



NGH

Statement of Environmental Effects

Proposed 20 room Hotel at 81-83 Forsyth Street, Wagga Wagga

October 2021

Project Number: 21-693



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Table of contents

1.	Introduction.....	5
1.1	Proposal overview	5
1.2	Applicant and land ownership	6
1.3	Subject land and locality	6
1.4	Previous approvals	6
1.5	Pre-lodgement consultation	7
2.	Development proposal	8
3.	Environmental Analysis	10
3.1	Site analysis	10
3.1.1	The existing building and surrounding land use.....	10
3.2	Land hazards.....	12
3.2.1	Bushfire.....	12
3.2.2	Flooding	12
3.2.3	Groundwater	13
3.3	Contamination.....	13
3.4	Heritage.....	14
3.4.1	Aboriginal heritage	14
3.4.2	Conservation area and heritage items.....	15
3.5	Biodiversity considerations.....	16
3.6	Noise	16
4.	Infrastructure and service provisions	17
4.1	Traffic generation and site access.....	17
4.2	Off-street parking	17
4.2.1	Loading area management.....	18
4.3	Public utilities	18
4.4	Council water, sewer, and drainage infrastructure	19
4.5	Waste management.....	19
5.	Statutory Framework	20
5.1	State planning controls	20
5.1.1	Environmental Planning and Assessment Act 1979	20
5.1.2	State Environmental Planning Policies	20
5.2	Local planning controls	20
5.2.1	Wagga Wagga Local Environmental Plan 2010.....	20

5.2.2	Wagga Wagga Development Control Plan 2010 (DCP).....	23
5.3	Other relevant section 4.15 matters for consideration	28
6.	Environmental assessment.....	30
7.	Conclusion	32

Figures

Figure 1-1	Cadastral image of the subject land (WWCC Online Mapping, 2021)	6
Figure 1-2	Subject Land locality (WWCC Online Mapping, 2021)	6
Figure 2-1	Extract of Site Plan (Airlie Designs, 2021).....	9
Figure 3-1	Deposited plan extracts (WWCC Online Mapping, 2021).....	10
Figure 3-2	Adjacent development in Forsyth Street (Source: NGH, September 2021)	11
Figure 3-3	Existing parking within the subject land, accessed from Tongaboo Lane (Source: NGH, September 2021)	11
Figure 3-4	View of the subject land from Forsyth Street (Source: NGH, September 2021).....	12
Figure 3-5	Bushfire prone land (distance from the subject land) (WWCC Online Mapping, 2021)	12
Figure 3-6	Flood prone land (distance from the subject land) (WWCC Online Mapping, 2021)	13
Figure 3-7	Groundwater vulnerability map (WWCC Online Mapping, 2021).....	13
Figure 3-8	AHIMS results (Heritage NSW, 2021)	15
Figure 3-9	Heritage items and heritage conservation area (distance from subject land) (WWCC Online Mapping, 2021).....	16
Figure 3-10	LEP biodiversity sensitive land map (distance from the subject land) (WWCC Online Mapping, 2021).....	16
Figure 4-1	View of the existing site entry, public footpath and Forsyth Street looking east.....	17
Figure 5-1	Land zoning (WWCC Online Mapping, 2021).....	20
Figure 5-2	Maximum height of buildings map (WWCC Online Mapping, 2021)	22
Figure 5-3	Floor space ratio map (WWCC Online Mapping, 2021).....	22

Tables

Table 1-1	Accompanying Plans and Documentation	5
Table 1-2	Previous applications for development	7
Table 1-3	Key matters raised in pre-lodgement consultation.	7
Table 5-1	Consideration of relevant SEPPs	20
Table 5-2	Consideration of zone objectives.....	21
Table 5-3	Relevant DCP 2010 Provisions	23
Table 5-4	Relevant 4.15 matters	29

Table 6-1 Statement of Environmental Effects	30
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Appendices

Appendix A Development Plans	A-I
Appendix B Preliminary Site Investigation	B-I
Appendix C Aitken Rowe PSI comments on current proposal.....	C-I
Appendix D Servicing plan (stormwater plan)	D-I

Acronyms and abbreviations

DA	Development Application
DCP	Wagga Wagga Development Control Plan 2010
ha	hectares
km	kilometres
LEP	Local Environment Plan
m	Metres
NSW	New South Wales
SEE	Statement of Environmental Effects
SEPP	State Environmental Planning Policy (NSW)
LEP	Wagga Wagga Local Environmental Plan 2010

1. Introduction

1.1 Proposal overview

This Statement of Environmental Effects (SEE) has been prepared by NGH on behalf of the applicant to support a Development Application (DA) seeking Council's approval of a proposed hotel at 81-83 Forsyth St, Wagga Wagga.

The proposal is for:

- The change of use from a business premises (former shop with outdoor display area for retail of garden ornaments and accessories, and bakery) to a hotel.
- Additions and alterations to the existing two storey building to convert the building to a 20 room hotel.

Development consent is sought under Part 4 of the *Environmental Planning and Assessment Act 1979* (EP&A Act). The purpose of this SEE is to describe the proposal and the likely impacts of the development on the environment and to detail the mitigation measures that would be implemented to minimise the potential impacts of the proposed activity.

The proposal is located within the B3 Commercial Core zone, the proposed land use, hotel, is permissible with consent in the B3 zone. Refer to section 5 of this SEE for detailed discussion about the proposal's compliance with relevant legislation and guidelines.

This report shall be read in conjunction with accompanying plans and documentation listed in Table 1-1 below.

Table 1-1 Accompanying Plans and Documentation

Reference	Description	Prepared by
DWG No's. 1-11 Plot date: 22-Oct-21	<ul style="list-style-type: none">• Site Survey Plan• Site Plan• Ground Floor Plan• First Floor Plan• Roof Plan• Building Elevations (North and East)• Building Elevations (South and West)• Sections• Miscellaneous details• Erosion and Sediment• Landscaping plan	Airlie Designs
Project Number 210675 Sheet B1000 Sept 21 P2	Stormwater Plan	Xeros Piccolo
E18-039	Preliminary Environmental Site Investigation (PSI)	Aitken Rowe Testing Laboratories Pty Ltd
27 Sep 2021	Email advice regarding PSI from Nathan McLaren	Aitken Rowe Testing Laboratories Pty Ltd

1.2 Applicant and land ownership

The applicant is Joel Berrigan. The landowner is HTZ Investments Pty Ltd.

1.3 Subject land and locality

The subject land (proposed site), 81-83 Forsyth Street located in Central Wagga Wagga, is shown in Figure 1-1 below. The subject land is legally identified as Lot 1 DP936571 and Lot 6 DP655783.

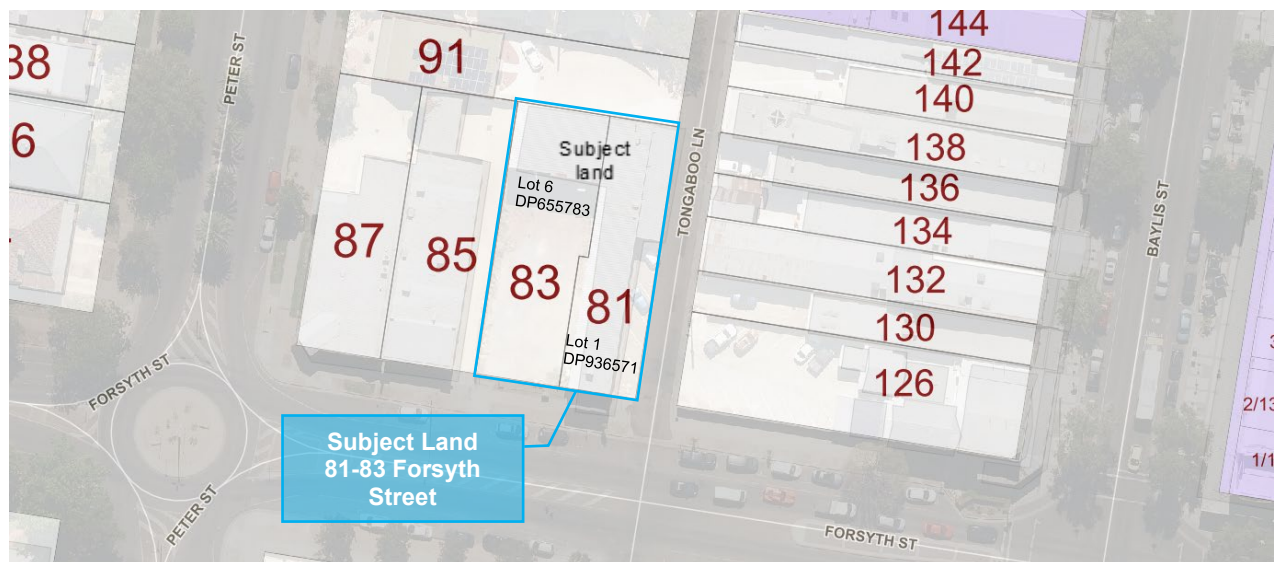


Figure 1-1 Cadastral image of the subject land (WWCC Online Mapping, 2021)

The site is located within the Wagga Wagga Central Business District (CBD) precinct and is approximately 200 metres (m) from the Town Centre as shown in Figure 1-2 below.



Figure 1-2 Subject Land locality (WWCC Online Mapping, 2021)

1.4 Previous approvals

According to Council records, the land has been subject to several development approvals as listed in Table 1-2 below. The building has also been used in recent years as an office and could have been permissible under the *State Environmental Planning Policy (Exempt and Complying*

Development Codes) 2008 change of use of premises provisions. The change from an approved shop or business premises to an office premises is permissible under this clause. No approval would have been needed for this change where it complied with the Codes SEPP.

Table 1-2 Previous applications for development

Application	Application for	Approved
DA18/0284	81-83 Forsyth Street 43 room Hotel Accommodation (proposed full demolition of the existing buildings and rebuild).	29/04/2019
DA06/0186	81-83 Forsyth Street Use of existing building as café.	09/05/2006
DA98/227	81-83 Forsyth Street Shop and outdoor display area for retail of garden ornaments and accessories.	16/10/1998
DA139/96	Extensions to existing building and post supported awning Associated amended applications - Bakery and retail floorspace.	04/06/1996

1.5 Pre-lodgement consultation

Pre-lodgement advice for the proposed 20 room hotel was provided to the applicant from Council's Town Planners. Table 1-3 below provides details of the key matters raised from the initial feedback.

Table 1-3 Key matters raised in pre-lodgement consultation.

Key Matters	Comment and discussion in this SEE
WWCC Town Planners	
Update the Preliminary Site Investigation (PSI) and if this recommends a Detailed Site Investigation (DSI) then you will need that as well.	Refer to email comments from Aitken Rowe included at Appendix C. The existing PSI provided at Appendix B and recommendations for the site are still valid. See summary in section 3.3 of this SEE.
A separate noise report is not required, but noise is required to be addressed generally.	Noise has been addressed, refer to section 3.6 of this SEE.
Address parking and traffic and specifically control C6 of Section 2.2 of the DCP.	Parking and traffic have been addressed, refer to section 4.1, section 4.2 and section 5.2.2 of this SEE.

2. Development proposal

The proposal is for a change of use and additions and alterations to the existing building.

This SEE is seeking approval for the change of use of the land from a 'business premises/office' to a **hotel accommodation** as defined below:

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.

Note—Hotel or motel accommodation is a type of tourist and visitor accommodation.

The works proposed to the existing two-storey building to convert the building to a 20 room hotel is listed in the table below:

Proposed works	Summary
Demolition	<p>Minor demolition works (internally and externally) to accommodate proposed windows and doors, and removal of internal walls and any facilities.</p> <p>Removal of existing windows and doors, including the front facade window and doors.</p> <p>Removal of the roof sheeting.</p>
Construction	<p>New internal walls to create 20 hotel guest accommodation rooms including new windows and doors. The layout of the rooms is typically a studio/bed sit style with open space, a robe, and amenities.</p> <p>Unit 01 is an accessible hotel room proposed on the ground floor and includes an accessible bathroom.</p> <p>Unit 15 on the upper floor level is a 1 bedroom hotel room.</p> <p>1 staff room, located next to a storage room. The storage room includes direct access onto Tongaboo Lane (for laundry drop off/collections) and also has access to the hotel rooms for servicing. The storage room would also be used for bin storage. The existing roller door would be removed, and the wall made good and replaced with a smaller roller door to suit the proposed use and loading/waste collection requirements.</p> <p>A hotel gym (for guest use only) is proposed to be located within the north-east corner of the building.</p> <p>Reception with associated fitout and staff toilet facilities. Access would be to Forsyth Street and into the site. An awning is proposed over the entry within the site.</p>

Proposed works	Summary
	<p>New windows and doors to the east, south and west walls of the building.</p> <p>A balcony to access upper floor level rooms.</p> <p>A lift at the front of the lot adjacent to the proposed reception and would provide access to the upper floor level balcony.</p> <p>A separated fire stair that provides access to the upper floor level balcony and emergency access onto Tongaboo Lane.</p> <p>A new roof and parapet wall to screen the roof from the street.</p> <p>Rendering and painting of the building.</p> <p>Addition of detailing to the front wall and detailing to the existing awning.</p>
Associated works	Associated landscaping and pavement works including upgrades, leveling, and resurfacing and line marking of parking areas.
Operating hours	The hotel will operate 24hrs for check in 7 days a week. The proposed reception hours will also be 24hrs for check in, but open to the public 7am to 9pm 7 days a week.

An extract of the Site Plan is provided in Figure 2-1 below:

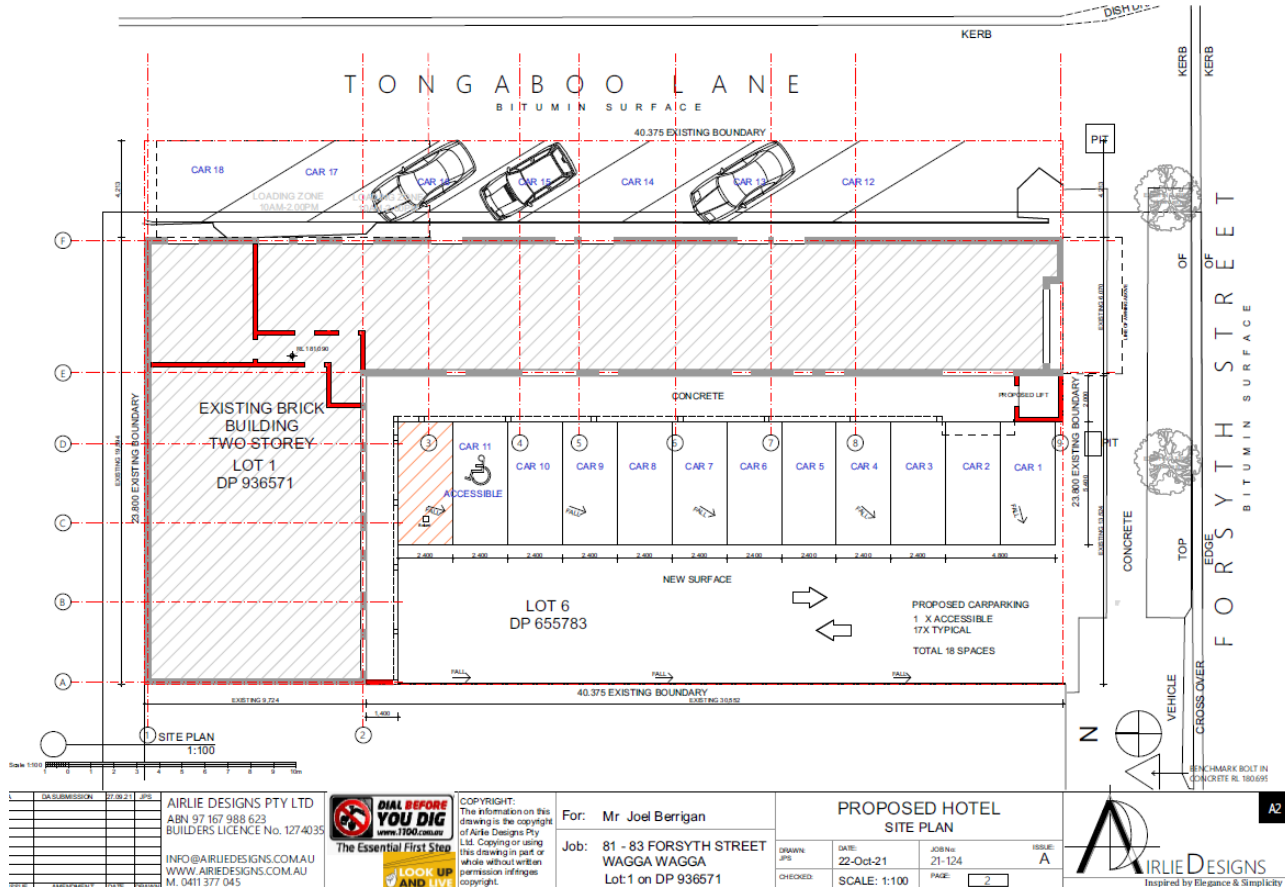


Figure 2-1 Extract of Site Plan (Airlie Designs, 2021)

3. Environmental Analysis

3.1 Site analysis

The subject land is Lot 1 DP936571 and Lot 6 DP655783. The lots are generally rectangular in shape. Lot 1 (81 Forsyth St) has an area of 430sqm, Lot 6 (83 Forsyth St) has an area of 524.90sqm. Extracts of the deposited plans (DP) for the subject land are shown in Figure 3-1 below. The DP's show that no easements are present on the lots.

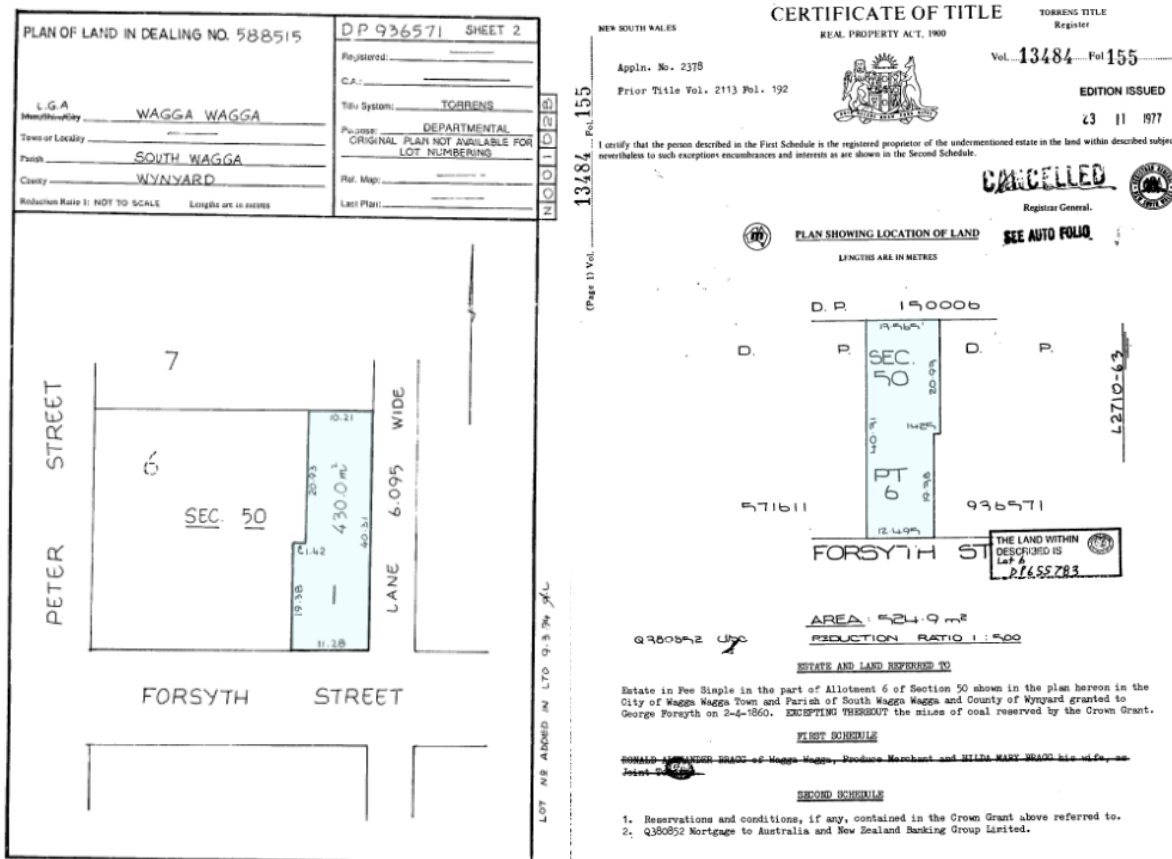


Figure 3-1 Deposited plan extracts (WWCC Online Mapping, 2021)

3.1.1 The existing building and surrounding land use

The site is within the Central Business District of Wagga Wagga, which comprises a mixture of offices, retail shops, shopping centres, restaurants and pubs. Forsyth Street is a main access road linking eastern and western Wagga Wagga. Residential properties lie to the west. The site is bound by Forsyth Street to the south and Tongaboo Lane to the east.



Figure 3-2 Adjacent development in Forsyth Street (Source: NGH, September 2021)

The site has an existing L shaped two-storey building that would be retained with the proposed development. The site has an existing gravel car park on the western side of the building, as shown in Figure 3-4 and formal marked out carparking along the eastern side along Tongaboo Lane as shown in Figure 3-3.



Figure 3-3 Existing parking within the subject land, accessed from Tongaboo Lane (Source: NGH, September 2021)

The building has a zero setback from the front boundary and an awning overhanging the public footpath. There are two street trees as shown in Figure 3-4 below.



Figure 3-4 View of the subject land from Forsyth Street (Source: NGH, September 2021)

3.2 Land hazards

3.2.1 Bushfire

The land is not bushfire prone land as shown in Figure 3-5 below.

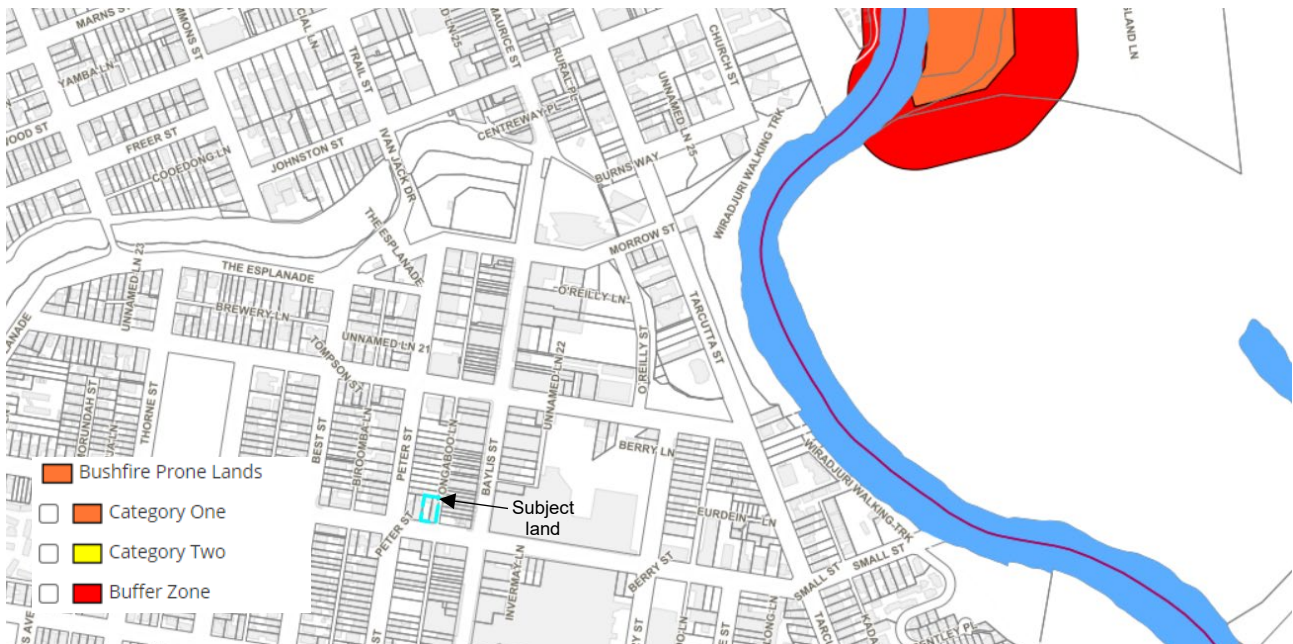


Figure 3-5 Bushfire prone land (distance from the subject land) (WWCC Online Mapping, 2021)

3.2.2 Flooding

The land is not flood prone land as shown in Figure 3-6 below.

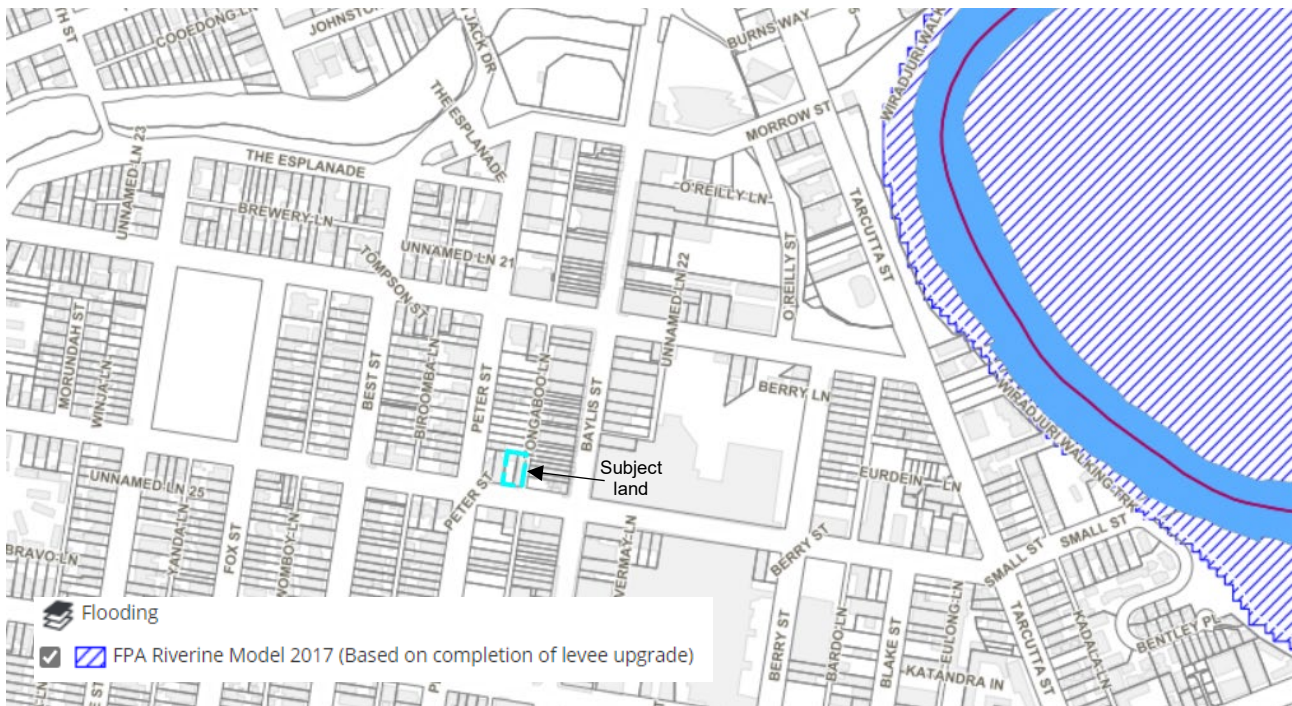


Figure 3-6 Flood prone land (distance from the subject land) (WWCC Online Mapping, 2021)

3.2.3 Groundwater

The land is subject to groundwater vulnerability as shown in Figure 3-7

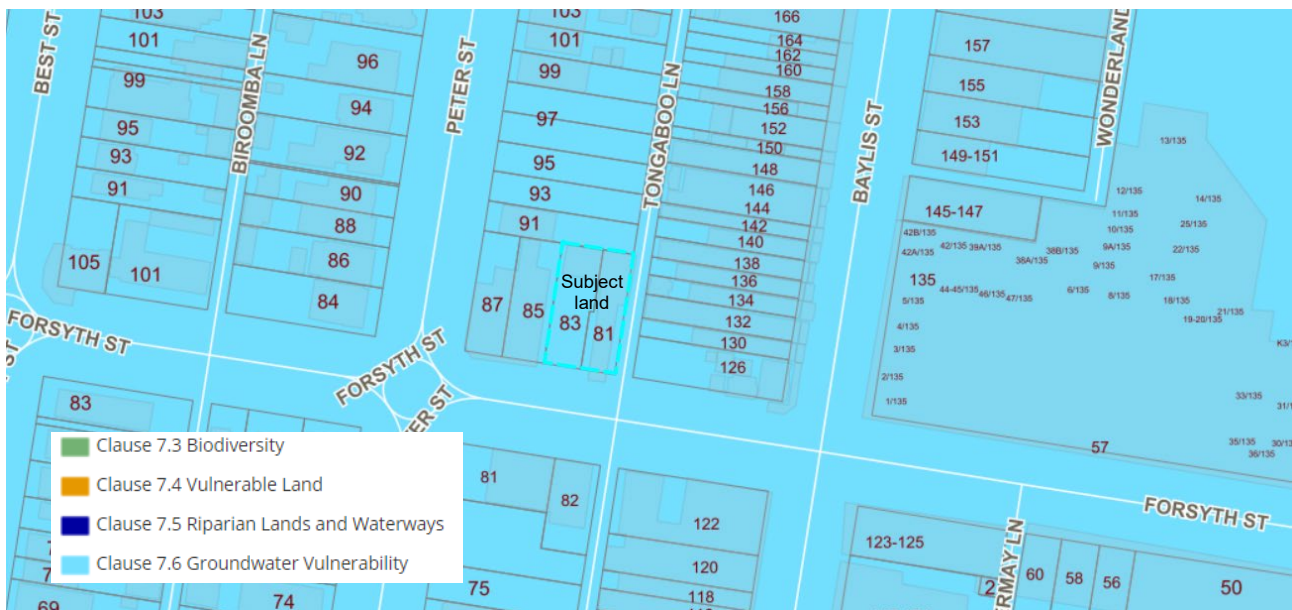


Figure 3-7 Groundwater vulnerability map (WWCC Online Mapping, 2021)

3.3 Contamination

Aitken Rowe Testing Laboratories Pty Ltd completed a *Preliminary Environmental Site Investigation* for the previous DA for the site (version dated October 2018). As part of the report a search of the sites listed by the EPA under the Contaminated Land Management Act 1997 was completed and found that no records have been issued against the site. The EPA contaminated sites list was reviewed as part of the preparation of the SEE, and it is confirmed that the site is not on the list.

The PSI considered soil contamination (including soil testing) and history of the site to determine the appropriate actions for development on the site. Although the works are reducing in scale, the findings and recommendations are still considered relevant to the proposal.

The findings/results of the PSI showed that:

- *From the site history there is a low risk for the potential of contamination.*
- *Due to some gaps in the site history the results of the sampling and analysis program showed that all samples analysed were found below the adopted criteria (HIL-B) for TRH, BTEX, OCP, OPP, PAH, PCB, and Metals.*
- *The site is therefore considered suitable for the proposed development provided consideration is given to the recommendations of the PSI.*

The following was recommended when significant works are undertaken at the Site, and have been confirmed by Aitken Rowe (refer to Appendix C) to be valid for the proposed development:

- *Complete a hazardous materials survey on the existing building to identify Asbestos Containing Materials (ACM). If ACM is identified, then suitably qualified personnel should complete an asbestos management plan to be followed when removing.*
- *Any soil material requiring exportation from the site during future construction works should be classified as per Waste Classification Guidelines Part 1: Classifying Waste, DECCW, 2014.*

Based on the proposed design (retention of the existing building and at grade car parking) the risks from construction are minimised as there would be less soil movement from the site than the previously approved hotel. Therefore, based on the recommendations of the PSI (and scale of the works proposed) the developer would implement the following for the proposal:

- (a) Complete a hazardous materials survey prior to commencement of construction and follow all findings and directions about waste management (any management measures recommended would prevail over recommendations of section 4.5 of this SEE).
- (b) Avoid removing (exporting) soil from the site unless absolutely necessary for the design, and if unavoidable the waste would be classified as per the recommendations of the PSI and disposed of in accordance with EPA requirements.

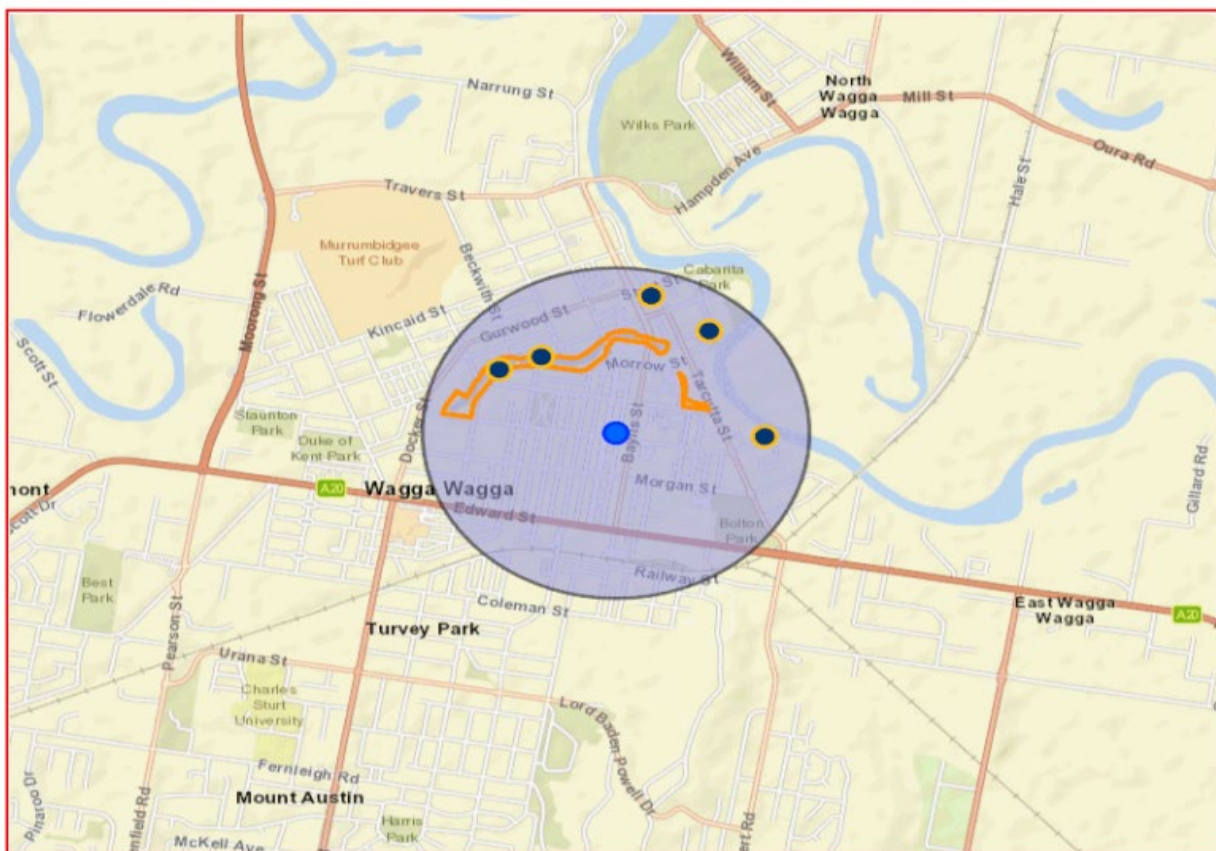
3.4 Heritage

3.4.1 Aboriginal heritage

A basic search of the Aboriginal Heritage Information Management System was completed, the map and results are shown at Figure 3-8 below.

5 sites and 1 Aboriginal Place is located within 1km of the site, typically related to water features.

The site is located greater than 200m from any water feature. This SEE is not a due diligence assessment.



A search of Heritage NSW AHIMS Web Services (Aboriginal Heritage Information Management System) has shown that:

5 Aboriginal sites are recorded in or near the above location.	
1 Aboriginal places have been declared in or near the above location. *	
ID	Aboriginal Place Name
109	Wollundry Lagoon & Tony Ireland Reserve

Figure 3-8 AHIMS results (Heritage NSW, 2021)

3.4.2 Conservation area and heritage items

The land is not located within the Central Wagga Wagga Conservation Area as shown in Figure 3-9 below. Local heritage items are located near the site. The closest items are:

- I95, the Union Club Hotel located at 122–124 Baylis Street located to the southeast of the subject land.
- I280, Peter Street palm avenue, is located to the west of the subject land.

The proposed alterations to the existing building would improve the streetscape and remove unsightly elements. The proposal is not considered to have any adverse impacts on the listed heritage items.

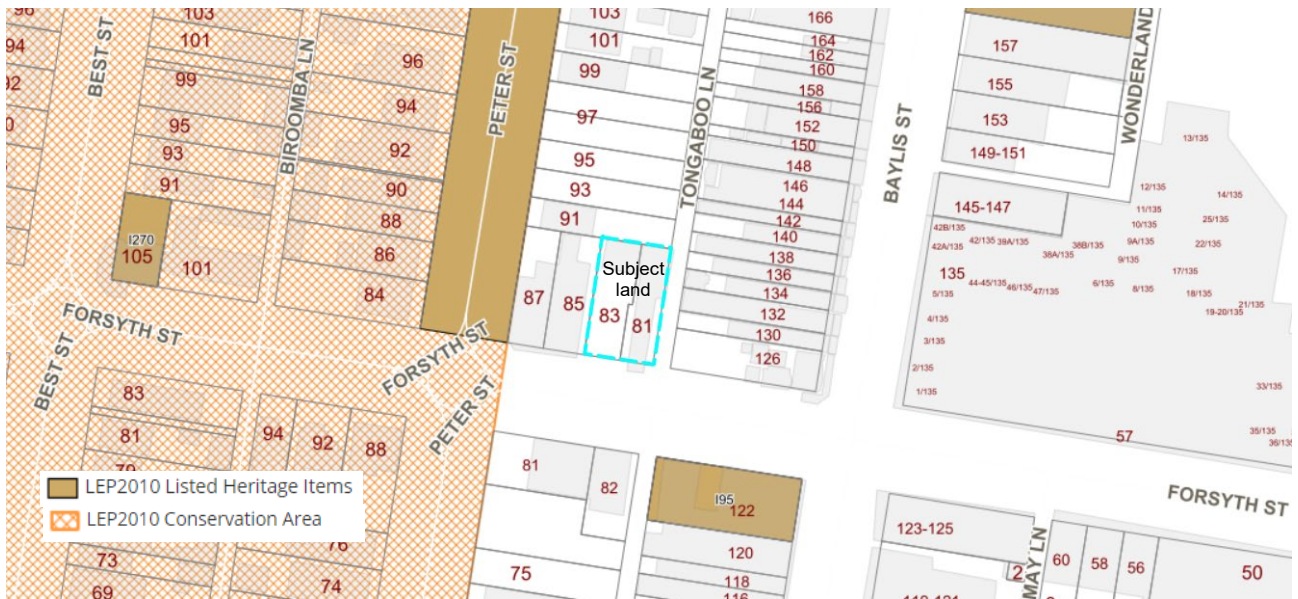


Figure 3-9 Heritage items and heritage conservation area (distance from subject land) (WWCC Online Mapping, 2021)

3.5 Biodiversity considerations

There is no native vegetation or habitat present on the subject land. There are no likely impacts to biodiversity with the proposal.



Figure 3-10 LEP biodiversity sensitive land map (distance from the subject land) (WWCC Online Mapping, 2021)

3.6 Noise

The main noise sources for the locality are traffic, noise from people, noise from existing pubs and restaurants. The hotel rooms (specifically the primary windows and doors on the south and west elevations) face away from the pub located at the corner of Forsyth and Baylis Streets. This would provide some noise shielding. There would still be noise transmission from the existing noise sources. The rooms would be fitted with operable windows, which can be closed to external noise sources minimising noise impacts and sleep disturbance.

4. Infrastructure and service provisions

4.1 Traffic generation and site access

There is no change proposed to the existing access to the site location, refer to location shown in Figure 4-1. The parking has been arranged to provide entry and exit in a forward direction. The driveway would be upgraded as part of the general parking upgrades for the site, the applicant would seek any required section138 permits.

The proposal is not considered to generate significant traffic compared to the existing office development and occupant of the space, which could have up to 4 or more vehicle movements per day vehicle. The hotel traffic movements per vehicle would be similar or less than that of the office and similar to a dwelling, i.e., approximately 4-5 vehicle movements per day, per unit, when at full capacity.

The hotel occupants' movements may also avoid the peak times of office workers in the CBD, morning peak travel would likely be out of the CBD opposite to the peak travel coming into the CBD. The proximity to Baylis Street provides options for walking to entertainment and restaurants and the like reducing evening vehicle movements. For these reasons it is considered that a traffic assessment is not warranted, and the traffic numbers and movements of the proposal would be reasonable for the locality.



Figure 4-1 View of the existing site entry, public footpath and Forsyth Street looking east

4.2 Off-street parking

The previous approvals for the site relied on the 9 existing parking within the site along Tongaboo Lane as the internal area was approved under DA98/227 as an outdoor display area for retail of garden ornaments and accessories.

The hotel proposes 18 off-street parking spaces. This includes 7 spaces accessed off Tongaboo Lane and 11 proposed spaces within the site (1 being an accessible space). The proposed parking would comply with the relevant Australian Standards, specifically for dimensions and turning.

The DCP requires the following:

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:

- a. Outbuildings are proposed to be used in association with the development, or*
- b. A Traffic Impact Assessment (TIA) is required by Council for the development.*

The proposal site is located within the B3 zone. There is no gross floor proposed to be added to the development.

gross floor area as defined by the LEP means the sum of the floor area of each floor of a building measured from the internal face of external walls, or from the internal face of walls separating the building from any other building, measured at a height of 1.4 metres above the floor, and includes—

(d) any area for common vertical circulation, such as lifts and stairs, and

The addition proposed with the change of use is limited to a lift to provide access to the upper floor level balcony, no other additions are proposed. It is understood that the 18 parking spaces is an increase in spaces and not a reduction in spaces and therefore the proposal is consistent with this provision and no additional parking is required.

The parking proposed is considered acceptable due to the location within the CBD and considerations for the B3 Commercial Core zone not requiring any additional onsite parking. The site is close to the railway station and has good access to taxi services and bus services and is accessible by bicycle (on road cycling and has good footpath connections, supporting walking to the site). The proposed design maximises use of available on-site parking and existing arrangement to provide for the development. The parking is not likely to have any noticeable adverse impacts specifically relating to traffic delays or vehicle movements and social or amenity impacts. As such, the proposed parking is considered acceptable for the site.

4.2.1 Loading area management

Parking spaces 16 and 17 would be the designated loading area for the hotel. Loading area access and deliveries would be managed and limited to only occur Tuesdays and Thursdays between 10am and 2pm. Access to the loading area would be managed through the proposed use of RMS BOOKING SYSTEM as part of the hotel's general management systems.

4.3 Public utilities

Essential infrastructure including electricity, telecommunications, and natural gas, are available to the existing building, services are located within the road reserve. No easements are located within the lot. The proposal would maintain connections to the existing services.

The survey of the land, provided with the development plans at Appendix A, shows the location of the NBN/ELEC pit, TEL pit, NBN/ELEC TURRET (pad mounted box as shown in Figure 4-1 above), gas pit, hydrant, inspection opening (I.O.) and streetlight within the public footpath/road reserve.

4.4 Council water, sewer, and drainage infrastructure

The subject land has a connection to Council and Riverina Water reticulated water, sewerage, and stormwater network. The proposal would maintain connections to the existing services.

The development would require the installation of new internal services to connect to the internal sewage and drainage lines. A plan of proposed drainage works within the site is included at Appendix A.

4.5 Waste management

The site is serviced by weekly kerbside waste collections. It is expected this service would continue with the proposed operations. Any changes to waste collection would be the landowner's responsibility to confirm with Council prior to commencement of operation. Bins would be stored in designated storage area within the building and screened from public view.

Construction waste would be managed by the developer. Waste generated by construction would be collected by an appropriately licensed contractor or disposed of by the developer at an appropriately licensed facility.

Any potential asbestos found would be removed and disposed of in accordance with Council and EPA guidelines and where required removed and disposed of by an appropriately licensed contractor. Any permitted disposal by the developer would be at an appropriately licensed facility.

5. Statutory Framework

5.1 State planning controls

5.1.1 Environmental Planning and Assessment Act 1979

Application is being made for the proposed development in accordance with Part 4, Section 4.2 of the *Environmental Planning and Assessment Act 1979*.

5.1.2 State Environmental Planning Policies

The SEPPs relevant to the proposal have been considered and are addressed in Table 5-1 below.

Table 5-1 Consideration of relevant SEPPs

Relevant SEPP	Comment
State Environmental Planning Policy 55 Remediation of Land	A PSI has been completed for the site. The land is considered suitable for the proposed land use, refer to the PSI at Appendix B and summary in section 3.3 of this SEE.

5.2 Local planning controls

5.2.1 Wagga Wagga Local Environmental Plan 2010

Land zone

The subject land is zoned B3 Commercial Core under the provisions of the Wagga Wagga Local Environmental Plan 2010 (LEP), as indicated in Figure 5-1. Land surrounding the site is primarily B3 Commercial Core and R1 General Residential zone.

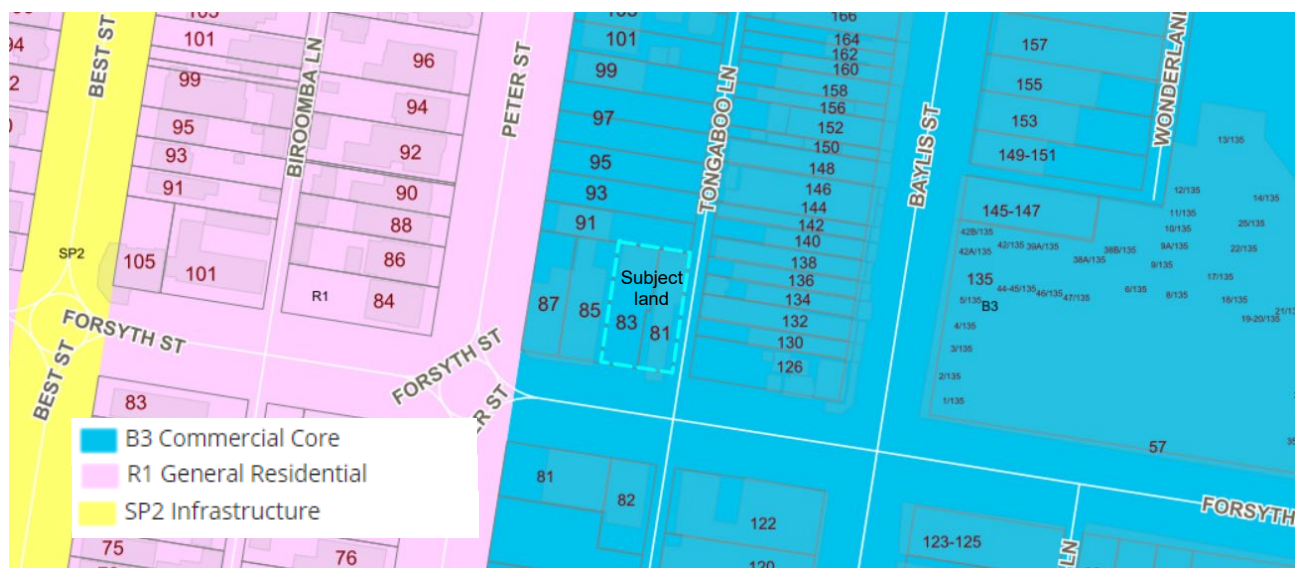


Figure 5-1 Land zoning (WWCC Online Mapping, 2021)

Permissibility of the proposal

This SEE is seeking approval for the change of use of the land from office/business premises to **hotel accommodation** as defined below:

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.

Hotel or motel accommodation is permissible with consent in the B3 Commercial Core zone, as listed in the land use tables of the LEP.

Objectives of the zone

The proposed development is considered compatible with the objectives of the B3 Commercial Core zone as discussed in Table 5-2 below.

Table 5-2 Consideration of zone objectives

IN1 General Industrial Objectives	Comment
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.	The objective would be achieved as the proposed hotel provides a service for the needs of the local and wider community.
To encourage appropriate employment opportunities in accessible locations.	The objective would be achieved as the site is accessible for the people of Wagga Wagga and provides employment opportunities.
To maximise public transport patronage and encourage walking and cycling.	The objective would be achieved as the proposed development is located within an area that provides opportunities for the local community and visitors to maximise use of existing pathways and cycleways. The site is located so that bus transport is also easily accessed.
To ensure the maintenance and improvement of the historic, architectural and aesthetic character of the commercial core area.	The objective would be achieved as the proposed hotel would provide for improvements to the streetscape and would positively impact the historic, architectural, and aesthetic character of the commercial core area.

Clause 2.7 Demolition requires development consent

The DA seeks consent for partial demolition of the existing building, to facilitate the proposed hotel. Refer to details of the demolition proposed on the development plans provided at Appendix A. The proposal is consistent with this clause.

Clause 4.3 Height of buildings

The land is subject to the maximum height of buildings limit of 25m under the LEP as shown in Figure 5-2. The building includes alterations to the roof (replacement of the roofing material) and construction of a parapet to the front section of the building to partially conceal the roof from view. The maximum height of the building proposed is 7.385m and complies with this clause of the LEP.

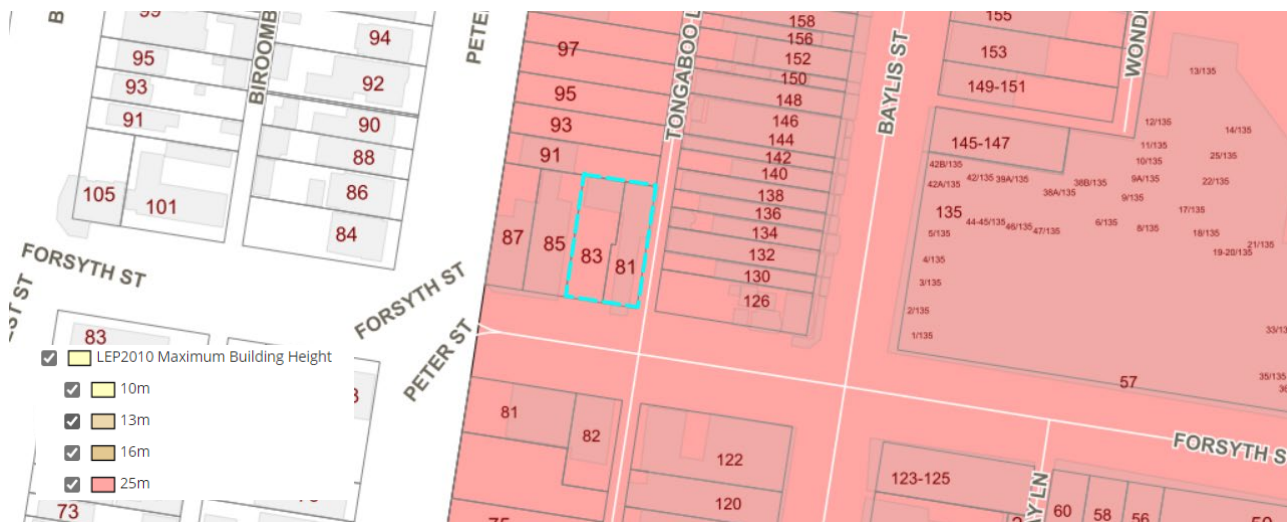


Figure 5-2 Maximum height of buildings map (WWCC Online Mapping, 2021)

Clause 4.4 Floor space ratio

The land is subject to a floor space ratio limit of 4:1 under the LEP as shown in Figure 5-3. The total floor space ratio proposed is 0.57:1 and is well within the permitted 4:1 ratio and complies with this clause of the LEP.

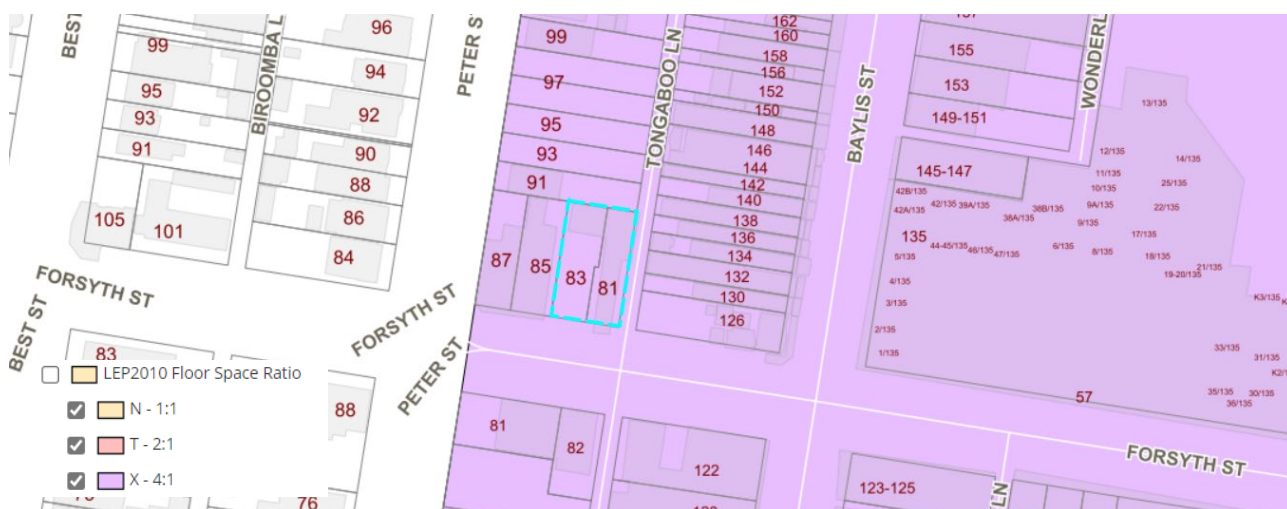


Figure 5-3 Floor space ratio map (WWCC Online Mapping, 2021)

Clause 5.21 Flood planning

The land is not mapped as being within a flood planning area, as indicated in Figure 3-6 of this report.

Clause 7.1A Earthworks

The proposal includes associated earthworks associated with installation of services, general construction (site leveling, footings) and carpark works. This application is seeking consent for the associated earthworks, consistent with the requirements of this clause.

5.2.2 Wagga Wagga Development Control Plan 2010 (DCP)

The Wagga Wagga Development Control Plan 2010 (DCP) contains provisions relevant to the proposed development. The provisions, relevant to the proposed development are discussed in the table below.

Table 5-3 Relevant DCP 2010 Provisions

Development Control Plan – Consideration of Relevant Clauses	
2.1 Vehicle access and movement	
<p>C1. Access should be from an alternative secondary frontage or other non-arterial road where possible.</p> <p>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.</p> <p>C3. Vehicles are to enter and leave in a forward direction unless it can be demonstrated that site conditions prevent it.</p> <p>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.</p> <p>C5. Access driveways are to be located in accordance with the relevant Australian Standard at the time of lodgement of an application.</p> <p>C6. Ensure adequate sight lines for proposed driveways.</p>	<p>C1. Consistent. The proposed development would rely on an existing access to a local (non-arterial) road (Forsyth Street and Tongaboo Lane). No additional access points are proposed.</p> <p>C2. Not warranted. The road network likely has capacity for the proposed development. Changes to the access, or nearby intersection arrangement are not proposed. It is considered that a Traffic Impact Study is not required for this DA.</p> <p>C3. Consistent. The parking directly accessed from the laneway does not allow for entering and exiting in a forward direction. This is considered acceptable for the as this is an approved and accepted arrangement and although vehicles would reverse to leave the parking, once in the lane the vehicles travel in a forward direction. The angle parking also improves visibility and ease of movement in and out of the spaces.</p> <p>C4. Consistent. Loading/unloading would be possible in the off-street parking area on the site. This is consistent with current operations.</p> <p>C5. Not relevant. No new driveways are proposed.</p> <p>C6. As above. The proposed</p>

Development Control Plan – Consideration of Relevant Clauses

	development would not obstruct any sight lines.
2.2 Off-Street parking	
<p>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.</p> <p>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.</p> <p>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.</p> <p>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.</p> <p>C5. In the case of redevelopment or change of use (other than in the B3 zone) the parking requirements are to be calculated by:</p> <ol style="list-style-type: none"> Determining the parking requirement of the current or previous use in accordance with the table, then Determining the parking requirement for the new use, then 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). <p>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:</p> <ol style="list-style-type: none"> Outbuildings are proposed to be used in association with the development, or A Traffic Impact Assessment (TIA) is required by Council for the development. <p>C7. Variations to the parking requirements may be considered where minor alterations and additions are proposed, and the changes do not encroach or reduce the current off-street parking spaces.</p> <p>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 childcare centres, business parks, hospitals, cinemas and gyms.</p> <p>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</p>	<p>C1. Not relevant. The parking proposed is considered acceptable due to the location within the CBD and is consistent with the provisions for the B3 Commercial Core zone (see clause C6 below). The formal marking out of parking spaces maximises available parking in the site.</p> <p>C2. Consistent. The parking would comply with the relevant Australian Standards.</p> <p>C3. Consistent. The accessible parking spaces would comply with the relevant Australian Standards.</p> <p>C4. Not relevant. The proposed development is not considered to be for mixed use.</p> <p>C5. Not relevant.</p> <p>C6. Consistent. The proposal site is located within the B3 zone. There is no gross floor proposed to be added to the development. gross floor area means the sum of the floor area of each floor of a building measured from the internal face of external walls, or from the internal face of walls separating the building from any other building, measured at a height of 1.4 metres above the floor, and includes—</p> <p>(d) any area for common vertical circulation, such as lifts and stairs, and The addition is limited to a proposed lift to provide access to the upper floor level balcony.</p> <p>C7. Not relevant. No variation to the parking requirement is proposed.</p> <p>C8. Not relevant, a parking study is not considered to be warranted for the proposed development. Refer to section 4.1 of this SEE for discussion.</p> <p>C9. Trees are not proposed within the parking area, to maximise parking for the development. The building will provide some shading of the parking spaces located on the eastern side of the lot.</p>

Development Control Plan – Consideration of Relevant Clauses	
<p>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 3.5sqm.</p> <p>C10. Planting beds located within a car park are to have a subsoil drainage system connected into the stormwater system of the site.</p> <p>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 eight.</p>	<p>C10. Not relevant. No planting beds are proposed.</p> <p>C11. Not relevant. No trees are proposed to be planted within the site.</p>
2.4 Signage	
Not relevant. No signage is included with this DA.	
2.5 Safety and security	
<p>C1. Use good site planning to clearly define public, semi-public and private areas.</p> <p>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 offices or showroom are to be located at the front of the building.</p> <p>C3. Minimise blank walls along street frontages.</p> <p>C4. Avoid areas of potential concealment and 'blind' corners.</p> <p>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.</p> <p>C6. Planting and fencing is not to reduce the safety of users or compromise areas of natural surveillance.</p> <p>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.</p> <p>C8. Locate public toilets and rest areas to promote their use and maximise public surveillance without creating visual intrusion.</p>	<p>C1. Consistent. Private and semi-public areas within the subject land are defined through the existing building form and fencing.</p> <p>C2. Consistent. The proposed updated entry would be clearly defined and identifiable from the street.</p> <p>C3. Consistent. There are no blank walls to the street frontage.</p> <p>C4. Consistent. The proposal would not create areas of concealment or blind corners.</p> <p>C5. Consistent. Any external lighting would meet the Australian Standards for the control of obtrusive effects of outdoor lighting.</p> <p>C6. Consistent. The location of the proposed fencing would not compromise the safety of users or the compromise natural surveillance along the street.</p> <p>C7. Not relevant.</p> <p>C8. Not relevant.</p>
2.6 Erosion and Sediment Control Principles	
Erosion and sediment control measures are included on the plans.	
10.1 City Centre	
Baylis Street Precinct - Peter Street	C1. Not relevant. There is no change

Development Control Plan – Consideration of Relevant Clauses

<p>C1 Setbacks determined by adjoining buildings.</p> <p>C2 Maintain a streetwall height of 2 storeys with additional floors having 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.</p> <p>C3 Development on corner sites should be designed to achieve at least 3 storeys in height.</p> <p>C4 Developments are to provide an active interface to the street. Avoid black walls and “back of house” services to Peter Street.</p> <p>C5 All parking, vehicle access, loading and unloading facilities to be from rear lanes were available.</p> <p>C6 No off-street parking in the front setback</p>	<p>to the setbacks proposed.</p> <p>C2. Consistent. The proposed parapet and alterations to the roof will not increase the streetwall height above a 2-storey height.</p> <p>C3. Not relevant. The site is not a typical corner lot.</p> <p>C4. Consistent. The proposal would have an active frontage to Forsyth Street. The site has no direct connection to Peter Street.</p> <p>C5. Consistent. The site continues to provide service access from Tongaboo Lane and some of the site's parking.</p> <p>C6. Consistent. The building is set on the front boundary, all parking is located behind the front wall of the building.</p>
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10.7 Awning Controls

<p>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).</p> <p>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.</p> <p>C3 The height of the fascia shall be minimum 300mm, maximum 450mm.</p> <p>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.</p> <p>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.</p> <p>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</p>	<p>C1. Not relevant the existing awnings are cantilevered awnings.</p> <p>C2. Consistent, a minor reduction in clearance height is requested to allow for proposed decorative elements to be added to the existing front awning. The decorative element is proposed to have a clearance of 3000mm above the footpath. The awning at the front of the site is an existing encroachment beyond the front boundary. The front awning would include the addition of decorative elements. Decorative architectural elements would also be located above the awning and fixed to the front wall of the building and would result in additional minor encroachments. Refer to the details on elevations provided at Appendix A.</p> <p>C3. The height of the original fascia is not changing with this proposal.</p> <p>C4. Not relevant. No blinds are proposed.</p> <p>C5. Not applicable. The proposal is not a new building.</p> <p>C6. Not applicable. The existing awnings are being retained.</p> <p>C7. Not applicable. The existing awnings are being retained.</p> <p>C8. Consistent. Airconditioning/heaters</p>
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Development Control Plan – Consideration of Relevant Clauses

ensure that gutters cannot be viewed from the street.

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.

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 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 provisions.

C11 Original verandahs, awnings and shop fronts on heritage items or in the heritage conservation area shall be retained and conserved.

etc. would not be located on the front façade of the building.

C10. Not applicable. Signage is not proposed with this DA.

C11. Not applicable. The building is not a heritage item and is not located within the conservation area.

12.9 Tourist and Visitor Accommodation

C1 Buildings within tourist and visitor accommodation development (including ancillary facilities such as restaurants, conference, recreation, educational facilities or other similar development) must be designed, positioned, and set back from property boundaries in a manner that is consistent with other development in the locality, in order to maintain the character and visual amenity of the area.

C2 Integrate access, landscaping and services in the site layout, avoiding underutilised spaces.

C3 Provide a street address and front elevation that is consistent with the predominant scale, rhythm and form of the street.

C4 Tourist and Visitor accommodation on corner lots are to ensure an acceptable address on both frontages. Continue materials around the corner to the secondary frontage so that the building “turns the corner”.

C5 Use articulation to avoid excessively long blank walls.

Hotel and Motel Accommodation

C29 The design consideration of proposed buildings is to maintain the level of privacy enjoyed by adjoining

C1. Consistent. The setback is maintained and is consistent with developments immediately surrounding the proposal.

C2. Consistent. The hotel design has maximised the parking and refined the servicing areas avoiding underutilized spaces.

C3. Consistent. The proposed street address complements the street. The building setback and form is maintained.

C4. Consistent. The rendered and painted walls are continued on all facades.

C5. Consistent. Articulation elements are provided to the Forsyth Street frontage.

Hotel and Motel Accommodation

C29. Consistent. The two-storey nature of the building limits views of adjoining properties. The adjoining buildings are commercial buildings and acceptable privacy would be maintained.

C30. Consistent. Almost all units face out onto the access areas and carpark.

Development Control Plan – Consideration of Relevant Clauses

<p>properties.</p> <p>C30 The outlook to public and communal spaces should be maximised whilst maintaining internal privacy within the site.</p> <p>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.</p> <p>Appropriate lighting for the location is to be installed and there is to be clear definition between public and private spaces.</p> <p>C32 Long building lines are to be stepped, appropriately broken with patios, change in materials, windows or appropriate landscaping.</p> <p>C33 Occupants within the proposed development and on adjoining sites are to enjoy optimum extent of winter sun and summer shade.</p> <p>C34 Development overshadowing adjoining properties should permit a minimum of 3 hours un-interrupted solar access within the living areas of the affected property.</p> <p>C35 Buildings must be oriented and designed to minimise potential impacts on the surrounding residential amenity.</p> <p>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.</p> <p>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.</p> <p>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.</p>	<p>Generally internal privacy is maintained. The proposal includes a gym area, and this does not compromise privacy.</p> <p>C31. Consistent. The site design allows for compliance with this control, the proposed entry points to units and the reception are clearly defined and visible from the carpark and pathway and balcony. There are no public spaces for recreation proposed.</p> <p>C32. Consistent. The existing building is proposed to be altered and articulated and includes installation of windows and balcony to improve and the existing facades.</p> <p>C33. Consistent, the minimal increase in height with the roof alterations would not adversely impact solar access.</p> <p>C34. Not relevant. Adjoining developments are commercial and do not contain living areas.</p> <p>C35. Not relevant. Adjoining developments are commercial and do not contain living areas.</p> <p>C36. The existing street trees would remain and be protected during construction.</p> <p>C37. Consistent. The setback is maintained and is consistent with developments immediately surrounding the proposal. The proposed development incorporates elements including the roof parapet that are compatible with surrounding commercial developments.</p> <p>C38. Consistent. The landowner and operator of the hotel would be responsible for ensuring that 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.</p>
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5.3 Other relevant section 4.15 matters for consideration

Section 4.15 of the *Environmental Planning and Assessment Act 1979* states that in determining a Development Application, a consent authority is to take into consideration other relevant matters. These matters are listed in the table below.

Table 5-4 Relevant 4.15 matters

Other relevant 4.15 matters for consideration	
<i>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...:</i>	There are no known proposed instruments that are considered imminent and that are applicable to the proposal.
<i>any planning agreement...:</i>	There are no planning agreements that are relevant to the proposed development.
<i>the suitability of the site for the development...:</i>	There are no site attributes that are considered to compromise the suitability of the site for the proposed development.
<i>any submission...:</i>	Council would undertake appropriate public consultation and consider any submissions as a result of public notification.
<i>the public interest...:</i>	<p>The public interest is supported with this application as the proposal is in accordance with Council's publicly endorsed instrument (LEP).</p> <p>The proposed development would not have any adverse environmental and amenity impacts that the community would find undesirable.</p> <p>The scale and configuration of the proposed development is justifiable with regard to the features of the subject site and the desired character of the CBD.</p>

6. Environmental assessment

Table 6-1 Statement of Environmental Effects

Primary Matters	Likely Impacts	Safeguards and Mitigation Measures
Context and Setting	Positive. The proposed development would complement the streetscape and is a use consistent with the B3 zone objectives. The proposal would provide opportunities for increased patronage at local eating and entertainment venues, contributing to an activated CBD precinct.	The landowner and operator would be responsible for ensuring that 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.
Amenity including Privacy, Views and Sunlight	Nil. There are no dwellings directly adjacent to the site. There are no privacy, view and sunlight impacts.	No specific measures were considered required.
Access and Traffic	Minor. There is no change to access to the site. The proposal is not considered to generate significant traffic compared to the existing office development and former bakery. The proximity to Baylis Street provides options for walking to entertainment and restaurants and the like reducing evening vehicle movements. The proposal would be reasonable for the locality.	No specific measures were considered required.
Services	Minor. The proposed development would not alter the existing infrastructure networks. Internal connections would be established, some additional hardstand space is proposed with the surfacing of the carpark area. Refer to the servicing plan prepared by Xeros Piccolo provided at	No specific measures were considered required.
Heritage	Positive. The proposed development would complement the existing heritage buildings in street and improve unsightly elements of the existing building.	No specific measures were considered required.
Construction	Minimal. Construction works would be carried out in accordance with the Building Code of Australia and Council guidelines.	Ensure construction work is only undertaken during approved hours.
Land Resources	Nil. There are no land resource impacts.	No specific measures were considered required.
Soil and Water	Minimal. Earthworks would be required as part of the construction. Erosion and sediment control measures are included on	Implement the erosion and sediment control measures.

Primary Matters	Likely Impacts	Safeguards and Mitigation Measures
	the plans.	
Air and Micro-climate	Nil. There are no identified air and micro-climate impacts that would result from the proposed development.	No specific measures were considered required.
Noise and Vibration	Minimal. Temporary construction noise is addressed above. The hotel would be subject to existing noise sources. The hotel rooms are primarily directed away from the main noise sources along Baylis Street, and rooms would be able to be closed to noise sources minimising or avoiding sleep disturbance.	No specific measures were considered required.
Flora and Fauna	Nil. The proposed development would not impact on flora and fauna.	No specific measures were considered required.
Contaminated Land and Waste	Minimal. The proposed development would not alter the existing waste storage and disposal arrangements. Demolition waste could contain asbestos. Removal of soil from the site would be avoided where possible.	A HAZMAT report would be completed prior to commencement and any recommendations proposed would be implemented. Where there is no option but to remove soil from the site the recommendations of the PSI would be implemented.
Land Hazards	Nil. The land is not identified as flood or bushfire affected. No proposed works would increase land hazard risk to the site.	No specific measures were considered required.
Social and Economic Impacts	Positive. There are no likely adverse social or economic impacts. The proposed development would stimulate minor economic activity through the provision of accommodation within the CBD. The proposal provides employment opportunities for the community.	No specific measures were considered required.
Cumulative Impacts	Positive. There are no negative cumulative impacts as the use is a permissible use in the B3 zone and adds to the activation and potential for increased patronage of local businesses etc within the CBD.	No specific measures were considered required.

7. Conclusion

This Statement of Environmental Effects (SEE) has been prepared to support a Development Application seeking Council's consideration of a proposed 20 room hotel at 81-83 Forsyth Street, Wagga Wagga. The proposal is for a change of use from a business premises to the proposed hotel.

The SEE demonstrates that the proposed development (including all alterations to convert the existing two storey building to the hotel) would comply with the relevant provisions of the *Environmental Planning and Assessment Act 1979*, and the Wagga Wagga Local Environmental Plan 2010 and contribute to the achievement of the B3 Commercial Core zone objectives.

The proposed alterations would improve the streetscape by removing unsightly elements of the existing development and would modernise the development on the lot. The proposal is consistent with the quality of development desired for the area.

As shown in this SEE, the proposed hotel is considered consistent with the objectives for the B3 zone and the intent and desired outcomes for Wagga Wagga as prescribed by the DCP.

Appendix A Development Plans

Appendix B Preliminary Site Investigation

Appendix C Aitken Rowe PSI comments on current proposal

Appendix D Servicing plan (stormwater plan)