Highway</li> <li>The option of access off Baylis Street was discussed, this remains open for discussion.</li> <li>RMS indicated that kerb would be required to be reinstated</li> </ul>	As above.
Car parking provisions were discussed <ul style="list-style-type: none"> <li>Council indicated the need to comply with the DCP provisions but would be open to consider variations to this, subject to a traffic report and appropriate justification being submitted.</li> </ul>	the development proposes a total of the 70 car parking spaces on the ground and Level 1 with the following breakdown: <ul style="list-style-type: none"> <li>51 spaces via the TrendVario 4200 Semi-Automatic System, 4 stacked spaces, 2 small car spaces and 3 standard spaces, to be managed under valet for hotel guests. This equates to a total of 60 car spaces.</li> <li>3 spaces (including 2 stacked spaces) for hotel staff</li> <li>2 spaces for commercial tenants or function room/restaurant/bar visitors/patrons</li> <li>5 spaces for commercial tenants</li> </ul>
Choice of materials was discussed <ul style="list-style-type: none"> <li>Council raised no concerns</li> </ul>	Refer to colour and material schedule.
Stormwater provisions were discussed <ul style="list-style-type: none"> <li>Council to investigate this further and provided feedback (see comments below)</li> </ul>	Refer to stormwater plans
The bulk/scale and height of the building was discussed, particular attention to the area that exceeded the limit. <ul style="list-style-type: none"> <li>Council to provide feedback regarding exceedance of height control (see comment below)</li> <li>Bulk and scale looked like it had been well addressed, articulation and setbacks required at certain heights</li> <li>Extended aspects were requested upon lodgement</li> </ul>	The design has been further revised since this meeting and now includes six (6) storeys above ground (revised from seven (7) storeys), well below the maximum height limit and decreasing overall scale. Refer to architectural plans.

<p><i>The length/width of awning was discussed</i></p> <ul style="list-style-type: none"> <li>It was suggested that the awning should relate to the existing setbacks along Baylis Street and follow that same setback onto Edward Street ensuring there is sufficient setback from the highway</li> </ul>	<p>The awnings span the length of the proposed development and extend less than 50% of the footpath width, providing a consistent and appropriate setback for the scale of the development compared to its surroundings.</p>
<p><i>Landscaping</i></p> <ul style="list-style-type: none"> <li>No arborist report required unless the awning has a significant impact on the street trees</li> <li>Preferred option to keep and improve landscaping on Baylis Street and extend this further round onto Edward Street. Council to provide feedback on this (see comment below)</li> </ul>	<p>Landscaping has been provided to Edward and Baylis Street. Refer to architectural plans.</p>
<p><i>DA time frames</i></p> <ul style="list-style-type: none"> <li>It was indicated that if a full complete application was lodged that the estimated time frame was 2-3 months</li> </ul>	
<p><i>Loading/unloading and waste disposal</i></p> <ul style="list-style-type: none"> <li>The details of the loading and unloading of vehicles was mentioned by council as an important consideration in the design and the detail of any application lodged</li> <li>Council agreed to find out whether private contractors could use the laneway for waste disposal (see comment below)</li> </ul>	<p>Access to waste storage is provided from Barretta Lane.</p>
<p>Car share/electric car change and bicycle parking were discussed.</p> <ul style="list-style-type: none"> <li>Council encouraged further thought into these options</li> </ul>	<p>Car sharing / valet parking is proposed.</p>
<p><i>It was suggested to consult with Essential Energy</i></p>	<p>Noted.</p>
<p><i>Construction management plan was discussed</i></p> <ul style="list-style-type: none"> <li>Agreed this would be required via condition prior to Construction Certificate however some basic details would be required with the DA application.</li> </ul>	<p>Noted.</p>
<p><i>The standard of Baretta Lane was discussed</i></p> <ul style="list-style-type: none"> <li>Council agreed to undertake a site visit and provide the applicant with confirmation as to whether upgrade works were likely. (see comment below)</li> </ul>	<p>Refer below</p>
<p><i>Acoustic, traffic, crime prevention and PSI reports all required</i></p> <ul style="list-style-type: none"> <li>Council to see if it has details of remediation of the site (see comment below)</li> </ul>	<p>Refer below</p>
<p><i>Do Council have requirements regarding number of accessible rooms?</i></p> <ul style="list-style-type: none"> <li>No, refer to BCA requirements, same for car parking spaces</li> </ul>	<p>Noted.</p>
<p><i>Likely that the application will go to Council for determination, this is subject to the number of objections received (10 or more)</i></p>	<p>Noted</p>
<p><i>Contribution amounts mentioned.</i></p>	<p>Noted.</p>
<p><b>Council Comments:</b></p>	
<p><i>Stormwater</i> A review of the stormwater network in the area would indicate that there is adequate capacity for the development to connect directly into the stormwater mains in Baylis Street.</p>	<p>Refer to stormwater plans.</p>
<p><i>Exceeding height control</i> To propose a variation to Section 4.3 – Height of Buildings under the LEP a completely separate report must be lodged with the Development Application that addresses Section 4.6 – Exceptions to Development Standards under the LEP. The key components</p>	<p>The design has been further revised since this meeting and now includes six (6) storeys above ground (revised from seven (7) storeys), well below the maximum height limit and decreasing overall scale. Refer to architectural plans.</p>

<p>of this justification are found under clause (3) of Section 4.6 as per below:</p> <p>(3) Development consent must not be granted for development that contravenes a development standard unless the consent authority has considered a written request from the applicant that seeks to justify the contravention of the development standard by demonstrating:</p> <p>(a) that compliance with the development standard is unreasonable or unnecessary in the circumstances of the case, and</p> <p>(b) that there are sufficient environmental planning grounds to justify contravening the development standard.</p>	
<p><b>Landscaping along Edward Street</b> Council encourage that the design considers extending the footpath vegetation around the corner and along Edward Street. An option for you to consider is entering into a Voluntary Planning Agreement (VPA). To discuss this option further please contact either Belinda Maclure on 6926 9191 or Tristan Kell on 6926 9122.</p>	<p>Landscaping has been provided to Edward and Baylis Street and to the common areas No VPA has been proposed. Refer to landscape and architectural plans.</p>
<p><b>Waste Disposal</b> Baretta Lane is currently used by Council contractors for waste disposal. Therefore it is unlikely that issues will be raised if this is your preferred option. However, you will need to utilise Council bins and this may cause issues with the amount that's required. Private contractors are an alternative option. There would be no issues with them using the laneway subject to a suitably approved management plan lodged and approved with the application. Given the mixed use it is most likely that you will consider a mix of these options. This again can be considered but must be detailed in a waste management plan submitted with the application. All bins must be located on site when not being collected</p>	<p>Private Contractors proposed. Refer to Operational Waste Management Plan.</p>
<p><b>Condition of Laneway</b> The pavement and kerb in Baretta Lane is in poor condition and currently failing. The development will increase the traffic movements in the lane. Along with the access onto the lane, the turning movements will accelerate the failure. We will require the reconstruction of the kerb and pavement fronting the site in Baretta Lane.</p>	<p>The laneway will be remediated as part of the proposed works.</p>
<p><b>Remediation report</b> Council can find no record of any remediation report although I remain confident one has been completed. My suggestion would be to contact the owners of the property to see if you can obtain a copy.</p>	<p>Refer to Preliminary Site Investigation included with this application.</p>



## **4.0 STATEMENT OF ENVIRONMENTAL EFFECTS**

### **4.1 Environmental Planning & Assessment Act, 1979 - Section 4.15 - Evaluation**

Section 4.15 Evaluation - Matters for Consideration, of the Environmental Planning and Assessment Act 1979, provide for those matters that may be taken into consideration as applicable.

(1) *Matters for Consideration – general*

*In determining a development application consideration of the following matters are to be taken into consideration as are of relevance to the development the subject of the development application:*

- a) *the provision 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;*
  - (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);*
  - (v) *(repealed)*

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 the Act or the regulations; and*
- e) *the public interest.*

This Statement of Environmental Effects has been structured pursuant to Section 4.15 Evaluation - Matters for Consideration, of the Environmental Planning and Assessment Act, 1979, that is of relevance to the proposal.

### **4.2 S4.15(1)(a)(i) any Environmental Planning Instruments**

#### **4.2.1 State Environmental Planning Policy (Infrastructure) 2007**

State Environmental Planning Policy (Infrastructure) 2007 is applicable to the subject proposal.

The proposed development is affected by infrastructure and requires referral to other Government Agencies (Roads and Maritime Services) for assessment under the SEPP. An Environmental Noise Impact and Noise Intrusion Assessment has been prepared by Harwood Acoustics to address the potential for noise impact arising from the use of the development as well as noise intrusion into the development from traffic on Edward Street. The assessment finds:

- *The assessment has been undertaken to at the request of Wagga Wagga City Council to address the potential for noise impact arising from the use of the development as well as noise intrusion into the development from traffic on Edward Street.*
- *The level of noise emission from the operation of the function room will meet Liquor and Gaming NSW's standard noise conditions providing recommendations made in Section 5.3 of this Report are implemented and adhered to.*
- *Noise emission arising from any mechanical plant servicing the proposed development will meet the EPA's and Council's noise design goals at all receptor locations. This is providing that recommendations made in Section 5.3 of this Report are implemented including a final assessment of mechanical plant noise prior to the issue of a Construction Certificate.*
- *The level of noise intrusion into the proposed hotel rooms will meet the internal noise design goals derived from Australian Standard AS2107:2016. This is providing that recommendations for construction materials and methods made in Section 6 of this Report are implemented.*

In this regard, Council can be satisfied that the development will comply with the requirements of the SEPP (2007) and the recommendations of the report can be conditioned in the forthcoming Consent.

#### **4.2.2 State Environmental Planning Policy 55 (SEPP55)**

State Environmental Planning Policy No. 55 – Remediation of Land (SEPP 55) applies to the subject site.

A Preliminary Site Investigation (PSI) prepared by Arcadis Pty Ltd had indicated that the site had been occupied since at least 1944 for commercial and industrial uses. Businesses that operated from the site included motor garages and engineers, motor service stations, battery distribution, an automotive service station and dry cleaners, all of which are sources of potential contamination.

Based on the observations made during the site walkover and analysis of the site history information, Arcadis was of the opinion that there is a High Risk of contamination present at onsite, potentially from both onsite and offsite source. Arcadis was of the opinion that the site can be made suitable for the proposed development, following appropriate assessment and remediation/validation (if required).

Arcadis therefore recommended the following so that the site can be made suitable for the proposed development:

- *Obtain and review any previous environmental assessment reports completed on the site in attempt to ascertain the contamination status and/or extent of any remediation/validation works which may have been undertaken on the site.*

- *Conducting Detailed Site Investigation (DSI) in accordance with the NSW OEH (2011) Guidelines for Consultants Reporting on Contaminated Sites and the NEPC (2013) NEPM to determine if contaminants are present at concentrations that have the potential to pose an unacceptable risk to human health or ecological receptors, and from this determine if remediation or site management is required to render the site suitable for the proposed development.*
- *The DSI should also include a Dangerous Good Search (completed through SafeWork NSW) to establish if storage of hazardous materials has occurred on the site. These searches should be completed prior to any intrusive works to inform a targeted investigation.*
- *By undertaking these, potential contamination pathways can be definitively determined and if there is a complete pathway, remediation or site management will be required to render the site suitable for the proposed development.*

Leading on from the PSI recommendations above by Arcadis pty ltd, a Detailed Site Investigation (DSI) had been undertaken and subsequent report prepared by Reditus pty ltd, dated circa 6<sup>th</sup> August 2019. The DSI had involved a desktop studies, observations made during fieldwork (Bore Holes and Ground water monitoring wells) and results of laboratory analysis.

Based on the findings and results of the DSI, Reditus considers that the site is suitable for the proposed development as a mixed commercial/hotel accommodation land use and that **No** further assessment or remediation is required to render the site suitable for the proposed development.

In this regard, there are No further contamination / remediation matters or discussions required.

#### **4.2.6 Wagga Wagga Local Environmental Plan 2010 (WLEP2010)**

One the key planning instruments applying to the land is acknowledged as the Wagga Wagga Local Environmental Plan 2010 (WLEP2010), in this respect the relevant clauses of the instrument as applying to the land are discussed further below. The definition of the proposal pursuant to the Wagga Wagga Local Environmental Plan 2010 (WLEP2010), would best be defined as *Hotel or Motel Accommodation* pursuant to the *Permitted Uses* table of that Zone.

The Objectives of the B3 Commercial Core Zone are:-

##### **Objectives**

- *To provide a wide range of retail, business, office, entertainment, community and other suitable land uses that serve the needs of the local and wider community.*
- *To encourage appropriate employment opportunities in accessible locations.*
- *To maximise public transport patronage and encourage walking and cycling*
- *To ensure the maintenance and improvement of the historic, architectural and aesthetic character of the commercial core area.*

The proposal post re-developed satisfies one (1) or more of the objectives for the zone and in particular to provide a wide range of retail, business, office, entertainment, community and other suitable land uses that serve the needs of the local and wider community.

Definition:

**hotel or motel accommodation** means a building or place (whether or not licensed premises under the Liquor Act 2007) that provides temporary or short-term accommodation on a commercial basis and that:

- (a) comprises rooms or self-contained suites, and
- (b) may provide meals to guests or the general public and facilities for the parking of guests' vehicles, but does not include backpackers' accommodation, a boarding house, bed and breakfast accommodation or farm stay accommodation.

### Clause 4.3 Height of Buildings

The height of a building on any land is not to exceed the maximum height shown for the land on the Height of Buildings Map. The maximum height shown for the land is 25.0m. The maximum height proposed for the development is 20.45m

### Clause 4.4 Floor Space Ratio

The maximum floor space ratio for a building on any land is not to exceed the floor space ratio shown for the land on the Floor Space Ratio Map. The maximum floor space ratio shown for the land is 4:1. The proposed FSR for the development is 2.64:1 and complies with this control.

**4.3 Section S4.15(1)(a)(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),**

**State Environmental Planning Policy (SEPP) for the protection and management of our natural environment.**

The proposal will not be affected by the Draft State Environmental Planning Policy.



#### 4.4 Section S4.15(1)(a)(iii) – any development control plan

The proposal is subject to assessment against the Wagga Wagga Development Control Plan 2010.

**Table 1: Wagga Wagga Development Control Plan 2010**

1.9 Lodging a Development Application		
Requirement	Compliance	Comment
<b>Pre-lodgement meetings</b> Applicants are encouraged to seek advice from Council prior to lodging a Development Application by contacting the Council customer service centre to arrange a pre-lodgement meeting.	Yes	A pre lodgement meeting was held with Council prior to this application being submitted.
<b>Standard submission requirements</b> The Environmental Planning and Assessment Act 1979 (the Act) and associated regulations specify documentation required with all development applications. These are required by law. Missing or incomplete documentation can delay processing development application.	Yes	Noted. The application contains all of the necessary documentation for Council to make a full and proper assessment.
<b>Development Application Guide</b> The Development Application Preparation and Lodgement Guide (the Guide) and checklists are available from the Council customer service centre. The Guide sets out all the information required to be provided in relation to a Development Application.	N/A	Noted.
Section 2 Controls that apply to all development		
2.1 Vehicle access and movements		
C1 Access should be from an alternative secondary frontage or other non-arterial road where possible.	Yes	Access is proposed from Baretta Lane which is a secondary laneway.
C2 A Traffic Impact Study may be required where adverse local traffic impacts may result from the development. The traffic impact study is to include the suitability of the proposal in terms of the design and location of the proposed access, and the likely nature, volume or frequency of traffic to be generated by the development.	Yes	Refer to traffic assessment. Right of Way (R.O.W) exists along the northern boundary. A 2400mm high gated access to the Right of Way is provided for safety and security purposes, with both properties benefitting with access.
C3 Vehicles are to enter and leave in a forward direction unless it can be demonstrated that site conditions prevent it.	Yes	All vehicles will be able to enter and exit in a forward direction.
C4 Provide adequate areas for loading and unloading of goods on site. The loading space and facilities are to be appropriate to the scale of development.	Yes	Refer to architectural plans, traffic assessment and Operational waste management plan.
C5 Access driveways are to be located in accordance with the relevant Australian Standard at the time of lodgement of an application.	Yes	Refer to architectural plans.
C6 Ensure adequate sight lines for proposed driveways.	Yes	Refer to architectural plans

<b>2.2 Off-street parking</b>		
C1 Parking is to be provided in accordance with the table below. For uses not listed, similar land uses should be used as a guide in assessing car parking requirements.	Yes	
<b>TOURIST AND SHORT TERM ACCOMMODATION</b> <ul style="list-style-type: none"> <li>Tourist and visitor accommodation</li> <li>1 space/unit plus 1 space/ 2 employees</li> </ul> <b>SHOPS AND RETAIL</b> (other than uses listed below) <ul style="list-style-type: none"> <li>Within the Wagga Wagga city centre (B3 Zone) and mixed use areas (B4 Zone): 1 space/ 45m2 GFA</li> </ul>	No. Refer to justification.	Refer to architectural plans and traffic assessment
C2 The design and layout of parking is to be in accordance with the relevant Australian Standard at the time of lodgement of an application.	Yes	Refer to architectural plans
C3 Parking spaces are to be provided for disabled persons. Accessible parking spaces to comply with the relevant Australian Standard at the time of lodgement of an application.	Yes	Refer to architectural plans and traffic assessment
C4 For mixed use developments, the parking required is the total of requirements for each use. Variations can be considered where it can be demonstrated that the peak demand for each land use component is staggered or that development as a whole generates less parking than separable parts.	No. Refer to justification.	As above in Point C1. Refer to architectural plans and traffic assessment and variation request.
C5 In the case of redevelopment or change of use (other than in the B3 zone) the parking requirements are to be calculated by: <ol style="list-style-type: none"> <li>Determining the parking requirement of the current or previous use in accordance with the table, then</li> <li>Determining the parking requirement for the new use, then</li> <li>Subtracting the existing requirement from the requirement for the proposed use to determine the number of spaces required (i.e. a credit is provided for any shortfall that exists on the site for the current use).</li> </ol>	N/A	The site is within the B3 zone.
C6 In the case of redevelopment or change of use within the B3 zone where there is no increase in gross floor area, no additional car parking spaces will be required, except in the following instances: <ol style="list-style-type: none"> <li>Outbuildings are proposed to be used in association with the development, or</li> <li>A Traffic Impact Assessment (TIA) is required by Council for the development.</li> </ol>	No. Refer to justification.	As above in Point C1. Refer to architectural plans and traffic assessment and variation request.
C7 Variations to the parking requirements may be considered where minor alterations and additions	No. Refer to justification.	As above in Point C6. Refer to architectural plans and traffic assessment and variation request.

are proposed and the changes do not encroach or reduce the current off-street parking spaces.		
C8 A traffic and parking study may be required for certain proposals, including but not limited to proposals for schools and other education uses including child care centres, business parks, hospitals, cinemas and gyms.	Yes	Refer to Traffic assessment
C9 Provide trees within the parking area at a rate of 1 tree per 5 spaces in a row. Each tree to have a minimum mature spread of 5m and to be located in a planting bed with minimum width of 1.5m (between back of kerbs) and minimum area of 3.5m <sup>2</sup> .	N/A	All parking is contained within the proposed building.
C10 Planting beds located within a car park are to have a subsoil drainage system connected into the stormwater system of the site.	N/A	As above
C11 To ensure sightlines are maintained for drivers and pedestrians, trees used within or adjacent to car parking areas shall have a minimum clear trunk height of 2.5m, with shrubs and ground covers not to exceed 500mm in height.	N/A	No trees existing or proposed on Barretta Lane that will inhibit sight lines.
<b>2.3 Landscaping</b>		
C1 A landscape plan is required for applications for <ul style="list-style-type: none"> <li>• Commercial and Industrial developments</li> <li>• Residential development (other than dwelling houses).</li> </ul>	Yes	Refer to Landscape plan
C2 Natural features at the site, such as trees, rock outcrops, cliffs, ledges and indigenous species and vegetation communities are to be retained and incorporated into the design of the development.	N/A	No natural features existing to be retained.
C3 Use native and indigenous plants, especially low water consumption plants in preference to exotic species.	Yes	Refer to Landscape plan
C4 Trees should be planted at the front and rear of properties to provide tree canopy.	Yes	Refer to Landscape plan
C5 Provide landscaping in the front and side setback areas, and on other parts of the site to improve the streetscape, soften the appearance of buildings and paved areas, and to provide visual screening.	Yes	Refer to Landscape plan
C6 Landscaping should provide shade in summer without reducing solar access in winter. Limited use of deciduous species is acceptable where used to achieve passive solar design	Yes	Refer to Landscape plan
<b>2.5 Safety and security</b>		
C1 Use good site planning to clearly define public, semi-public and private areas.	Yes	The design has considered public, semi-public and private areas. Refer to architectural plans.
C2 Entries are to be clearly visible and identifiable from the street, and are to give the resident/occupier a sense of personal address and shelter. For non-residential uses, administration	Yes	The commercial premises and Hotel Lobby are located at the front of the building. The entries are clearly visible and identifiable from the street and sheltered by awnings. Refer to architectural plans.

offices or showroom are to be located at the front of the building.		
C3 Minimise blank walls along street frontages.	Yes	Refer to CGI and architectural plans.
C4 Avoid areas of potential concealment and 'blind' corners.	Yes	Refer to architectural plans.
C5 Provide lighting to external entry areas, driveways and car parks in accordance with the relevant Australian Standards. The lighting is to be designed and sited to minimise spill and potential nuisance to adjoining properties.	Yes	Lighting will be provided to external entry areas, driveways and car parks in accordance with the relevant Australian Standards. Refer to architectural plans.
C6 Planting and fencing is not to reduce the safety of users or compromise areas of natural surveillance.	Yes	Refer to architectural and landscape plans
C7 Where a site provides a pedestrian through route the access path is to be clearly defined and sign posted, appropriately lit, and have satisfactory visibility.	N/A	No pedestrian thoroughfare proposed.
C8 Locate public toilets and rest areas to promote their use, and maximise public surveillance without creating visual intrusion.	N/A	No public toilets proposed.
<b>2.6 Erosion and Sediment Control Principles</b>		
C1. An Erosion and Sediment Control Plan is to be submitted with the development application.	Yes	Refer to architectural and stormwater plans.
<b>2.7 Development adjoining open space</b>		
Not applicable to the proposed development	N/A	N/A
<b>10.1 City Centre</b>		
<b>Central Spine</b>		
C1 Permit a nil setback to the street boundary along Baylis and Fitzmaurice Streets.	Yes	The setback is consistent with the surrounding developments. Refer to architectural plans
C2 Maintain a street wall to Baylis and Fitzmaurice Streets up to four storeys in height unless the existing building is a heritage item or streetscape reference building. Above four storeys in height provide a nominal setback behind the parapet line. Where the building is a heritage listed building the setback control in control C2 applying to the Fitzmaurice Street precinct applies.	Yes	Refer to architectural plans
C3 Development on corner sites should be designed to address the corner and achieve at least 3 storeys and up to five storeys in height.	Yes	The development addresses the corner and is six storeys in height. Refer to architectural plans and discussion below.
C4 Reinstate the nil setback along Baylis and Fitzmaurice Streets where infill buildings have not been built to the street edge.	Yes	The setback is consistent with the surrounding developments. Refer to architectural plans
C5 Design with nil setbacks unless existing adjoining buildings have established an alternate setback pattern, such as along the northern side of Thompson Street.	Yes	As above
C6 Sites adjoining heritage items or streetscape reference buildings are to be sympathetic in scale and character to the adjoining significant building. Additional design measures may be necessary to ensure an acceptable outcome.	N/A	The site does not adjoin a heritage item.



C7 Retain articulated and active shop front windows that continue the traditional rhythm of individual shop fronts where site consolidation is proposed.	Yes	Refer to architectural and CGI plan.
C8 Retain and reinstate (where missing) continuous full width awnings along Baylis and Fitzmaurice Streets. Use traditional awning form. Infill awning type should have its fascia at a level consistent with that of adjacent awnings and should be designed to complement the local streetscape. Avoid peaked, bullnosed or other non-traditional forms.	Yes	Awnings are proposed along Baylis and Edward streets. Refer to architectural plans
C9 Service structures and mechanical equipment to be suitably treated, screened or incorporated within roof design.	Yes	Service structures and mechanical equipment are contained within the ground floor.
<b>10.70 Awning Controls</b>		
C1 Awnings supported by timber or metal posts are to have a corrugated metal roof without bullnose. Awnings are to be a minimum height of 2600mm. Awnings are to be a minimum 2400mm width from the property line extending over the pavement to the edge of the footpath road kerb (providing minimum 600mm clearance for vehicles from pavement edge and should match any adjoining posts).	Yes	Awning heights are to be same height as the ground floor ceilings at 4900mm and are to be supported by Steel posts.
C2 Cantilevered or suspended awnings are to be a minimum height of 3000mm above footpath and have a minimum width of 2400mm from the building edge.	NA	NA
C3 The height of the fascia shall be minimum 300mm, maximum 450mm.	Yes	To be satisfied.
C4 Roll up canvas blinds are permitted to be suspended from the outer edge of the awning. The blinds shall provide a minimum clearance of 2600mm above the footpath level. Blinds shall not be used for advertising purposes.	NA	NA
C5 For new buildings proposing the installation of an awning, to avoid additional water flow into street gutters and reduce potential for localised flooding, stormwater is not to drain into the street gutters and shall be plumbed directly into the properties existing storm water system.	Yes	Stormwater to be diverted in the proposed stormwater system
C6 For any existing buildings that proposed to install an awning but cannot plumb directly into the existing stormwater system, all downpipes shall be concealed to ensure that gutters cannot be viewed from the street.	NA	NA
C7 Awning gutters are to be constructed so that they are not visible from the footpath or are integral to the awning structure and coloured to suit.	Yes	To be satisfied.
C8 Air conditioners, heaters and similar items should not be mounted on street awnings or the front facades of buildings. Consideration may be given to	Yes	No such structures are proposed.

the mounting of heating/cooling appliances underneath the awning if the height of the appliance can comply with the controls in this sections and public health and safety can be protected.		
C10 Signage shall be integrated into the awning design and not extend past the edges of any fascia, post or other awning element and be in accordance with the DCP advertising provision	NA	No signage proposed at this stage.
C11 Original verandahs, awnings and shop fronts on heritage items or in the heritage conservation area shall be retained and conserved	NA	NA
<b>12.9 Tourist and Visitor Accommodation</b>		
<b>Hotel and Motel Accommodation</b>		
C29 The design consideration of proposed buildings is to maintain the level of privacy enjoyed by adjoining properties.	N/A	No adjoining residential properties.
C30 The outlook to public and communal spaces should be maximised whilst maintaining internal privacy within the site.	Yes	Refer to architectural plans
C31 The design is to avoid dark and non-visible areas, provide clear, safe access points and provide suitable open spaces to cater for recreational uses. Appropriate lighting for the location is to be installed and there is to be clear definition between public and private spaces.	Yes	Open space is provided on Level 1. Refer to architectural plans.
C32 Long building lines are to be stepped, appropriately broken with patios, change in materials, windows or appropriate landscaping.	Yes	Refer to architectural and CGI plan.
C33 Occupants within the proposed development and on adjoining sites are to enjoy optimum extent of winter sun and summer shade.	Yes	Refer to shadow diagrams provided with the architectural plans.
C34 Development overshadowing adjoining properties should permit a minimum of 3 hours uninterrupted solar access within the living areas of the affected property.	N/A	No southern adjoining properties.
C35 Buildings must be oriented and designed to minimise potential impacts on the surrounding residential amenity.	Yes	The proposed development is sited in accordance with the orientation of the site and its proposed use.
C36 Landscaping must ensure that landscape design builds on the natural features of the location to result in greater aesthetic quality and amenity for both occupants and the community.	Yes	Refer to landscape plan.
C37 The design and use of building colour, bulk, materials of construction and angle and height of roof line are to be in harmony with the surrounding built and natural environment.	Yes	Refer to architectural and CGI plan.
C38 No person shall be permitted to reside on the land, other than within Residential Accommodation, for any continuous period exceeding 3 months in any 12 month period.	Yes	Noted. To be conditioned.

Variation Statement for: *C3 Development on corner sites should be designed to address the corner and achieve at least 3 storeys and up to five storeys in height.*

The site is located in the “Central Spine” precinct. The building form proposes six (6) storey in height to the subject site an increase in one (1) storey to that requested in DCP.

#### The Objectives of the Zone

- O1 *Consolidate commercial activity and active ground floor uses along Baylis and Fitzmaurice Streets.*
- O2 *Retain the continuous street edge, and increase height at corner sites to achieve improved urban design and definition.*
- O3 *Maximise the extent of natural light to new building elements, particularly internal arcades.*
- O4 *Improve legibility and links to parking areas, particularly through site links for pedestrians.*
- O5 *Conserve the built heritage of the precincts.*

One or more of the objectives are satisfied and in particular “Retain the continuous street edge and increase height at corner sites to achieve improved urban design and definition”.

The DCP states that “Increased building heights on corner sites will provide better definition to the wide corners”. As the site is provided on the Corner of Baylis Street, Baretta Lane and Sturt Highway, the proposal defines the three (3) streetscape and provides activation of those three (3) street frontages.

The height of a building on any land is not to exceed the maximum height shown for the land on the Height of Buildings Map. The maximum height shown for the land is 25.0m. The maximum height proposed for the development is 20.45m. Therefore, an increase in levels to six (6) will not breach the LEP Development Standard.

The scale of the development as viewed from Baylis Street, Sturt Highway and Baretta Lane will be of a scale consistent of the surrounding buildings and is comparable to other likely future developments in the locality and the desired future B3 Commercial Core zoning character given the applicable planning controls.

#### The Objectives of the B3 Commercial Core Zone are:-

- *To provide a wide range of retail, business, office, entertainment, community and other suitable land uses that serve the needs of the local and wider community.*
- *To encourage appropriate employment opportunities in accessible locations.*
- *To maximise public transport patronage and encourage walking and cycling*
- *To ensure the maintenance and improvement of the historic, architectural and aesthetic character of the commercial core area.*

The proposal post re-developed satisfies one (1) or more of the objectives for the zone and in particular to provide a wide range of retail, business, office, entertainment, community and other suitable land uses that serve the needs of the local and wider community.

Therefore, the variation to Storeys meets the Guiding Principles and Section Objectives for the consideration of the Council and should be supported.

**4.5      *Section 4.15(1)(a)(iia) 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,***

Given the proposal at hand, it is considered that planning agreements are not required.

**4.6      *Section 4.15(1)(a)(iv) The regulation (to the extent that they prescribe matters for the purposes of this paragraph),***

Clause 92, 93, 94, 97A & 98 of the Environmental Planning and Assessment Regulation 2000 prescribes certain matters that must be considered by Council in determination of a development application.

*93 Fire safety and other consideration (cf clause 66A of EP&A Regulation 1994)*

*97A Fulfilment of BASIX commitments*

BASIX and NatHERS Certificates are not required to be provided as part of the supporting documents for this application.

*98 Compliance with Building Code of Australia and insurance requirements under the Home Building Act 1989 (cf clauses 78 and 78A of EP&A Regulation 1994)*

All building work will be carried out in accordance with the provisions of the National Construction Code (Building Code of Australia).

**4.7      *Section 4.15(1)(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***

The impacts of the proposal shall be discussed upon the progression of the application

- ***Context and Setting:***

In regard to the matter of context, the planning principle in *Project Venture Developments v Pittwater Council* [2005] NSWLEC 191 is relevant in that it provides guidance in the assessment of compatibility. The two major aspects of compatibility are physical impact and visual impact.

In assessing each of these the following questions should be asked:

- Are the proposals physical impacts on surrounding development acceptable? The physical impacts include constraints on the development potential of surrounding sites.
- Is the proposals appearance in harmony with the buildings around it and the character of the street?

In response to the first question, matters such as physical impacts of overshadowing, privacy, bulk scale and setbacks are relevant to the locality. Given the buildings corner allotment location, the development will not result in overshadowing of the adjoining sites. The development is within the allowable height and FSR for the site. There are no existing developments that will be unreasonably impacted on by the development in terms of privacy impacts or economic operating impacts.

The area is currently characterised by predominantly a mixture of storeys building within Baylis Street and surroundings streetscapes. In regard to the visual impact, the development will not appear visually prominent in contrast to the surrounding buildings and character of the street. The visual impact is considered acceptable given that the built form has reasonably responded to the Wagga Wagga Council's desired future character of the area determined through the B3 Commercial Core zoning.

The scale of the development as viewed from Baylis Street, Sturt Highway and Baretta Lane will be of a scale consistent of the surrounding buildings and is comparable to other likely future developments in the locality and the desired future B3 Commercial Core zoning character given the applicable planning controls.

In summary, the proposal has been assessed with regard to the amenity impacts from the development, the zoning, permissible height and FSR for the land, and existing and future character of the area, and is considered to be compatible with the local area.

- ***Access, Transport and Traffic:***

Refer to Traffic Report provided in support of the proposal. The proposed use has sufficient area to provide the required car parking spaces. The development is not expected to result in adverse traffic impacts with regard to vehicle access and parking layout. Adequate parking has been provided and the site is well situated for access to public transport and within walking distance of services. Right of Way (R.O.W) exists along the northern boundary. A 2400mm high gated access to the Right of Way is provided for safety and security purposes, with both properties benefitting with access.

- ***Public Domain:***

The proposal is not expected to adversely impact on public infrastructure. The public domain will be enhanced through landscaping treatments proposed and will significantly add to the streetscape landscaping character. The utilisation of street awnings will also provide a much need increase to the streetscape character of this part of Baylis Street and the Sturt Highway.

- ***Utilities:***

The proposal is not expected to place an unreasonable demand on utilities supply. Existing utilities are adequate to service the proposal. The site is already serviced by electricity, water and sewerage services. It is expected that the existing utility services can be augmented to support the proposed development. Conditions of consent may be imposed upon the development consent requiring approval from the relevant authorities for the connection of electricity, water and sewerage services to the site prior to Occupation.



- **Heritage:**

The proposal is not expected to adversely impact on any nearby heritage items.

- **Other land resources:**

The proposal is considered to contribute to orderly development of the site and is not expected to impact upon any valuable land resources. The site is relatively flat.

- **Water:**

Supply & infrastructure - The site is presently serviced by reticulated water and sewerage services. It is expected that these services can be extended/ augmented to meet the requirements of the proposed development.

Consumption - The proposal is not envisaged to involve excessive water consumption having regard to the uses proposed within the building.

Water quality – the application was accompanied by a Design Stormwater Report which demonstrates that the compliance with the water quality can be achieved

- **Soils:**

Excavation of soils will not result in any adverse impacts. A DSI and PSI had been undertaken.

- **Air and Microclimate:**

The proposal is not expected to have any negative impact on air or microclimate. There will be no detrimental Air pollution generated from the proposed Use/

- **Flora and Fauna:**

Landscaping will be provided. The site is void of any Flora and Fauna.

- **Waste:**

A detailed Waste management report / plan had been provided in support of the proposal. A condition will be attached to any consent granted that an appropriate receptacle be in place for any waste generated during the construction.

- **Energy:**

The proposal is not expected to have unreasonable energy consumption. Relevant conditions of consent may be imposed in relation to energy consumption.

- **Noise and vibration:**

The proposal is not expected to have unreasonable ongoing noise. Being located within the B3 Commercial Core zoning, the negative impacts of the Use will be minimal. Relevant conditions of consent may be imposed in relation to noise and vibration during construction.

- **Natural hazards:**

There are no natural hazards affecting the site that would prevent the proposal. As noted above, A DSI be undertaken prior to Approval.

Additionally, a preliminary Geotechnical Assessment & Acid Sulfate Soil Assessment had been undertaken by Asset Geotechnical Engineering Pty Ltd.

The report recommends that: a qualified and experienced Geotechnical Engineer be engaged to provide further input and review during the design development; including site visits during construction to verify the site conditions and provide advice where conditions vary from those assumed. Development of an appropriate inspection and testing plan should be carried out in consultation with the Geotechnical Engineer.

In this regard, Council can be satisfied and approve the development.

- **Technological hazards:**

There are no technological hazards affecting the site that would prevent the proposal.

- **Bushfire**

The subject site is not located on Bushfire Probe Land.

- **Safety, security and crime prevention**

A Social Impact Assessment had been provided in support of the proposal, of which also included a comprehensive CPTED (Crime Prevention Through Environmental Design) assessment. There had been no detrimental impacts onsite or to adjoining sites.

- **Social, economic**

A social Impact Assessment has been provided in support of the proposal. The proposed development will not have a detrimental social impact in the locality considering the character of the proposal. The proposed development will not have a detrimental social or economic impact on the locality considering the Commercial nature of the surrounding and proposed land use.

The re-development of the site will add to the vitality of the streetscape and will result in an economic and rational use of the land. The proposed development will have a positive impact on the new businesses and residents accommodated on the site and will have a beneficial economic impact on nearby businesses.

- ***Site design and internal design***

Matters relating to site / internal design are provided for within the architectural documentation. The design elements are driven by Client needs as well as Nation Code (NCC-BCA) requirements as well as resident and occupant amenity and safety.

- ***Construction***

Conditions of consent are recommended in relation to construction impacts such as hours of work, erosion and sedimentation controls, works in the road reserve, excavation, demolition and use of any crane, hoist, plant or scaffolding.

- ***Cumulative impacts***

The development is permissible and supported by objectives in the zone. The proposed use should be encouraged within the CBD and the redevelopment of this corner site is a positive for the City. Therefore, cumulative impacts associated with this development could be adequately satisfied.

#### **4.8      *Section 4.15(1)(c) The Suitability of the Site for Development***

The suitability of the site for development shall be discussed upon the progression of the application. The site is currently zoned business and contains established buildings suitable and compatible for the proposed use. The bulk and scale of the development is generally consistent with the applicable planning controls for the area. The development is not considered to be out of context with regard to the existing and desired future character of the area, and therefore is suitable for the site.

The proposal is satisfactory with regard to car parking, vehicular access, manoeuvring and servicing. Provision has been made for appropriate arrangements for on-site servicing and deliveries. Traffic generation from the development can be accommodated both onsite and within the existing street network and not considered to create adverse impacts. Pedestrians will be safely accommodated.

**4.9            Section 4.15C(1)(d) Any submissions made in accordance with this Act or the regulations**

It is anticipated that the proposal will be advertised in accordance with Councils controls.

**4.10            Section 4.15(1)(e) The Public Interest**

The public interest of the development shall be discussed upon the progression of the application. As demonstrated by this report, the development generally complies, or it is anticipated that relevant conditions of consent will imposed to ensure compliance with, the relevant matters for consideration, under Section 4.15(1) of the Environmental Planning and Assessment Act 1979.

The proposed development will increase tourist facilities located within the Central Business District of Wagga Wagga, which will help increase visitors to the city, and benefit the economy generally. Furthermore, the proposal facilitates the development of a prominent corner site which is vacant and an eyesore and will help improve the overall city image and more importantly the city streetscape. For these reasons it is considered that the development is in the public interest.



## **5.0 REPORT CONCLUSION**

The purpose of this planning assessment is to describe the requirements for a proposed Development Application submission for a “Hotel” at Lot 6 DP 855 No 7 – 9 Baylis Street, Wagga Wagga to the local consent authority of City of Wagga Wagga.

EPlanning – Town & Social Planning Consultants have reviewed the potential for a development proposal and subsequently prepared this planning assessment. This report describes the physical characteristics of the subject site and surrounds in its environmental planning context and provides the matters of relevance for an application pursuant to Section 4.15 (79C) of the Environmental Planning & Assessment Act 1979 (EP&A Act 1979).

The proposal will need to be further assessed against Section 4.15 Evaluation - Matters for Consideration, of the Environmental Planning and Assessment Act upon the progression of the application.

- **END** -

*Disclaimer: E-planning Pty Ltd has not undertaken a site visit for the purposes of this report. This report is provided exclusively for the purposes described in this report. No liability is extended for any other use or to any other party. The report is based on conditions prevailing at the time of the report and information provided by the client. The report is only for which the land to which the report relates and only for the day it is issued. This report should be read in conjunction with submitted documents and plans relevant to the Development Application.*