



# **STATEMENT OF ENVIRONMENTAL EFFECTS**

Proposed Staged Commercial Development including Supermarket,  
Retail Premises, Commercial Premises, Tavern, Signage and Parking

**Proposed Lochinvar Shopping Village - Springfield  
Drive, Lochinvar (30 Christopher Road, Lochinvar)**

**Proposed Lot 1001 (Current Lot 200 DP 1269482)**

**December 2022**

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## 1 Introduction

This Statement of Environmental Effects (SEE) has been prepared on behalf of GWH Build Pty Ltd (the proponent). It forms part of a development application for the Proposed Staged Commercial Development including supermarket, retail premises, commercial premises, tavern/pub, signage and Parking which will be known as the Lochinvar Shopping Village on proposed Lot 1001 of the Lochinvar Downs subdivision. The site is located on the corner of proposed Springfield Drive and Robert Road and is 24,357m<sup>2</sup>.

The key components of the proposal are as follows:

- Stage 1- of the proposal is a 4,641m<sup>2</sup> supermarket building including a 3000m<sup>2</sup> Supermarket, specialty retail and potential bottle shop. This building will incorporate an entry courtyard area with village common. Stage 1 would also include parking and circulation areas.
- Stage 2- would consist of a 3,422m<sup>2</sup> commercial building with the potential for different tenancies, including retail premises, food and drink premises, health services or business premises etc.
- Stage 3- a 1,140m<sup>2</sup> Pub/Tavern with associated parking
- Associated infrastructure and signage

The lot was approved under DA 18-456:1 in 2020. The site is due for registration in the 3<sup>rd</sup> quarter of 2023, with construction planned immediately following registration.

This SEE has been prepared in accordance with *Clause 2(1)(c) & 4 of Schedule 1 of the Environmental Planning & Assessment Regulation 2000, having regard to Section 4.15 of the Environmental Planning & Assessment Act 1979*. It provides a description of the existing land and the site context in Section 2, with details of the proposed development in Section 3. Section 4 notes the environmental planning controls applying to the site and provides an assessment of compliance with these controls. Section 5 includes an evaluation of the likely impacts of the proposal and the suitability of the site to accommodate the development. Section 6 contains concluding comments in respect of the proposed development.

This SEE has addressed the potential impacts arising from the proposal on surrounding properties, including traffic and access, noise, overshadowing, visual amenity, waste management, and stormwater management. Where necessary, mitigation measures are proposed to minimise these impacts and reduce potential risk associated with the development.

Through the proposal's merits and absence of any significant adverse environmental impacts, the DA is considered to be in the public's interest and recommended for Council's support subject to standard conditions.

## 2 The Site and Context

### 2.1 Site Context and Location

The subject site is located in the suburb of Lochinvar, within the local government area of Maitland. It is approximately 11 kilometres northwest of the Maitland central business district (CBD).

Lochinvar is currently a small township located along the New England Highway with a population of approximately 800 people (2016 Census). This is set to grow to about 13,500 people once all of the current zoned land has been developed. Lochinvar also has a train station located on Station Lane which is serviced by trains to and from Maitland and Newcastle, and a broader regional service to Brisbane.

There is limited commercial development existing within the Lochinvar area at present, comprising three businesses located along the New England Highway.

Council approved a Development Application (DA 18-456) for subdivision of land at Lot 310 DP 1034974, 44 Christopher Road Lochinvar. This included the land the subject to this Development Application, which was created as a super lot for the purposes of the future Retail & Commercial Centre. Figures 1 and 2 below show the proposed site from aerial view, and the approved lot layout.

Figure 1 – Site Location and Context





Figure 2 -Approved DA plan showing site- DA18-456

## 2.2 Site Description

The site is currently identified as Lot 200 DP 1269482, 30 Christopher Road, Lochinvar. The site is currently vacant and is still resembles a paddock. With subdivision works being undertaken around it. The site is 24,357m<sup>2</sup> in size, and when complete will have dual frontage to proposed Springfield Drive and Robert Road. The site currently has approximately 6m of fall from east to west. The lot is identified as proposed Lot 1001 in the most recent plans submitted to Maitland Council. The figure below shows the distance taken from the current end point of Springfield Drive.



Figure 3- Photo showing site location taken from current end point of Springfield Drive



### 3 Proposed Development

#### 3.1 Overview

The proposal aims to establish the Lochinvar Shopping Village consisting of a supermarket, retail premises, commercial premises, a tavern/pub, and parking on proposed Lot 1001 of the Lochinvar Downs subdivision.

The key components of the proposal are as follows:

- Stage 1- of the proposal is a 4,687m<sup>2</sup> supermarket building including a 3000m<sup>2</sup> Supermarket with direct to boot area, retail premises and bottle shop. This building will incorporate an entry courtyard area with village common. Stage 1 would also include parking and circulation areas.
- Stage 2- would consist of a 3,458m<sup>2</sup> commercial building with the potential for different commercial tenancies, an indicative tenancy layout plan is provided, however final layouts will be determined once tenants are known, pending future applications.
- Stage 3- a 966m<sup>2</sup> Pub/Tavern with dining and gaming areas, outdoor terrace area and associated parking
- Associated infrastructure, earthworks, signage and landscaping

Figure 4 below shows the proposed layout with proposed staging also indicated.

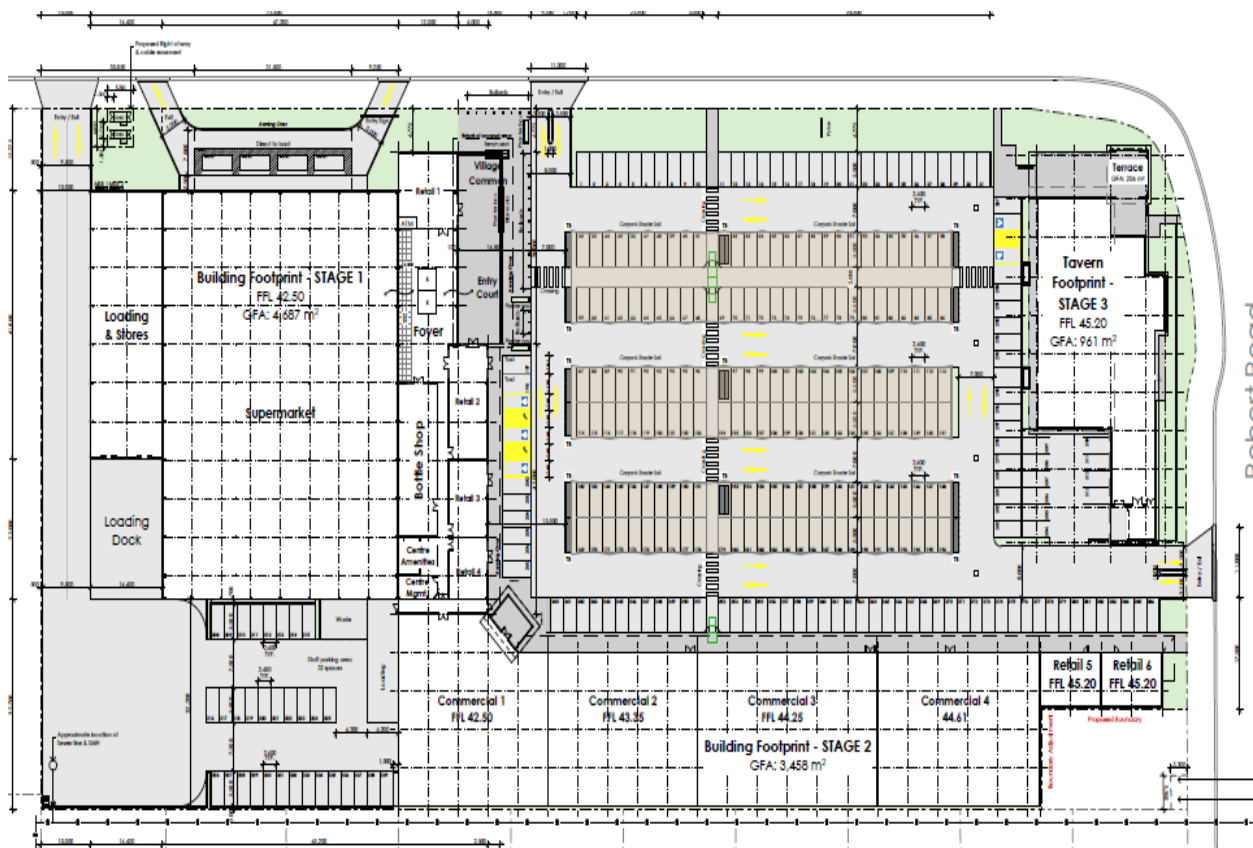


Figure 4 Proposed site layout with staging

## 3.2 Proposed Operating Hours and Staff Numbers

The following hours and staff numbers have been broken down into the separate uses.

### Supermarket

Day	Open	Close
Monday	6:00 AM	10:00 PM
Tuesday	6:00 AM	10:00 PM
Wednesday	6:00 AM	10:00 PM
Thursday	6:00 AM	10:00 PM
Friday	6:00 AM	10:00 PM
Saturday	6:00 AM	10:00 PM
Sunday	6:00 AM	10:00 PM
<b>Total Staff Numbers</b>	30	

### Bottle Shop

Day	Open	Close
Monday	8:00 AM	10:00 PM
Tuesday	8:00 AM	10:00 PM
Wednesday	8:00 AM	10:00 PM
Thursday	8:00 AM	10:00 PM
Friday	8:00 AM	10:00 PM
Saturday	8:00 AM	10:00 PM
Sunday	8:00 AM	10:00 PM
<b>Total Staff Numbers</b>	2-3	

### Shopping Centre/ Retail Premises

Day	Open	Close
Monday	7:00 AM	10:00 PM
Tuesday	7:00 AM	10:00 PM
Wednesday	7:00 AM	10:00 PM
Thursday	7:00 AM	10:00 PM
Friday	7:00 AM	10:00 PM
Saturday	7:00 AM	10:00 PM
Sunday	7:00 AM	10:00 PM
<b>Total Staff Numbers</b>	3-5 per tenancy- TBC	

### Commercial & Tenancy (Stage 2)

Day	Open	Close
Monday	7:00 AM	8:00 PM
Tuesday	7:00 AM	8:00 PM
Wednesday	7:00 AM	8:00 PM
Thursday	7:00 AM	8:00 PM
Friday	7:00 AM	8:00 PM
Saturday	7:00 AM	8:00 PM
Sunday	7:00 AM	8:00 PM
<b>Total Staff Numbers</b>	TBC	

### **Tavern/Pub (Stage 3)**

Day	Open	Close
Monday	7:00 AM	12:00 AM
Tuesday	7:00 AM	12:00 AM
Wednesday	7:00 AM	12:00 AM
Thursday	7:00 AM	1:00 AM
Friday	7:00 AM	1:00 AM
Saturday	7:00 AM	1:00 AM
Sunday	7:00 AM	12:00 AM
<b>Total Staff Numbers</b>	12	

### **3.3 Car Parking, Access and Traffic**

The proposal includes parking for 313 cars on the site, which is a suitable amount for the proposed uses. Being a shopping centre, a number of the uses can be considered as overlapping uses, that do not necessarily generate their own parking, and are ancillary services to people using the supermarket.

The site will be accessed from both Springfield Drive and Robert Road, with ample space provided for access to parking areas and compliant circulation and manoeuvrability.

Traffic impacts are expected to be suitable for the type of development is a primarily residential area, with the majority of traffic generated from the local catchment. A detailed Traffic Impact Assessment by Intersect Traffic accompanies this application.

All deliveries will occur via the proposed loading dock area in the southwest corner of the site, behind the two commercial buildings. As has been demonstrated, the loading dock is able to be accessed by a 19m service vehicle.

### **3.4 Proposed Infrastructure / Utility Works**

The proposal will generally utilise existing site infrastructure and utilities installed as part of the subdivision. Sewer and water services will be extended into the site to serve the development. A stormwater management system will be installed to deal with runoff and will be directed to stormwater easement in the southwestern corner of the site. Electricity and communication infrastructure are available on the site and any required upgrades to cater for required capacity will be managed through the relevant authorities.



## 4 Planning Framework

The legislation and environmental planning instruments relevant and applicable to the subject site and proposal include:

- Environmental Planning and Assessment Act 1979;
- State Environmental Planning Policy- Resilience and Hazards 2021
- State Environmental Planning Policy- Transport and Infrastructure 2021
- State Environmental Planning Policy- Industry and Employment 2021
- State Environmental Planning Policy- Planning Systems 2021
- Maitland Local Environmental Plan 2011; and
- Maitland Development Control Plan 2011.

Where relevant, these controls are addressed below.

### 4.1 Assessment and Approvals Pathway

In accordance with Section 4.2 of the EP&A Act, the proposal is development that needs consent and is therefore subject to the provisions of Part 4 of the EP&A Act. Based on the cost of works the proposal is neither state significant development or regional development as described in Part 4 of SEPP (State and Regional Development) 2011.

The proposal is not designated development as described in Section 4.10 of the EP&A Act.

Based on the above, Maitland Council is the relevant consent authority for this application.

### 4.2 Relevant Legislation

#### 4.2.1 Environmental Planning and Assessment Act 1979

The EP&A Act provides the framework for environmental planning and development approvals and includes provisions to ensure that the potential environmental impacts of a development are assessed and considered in the decision-making process.

As outlined in Section 4.1, the proposal is subject to assessment under Part 4 of the EP&A Act.

#### 4.2.2 Objects of the EP&A Act

The objects of the EP&A Act are:

*(a) to encourage:*

*(i) the proper management, development and conservation of natural and artificial resources, including agricultural land, natural areas, forests, minerals, water, cities, towns and villages for the purpose of promoting the social and economic welfare of the community and a better environment,*

*(ii) the promotion and co-ordination of the orderly and economic use and development of land,*

*(iii) the protection, provision and co-ordination of communication and utility services,*

*(iv) the provision of land for public purposes,*

*(v) the provision and co-ordination of community services and facilities, and*

*(vi) the protection of the environment, including the protection and conservation of native animals and plants, including threatened species, populations and ecological communities, and their habitats, and*

- (vii) *ecologically sustainable development, and*  
(viii) *the provision and maintenance of affordable housing, and...*”

For the reasons set out below, it is considered that the proposed development satisfies the above stated objects of the EP&A Act:

- The proposal will facilitate the orderly and economic use and development of land as the site is of an appropriate size, location and land use zoning to accommodate the proposed development, and the proposal will integrate with existing site operations.
- It will create additional employment opportunities during the construction phase and operational phase both in the short and long-term.
- Appropriate utility services are available to serve the subject site.
- There will be no unreasonable adverse environmental impacts.

#### 4.2.3 Section 4.15 Evaluation

Section 4.15 of the EP&A Act specifies the matters which a consent authority must consider when determining a DA.

The relevant matters for consideration under Section 4.15 of the Act are addressed in Table 1 below.

**Table 1 – Section 4.15 Considerations**

<b>Section 4.15</b>	<b>Reference within this SoEE</b>
(a) the provisions of:	
(i) any environmental planning instrument, and	Refer to Section 4.3
(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	N/A
(iii) any development control plan, and	Refer to Section 4.4
(iiia) any planning agreement that has been entered into under section 93F, or any draft planning agreement that a developer has offered to enter into under section 93F, and	N/A
(iv) the regulations (to the extent that they prescribe matters for the purposes of this paragraph), and	N/A
(v) any coastal zone management plan (within the meaning of the <a href="#">Coastal Protection Act 1979</a> ),	N/A
(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,	Refer to Section 4 & 5 and associated technical reports and plans.

Section 4.15	Reference within this SoEE
(c) the suitability of the site for the development,	Refer to Section 5 and associated technical reports and plans.
(d) any submissions made in accordance with this Act or the regulations,	To be considered as part the assessment process.
(e) the public interest	Refer to Section 5.

### 4.3 Environmental Planning Instruments

#### 4.3.1 State Environmental Planning Policy – Resilience and Hazards 2021

Chapter 4 of the SEPP Resilience and Hazards requires that land contamination be considered whenever a planning authority considers a development where the new use may increase risk from contamination, if it is present. This means that the consent authority must routinely consider whether land is suitable for a proposed use in terms of the risk from contamination. The policy states that land must not be developed if it is unsuitable for a proposed use because it is contaminated. If the land is unsuitable, remediation must take place before the land is developed.

The site is not identified as being potentially contaminated, as was identified during the subdivision approval process. Based on the previous investigations, it was established that due to the low intensity nature of the previous land uses and no identified areas of environmental concern, the site was suitable for commercial development.

#### 4.3.2 State Environmental Planning Policy (Transport and Infrastructure) 2021

##### Clause 2.122 - Traffic-generating development

In accordance with Clause 2.122 and Schedule 3 of the SEPP, the proposed development will require referral to the RMS. The consent authority shall take into consideration any comments made by TfNSW in respect of the proposal as well as the accessibility of the site, including:

- (i) *any submission that TfNSW provides in response to that notice within 21 days after the notice was given (unless, before the 21 days have passed, TfNSW advises that it will not be making a submission), and*
- (ii) *the accessibility of the site concerned, including:*
  - (A) *the efficiency of movement of people and freight to and from the site and the extent of multi-purpose trips, and*
  - (B) *the potential to minimise the need for travel by car and to maximise movement of freight in containers or bulk freight by rail, and*
- (iii) *And any potential traffic safety, road congestion or parking implications of the development.*

In this regard, the submitted Traffic Report concludes that the surrounding road network has the capacity to accommodate the projected additional traffic flows to be generated by the proposal, with minimal impact in terms of traffic delays or congestion. The on-site configuration of car parking, aisles and circulation for customer and servicing vehicles is also satisfactory. The proposed site access points located on Springwood Drive and Robert Road are considered appropriate.

The proposal is therefore consistent with the objectives and intent of the relevant clauses of SEPP (Transport and Infrastructure) 2021.

### 4.3.3 State Environmental Planning Policy (Industry and Employment) 2021

Chapter 3, Part 3.2 of the SEPP states the following:

A consent authority must not grant development consent to an application to display signage unless the consent authority is satisfied:

*(a) that the signage is consistent with the objectives of this Policy as set out in clause 3 (1) (a), and*

*(b) that the signage the subject of the application satisfies the assessment criteria specified in Schedule 1.*

It is considered that the proposal satisfies the relevant criteria outlined within SEPP.

The proposed signage is consistent with the provisions of 3.1(a) as the signage is compatible with the desired outcomes for a Local Centre zoned parcel of land, provides effective communication for uses located on the site and are considered of high-quality design and finish/

A detailed assessment of the proposal against the Schedule 5 Assessment Criteria is provided below.

Assessment Criteria		Comment	Compliance
1) Character of the area	Is the proposal compatible with the existing or desired future character of the area or locality in which it is proposed to be located?	The proposed signage is compatible with the character of the locality, being zoned for business purposed adjacent to a main road.	Y
	Is the proposal consistent with a particular theme for outdoor advertising in the area or locality?	The proposed signage is consistent with the objectives for signage under the DCP but there is no specific theme for this locality.	N/A
2) Special areas	Does the proposal detract from the amenity or visual quality of any environmentally sensitive areas, heritage areas, natural or other conservation areas, open	The proposed signage does not detract from any areas of environmental or cultural importance and there are no immediate neighbours. The surrounding area is to be	Y

	space areas, waterways, rural landscapes or residential areas?	developed into residential housing, however the proposed size and scale of the signage will not detract from the future surrounding residential.	
3) Views and vistas	Does the proposal obscure or compromise important views?	All signage, freestanding and on the building, is within the building height and does not comprise any views or vistas.	Y
	Does the proposal dominate the skyline and reduce the quality of vistas?	Most of the external signage is located on the building and does not protrude above the structure on which it is located. The 7m pylon signs are in keeping with the building height for the immediate area and does not dominate the skyline.	Y
	Does the proposal respect the viewing rights of other advertisers?	The proposed signage will not obscure any other advertising.	Y
4) Streetscape, setting or landscape	Is the scale, proportion and form of the proposal appropriate for the streetscape, setting or landscape?	The proposed scale, proportion and form of signage is appropriate for the streetscape given it fronts a main road.	Y
	Does the proposal contribute to the visual interest of the streetscape, setting or landscape?	The proposed signage will contribute to the visual interest of the area through its integration with the built form and uncluttered appearance. The signage appropriately identifies the future users of the site.	Y
	Does the proposal reduce clutter by rationalizing and simplifying existing advertising?	An integrated whole-site approach to advertising has been adopted including shared pylon signs and this will simplify / de-clutter signage.	Y
	Does the proposal screen unsightliness?	The proposal does not screen unsightliness.	N/A

	Does the proposal protrude above buildings, structures or tree canopies in the area or locality?	N/A, site is an isolated local centre zoned site supporting a residential growth area.	N/A
	Does the proposal require ongoing vegetation management?	No, vegetation management for landscaping within the site will occur.	N/A
5) Site and building	Is the proposal compatible with the scale, proportion and other characteristics of the site or building, or both, on which the proposed signage is to be located?	The signage has been designed to integrate with the built form and site characteristics.	Y
	Does the proposal respect important features of the site or building, or both?	The proposed signage does not detract from important features of the site or proposed building.	Y
	Does the proposal show innovation and imagination in its relationship to the site or building, or both?	The proposed signage is consistent with the users' branding. The placement of signage is considered the most appropriate given the site topography, building siting, access points, car parking and landscape elements.	Y
6) Associated devices and logos with advertisements and advertising structures	Have any safety devices, platforms, lighting devices or logos been designed as an integral part of the signage or structure on which it is to be displayed?	The proposed signage includes elements of appropriately illuminated signage.	Y
7) Illumination	Would illumination result in unacceptable glare?	Signage will be illuminated at appropriate LUX levels to not result in unacceptable glare.	Y
	Would illumination affect safety for pedestrians, vehicles or aircraft?	The illuminated signage will not provide a safety concern for pedestrians, vehicles or aircraft. Pylon signage is located at a safe distance from any entry/exit locations to the site.	Y



	Would illumination detract from the amenity of any residence or other form of accommodation?	The proposed illuminated signage will not detract from the amenity of any residences.	Y
	Can the intensity of the illumination be adjusted, if necessary?	No, however the illumination is not expected to create any negative visual impacts or unacceptable glare.	N/A
	Is the illumination subject to a curfew?	The signs would be illuminated at night during operational hours.	N/A
8) Safety	Would the proposal reduce the safety for any public road?	The proposed signage will not reduce road safety. Safe sightlines can be achieved to and from the site.	Y
	Would the proposal reduce the safety for pedestrians or cyclists?	The proposed signage will not reduce existing safety for pedestrians and cyclists. All signage is contained wholly within the site and not within the road or footpath.	Y
	Would the proposal reduce the safety for pedestrians, particularly children, by obscuring sightlines from public areas?	The proposed signage does not obscure sightlines from public areas.	Y

#### 4.3.4 State Environmental Planning Policy (Planning Systems) 2021

The State Environmental Planning Policy (Planning Systems) 2021 incorporates provisions from the SEPPs consolidated as follows: Chapter 2 - State and Regional Development, Chapter 3 – Aboriginal Lands, and Chapter 4 – Concurrences and Consents.

Chapter 2 of the Planning Systems SEPP aims to identify development that is State Significant Development (SSD) and Regionally Significant Development (RSD). The proposed development does not trigger any clause identified in Schedule 1 or Schedule 6 of the SEPP and is not identified as State or Regionally significant development.

#### 4.3.5 Maitland Local Environmental Plan 2011

##### 4.3.5.1 Land Use Zone and Zone Objectives

The proposed development is subject to the provisions of the Maitland Local Environmental Plan 2011 (MLEP). As provided in Figure 4, the land is situated in the B2 Local Centre Zone.

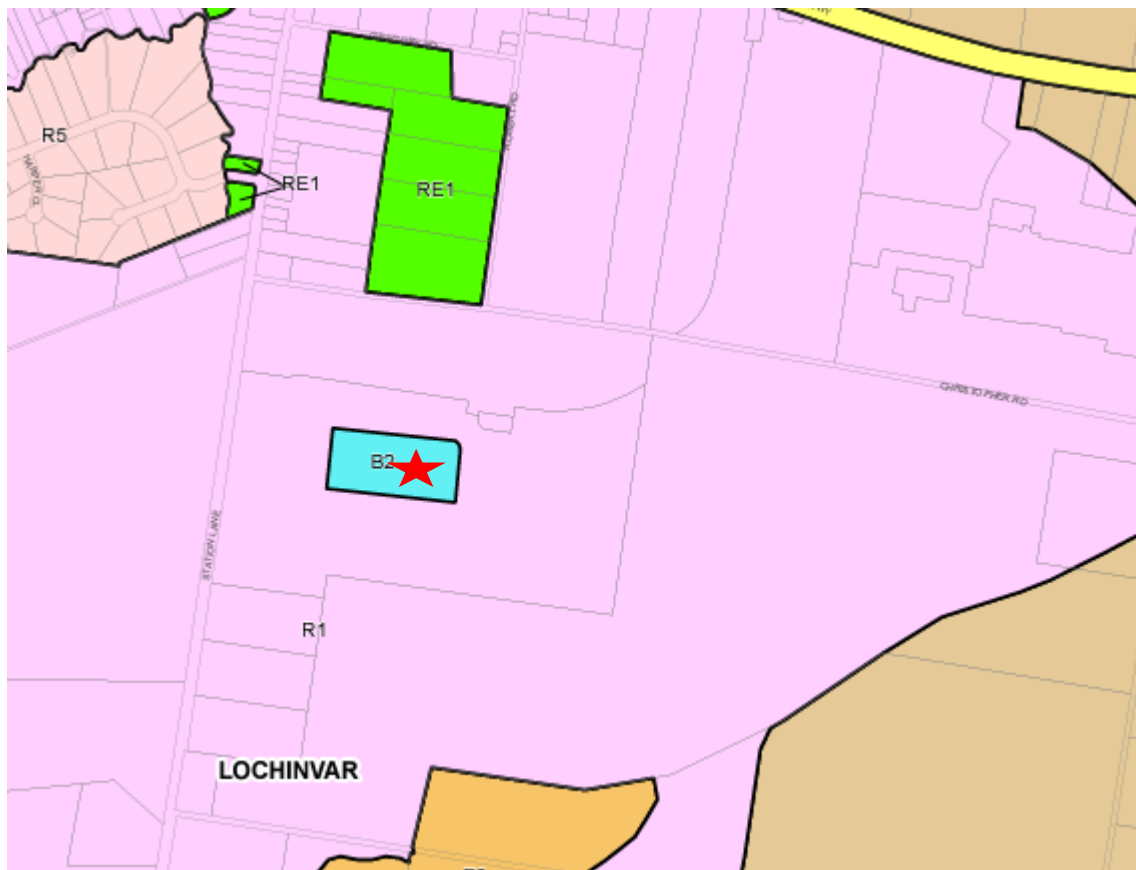


Figure 5 Zoning map showing site zoned B2 Local Centre

The objectives of the zone are as follows:

- *To provide a range of retail, business, entertainment and community uses that serve the needs of people who live in, work in and visit the local area.*
- *To encourage employment opportunities in accessible locations.*
- *To maximise public transport patronage and encourage walking and cycling.*
- *To recognise the unique role of the Morpeth local centre as a tourist destination*

The proposed development is in accordance with the objectives and provisions of the B2 Local Centre zone.

The proposal provides a range of uses that will meet the needs of those that live, work and visit the Lochinvar area. The development provides a local supermarket and other retail offerings to assure that local residents don't have to travel far to have their needs met. The proposal also includes a tavern to provide a social venue that will become an integral part of the community.

The proposal enables local employment opportunities for local residents with a number of jobs created during construction and the operation of the different uses. The jobs created are considered to be long term employment opportunities that will benefit the community for generations to come.

The proposal is located conveniently within the walkable catchment of larger Lochinvar release area, meaning a large portion of the community will be able to leave the car at home and access the services. Public transport will also be available out the front of the site in the form of a future connecting bus service along Springfield Drive.

#### **4.3.5.2 Statutory Definition and Permissibility**

The proposed uses on the site are all covered by the general group term of commercial premises, which is permissible in the B2 zone:

**commercial premises** means any of the following—

- (a) business premises,
- (b) office premises,
- (c) retail premise

The specific uses that fall under this group term that are included in the development are included below;

**retail premises** means a building or place used for the purpose of selling items by retail, or hiring or displaying items for the purpose of selling them or hiring them out, whether the items are goods or materials (or whether also sold by wholesale), and includes any of the following—

- (a) (Repealed)
- (b) cellar door premises,
- (c) food and drink premises,
- (d) garden centres,
- (e) hardware and building supplies,
- (f) kiosks,
- (g) landscaping material supplies,
- (h) markets,
- (i) plant nurseries,
- (j) roadside stalls,
- (k) rural supplies,
- (l) shops,
- (la) specialised retail premises,
- (m) timber yards,
- (n) vehicle sales or hire premises,

but does not include highway service centres, service stations, industrial retail outlets or restricted premises.

**shop** means premises that sell merchandise such as groceries, personal care products, clothing, music, homewares, stationery, electrical goods or the like or that hire any such merchandise, and includes a neighbourhood shop and neighbourhood supermarket, but does not include food and drink premises or restricted premises.

**food and drink premises** means premises that are used for the preparation and retail sale of food or drink (or both) for immediate consumption on or off the premises, and includes any of the following—

- (a) a restaurant or cafe,
- (b) take away food and drink premises,
- (c) a pub,
- (d) a small bar.

**pub** means licensed premises under the [Liquor Act 2007](#) the principal purpose of which is the retail sale of liquor for consumption on the premises, whether or not the premises include hotel or motel accommodation and whether or not food is sold or entertainment is provided on the premises.

**Note—**

Pubs are a type of **food and drink premises**—see the definition of that term in this Dictionary

The proposed uses are considered to be consistent with the above definitions. The proposed uses are therefore consistent with the definition of a 'commercial premises', which is permitted with consent in the B2 Zone under the MLEP 2011.

### **4.3.5.3 Maitland LEP 2011 – Other Provisions**

#### **Clause 4.3 – Height of Buildings**

The height of building control for the site is 8m. The overall height of the proposed building is 8.703m, exceeding the control by 703mm. The exceedance is supported by a clause 4.6 variation request and is minor and should be supported by Council.

#### **Clause 4.4 – Floor Space Ratio**

The site has an allowable FSR of 2:1, the development has an FSR of 0.4:1, complying with the FSR requirement.

#### **Clause 4.6- Exceptions to Development Standards**

A clause 4.6 request is provided to address the requested height variation.

#### **Clause 5.10 - Heritage**

The site has not been identified as a heritage item, is not situated in proximity to a heritage item, or located within a heritage conservation area under the Maitland LEP 2011.

## **Clause 6- Urban Release Areas**

### **6.1 Aims and Objectives**

Lochinvar has been master planned to achieve current public policy objectives in terms of meeting the future housing needs for the changing community, reducing the environmental impact and enabling greater social interaction. The site is covered by the Maitland DCP, Part F.9. The proposal generally complies with the controls for land within the B2 zone.

### **6.2 Public Utility Infrastructure**

Public utility infrastructure is available to the site for the proposed development.

### **6.3 Development Control Plan**

Part F of the Maitland Development Control Plan 2012 relates to Urban Release Areas. Specifically, F.9 relates to the Lochinvar Urban Release Area. Given the adoption of the DCP in accordance with the requirements of the LEP, it is considered development on this site can be assessed and determined by Council.

## **Clause 7.1- Acid Sulfate Soils**

The site is identified as potentially containing Class 5 acid sulfate soils under the Maitland LEP 2011. The site is greater than 500m from adjacent Class 1, 2, 3, or 4 land that is below 5m AHD and in addition, the watertable is not likely to be lowered by greater than 1m by the proposed works. The proposed development is consistent with the objectives of the Clause.

## **Clause 7.2 Earthworks**

The aim of the clause is to ensure that earthworks for which development consent is required will not have a detrimental impact on environmental functions and processes, neighbouring uses, cultural or heritage items or features of the surrounding land.

The proposed earthworks intend to create the ground level foundations of buildings and associated infrastructure. The final landform has been engineered to maintain appropriate drainage and stormwater flows with an aim at minimizing impact on future development, surrounding properties, or on the environment and is generally consistent with the considerations for earthworks.

### **4.3.5.4 Any Draft Environmental Planning Instruments**

There are no Draft EPIs which require consideration in the assessment of the subject application.

## **4.4 Maitland Development Control Plan 2011**

The Maitland Development Control Plan 2011 (the DCP) applies to the proposed development. Compliance with the relevant controls is addressed below.

The Maitland DCP 2011 chapters relevant to the proposed development are:

- B.6 Environmental Guidelines / Waste Management
- C.6 Outdoor Advertising
- C.11 Vehicular Access and Car Parking
- E.1- Centres

The proposal is generally compliant with the controls contained within the DCP, with the exception of one minor variation (detailed in the following section). A full assessment of the relevant components of the DCP is included below.

## **Part B- Environmental Guidelines**

### **B6- Site Waste Minimisation and Management**

The site will operate like any other shopping centre, with areas for waste collection provided to the rear of the supermarket and commercial building, and separate waste management areas provided for the Tavern. The location of these areas have been shown on the architectural plans. Waste will be collected by private contractors and will be written into the management statement for the site. Separate waste stream bulk bins will be provided to assure that recycling etc. is separated from general waste.

Construction waste management will be undertaken, with separate areas provided for waste storage on the site. The construction management plan will provide further details in relation to waste management during the construction phase which will be prepared prior to commencement of works.

## **Part C- Design Guidelines**

### **C.11 Vehicular Access and Car Parking**

#### **1.2 Calculation of Parking Requirements**

The parking provision rates applicable for the development taken from the DCP are;

Supermarket (shops greater than 1,000 m<sup>2</sup>)

1 space per 16 m<sup>2</sup>GFA

Other Retail (local shops)

1 space per 25 m<sup>2</sup> GFA

Food and Drink Premises

1 space per 6.5 m<sup>2</sup> GFA

Medical Centre

It is anticipated a medical centre may form part of a future use for the site, however as no fit-out is proposed at this stage and the no. of practitioners is not known the parking rate for a medical centre contained within TfNSW's RTA's Guide to Traffic Generating Developments (2002) has been applied.



*1 space per 25 m2 GFA*

Tavern

*1 space per 10 m2 GFA*

It is however argued that as a local tavern the peak parking demand for the proposed development will be lower than 1 space per 10 m2 as it will have a higher proportion of patrons either walking to the venue or being dropped off and picked up from the venue due to its proximity to the adjoining residential estates and a peak parking demand rate of 1 space per 15 m2 is proposed as being indicative of the likely peak parking demand for this development.

In undertaking this parking assessment however it is important to consider the impact the direct to boot grocery collection will have on the actual peak parking demand for the supermarket. Whilst 4 spaces are provided for this service with a 10 minute turnaround within the spaces at full capacity the service could cater for up to 24 customers in a peak hour. Assuming an average turnaround time for customers shopping in the supermarket rather than on-line as 1 hour the direct to boot service could reduce the peak parking demand for the supermarket by  $24 - 4 = 20$  car spaces. Home delivery services for Woolworths have also increased significantly since the COVID pandemic commenced as customers become more accustomed to the convenience and time savings provided by on-line shopping. As a result it is considered reasonable to apply a 20 % concession to the supermarket car parking demand.

Further it is considered that the other adjoining retail and medical centre are going to have significant patronisation from customers also using the supermarket and it would be reasonable to adopt a 50% concession on the required parking for these establishments. The food and drink premises are also likely to have an even greater rate of patronisation from customers using the supermarket as well as the other retail and the medical centre to the point that these are likely to be ancillary to the rest of the development and would only generate additional parking demand from staff. However for this assessment a 70 % concession has been adopted.

It is also argued that the peak parking demand for the Tavern will not occur during the peak parking demand periods for the supermarket as the peak parking demand for the Tavern will occur on Friday and Saturday evenings after 6 pm when the parking demand for the supermarket, medical centre and other retail shops are significantly lower than the peak demands for these uses. During the peak demand period for these uses, Thursday evening 4.30 pm to 5.30 pm and Saturday mornings, the Tavern parking demand would be at worst 75% of peak demand on a Thursday evening and as low as 25 % of peak parking demand on a Saturday morning. Therefore, it is considered reasonable to provide a 30% concession on the Tavern car parking for the overall parking calculation.

Therefore, the DCP calculation of required parking on the site with justified concessions (variations) is as follows;

Parking =  $0.8 \times (3000/16) + 0.5 \times (1304/25) + 0.3 \times (1353/6.5) + 0.5 \times (1353/25) + 0.7 \times (966/15)$

$$= 150 + 26.1 + 62.4 + 27.1 + 45.1$$
$$= 311 \text{ spaces.}$$

With the proposed development providing 313 car spaces on the site within the customer car parking, the staff car parking and direct to boot pick-up area it is considered the development has provided sufficient car spaces to meet the likely peak parking demand for the development therefore is compliant with the intent of the Maitland DCP car parking rates.

## 2.1 Access to the site

The proposed development is serviced by a number of accesses including;

1. Combined entry / exit driveway 8 metres wide off Springfield Drive to the main customer car park (281 car parks including tavern car park and service bay).
2. Combined entry / exit access 8 metres wide off Robert Road to the main customer car park (281 car parks including tavern car park and service bay).
3. Combined entry / exit access 9.5 metres wide servicing the on-site loading / servicing facilities (2 x loading docks and a waste enclosure) as well as a 32 space staff car park; and
4. Separate entry and exit driveways 5 metres wide off Springfield Drive facilitating a one-way drive through pick up bay for the collect to boot service to be provided by Woolworths (4 spaces).

This access set up is supported for the following reasons;

1. Australian Standard AS2890.1-2004 Parking facilities – Off-street car parking (AS2890.1-2004) recommends more than one access for car parks with over 260 spaces.
2. The use of accesses off separate roads improves the distribution of traffic onto the local road network thereby minimising delay and congestion in accessing the site in peak periods.
3. The separate loading / staff car parking access suitable separates heavy vehicle traffic from light vehicles using the high turnover customer car park.
4. Separating the direct to boot service from the main car park encourages use of this service thereby reducing the overall peak parking demand of the development and minimises the number of possible vehicle conflict points within the main customer car park.

## 2.2 Sight Distance

With Springfield Drive and Robert Road being 50 km/h roads the required vehicular sight lines from the accesses need to be a minimum 45 metres or 69 metres desirable. Given the location of the accesses and the relatively straight alignments of both Springfield Drive and Robert Road the only constraint to the provision of suitable sight lines is likely to be on-street car parking adjacent to the accesses.

The requirements for pedestrian sight lines within AS2890.1-2004 can be ensured through conditioning of the consent to ensure no walls, fencing or landscaping above 1.2 metres high exists within the pedestrian sight triangle required by AS2890.1-2004.

## **2.3 Entry and Exits**

The three proposed access points have been designed to adequately facilitate the traffic load and the vehicle sizes to arrive at site. The Loading dock access driveway access has been designed to cater to a 19m articulated heavy vehicle.

The access points comply with relevant Australian Standards and RMS standards

Appropriate and clear signposting and line marking to be employed on the site.

## **2.4 Location of parking area**

The proposed parking layout is consistent with this section

## **2.5 Parking Space and Aisle Dimensions**

The proposed parking areas and access aisles comply with the relevant standards.

## **2.7 Landscaping**

Landscaping within the car parking area has been proposed and is shown within the landscaping plans provided. Plant species have been chosen to minimise maintenance and avoid impacts on views. Species do not drop limbs, seeds or fruit and do not attract large numbers of birds.

Wheel stops are to be provided where appropriate.

## **2.8 Directional Signs and Marking**

Appropriate signage and line- marking is to be implemented in the proposed car parking and shown within the architectural plans.

## **2.9 Principles of Crime Prevention**

The proposed development has been designed with features which minimise crime opportunities consistent with the CPTED principles.

This includes the implementation of appropriate lighting, establishment of clear sightlines within the site, and avoidance of areas which may allow offenders to hide or entrap victims.

Clear sight lines between public and private placed incorporated into the design. Landscaping is appropriate and does not provide places to hide or entrap victims.

Access points to the site and to buildings are clear and establish boundaries between public and private land.

Appropriate signage proposed to be implemented.

## **3. Loading/Unloading Requirements**

The development has been provided with two separate loading bays, one to service the supermarket alone, and another to service the proposed commercial building and retail adjacent to the supermarket. Both bays have been shown on the architectural plans and are consistent with the provisions of this section. Both bays are serviceable by 19m vehicles

#### **4. Carparking for persons with a disability**

A total of 5 accessible parking spaces provided throughout the site exceeds the 1 per 100 requirement.

### **Part E- Special Precincts**

#### **E1- Centres**

The proposed Lochinvar Shopping Village is identified on the site for a future 'Town Centre' under Councils Activity Centres and Employment Clusters Strategy 2010. The provision of a town centre function within the Lochinvar urban release area supports Council's policy position to ensure that adequate infrastructure is delivered in parallel with residential development; continues to implement the aims and desired outcomes of the Lochinvar Structure Plan and ACECS; and ensures the development of a sustainable community.

The proposed subject site is approximately 2.4 ha in area and adjoins a drainage line to the west and the proposed internal "ring road" being a distributor road to the north. It is proposed that the Shopping Village will accommodate a variety of retail and commercial uses, associated 'at-grade' car parking, landscaping and servicing such as roads and loading areas.

The benefits of this proposed new Shopping Village for the Lochinvar area include:

- Creation of a new development, providing town centre functions to support the growing residential population within this area of the Maitland LGA;
- Proposed size and scale of the Shopping Village supports its identified role and function within Council's centres hierarchy and is expected to work in combination with the Lochinvar neighbourhood centre; and
- Provision of a large supermarket to provide essential goods to the residents of the Lochinvar Urban release Area, and the broader region;

An increase in the provision of more convenience commercial & retail activities increases the choice and competition in the area for residents and allows new players to enter into the market;

- The creation of a well-deigned and well-connected local centre provides a focal point for residents to meet and a place that they can forge a strong identity with. This provides an attractive point of difference to other residential land releases;
- The provision of good connectivity to the centre for pedestrians, cyclists and public transport; and
- The provision of residential dwellings close to or within the centre and the significant residential development in the immediate area, coupled with the proposed facilities, such as restaurant and cafes provide out of hours activity and a more vibrant centre.

## **2 New Centres**

### **2.1 Development Requirements**

The proposed development is considered to provide and attractable and accessible public space that will become the focal point of the community not unlike similar developments at Rutherford, McKeachies Run and Gillieston Heights. The proposal includes a village common area that can provide a space for the public to congregate, art installations, public meetings and the like. The design incorporates building around the extremities of the site with large public forecourt/parking area visible from the main public areas being Springfield Drive and Robert Road. In response to the development controls:

- A masterplan is not deemed to be required for this application given that the site is to be fully developed as part of the application. A masterplan would be required to guide future development of the site it was to be developed separately. Further to this, if Council determined a master plan was required, it should have been developed at the time of rezoning.
- The proposal adopts a similar configuration to a number of other local centre shopping centres in not only the Maitland LGA, but the wider area including Cessnock, Newcastle and Lake Macquarie. Notably, the configuration is similar developments at Gillieston Heights, McKeachies Run, Rutherford, Huntlee and Cameron Park.
- The development provides activation by way of the orientation of the proposed Tavern on the corner frontage of the site, with prominent architectural corner treatment. The site will be identifiable from both road frontages
- The proposal includes a range of materials and building elements that create visual interest, similar to other local centres with the Maitland LGA area.
- The development provides the village common area that is accessible and safe for use.
- All individual shopfronts are identifiable
- Any long façade areas are broken up by materials/colour or physical steps in the building that act to break up the building and reduce any impacts when viewed from the adjoining residential areas.
- As above the tilt up construction incorporates different materials and colours to break up the expanse of the walls.

### **3 All Centres**

#### **3.4 Building Design**

The design of the proposed buildings is considered suitable in relation to this section. The roof forms vary from building to building with a mix of pitched, skillions and parapets.

#### **3.5 Gateway, Corner and Landmark sites**

The proposed development locates the proposed Tavern on the corner element, which makes the corner section the focal point of the development when viewed from Springfield Drive and Robert Road. The configuration of the site is considered suitable for a local centre town centre, with building located around the extremities of the site with an open forecourt/parking area servicing the uses.

#### **3.6 Pedestrian Entries and Access**

All pedestrian access complies with the relevant standards, with appropriate signage proposed to direct people to entries and services.

### **3.7 Parking, loading and servicing**

As discussed above, the development is consistent with the provision of the DCP relating to parking and access. A detailed traffic assessment provided by intersect

### **3.8 Public Art, landscaping and public domain works**

A landscape plan has been prepared and accompanies the application. The landscaping is considered suitable for the proposed shopping centre development. A large paved 'village common' has been provided at the entry to the Stage 1 'supermarket' location, being the focal point of the village.

### **3.9 Setbacks**

The proposed setbacks are considered appropriate for the type of the development and are consistent with other similar developments within the Maitland LGA including Rutherford, McKeachies Run and Gillieston Heights.

### **3.10 Waste Management**

A waste management plan has been prepared and accompanies the application. A waste area has been provided for each building, with waste streams separated into different bins. Waste will be collected by private contractors. The waste areas are not visible from the public domain and will be located to the rear of the buildings. Waste vehicles have ample room to service the site as demonstrated within the vehicular turning templates within the architectural documentation set.

### **3.12 Development Adjoining sensitive land uses**

All vehicle movement areas and servicing areas are located away from adjoining residential areas, with the supermarket loading dock and back of house areas, along with the commercial building servicing area setback 32m from the residential zoned land to the south and is orientated toward the west adjoining communal land. It is anticipated solid acoustic fencing will be incorporated within the loading dock boundary areas where identified by an acoustic engineer, to an appropriate height to mitigate unwanted noise emanating from the area to an acceptable level.

There is a proposed 500mm setback of the commercial building to the adjoining residential land to the south. Minimal impact is expected on these residential lots to the south, with each lot maintaining appropriate solar access to the backyard areas. The façade has also been broken up by incorporating different coloured and textured panels, to provide some visual interest, rather than a long blank plain concrete wall. The building has also been stepped to break up the continuity of the façade. The proposed setback is considered suitable for a local shopping centre and is consistent with similar developments in the Maitland LGA, including the Rutherford shopping centre. It should also be noted that a development application for a Centre based childcare facility is to be lodged over 4 of the southern residential lots (Lots 307-310), adjoining the development, by the same proponent.



### **3.13 Mixed Use Developments**

The development has been designed to limit the impact on adjoining residential zoned land. Servicing areas have been setback and orientated away from residential areas, reducing acoustic and visible amenity issues. A separate service entry has been provided to assure that customers using the services on the site are not impacted by truck movements etc.

## **Part F- Urban Release Areas**

### **F.9 Lochinvar Urban Release area**

The proposed town centre development is consistent with the objectives of this section, and conforms to the requirements outlined in section 1. The DA has considered the approved road and drainage designs and have been designed to utilise the proposed infrastructure and road networks.

#### **1.9- Key Sites**

The proposed Development Application includes details relating to traffic management, car park design along with other urban design requirements including landscape design, plans of management and access reports.

#### **1.11 Neighbourhood Commercial and Retail Uses**

The DA includes traffic management and car parking details and other urban design controls including landscape designs and public area designs.

#### **1.12 Provision of Public Facilities and Services**

The Development Application provides all required information under this section.

## 5 Impact Assessment

The compliance of the proposed development with the various controls discussed in the previous sections gives a clear indication as to the extent to which it meets the overall planning framework and context for development on the site.

The following Sections provide a summary of the key findings in the context of Section 4.15 of the EP&A Act, under which the Application must be assessed by Council.

### 5.1 Section 4.15(1) (a) – Statutory Planning Considerations

In determining the subject DA, Council is required to consider those relevant matters listed in Section 4.15 (1) of the EP&A Act. Each of the relevant matters is addressed below.

Section 4.15 (1) (a) requires the consent authority to take into consideration:

*“(a) the provisions of:*

*any environmental planning instrument, and*

*any draft environmental planning instrument that is or has been placed on public exhibition and details of which have been notified to the consent authority (unless the Director-General has notified the consent authority that the making of the draft instrument has been deferred indefinitely or has not been approved), and*

*any development control plan, and*

*(iii) any planning agreement that has been entered into under section 93F, or any draft planning agreement that a developer has offered to enter into under section 93F, and*

*(iv) the regulations (to the extent that they prescribe matters for the purposes of this paragraph), that apply to the land to which the development application relates,”*

These matters (and others) are addressed in **Section 4** of this report, and below.

The proposal is permissible with the consent of Council and is generally consistent with the provisions and objectives of Maitland LEP 2011 and Maitland DCP 2011.

### 5.2 Section 4.15(1) (b) – Environmental, Social, and Economic Impacts

Section 4.15 (1) (b) requires the consent authority to consider:

*“(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 relevant matters are addressed below.

#### Impacts on the Natural Environment

The proposed development has been considered in the context of the natural environment. It is not anticipated that the development in its current form will have any impact on the existing natural context. The development is unlikely to impact on natural process or any significant flora or fauna. The site is currently vacant and is zoned appropriately to

accommodate the proposed staged development. The development site is not identified as significant ecological habitat or containing significant ecological vegetation.

### **Impacts on the Built Environment**

The proposal is generally consistent with the objectives and development controls contained within relevant environmental planning instruments and development control plans that apply to the site (see **Section 4**). For these reasons it is considered that the development will have no impact on the character of the locality. The site is currently vacant and has identified as the strategic 'town centre' for the Lochinvar release area and will become the community hub providing vital and essential services to the residents. The proposed development has suitable access and the surrounding road networks are able to handle any increased traffic as identified within the annexured traffic impact assessment by Intersect Traffic.

### **Social and Economic Impacts**

The development comprises the orderly economic development of the site for purposes for which it is zoned. The proposal will have positive social and economic impacts, creating additional employment, providing services to the community and injecting money into the LGA through construction and operation of the shopping village.

The proposed development reflects the evolving community needs and expectations particularly in relation to the convenience, liveability and affordability. The proposal is located in an area of rapid expansion and the proposed land use is consistent with other urban release areas within the Maitland LGA.

The development of the subject site is part of a wider urban settlement strategy undertaken by Council. The investigation process which resulted in the land being proposed for commercial and retail purposes has assessed all the likely impacts, including the cumulative impacts likely to result from the redevelopment of this area as part of the rezoning strategy.

The social effects arising from the proposal are consistent with the Maitland DCP and objectives of the URA for Lochinvar. It is expected that localised services and facilities are provided to meet the day to day and incidental needs of residents. This in turn makes the area attractive for new homeowners who want to invest in the area. The provision of such services and facilities such as open space, roads, transport and commercial areas, together meet this objective.

A detailed Social Impact Assessment has been provided by James Marshall & Co and accompanies this application.

### **5.3 Section 4.15(1) (c) – The Suitability of the Site**

Section 4.15 (1) (c) requires the consent authority to consider:

*“(c) the suitability of the site for the development.”*

The suitability of the site for the proposed development has been investigated throughout this document. The site has access to all services and is zoned appropriately with all proposed uses permissible. The site has ample access to a public road and is located and orientated suitably to reduce any impacts on the environment and any surrounding land uses. It is therefore considered that the site is suitable for the development proposed.

### **5.4 Section 4.15(1) (e) – Public Interest**

Section 4.15(1)(e) requires the consent authority to consider:

*“(e) the public interest”.*

The public interest is best served by the orderly and economic use of land for purposes permissible under the relevant planning regime and predominantly in accordance with the prevailing planning controls. The development is a permissible form of development and is therefore considered to be in the public interest.

## **5.5 Further Impacts**

### **Overshadowing**

Due to the orientation of the site, setback, distance to adjoining properties, the location and height of the proposed buildings, and the nature of land uses on adjoining lands, the proposal will not have any unreasonable impact as a result of overshadowing.

There is a proposed 500mm setback of the commercial building to the adjoining residential land to the south. Minimal impact is expected on these residential lots to the south, with each lot maintaining appropriate solar access to the backyard areas. It should be noted that 4 of the adjoining lots to the south are proposed to be incorporated into a childcare centre, reducing the number of impacted lots.

### **Safety and Security**

The development has been designed to, and shall be managed to, minimise and discourage criminal activity and ensure the safety of customers, staff and the local community. The proposal has been designed to be consistent with Crime Prevention through Environmental Design (CPTED) principles where possible.

A CPTED Assessment has been undertaken to accompany the development application. The purpose of the assessment is to identify and assess crime risk associated with the proposed development and to minimise opportunities for crime through design. The proposal has regard for the 4 key strategies (surveillance, access control, territorial reinforcement and activity and space management) of Crime Prevention and Public Safety.

The incidences of crime in Lochinvar are generally low and the area does not necessarily pose a crime risk at present. The area is undergoing growth so as the population increases, general crime occurrences is expected to increase (break and enter dwelling; malicious damage etc.).

A Venue Management Plan for the Tavern will need to be developed and reviewed as specific land uses are developed and also be responsive to matters as they arise.

With the adoption of the strategies outlined in this report, the crime risk for the proposed development is considered to be low.

### **Visual Impact**

The proposed development has been architecturally designed to provide an attractive, low scaleneighbourhood shopping village which positively reflects the on the build character of the emerging growth area. The following features contributing to providing a visually appealing site:

- The proposed development includes extensive boundary plantings along site boundaries fronting residential neighbours to the north and east reducing its visual impact;

- The design of the site utilizes the final landform to minimize apparent bulk and scale of the development presented to Springfield Drive and Robert Road;
- The proposed built form is of an appropriate scale and bulk suitable for the area, zoning, and the main road location;
- Redevelopment at the site including contemporary building design will contribute to an aesthetic improvement of the area;
- The proposed built form incorporates high quality design and materials, and are adequately setback from the road frontage;
- A conservative amount of signage within the site is proposed including a combined pylon signs in order to achieve an orderly and co-ordinated site presentation and not to create distraction to drivers; and
- New proposed landscaping elements will add to the visual interest of the site and enhance the local urban ecology.

By developing the site with a contemporary building design employing high quality design and materials, attractive landscape features, and appropriate setbacks the proposal will complement the streetscape as a desired local centre.

### **Access**

Access to the buildings will be compliant with the relevant legislation and criteria including the Disability Discrimination Act 1992 and AS1428 – Design for Access and Mobility to ensure that adequate pedestrian and disabled access is provided for the development. As illustrated on the proposed plans, access for the disabled is made available throughout the site, carpark, building entrances and within the buildings.

An assessment of the proposed mixed use developments in accordance with the BCA, Disability Discrimination Act 1992, Disability Standards for Access to Premises (Buildings), and the Access Code for Buildings has been undertaken by Lindsay Perry Access with the Disability Access Report provided. The range of requirements to achieve access compliance have generally been met through either compliance of the ability to comply with implementation in detail design. All recommendations within the report are to be implemented to ensure the development is accessible for people with disabilities.

### **Waste Management**

The types of waste generated during operation of the site will include food wastes, recyclable paper and cardboard, plastics, containers and residual waste. Each of the premises shall be responsible for sorting and storing its operational waste independently. The retail tenancies are each provided with a waste storage area in which waste can be separated and stored ready for private collection from within the site. These waste storage yards are readily accessible to service vehicles.

A Waste Management Plan has been prepared for the proposal, addressing each stage of the development from demolition through to the ongoing management of waste when each of the premises is operational. This Waste Management Plan has been prepared in accordance with Maitland Council's DCP 2011 requirements and will be implemented throughout the development.

## 6 Conclusion

The proposed staged development mixed use development consisting of a Supermarket, retail premises, commercial building and food and drink premises (Tavern) on proposed lot 1001 of approved DA18-456 at 30 Christopher Road, Lochinvar will provide valuable services and convenient facilities for residents living within the area, employees within the locality and economic benefits to the broader Maitland LGA.

The proposal is compliant with relevant legislative requirements, and Environmental Planning Instruments. The proposed land uses are permissible within the B2 Local Centre Zone and are compliant with the applicable Maitland LEP 2011 clauses.

The proposal is generally compliant with the applicable requirements of DCP 2011, with any variations considered suitable in the context of the development, and the context of similar sized developments in the Maitland LGA. Any variation to the DCP requirements has been for the benefit of the overall design of the development and are considered to deliver an improved outcome for the site.

The proposed development is located in an isolated B2 local centre zoned site with strategic impetus for commercial development on the site which aim to support the growth of the Lochinvar residential area. The proposal has been designed to make use of the landform of the site, provide high quality building design, and cause minimal adverse environmental and amenity impacts.

This SEE has addressed the potential impacts arising from the proposal on surrounding properties; including traffic and access, noise, Social Impact, CPTED, overshadowing, visual amenity, waste and stormwater management. Where necessary, mitigation measures are proposed to minimise these impacts and reduce potential risk associated with the development. Furthermore, the future occupants of each premises will employ management procedures, to ensure that the development is a safe, efficient and pleasant environment in which to work and visit.

Through the proposal's merits and absence of any significant adverse environmental impacts, the DA is considered to be in the public's interest and recommended for Council's support subject to standard conditions.