AMENDMENT C132 – BARANDUDA CONVENIENCE CENTRE WODONGA PLANNING SCHEME

Corner of Verbena Street and Arnica Circuit, Baranduda (lot 128 on PS733790)

May 2020
INTRODUCTION

1. My name is Stuart Andrew McGurn and I am a Director of Urbis Pty Ltd (Urbis) which conducts its business at Level 12, 120 Collins Street, Melbourne. My qualifications and experience are described in Appendix A.

2. I have been instructed by Harwood Andrews Lawyers on behalf of Next 1 Pty Ltd to undertake a town planning review of exhibited Amendment C132 to the Wodonga Planning Scheme and combined planning permit application (under S.96A of the Planning and Environment Act).

3. Amendment C132 proposes to rezone the land on the corner of Verbena Street and Arnica Circuit, Baranduda (lot 128 on PS733790) from the General Residential Zone to the Mixed Use Zone. Concurrent with the amendment is a permit application to redevelop the land for a supermarket.

4. The combined Amendment and planning permit application was exhibited in November 2019 and was the subject of submissions both in support of and opposing the proposal.

5. The Amendment was considered at a City of Wodonga Ordinary Council Meeting on 16 March, where it resolved to refer to the submissions to an Independent Panel for consideration.

6. My opinion of the proposed Amendment and planning permit application has been informed having regard to:

   - An inspection of the site and locality.
   - Exhibited Wodonga Planning Scheme and reference documents of relevance.
   - Ministerial Direction 11 'Strategic Assessment Guidelines for Planning Scheme Amendments' and other Ministerial Directions relevant to the Amendment.
   - Wodonga Growth Strategy, May 2016
   - Leneva and Baranduda Precinct Structure Plan, October 2018
   - Wodonga Activity Centre Hierarchy Strategy, July 2019

7. A summary of my opinion in relation to proposed Amendment C132 and combined permit application is:

   - The Wodonga Planning Scheme provides strategic support for the development of the site as part of a convenience retail centre, with a floor area of 1500m2.
   - The site is appropriately located having regard to the proximity of the site to a community hub which will contribute to policies which seek the agglomeration of these uses to maximise accessibility.
   - The rezoning of the land from the General Residential Zone to the Mixed Use zone is an appropriate means for facilitating this expansion.
   - The future retail use and development is appropriate having regard to the statutory and strategic provisions of the Wodonga Planning Scheme.
   - The proposed development should be modified to make some amendments to the setback of the proposal, landscaping and further activation of the façade.
   - The proposed Amendment is supported by the State and Local Planning Policy Framework and meets the Strategic Assessment Guidelines for Planning Scheme Amendments.

8. I declare that I have made all the enquiries that I believe are desirable and that no matters of significance which I regard as relevant have, to my knowledge, been withheld from the Panel.
The subject site is located on the corner of Verbena Street and Arnica Circuit, Baranduda and described as Lot 128 on PS733790. The site is irregular in shape and 5,207m² in area. It is relatively flat but with a gentle slope from Verbena Street to the northern boundary. The land is currently undeveloped and clear of vegetation.

10. The key site interfaces are described as follows:

- To the north – there is a strip of established vegetation along the northern site boundary. Beyond this is the Baranduda sports ground. This land is contained within the PPRZ. The vegetation on this land is part of the Wodonga Retained Environment Network Strategy (“the WREN strategy”) to provide a habitat corridor.

- To the east – is Arnica Circuit, which is a new road, constructed as part of the Baranduda Grove residential subdivision. The land immediately opposite is developed with dwellings. There are dwellings on the eastern side of Arnica Court with an outlook to the subject site.

- To the south – is Verbena Street which turns at right angles, midway along the southern site boundary. The Baranduda Primary school and an existing convenience shop is located to the south.

- To the west – the Baranduda community centre is located with the west of the site. It is comprised of a single storey building fronting Sage Court. Also fronting the court is the Aquatics Centre with associated parking along the building frontages and in the median. The interface to the subject site is primarily to the built form but also to an open area to the rear. It is noted that the Community Centre is contained within the PPRZ.

Figure 1 – Aerial Photograph of the site and surrounds.
PROPOSED PLANNING SCHEME AMENDMENT AND PERMIT APPLICATION

11. Amendment C132 proposes to rezone the land at Lot 128 on PS 733790 from General Residential Zone to the Mixed Use Zone. Concurrent with the proposed rezoning, a planning permit application is made under Section 96A of the Planning and Environment Act 1987, to use and develop the land for a supermarket with associated carparking and landscaping.

12. More specifically, the proposal includes:

- The development of a supermarket with an area of 1,300m2.

- The built form has a setback from Verbena Street and Arnica Circuit ranging from 2.0 metres to approximately 50 metres. It is setback from the southern site boundary by 5.0 metres and the western boundary of 600mm. Given the alignment of the northern boundary, the setback recedes away from the northern boundary.

- The building is generally single storey in scale, with the highest point at the location of the plant room at the north-west corner of the site. The maximum height of the building is 9.1 metres.

- The built form presents with glazing to the eastern and southern boundaries with solid panels to the remaining boundaries.

- There are two signage zones on the eastern elevation and one on the southern elevation, all sited above the verandah.

- Car parking for 72 cars with access to and from the car park from the Verbena Street frontage.

- Pedestrian linkages from Arnica Circuit, Verbena Street and also the community centre to the west of the site.

- The loading bay is provided at the northern end of the centre and is accessed from the car park accessway. Turning areas are provided within the car park.

- Perimeter planting is proposed along the northern, southern and eastern boundaries.
Figure 2 – Extract from Ground floor Plan (Source trg)
WODONGA PLANNING SCHEME – EXISTING PROVISIONS

ZONES AND OVERLAYS

13. The subject site is located within the General Residential Zone (Clause 32.08) as depicted in Figure 3. The purposes of the zone are:

- ‘To implement the Municipal Planning Strategy and the Planning Policy Framework.’
- ‘To encourage development that respects the neighbourhood character of the area.’
- ‘To encourage a diversity of housing types and housing growth particularly in locations offering good access to services and transport.’
- ‘To allow educational, recreational, religious, community and a limited range of other non-residential uses to serve local community needs in appropriate locations.’

Figure 3 – Zoning of the Subject site and surrounds

![Subject Site](image)

14. Under the General Residential Zone The use of the land for a ‘supermarket’ (which falls within the definition of ‘shop’) is a prohibited use.

15. The land is also subject to the Bushfire Management Overlay (BMO) and a small slither of land is included in the Vegetation Protection Overlay Schedule 4 (Refer to Figures 4 and 5 to follow). The requirements of the BMO and VPO trigger a permit requirement for the use and development. The application is also required to be referred to the relevant agencies. This has been carried out and the required conditions included on permit (Conditions 24 and 25 and 9 - 12).
PARTICULAR AND GENERAL PROVISIONS

16. Clause 52.06 ‘Car Parking’ specifies a rate of 5 spaces per 100 m² of leasable floor area for ‘supermarket’ and 4 spaces per 100 m² for shop. A permit can be granted to reduce these rates.

17. Clause 52.34 sets out requirements for ‘Bicycle Facilities’.

18. Clause 65 ‘Decision Guidelines’ outlines the matters that a responsible authority must consider when assessing a planning permit application.
19. Key themes of relevance to the proposed Amendment within the Planning Policy Framework include:

- Anticipating and responding to the needs of communities through the provision of land zoned for commercial facilities, and employment. In doing so planning needs to contribute towards economic viability, health, better diversity of choice, and accessibility. Planning can promote sustainable development by facilitating development that takes advantage of existing settlement patterns (Clause 11 ‘Settlement’).

- Supporting the growth and development of existing urban settlements (Clause 11.01-1R ‘Settlement – Hume’). It also recognises the Hume Regional Growth Plan 2014, and identifies Wodonga as a major growth location and a “regional City’ in a statewide context.

- Considering the distinctive characteristics and needs of regional and local places in planning for future land use and development (Clause 11.03-6S ‘Regional and local places’).

- Clause 13.02-1S relates to Bushfire Planning and requires strengthening of the resilience of settlements and communities to bushfire through risk-based planning that prioritises the protection of human life.

- Planning should support the maintenance of communities by delivering functional, accessible, safe and diverse physical and social environments, through the appropriate location of use and development and through high quality buildings and urban design (Clause 15 ‘Built Environment and Heritage).

- Clause 15.01-1S ‘Urban Design’ seeks to create urban environments that are safe, healthy, functional and enjoyable and that contribute to a sense of place and cultural identity. This includes:
  - Requiring development to respond to its context in terms of character, cultural identity, natural features, surrounding landscape and climate.
  - Ensuring that development provides landscaping that supports the amenity, attractiveness and safety of the public realm.
  - Ensuring development contributes to community and cultural life by improving the quality of living and working environments, facilitating accessibility, and providing for inclusiveness.

- ‘The Urban Design Guidelines for Victoria’ (Department of Environment, Land Water and Planning 2017) are listed as a relevant policy document under Clause 15.01-1S. S.5.3 of the Guidelines includes specific reference to large format retail premises. This includes the following objectives:
  5.3.1 To support an active frontage interface of large format retail premises with the street.
  5.3.2 To support safe and direct pedestrian and cyclist access to large format retail premises.
  5.3.3 To integrate the built form of large format retail premises into activity areas and their surrounding neighbourhoods.
  5.3.4 To support the safety and amenity of the area around large format retail premises.

- Clause 15.01-6S ‘Design for rural area’ has the objective of developing and designing outcomes that respect valued areas of rural character. Relevant strategies for achieving this objective include protecting the visual amenity of valued character areas along township approaches and sensitive tourist routes by ensuring new development is sympathetically located.

- Achieving building design outcomes that contribute positively to the local context and enhance the public realm (Clause 15.01-2S ‘Building design’). This is to be achieved with strategies including:
  - Ensuring the form, scale, and appearance of development enhances the function and amenity of the public realm.
  - Ensuring development provides safe access and egress for pedestrians, cyclists and vehicles.

- Clause 17.02-1S ‘Business’ seeks to encourage development that meets the community’s needs for retail, office and other commercial services. Planning for an adequate supply of commercial land in appropriate locations is an applicable strategy for achieving this objective.
  - Ensuring commercial facilities are aggregated and provide net community benefit in relation to their viability, accessibility and efficient use of infrastructure.
• **Clause 17.02** – 2S ‘Out of Centre Development’ seeks to manage out of centre development and includes the strategies:
  - ‘Discourage proposals for expansion of single use retail, commercial and recreational facilities outside activity centres.’
  - ‘Give preference to locations in or on the border of an activity centre for expansion of single use retail, commercial and recreational facilities’.
  - ‘Ensure that out-of-centre proposals are only considered where the proposed use or development is of net benefit to the community in the region served by the proposal or provides small scale shopping opportunities that meet the needs of local residents and workers in convenient locations’.

**LOCAL PLANNING POLICY FRAMEWORK**

20. Key themes of the Local Planning Policy Framework of relevance to the proposed Amendment include:

• **Clause 21.02** provides the Vision and Strategic Framework for the Municipality. **Clause 21.02-2** provides the Strategic Planning Vision and identifies that medium to long term growth in the Leneva – Baranduda Growth Area which will ultimately accommodate 14,000 new lots.

• **Clause 21.03-1** relates to Activity Centres and identifies that for new communities within growth areas, such as the Leneva – Baranduda Growth area, will require access to new or expanded activity centres. These are required to be provided having regard to the overall hierarchy so as not to threaten the role of the Central Business Area.

• The Baranduda Village is identified in the hierarchy as a ‘Convenience centre’. These centres meet ‘the convenience retail needs of a local catchment or passing trade’. The floor space allocation for these centres is 500 to 1500m² (refer **Figure 6** detailing the Activity Centre Hierarchy). I note that the Baranduda Village is not identified on the plan, and only the larger ‘Baranduda Town Centre’, amongst others is nominated. The Baranduda Town Centre is located approximately 1.8km to the west of the subject site.
The identified Activity Centre Policy is ‘to provide a coherent and tiered retail hierarchy that recognises and reinforces the primacy of the Central Business Area in order to meet the needs of both its regional and local catchments and to provide for Wodonga’s existing and future communities.’ An identified strategy of the policy is to ‘support a small supermarket within the Baranduda village to service the convenience retail needs of the community.’

Clause 21.03-2 relates to the Design of Activity Centres. The following strategies are identified:
- ‘Create street-based, walkable local town centres.’
- ‘Support the location of local town centres at major intersections to integrate with public transport planning.’
- ‘Avoid large expanses of car parking on prominent street fronts.’
- ‘Support the provision of on-street car parking on prominent street fronts.’
- ‘Support variation to engineering design standards to facilitate street design and parking which increases walkability, landscaping and diverse housing outcomes.’
- ‘Provide direct and convenient pedestrian and bicycle access into and around proposed local town centres.’
- ‘Avoid fully enclosed local town centre layouts that do not incorporate provision for street based activity.’
- ‘Provide community meeting spaces and/or public open space within or adjacent to planned local town centres.’
- ‘Support the co-location of local town centres with community services and facilities.’

Clause 21.07-1 relates to Urban Environment and identifies as its objective, ‘to improve the visual appearance of the City.’ The strategies identified as part of this policy are:
- ‘Require Neighbourhood and Local Activity Centres to be street based centres, where the buildings are developed to the street edge and where off street parking areas are located to the rear of development.’
- ‘Require active frontages along streets and reserves to improve personal safety through increased surveillance and activity.’
- ‘Encourage well planned and designed areas and built form which contributes to the positive presentation of the City.’
- ‘Improve the visual presentation of use and development along the major approaches and main roads to the City.’
- ‘Continue to maintain City landscapes and public areas that promote civic pride.’

- Clause 21.13-5 relates to the Leneva Valley and Baranduda Growth Area Corridor. This area is identified as accommodating the City’s medium-long term growth. A Precinct Structure Plan has been prepared and comprises approximately 1062 hectares and identifies area for activity centres, schools, active open space and conservation, in addition to residential areas.

RELEVANT STRATEGIES

Hume Regional Growth Plan, 2014

21. The Hume Regional Growth Plan, 2014 is a reference document and provides strategic policy for a number of Shires north-east of Metropolitan Melbourne, including Wodonga. The plan develops an overall approach for the region, including ‘Build on and strengthen the existing urban settlement network (p. 32)’.

22. Wodonga, along with Benalla, Wangaratta and Shepparton are identified as regional cities. Major Urban growth and development will be focused in Wodonga and there is over 15 years of supply of residential land. Population growth is to be accommodated in seven existing growth fronts with medium to long-term developments planned for the Baranduda-Leneva area, which is projected to accommodate up to 35,000 additional people over the next 20 – 50 years (page iv).

23. Baranduda is located within a ‘key residential growth front’ and a major activity centre is located to the west of the town centre (Map 15, Wodonga Urban Growth Framework, page 55).

Figure 7 Wodonga Urban Growth Framework
Wodonga Growth Strategy, May 2016

24. The purpose of the strategy is to guide the long-term growth of the City with the identified objectives of the Strategy being:

- ‘To define a clear settlement hierarchy, with multiple growth fronts that can accommodate a range of different development types.’

- ‘To emphasise urban design and the principles of the sustainable neighbourhoods when considering new development opportunities and proposals.’

- ‘To adopt a strategic, holistic and equitable approach to funding and delivery of infrastructure to meet the needs of a growing population.’

25. The policy has been adopted by Council with the strategic directions implemented into the Wodonga Planning Scheme by Amendment C125. This policy identifies the subject site as being located within a Rural Settlement, as opposed to the Baranduda Town Centre, which is identified as a large Local Town Centre. The Baranduda village is referenced in the table on page 97, in the activity centre hierarchy, as a ‘Convenience Centre’ with the capacity to become a ‘Local Town Centre’ as a result in growth in the Leneva-Baranduda area.

26. The key objectives, strategies and actions are:

- 13.1 Confirm the capacity and appropriate floorspace allocations of each activity centre within the retail hierarchy in Table 9. The site is identified in Table 9 as a convenience centre with a floor space allocation of up to 1,500).

- 13.2 Reinforce the activity centre hierarchy when planning for new growth area and assessing applications to expand existing centres.

- 13.3 Protect the primacy of the CBA by limiting the scale and staging of activity centres in the Leneva-Baranduda PSP in accordance with projected demand for additional retail floor space.

- 13.4 Discourage commercial/retail development outside of existing activity centres.

- 13.5 Confirm the capacity of the CBA and local activity centres and appropriate floor space allocation for each centre.

- 13.6 Ensure Precinct Structure Plans adopt the hierarchy for future activity centres in the Leneva-Baranduda Growth Area as hierarchy set out in Figure 18 (page 95).

- 13.7 Support consolidation of White Box Rise as a Large Local Town Centre via incorporation of provision for an additional restricted line supermarket.

- 13.8 Support provision for a new Major Town Centre in Baranduda, to be delivered in stages.

- 13.9 Plan for other Local Town Centres in preparation of any subsequent Precinct Structure Plans in the unzoned part of the Leneva-Baranduda growth area having regard to the location and timing of delivery of planned centres within the first Precinct Structure Plan.

Leneva and Baranduda Precinct Structure Plan, October 2018

27. The Leneva and Baranduda Precinct Structure Plan was prepared by the Victorian Planning Authority (VPA) and the Wodonga City Council and was introduced into the Planning scheme through Amendment C121 and adopted by Council in September 2018. The PSP identifies the Baranduda village at page 37 and nominates Baranduda as performing a Convenience role for a local catchment.

Wodonga Activity Centre Hierarchy Strategy, July 2019

28. This strategy was developed on behalf of Council to identify the activity centre hierarchy of the municipality and to ensure that existing and future retail needs of Wodonga and its surrounds are met.
29. The Activity Centre Hierarchy for Wodonga supports the primacy of the Central Business Area and sets out the size of other centres in the municipality which will be required to service medium to long term residential growth in Wodonga’s growth areas. The strategy also sets out the anticipated growth for the region which is forecast to reach 57,600 by 2036. The majority of growth is planned for the south-eastern region of the Municipality, including Baranduda. Service of these areas with convenience retail is important.

30. The recommended activity centre hierarchy is for a large neighbourhood centre at Baranduda with an indicative floor space – core retail of 2000m2 with two supermarkets as retail anchors. Baranduda village is proposed to have an indicative retail floor space of 1500m2 with one small supermarket. This hierarchy was introduced into the Planning Scheme through Amendment C125.
ASSESSMENT

HOW DOES THE PROPOSED REZONING ADDRESS THE STATE AND LOCAL PLANNING POLICY FRAMEWORK?

31. The proposal is consistent with the Planning Policy Framework, noting:

- The Hume Regional Growth Plan, 2014 identifies Wodonga as a regional city and a location for which ‘sustainable growth and development’ is encouraged.

- The proposal to locate the facility at the edge of an existing community hub and MUZ zone is consistent with objective of Clause 11.03-1S which encourages the concentration of major retail developments in activity centres that are highly accessible to the community. While this facility is not a major retail facility, the siting ensures that the facility is accessible and appropriate for this local setting.

- I am satisfied the urban design outcomes sought under Clause 15.01-1S are achieved and I have addressed these issues in a subsequent section of this report, subject to modifications outlined later in my evidence.

- The development of the site will meet identified community need for retail consistent with Clause 17.02-1S.

- The siting of the use at the edge of an existing town centre is also consistent with Clause 17.02-2S which seeks to give preference to locations in or at the border of an activity centre.

32. The Municipal Strategic Statement, along with supporting documents including the Wodonga Activity Centre Retail Hierarchy Strategy and Growth Strategy, provide clear strategic guidance in relation to the activity centre hierarchy for development within the Municipality at Clause 21.03.

33. The Baranduda town centre is identified as the location for a large neighbourhood centre. The hierarchy references an additional convenience centre for Baranduda village. This convenience centre is provided with an indicative floor space of 1500m2 and one supermarket. The proposal is consistent with the policy directive and the amendment will facilitate this outcome.

34. Further I am of the view that:

- The introduction of the supermarket in this location will not undermine the broader strategy for Wodonga given the size of the supermarket is within the floor area projections provided within policy.

- While I acknowledge the location of the larger Baranduda centre is only 1.8 km to the west of the site, the strategic work clearly anticipates the relationship between the centres and provides justification for the existence of both centres each performing a different role within the hierarchy.

- The Mixed Use Zone is consistent with the zone used in other parts of the village and it specifically contemplates commercial floor space in the purpose of the zone.

- The use of the site is appropriate and will complement and enhance the area, while serving the needs of the local community. To that extent, it will be a positive outcome from a policy perspective with limited amenity impacts.

35. On balance, I consider that the proposed rezoning constitutes a net community benefit for Baranduda and surrounds.
IS THE PROPOSED ZONING APPROPRIATE AND ARE THERE ANY OTHER PLANNING SCHEME PROVISIONS OR POLICY CHANGES THAT SHOULD FORM PART OF THE AMENDMENT?

36. It is my view the application of the Mixed Use Zone in this instance is appropriate. The purpose of the Mixed Use Zone is:

- ‘To implement the Municipal Planning Strategy and the Planning Policy Framework.’
- ‘To provide for a range of residential, commercial, industrial and other uses which complement the mixed-use function of the locality.’
- ‘To provide for housing at higher densities.’
- ‘To encourage development that responds to the existing or preferred neighbourhood character of the area.’
- ‘To facilitate the use, development and redevelopment of land in accordance with the objectives specified in a schedule to this zone.’

37. The permit application which forms part of this approval is for a supermarket 1300m2 in area with associated loading, car parking and landscaping areas. While the use and development are ‘permit required uses’ within the zone, I am comfortable the proposal is consistent with the purposes of the zone, the mixed use function of the locality and the context which includes a community facilities to the south and west.

38. I note that the Bushfire Management Overlay and the associated requirements will continue to apply to the land and the permit.

39. Given the amendment is combined with a planning permit application, I am comfortable that there is no requirement for the application of an overlay, such as a Design and Development Overlay, to facilitate an appropriate development of the land.

40. However, I note,

- A limit on the leasable floor area of the neighbourhood convenience centre to 1,500m2 and in the instance that any part of the subject site is used for the purpose of an office, that it does not exceed 100m2 via a Section 173 Agreement.
- Conditions of permit to address general amenity considerations such as hours of operation, loading amongst others.

41. In terms of the potential for off-site impacts, Clause 32.04-10 of the Mixed Use Zone includes a number of Clause 55 requirements for development to meet in the instance the site abuts land within a General Residential Zone. The site abuts the General Residential Zone on the eastern boundary. Given the separation of the building form from this interface, I am satisfied these requirements (which relate to energy efficiency, side and rear setback, walls on boundaries, daylight to existing windows, overshadowing open space and overlooking) are met.

42. The Planning Policy Provisions sets out parameters for Urban Design at Clauses 15.01-1S and Building design at Clause 15.01-2S. These clauses introduce the ‘Urban Design Guidelines for Victoria, 2017’ as a relevant policy document. I note there is further guidance at Clauses 21.03 and 21.07-7 in relation to activity centre design.
IS THE PROPOSED LAND USE AND DEVELOPMENT AN APPROPRIATE OUTCOME?

43. The site exhibits a number of characteristics which lend it to development in the manner proposed. Specifically:

- The site is generous in size, with an area of 5,207m². This is sufficient space to accommodate a supermarket of this scale with the appropriate setbacks, areas for car parking and loading.

- The site has two street frontages, which increase exposure and accessibility.

- The site abutts are generally not sensitive in nature with street frontages to the east (albeit with dwellings opposite) and a community facility to the west with the PPRZ to the remaining boundary. All of these interfaces can be appropriately dealt with by the setback and landscaping given the size of the site.

- The site does not include any vegetation of significance and is flat.

- The site is proximate to the community facilities located within Sage Court to the west of the site and the primary school to the south.

- Appropriate pedestrian connections are provided to these facilities and the subject site, which also link into the wider pedestrian network, contributing to good accessibility.

44. Notwithstanding the advantages of the site, its configuration creates some challenges in achieving a street based centre. However the building appropriately addresses Sage Court (subject to further modification achieving a more active frontage, which I address later in my evidence) and provides the requisite carparking on the balance of the land with ready access to the surrounding street network.

45. Equally the presence of the building from both Sage Court and the surrounding streets, effectively knits the building into its context. Further the ‘through link’ and verandah which wraps around the southern and eastern elevations will contribute to pedestrian comfort and amenity.

46. The traffic and car parking requirements are appropriately resolved and the provision of car parking and bicycle parking for the development exceeds the statutory requirements. The site is proposed to be accessed via two access points proposed on the southern side for the site from Verbena Street. These two access points will provide access to a carparking area containing 72 car parking bays, oriented in north-south alignment.

47. Appropriate loading facilities are provided and these are well separated from the street frontages. The loading facility is located at the northern end of the site and is provided with turning areas at this part of the carpark.

48. The development proposal includes provision of a pedestrian footpath along the Arnica Circuit frontage and extending along the northern side of Verbena Street. Additional pedestrian pathways are also proposed around the eastern perimeter of the supermarket and the southern boundary, providing a linkage to Sage Court. A pedestrian linkage centrally through the car park from Arnica Circuit to the supermarket is also proposed. I consider the pedestrian connection to the proposed centre is well resolved and that appropriate linkages to the existing footpath network are provided.

49. Notwithstanding my view that the potential for off site amenity impacts are well resolved, there are a number of additional amendments I consider are required to the development proposal to mitigate these impacts. My concerns and my recommended changes are set out below.

- **Increased setback to the western boundary of between 1.5 and 2 metres.**

  Notwithstanding the site conditions, given the sensitivity of the land to the west, including the existence of a window with an outlook to the site and play area, I consider an increased setback to this boundary is required. I consider that a setback of approximately between 1.5 to 2.0 metres from this boundary is appropriate and that this setback should be landscaped. This shift provides for a more equitable development outcome and will reduce shadow to the community centre to an appropriate level.
• **Clarification on window treatment**

It is my view there should be activity to the edges of the building. As well as the eastern elevation of the building, it is my recommendation that clear glazing continues around the southern elevation and returning to the edge of the western elevation (for approximately 5 metres). The glazing should be at least 50% clear to the southern and western elevation. This could be required via a condition of permit. I consider it would be appropriate to require a more detailed plan which details the proposed layout of the supermarket so that this arrangement can form part of the endorsed plans.

• **Increased landscaping to the western edge of the carpark**

I note condition 7 of the permit includes a requirement to prepare a landscape plan. I concur with this and make the observation that appropriate concentration should be paid to the interface with Arnica Circuit to ensure the interface to this residential area is appropriately softened and filtered.

50. I note there are a number of conditions proposed which will address the potential for off site amenity impacts arising from the development and ongoing use of the site. I am satisfied that these conditions are appropriate and note inclusion of the following:

- Condition 6 - Construction management plan which can appropriately deal with the development construction phase.

- Conditions 7 and 8 which relate to landscaping and require a landscape plan to be submitted and completed prior to the commencement of use.

- Conditions 9 – 12 which relate to protection of the vegetation to the north.

- Condition 14 which requires the submission of a Waste Management Plan prior to the commencement of the use.

- Condition 15 which is the standard General amenity condition.

- Condition 16 which requires Lighting baffles to minimise potential for light spill.

- Condition 17 which limits the hours of operation to 6.00am to 11.00pm on all days including public holidays.

- Condition 18 which limits times for delivery to between 7.00am and 7.00pm Monday to Friday and 8.30am to 4.00pm Saturday, Sunday and public holidays.

51. I note that a number of objections opposed to this amendment raise issues relating to pedestrian safety, acceptability of the road layout and increased traffic. In addition to these matters, the adequacy of carparking and layout and loading provision will be addressed by Mr Turnbull in his evidence and I rely on him in this regard.
CONCLUSION

52. In conclusion, I consider that:

- The Wodonga Planning Scheme provides clear identification of the retail hierarchy of the municipality and the amendment will facilitate a supermarket in an area which is identified as a local convenience centre. The proposed floor area is consistent with the anticipated floor area.

- The proposed use and development is appropriately located having regard to its proximity to existing community infrastructure and the policy imperatives to cluster such uses in proximity. The extension of the existing MUZ zone is an appropriate mechanism to facilitate this.

- The future retail use and development of the land is appropriate having regard to the statutory and strategic provisions of the Wodonga Planning Scheme.

- The proposed development should be reviewed to:
  - Increase the setback of the built form to the west to between 1.5 to 2.0 metres.
  - Clarification of and extension of window treatment at the southern elevation and end of the western elevation.
  - Specify the landscape solution to the eastern boundary.

- The proposed Amendment is supported by the State and Local Planning Policy Framework and meets the Strategic Assessment Guidelines for Planning Scheme Amendments.
APPENDIX A STATEMENT OF QUALIFICATIONS AND EXPERIENCE
NAME AND ADDRESS
Stuart Andrew McGurn
Director
Urbis Pty Ltd
Level 12, 120 Collins Street
MELBOURNE VIC 3000

QUALIFICATIONS
- Bachelor of Arts 1984
- Graduate Diploma Urban Planning 1986

PROFESSIONAL EXPERIENCE
- Current Position: Director, Urbis Pty Ltd
- 2010-2015: Partner, Environmental Resources Management Australia Pty Ltd
- 1998 – 2010: Director, Fulcrum Town Planners Pty Ltd
- 1986 – 1998: Town Planner in local government – Cities of Broadmeadows and Melbourne, including role as Principal Planner – City of Melbourne

AREA OF EXPERTISE
- Statutory planning for local and state government on a range of residential, commercial and industrial issues.
- Consulting advice to a wide range of commercial and local government clients addressing the management of urban development and the statutory planning process.
- Extensive planning advice to architects, project managers and other professionals involved in a range of projects and the built form and visual impact issues associated with the development of land.

EXPERTISE TO PREPARE THIS REPORT
Professional qualifications and expertise in town planning both in the public and private sectors.

INSTRUCTIONS WHICH DEFINED THE SCOPE OF THE REPORT
My instructions required me to undertake a town planning assessment and site review of Amendment C132 to the Wodonga Planning Scheme. In so doing, I have relied upon those matters set down below.

FACTS, MATTERS AND ASSUMPTIONS RELIED UPON
I have relied upon the following in the preparation of this report:
- Inspection of the subject site and surrounds.
- Review of the Wodonga Planning Schemes, exhibited amendments, and strategic policies.
- Documents as described in the Introduction to my Statement.
DOCUMENTS TAKEN INTO ACCOUNT

Relevant documents are described above.

IDENTITY OF PERSONS UNDERTAKING THE WORK

Stuart McGurn assisted by Rebecca West, Director.

SUMMARY OF OPINIONS

A summary of my opinions in relation to this matter is included at paragraph No. 52 of this evidence.

I have made all the inquiries that I believe are desirable and appropriate and no matters of significance which I regard as relevant have to my knowledge been withheld from the Panel.

Stuart McGurn
Urbis Pty Ltd