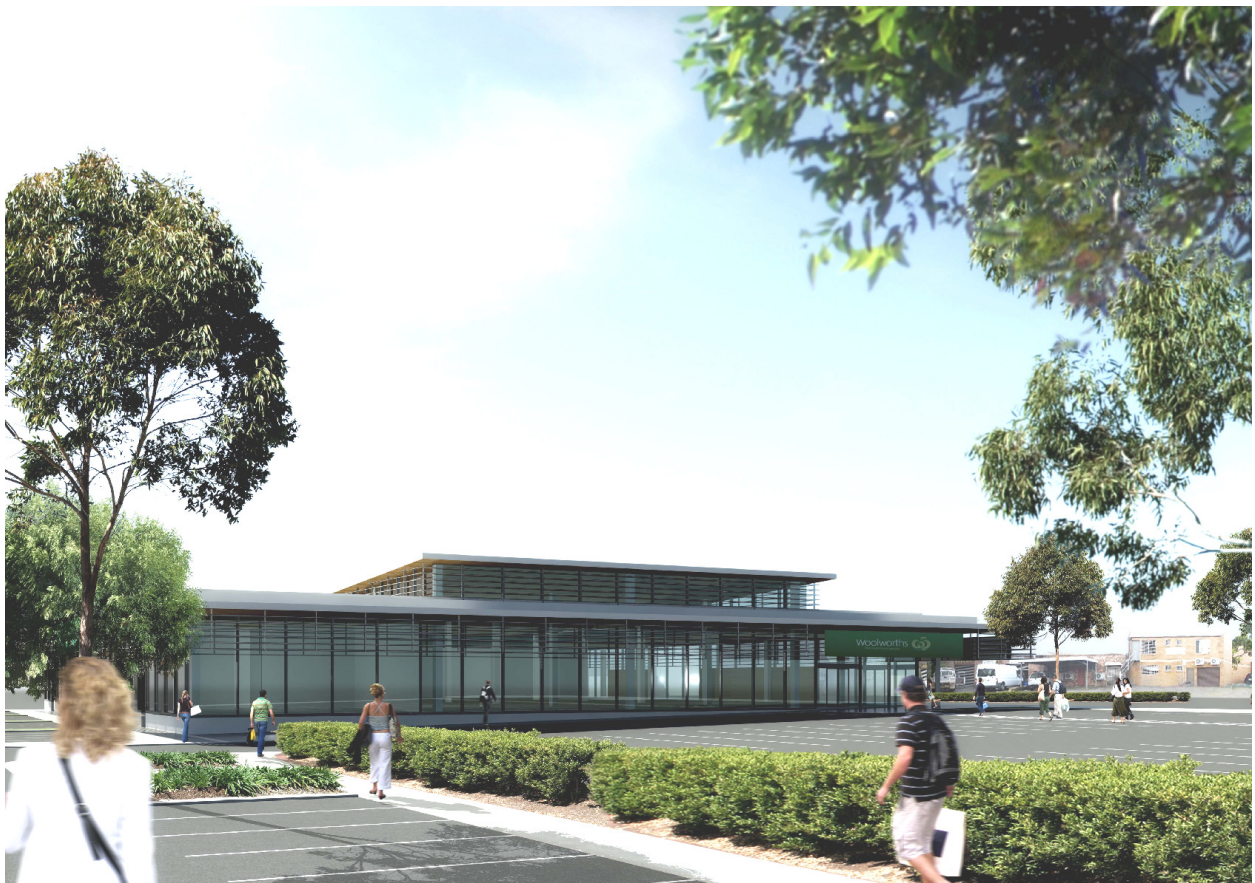




**Submission for Deferred Commencement Condition
Great Lakes Council DA 312/2011**

**Proposed Supermarket - 17-23 Peel Street, 24 Manning
Lane & 3-7 Kent Street, Tuncurry**

Prepared for P&I Group Pty Ltd – May 2011



Project: 10046

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Coastplan Group Pty Ltd ACN 114 738 662

Forster Office

2/32 West Street Forster

PO Box 568 Forster NSW 2428

Phone (02) 6555 2178

Fax (02) 6555 2741

Email forster@coastplan.com.au



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OVERVIEW

This report, for presentation to the Panel, addresses the deferred commencement condition identified by the Joint Regional Planning Panel (JRPP). and aims to demonstrate satisfaction of the deferred commencement condition.

We have taken into consideration the discussions at the JRPP meeting in relation to the loading dock operation. As a result, further consideration was given to the design and operation of the loading dock. Changes have been made to the proposal. The key change being an extension of the loading dock enclosure eastwards over what was previously the entry driveway. This change provides an effective noise barrier between vehicles entering the loading dock and the adjoining residents. The sound attenuation is so profound that the doors to the loading dock can be left open, allowing vehicles to enter the dock without having to wait outside for the doors to be opened and noise levels remain substantially lower than previously. The plans includes a minor increase to the roof/ceiling level over the loading dock allowing further acoustic treatment and to providing garbage vehicles with sufficient height to operate within the loading dock.

In consideration of the issues raised by the Panel, additional investigation has been undertaken and additional reports obtained including acoustic assessment, revised traffic impact assessment, detailed assessment of articulated vehicle turning templates and a revised transport and delivery management plan prepared by Woolworths.

In relation to the concerns listed in the deferred commencement condition, these assessments found:

Residential Amenity – The acoustic review found that the original proposal (without the changes proposed) met relevant noise criteria, and that the proposed changes further improve the acoustic relationship with the adjoining residential uses.

Pedestrian Safety – The updated traffic report finds that the proposed design allows for suitable levels of pedestrian safety. *“There is expected to be minimal conflicts between pedestrians and the access to the loading dock”*. And pedestrian safety provisions adopted by the Proposal *“are considered adequate to provide safe and efficient access in and around the site for pedestrians.”*

Traffic impacts on the surrounding road network – The traffic consultant confirms that the surrounding road network would not be significantly impacted by the proposed supermarket operating and is suitable to cater for the proposed supermarket.

Carparking – The loading dock operation has minimal impact on parking. The Proposal provides 129 spaces against 115 spaces required.

The previously proposed conditions which related to the operation and use of the loading dock were reviewed, and are generally acceptable to the applicant. In relation to the key conditions the following is sought:

- Timing of deliveries is sought to be limited to the hours of 7am to 6pm Monday to Saturday, and restricted to 8am to 5pm on Sundays and public holidays.
- With the extended loading dock enclosure more than 1 vehicle can access the loading dock without impacting to adjoining properties or surrounding traffic. Deliveries will be managed to ensure no more than 1 articulated vehicle accesses the loading dock at a time.
- The loading dock doors can be left open during the deliveries period. The exception being that the western (exit) roller door is kept closed when a refrigerated vehicle is unloading or the garbage vehicle is emptying bins in the loading dock to minimise acoustic impact from these particular activities.

INTRODUCTION

JRPP Decision

The subject development application involves the construction of a full-line supermarket at the Tuncurry Central Business District. The subject application was considered by the Hunter and Central Coast Joint Regional Planning Panel (JRPP) on 14 April 2011 where it was determined to issue consent subject to the provision of additional information in regard to the functioning and operation of the loading dock. As such the Panel granted deferred commencement consent subject to resolution of the design and functioning of the loading dock to the satisfaction of the Panel: The deferred commencement condition states:

The proposed design and functioning of the loading dock is to be modified to satisfactorily address concerns raised in relation to residential amenity, pedestrian safety, traffic impacts on the surrounding road network and car parking. Amended plans, a revised traffic study and revised transport management plan for the supermarket operation which address the above matters are to be submitted to Council for assessment with the matter then reported to a meeting of the Joint Regional Planning Panel for determination. The design and functionality of the proposed loading dock as it relates to these issues must be to the satisfaction of the Hunter and Central Coast Joint Regional Planning Panel.

This report addresses the deferred commencement condition and is for presentation to the Panel to seek satisfaction of the deferred commencement condition.

The minutes also provided that the recommended conditions be adopted (subject to some amendments) other than conditions relating to the design and functioning of the loading dock. The relevant conditions that were omitted are discussed within this submission.

Methodology

This report examines the operation and functioning of the delivery process to the loading dock of the supermarket. The report analyses the delivery process from the movement of heavy vehicles from the main road (Manning Street) through to unloading within the loading dock to movement through the surrounding road system back onto Manning Street. The issues highlighted

within the deferred commencement condition are then discussed in relation to each stage.

Additional Information

Additional information has been prepared to support this analysis and the following additional information has been prepared and reviewed for this report:

- Amended Plans - Cox Richardson Architects (Appendix A);
- Supplementary Acoustic Report – Hunter Acoustics (Appendix B);
- Traffic Assessment Addendum – RoadNet (Appendix C);
- Additional heavy vehicle turning templates – Great Lakes Council (Appendix D);
- Transport Delivery Management Plan – Woolworths (Appendix E).

Loading Dock Description

To assist in understanding the operation, the following provides a brief description of the loading dock components and the activities carried out within the loading dock.

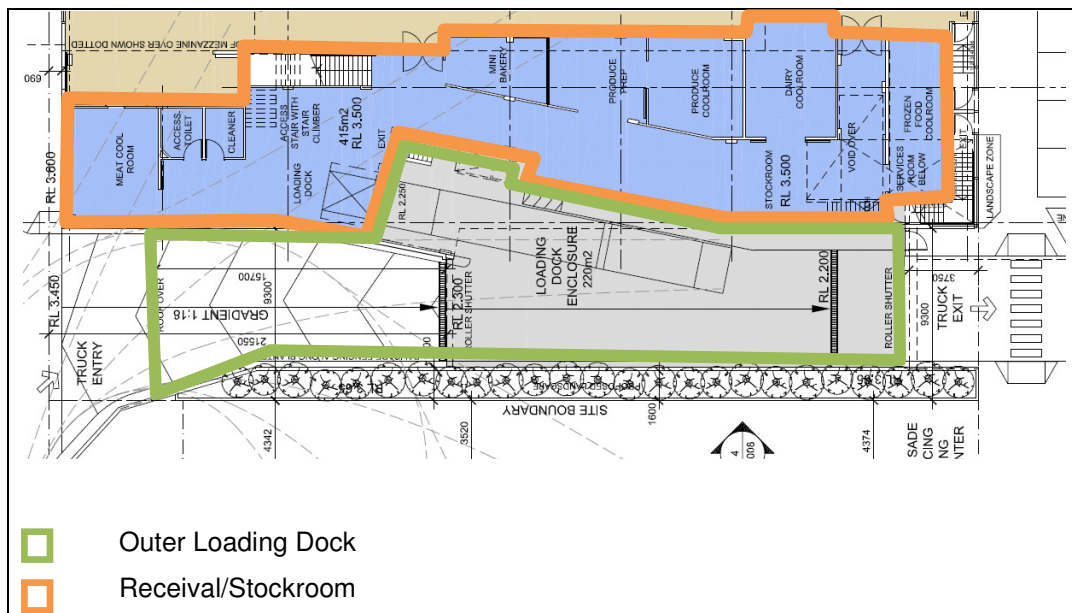


Figure 1 – Loading Dock

Delivery vehicles enter the loading dock and manoeuvre to the dock leveller for unloading. Bulk waste garbage bins are stored in the loading dock (adjacent to the dock leveller). Activities in the dock are limited to vehicle access/

manoeuvring, unloading, the placement of waste in the bulk bins and the emptying of the bulk waste bins by the waste contractor. Waste management operations are detailed in the Waste Management Plan, (submitted with the previous development applications).

Acoustic Review

A Supplementary Acoustic Assessment was undertaken by Hunter Acoustics (Appendix B) in response to issues raised at the JRPP meeting about the loading dock operation. The acoustic review analysed the original proposal as well as looking at potential measures which had been proposed to further reduce potential noise impacts associated with loading dock operation.

The supplementary assessment clarified that the original assessment took into account short term impacts of heavy vehicles (articulated vehicles and waste management vehicles) accessing, loading and leaving the loading dock and found that the noise generated from the operations were within the noise criteria for the site. The report investigated further improvements which could be achieved by additional acoustic treatment within the development including the provision of Acoustic barriers and extensions of the loading dock.

In brief the acoustic assessment found that:

- *The original proposal complied with the NSW Industrial Noise Policy and Local Government Noise Guide, consequently “There is no strongly compelling argument to provide additional noise control structures to control noise associated with vehicles accessing the dock”*
- Extending the enclosed portion of the dock (to the east) reduces noise levels substantially. With noise levels well down on previous even with the roller door in open position. The loading dock operations as proposed (in the Transport Delivery Management Plan) would not cause an exceedance of the Industrial Noise Policy even if left as originally designed.
- Noise from general operations in the loading dock will be adequately controlled within the proposed design.

- The western (exit) roller shutter should be closed when refrigerated vehicles or garbage collection vehicles are operating in the loading dock.

The acoustic consultant concludes that *“overall the proposal for additional works in my opinion has significant acoustic merit and is worthy of favourable consideration”*.

Amended Plans

Amended plans (Appendix A) of the loading dock have been prepared which extend the loading dock toward Manning Lane. An additional noise barrier is created mitigating noise from vehicles entering and operating within the loading dock.

The amended plans show that the enclosed loading dock is extended 15.8 metres along the eastern entry. This provides an acoustic barrier for arriving and waiting delivery vehicles. The extension is at the same level as the rest of the loading dock roof and utilises the same materials as the external walls of the loading dock.

The finished level of the roof has been raised by approximately 600mm to RL 9.2m AHD. This provides additional noise insulation in the roof and ensures that the local contractor's front lift vehicle for emptying the bulk bins can operate within the enclosed loading dock.

Traffic Issues

RoadNet (project traffic consultants) confirmed the findings of their previous Traffic Impact Assessment – and reaffirm that there is *“no traffic related reasons to refuse the Development Application for this Proposal”*. This assessment, including the supporting intersection modelling (SIDRA files) has been independently reviewed by Council and the RTA – no concerns were raised.

Further, RoadNet has provided an addendum to the Traffic Impact Assessment (Appendix C) which specifically addressed the issues raised at the JRPP meeting. In addition, vehicle turning templates for keys intersections have been prepared by Great Lakes Council (Appendix D).

The addendum to the Traffic Impact Assessment concludes:

- “Traffic generation by the Proposal... has minimal impact on surrounding intersections, and only slight increases/impacts as a result of the Proposal”
- “There is expected to be minimal conflicts between pedestrians and the access to the loading dock”. And pedestrian safety provisions adopted by the Proposal “*are considered adequate to provide safe and efficient access in and around the site for pedestrians*”. The provision of parking “*is determined as sufficient*”... “Parking requirements for the Proposal are calculated as 115 spaces... 129 spaces will be provided” by the Proposal.

The Traffic Impact Assessment and Addendum finds that additional traffic generated by the Proposal is expected to have a minimal impact on the intersections in the vicinity of the site in terms of LOS, delay and queuing.

Car Parking Issues

Carparking is provided to serve the supermarket and the proposal includes the construction of 129 parking spaces comprised of off-street parking and improvements to on-street parking (90⁰ spaces) to address the demand of 115 spaces calculated from the application of Great Lakes Council’s Car Parking Policy.

The proposed development will also displace some existing public parking spaces, however the application includes payment of parking contributions to the Section 94 car parking plan for the Tuncurry CBD. These additional funds can then be utilised to construct additional public parking on other land identified under the plan for public parking. Following the construction of the proposed development and the additional parking under Council’s Section 94 Plan, there will be no net loss of parking in the Tuncurry CBD.

Delivery Management/Procedure

The management of deliveries to the store has been detailed within a Transport Delivery Management Plan (Appendix E) prepared by Woolworths for this store.

The Transport Delivery Management Plan details the following information on numbers of delivery vehicles:

Delivery Type	Vehicle Type	Expected Daily Activity
Direct Deliveries	Vans, Small Trucks & Utes	10 - 20
Woolworths Deliveries	Articulated Vehicles (non-refrigerated)	2 - 3
	Articulated Vehicles (refrigerated)	1 - 2
Total		13 - 25

All delivery vehicles follow a route from Manning Street > South Street > Manning Lane > Loading Dock > Peel Street > South Street > Manning Street. The hours for delivery access to the loading dock sought in the management plan are between 7am and 6pm on Monday through to Saturday and between 8am and 5pm on Sundays. The management plan notes, however, that operations will conform with the conditions of consent.

In relation to the individual vehicle movements, the vehicles can manoeuvre within the loading dock. The articulated vehicle will extend beyond the western roller door briefly before it reverses to the dock leveller.

The entry and exit doors to the dock will generally be open during delivery times so that the loading dock is able to accept deliveries. This will mean that if vehicles are required to wait, they will be contained within the loading dock enclosure which screens the vehicles from the adjoining Mountview residents. The exit door of the loading dock will be closed when refrigerated vehicles are unloading or when the garbage vehicle is emptying the bins.

It is apparent from the discussions in the JRPP that a key concern in relation to the operation of the loading dock was the control of deliveries and the possible impacts of vehicles waiting to access the loading dock or the impacts of what happens if vehicles arrive when another vehicle is already unloading at the loading dock.

In discussions with the management of the Forster Woolworths store, it was clear that there are very few times when vehicles are waiting to access the

loading dock. The drivers of delivery vehicles do not wish to wait, and instead schedule deliveries so the dock is available when they arrive. An example is the bread and milk deliveries which both occur in the morning: both delivery businesses have scheduled their operations so that their arrivals do not coincide and they are therefore not required to wait before accessing the loading dock. In this manner the arrival of vehicles at the same time is rare in these situations and the prevention of line up is to a large extent controlled by the logistical operations of the delivery businesses. The store manager and dock manager also arrange deliveries to be staggered as they must coordinate receipt and unloading procedures.

Simultaneous arrival of two large (articulated or waste disposal) vehicles are managed to ensure they do not occur. These vehicles are controlled by co-ordinated communication between the drivers, central transport manager (Woolworths vehicles only) and the store manager. If two large vehicles are likely to overlap, the drivers are instructed to layover at Leo Street until the dock is available. It should be noted that with the amended plan, the front of an articulated vehicle (where noise is generated) waiting to enter the loading dock is fully contained within the extended loading dock reducing noise to the adjoining residential flat building.

In practical terms, Woolworths will liaise with local waste management contractors JJ Richards to ensure waste disposal vehicle activities are scheduled to occur outside of delivery times for articulated Woolworths vehicles.

The dock is of sufficient size to accommodate vehicles while a larger (articulated or waste management) vehicle is inside the dock.

Consultation

Prior to the finalisation of the plans, Council's General Manager Glenn Handford held discussions with residents of Mountview Units to discuss possible provision of a noise barrier or extension of the loading dock. The following notes were made as a result of these discussions:

On the 16/5/11 I met with Mr Coleman (unit 15) and the following evening (17/5/11) I met with Ms Janelle Evans and Drew (unit14) and Dan Evans (Unit 10). The same issues were discussed at each meeting.

- I advised that Council had revisited the acoustic report with the aim of operating the loading dock with the rear door open at all times. I pointed out that the door could be left open at most times and the development would comply with the noise control guidelines but that the noise impact would be substantially reduced below the guidelines by extending the wall of the dock to the east by around 16m and that the impact would be further reduced by roof placed on the extension.*
- The visual impact of the extension was discussed we looked at the possible impact from both Mr Coleman's and Ms Evans' balcony.*
- Both agreed that the benefit of the noise reduction exceeded any visual impact, particularly as the wall would be behind landscaping.*
- The height of the dock was discussed at I advised that the current proposed dock would be higher.*
- As a separate issue we discussed removing the fence and having a landscaped garden beside that dock wall. All agreed this would be a favourable outcome, but this would require approval from the body corporate. It was agreed not to include this in the current proposal but the follow this up as separate matter. If this did proceed I agreed that Council would fund the landscaping and the relocation of the fence to the northern side.*

The proposed amendments and this submission will be placed on public display and advertising and public notification will be undertaken advising of this public exhibition. The public will be invited to make submissions in relation to the proposed amendments and loading dock operations.

ANALYSIS OF DELIVERY PROCEDURES

To review the operation of the loading dock etc. the following steps have been identified in the delivery procedure from where articulated vehicles (trucks) leave the main road (Manning Street – at the South Street Intersection) to access the loading dock right through to the trucks turning back on to the main road at the same intersection.

The different stages are shown spatially on the map contained in Figure 2.

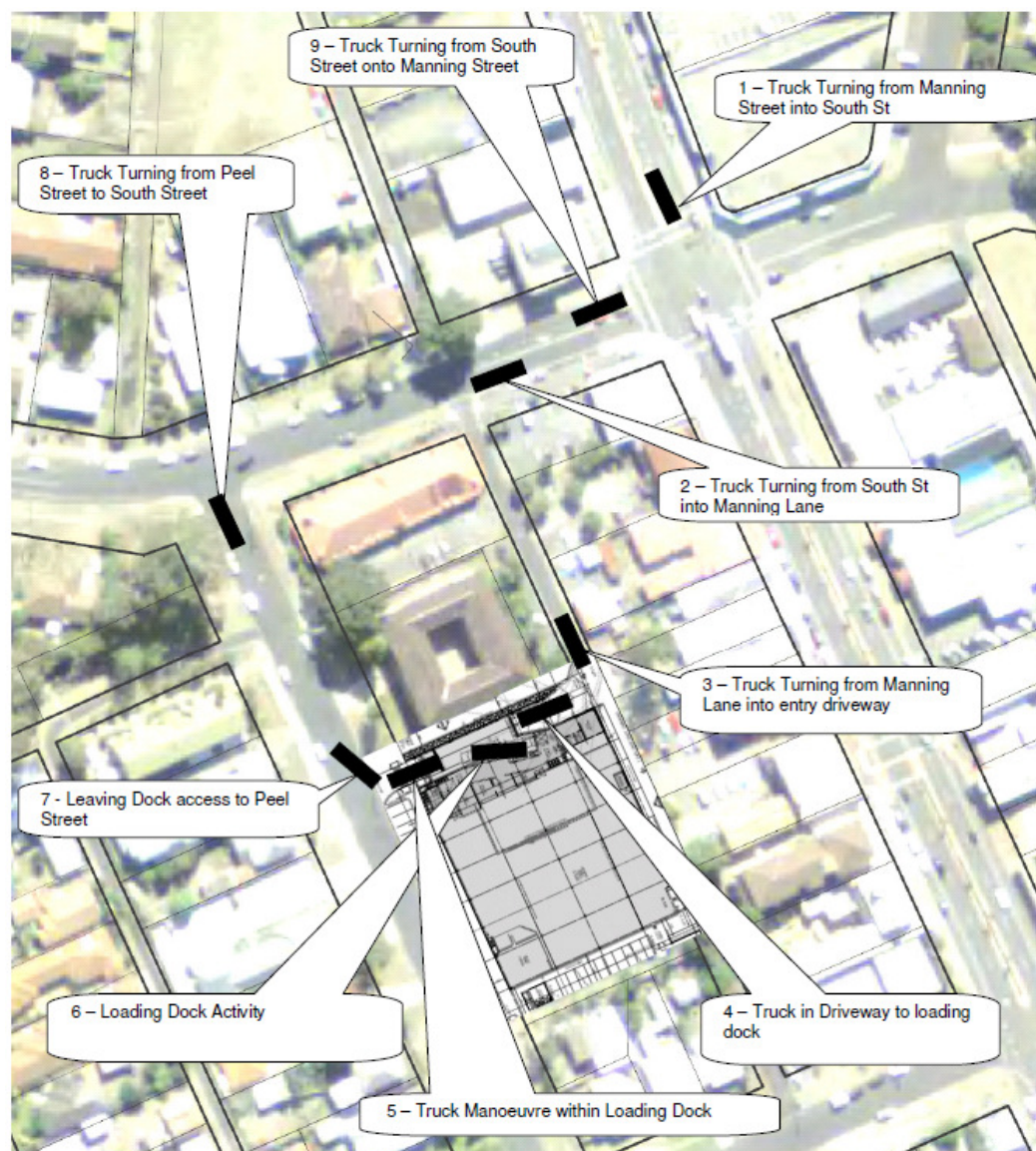


Figure 2 – Tuncurry Woolworths Steps in Delivery Process

Step 1 – Truck Manoeuvre from Manning Street to South Street

At this intersection, trucks make a right turn from Manning Street into South Street. This intersection is controlled by traffic lights and has dedicated right turn lanes and signals to control right turns as well as controlled pedestrian crossings. In regard to the points raised in the deferred commencement condition, the following comments are provided:

Residential Amenity – The truck movement at this intersection is within existing high traffic areas and is only carried out during the restricted hours of operation and does not raise any significant issues in terms of residential amenity.

Pedestrian Safety – There are existing pedestrian facilities at the intersection providing a high level of pedestrian safety.

Traffic Impacts – The impacts of these movements were included within the traffic assessment and the modelling undertaken for the intersection by the traffic consultants. The traffic impacts were found to be acceptable.

Surrounding Road Network – As discussed above the modelling and assessment of traffic impacts by the traffic consultant found that the impact of this traffic on the road network was acceptable.

Carparking – The truck manoeuvre does not impact on carparking issues.

Step 2 – Truck Manoeuvre from South Street to Manning Lane

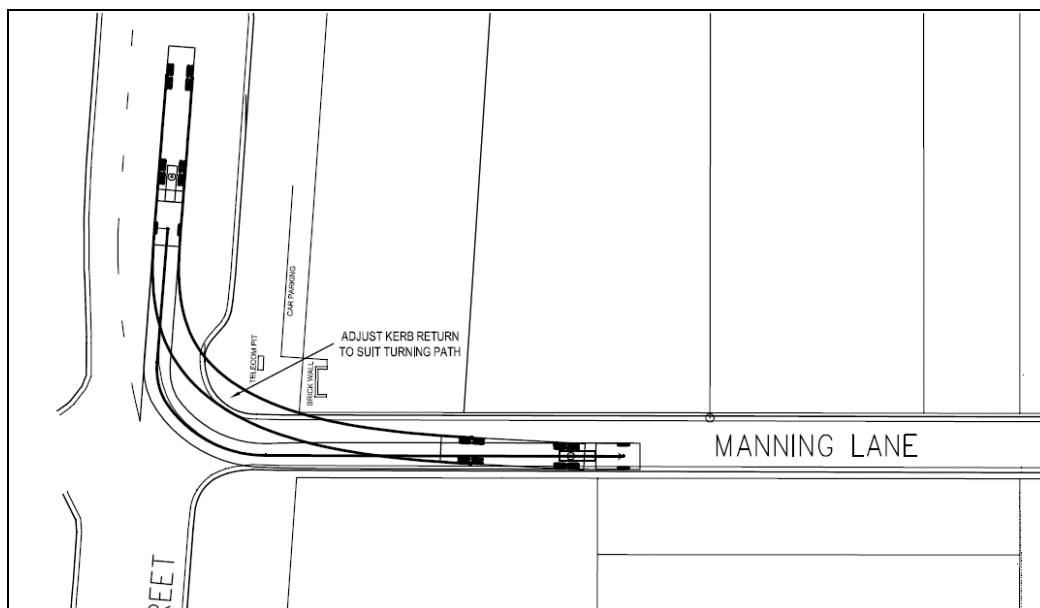
This involves the turning of a truck from South Street into Manning Lane. There is an existing intersection at this location, however works are required to realign the kerb to allow for the turning circle of an articulated vehicle. In regard to the points raised in the deferred commencement condition, the following comments are provided:

Residential Amenity – The truck movement at this intersection adjoins commercial development and is only carried out during the restricted hours of

operation and does not raise any significant issues in terms of residential amenity.

Pedestrian Safety – There is a footpath leading to each side of the Manning Lane entrance. The reconstruction of this intersection will include reconstruction of the pedestrian facilities at the entrance road. At this intersection vehicle speeds are expected to be low and sight vision for vehicles and pedestrians is good.

Traffic Impacts – The impacts of these movements were included within the traffic assessment and modelling undertaken for the intersection by the traffic consultants and the traffic impacts were found to be acceptable. The traffic report identified issues with the turning circle for trucks in relation to the existing kerb locations, etc. The traffic assessment also suggested that some property acquisition may be necessary. Council's traffic engineer has re-examined this issue and has provided the following truck turning template for the intersection.



A full copy of turning templates provided by Council is provided in Appendix D. As can be seen the template from Council indicates that adjustment to the kerb return will be necessary to facilitate the turning path but that property acquisition will not be required. The key difference between the templates of Council and the traffic consultant are the speed at which the truck manoeuvre is performed and Council's traffic engineer did not consider that the speed suggested by the traffic consultant was realistic.

Surrounding Road Network – As discussed above the modelling and assessment of traffic impacts by the traffic consultant found that the impact of this traffic on the road network was acceptable.

Carparking – The truck manoeuvre does not impact on carparking issues.

Step 3 – Truck Manoeuvre from Manning Lane into the Driveway

This step involves the manoeuvre of a truck from Manning Lane into the entrance driveway for the loading dock. The driveway will be a new entry from Manning Lane which will be constructed to facilitate the movement of a large articulated vehicle that will access the proposed supermarket. The driveway is located at the north eastern corner of the site and extends partly onto Lot 1 DP 591283 (also Council land which is part of the site).

Residential Amenity – The truck movement at this point is adjacent to residential properties. The noise impact of trucks in the laneway and driveway, and the impact of additional traffic generally, were examined in the acoustic assessment which found that noise generated by additional traffic and truck movements would meet noise criteria, subject to deliveries being limited as proposed.

Pedestrian Safety – The Manning Lane frontage does not have pedestrian footpaths and is not expected to have high pedestrian usage. As a result of development pedestrian traffic will increase in Manning Lane, however this pedestrian traffic is focused to a shared area to the south of the loading dock. That part of the land will not be used by the delivery vehicles.

Traffic Impacts – The movement of the trucks into this driveway was designed using the truck template prepared by the traffic consultant and an extract from their template is shown on the architectural plans.

Surrounding Road Network – The truck movements within the site do not impact on the surrounding road network. The analysis of traffic impacts to roads and intersections by the traffic consultant included the additional traffic generated by the proposed supermarket.

Carparking – The truck manoeuvre does not impact on carparking issues.

Step 4 – Truck in driveway and access to Loading Dock

As discussed, management of the deliveries means that vehicles waiting in the entry driveway will be unlikely to occur on frequent occasions. The provision of the extended loading dock, however, means that any waiting vehicles will be contained within the enclosed loading dock. In addition, the loading dock extension will allow for the entry roller door to be left open during delivery times and will allow a vehicle to enter directly to the loading dock without having to wait for the door to be opened.

Residential Amenity – The truck movement at this point is adjacent to residential properties. The noise impact of trucks within the entry driveway was examined by the acoustic consultant and found to comply with appropriate noise criteria (without the extended enclosure). The proposed enclosed extension of the dock, however, provides additional noise attenuation and minimises noise impacts further. While the loading dock enclosure will have a greater area of elevation to the adjoining property, the elevation will be screened by the proposed landscaping.

Pedestrian Safety – The entrance driveway to the loading dock is not an area which is intended to be used by pedestrians and no conflicts with pedestrian movement are likely at this point.

Traffic Impacts – The movement of the trucks into this driveway was designed using the truck template prepared by the traffic consultant and an extract from their template is shown on the architectural plans.

Surrounding Road Network – The truck movements within the site do not impact on the surrounding road network. The analysis of traffic impacts to roads and intersections by the traffic consultant included the additional traffic generated by the proposed supermarket.

Carparking – The passage/waiting of trucks within the r dock does not impact on parking.

Step 5 – Truck Manoeuvre within Loading Dock

As discussed the loading dock has been designed to allow the manoeuvring of delivery vehicles to the load level of the inner loading dock. A 19 metre articulated vehicle is required to drive partly through the western (exit) loading dock door before it could reverse back to the load leveller.

Residential Amenity – The loading dock is adjacent to residential properties. The noise impact of trucks manoeuvring within the dock was examined by the acoustic consultant and found to comply with appropriate noise criteria (without the amendments proposed). The proposed enclosed extension of the dock, however, provides additional noise attenuation without the need for the roller doors to the dock to be closed. The impact of the articulated vehicle manoeuvre outside the dock was examined by the acoustic consultant and found to be acceptable.

Pedestrian Safety – The majority of vehicle manoeuvres are undertaken within the loading dock and there will be no conflict with pedestrian movement. The articulated vehicles, however, must drive partly outside the dock towards Peel Street to reverse back to the dock leveller. There are pedestrian paths to be constructed in Peel Street, and to maintain a suitable level of safety for pedestrians, the following is incorporated in the proposal:

- A marked pedestrian crossing is provided.
- The exit driveway will be designed to comply with the requirements of *AS 2890.2 – 2002 Parking Facilities Part 2 - Off Street Commercial Vehicle Facilities* giving adequate sight distance between drivers and pedestrians.
- The Addendum to the Traffic Impact Assessment recommends the provision of warning signage for pedestrians and drivers. These will be provided as per the recommendations of the traffic assessment.
- The vehicles are driven by experienced drivers with a higher level of training and skill than regular drivers.

Traffic Impacts – The movement of the trucks was designed using the truck turning template prepared by the traffic consultant. The manoeuvre within the dock does not impact traffic outside the site.

Surrounding Road Network – The truck movements within the site do not impact on the surrounding road network. The analysis of traffic impacts to roads and intersections by the traffic consultant included the additional traffic generated by the proposed supermarket.

Carparking – The manoeuvre of trucks within the dock does not impact on parking.

Step 6 – Loading Dock Activity

Operations undertaken within the loading dock include unloading of vehicles (primarily of the dock leveller) and emptying of bulk garbage bins by the contractor. The emptying of the bulk garbage bins and operation of refrigerated equipment can generate noise to properties in Peel Street. While the bulk bins are being emptied or a refrigerated truck is unloading, the western loading dock door is to be kept closed to contain noise from the activities within the loading dock. These amended design and operational changes were assessed by the acoustic consultant, and found to reduce noise levels to improve residential amenity.

Residential Amenity – The noise impact of loading dock activities is controlled by the proposed noise control structures and the management of activities. The extended loading dock allows the eastern loading dock doors to remain open during these activities, while the western loading dock doors will remain closed during these operations. The noise assessment has found that the noise from these activities can be controlled to be well within noise criteria.

Pedestrian Safety – There is no potential conflict with pedestrians during this activity.

Traffic Impacts – There are no impacts to traffic during these activities.

Surrounding Road Network – There are no impacts to the surrounding road network during this step.

Carparking – The activities in the loading dock do not impact upon parking.

Step 7 – Truck Leaving Loading Dock to Peel Street

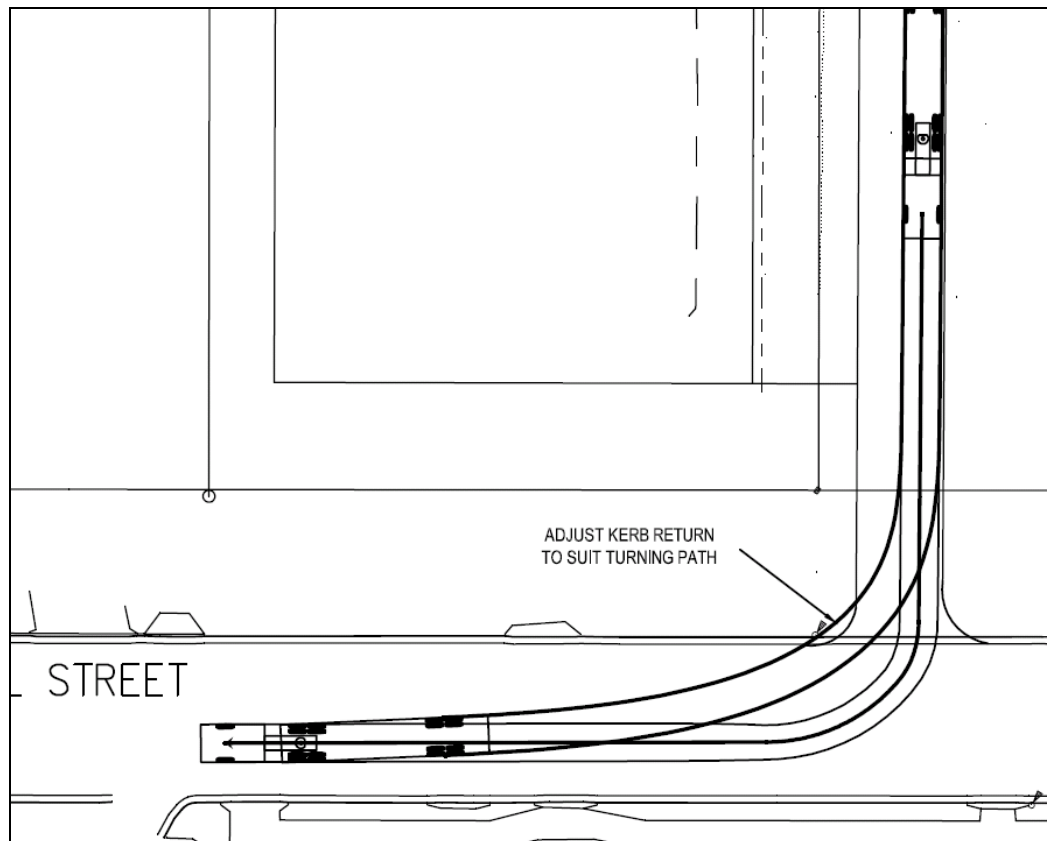
Trucks exit the loading dock via an exit driveway to Peel Street. The western roller shutter is opened and trucks are able to drive from the driveway to Peel Street, where the trucks turn right (north) back towards South Street.

Residential Amenity – The loading dock adjacent to residential properties. The short term noise impact of the doors opening and trucks leaving was examined by the acoustic consultant and found to meet the appropriate noise criteria for the site.

Pedestrian Safety – Vehicles exiting the loading dock cross a new footpath along the eastern side of Peel Street (extending across the site frontage to footpaths in South Street). As such, trucks will be required to cross the footpath. In relation to protection of pedestrian safety, the following is observed:

- A marked pedestrian crossing is provided giving pedestrians the right of way.
- The exit driveway will be designed to comply with the requirements of *AS 2890.2 – 2002 Parking Facilities Part 2 - Off Street Commercial Vehicle Facilities* giving adequate sight distance between drivers and pedestrians.
- The Addendum to the Traffic Impact Assessment recommends the provision of warning signage for pedestrians and drivers. These will be provided as per the recommendations of the traffic assessment.
- The vehicles are driven by experienced drivers with a higher level of training and skill than regular drivers.

Traffic Impacts – Council's traffic engineer has re-examined the turning template for an articulated vehicle using this driveway in detail. The following truck turning template for the intersection was prepared.



As a result of this examination, a small amendment to the driveway design is required. This change is only minor and will be included in detailed designs for construction.

Surrounding Road Network –The analysis of traffic impacts to roads and intersections by the traffic consultant included the additional traffic generated by the proposed supermarket.

Carparking – The new exit driveway will impact upon the availability of on-street parking at this location (2-3 spaces), however as noted in the addendum to the Traffic Impact Assessment, the on-street and off-street parking is sufficient to offset the loss of those spaces.

Step 8 – Truck Manoeuvre from Peel Street to South Street

This involves the turning of a truck from Peel Street into South Street. There is an existing intersection here, and no works have been identified as being

required to this intersection. In regard to the points raised in the deferred commencement condition, the following comments are provided:

Residential Amenity – This intersection adjoins commercial development, community uses and some residential development and is only carried out during the restricted hours of operation. The noise impact of traffic was examined by the acoustic consultant and was found to meet relevant criteria.

Pedestrian Safety – There is a footpath leading to each end of South Street. At this intersection vehicle speeds are expected to be low and sight vision for vehicles and pedestrians is adequate. A formal pedestrian footpath is to be provided to the Peel Street frontage connecting to the existing footpath network so that pedestrians do not need to walk on roads.

Traffic Impacts – The impacts of these movements were included within the traffic assessment and modelling undertaken for the intersection by the traffic consultants and the traffic impacts were found to be acceptable.

Surrounding Road Network – As discussed above the modelling and assessment of traffic impacts by the traffic consultant found that the impact of this traffic on the road network was acceptable.

Carparking – The truck manoeuvre does not impact on carparking issues.

Step 9 – Truck Manoeuvre from South Street to Manning Street

At this intersection, trucks make a left turn from South Street into Manning Street. This intersection is controlled by traffic lights as well as controlled pedestrian crossings. In regard to the points raised in the deferred commencement condition, the following comments are provided:

Residential Amenity – The truck movement at this intersection is within existing high traffic areas and is only carried out during the restricted hours of operation and does not raise any significant issues in terms of residential amenity.

Pedestrian Safety – There are existing pedestrian facilities at the intersection providing a high level of pedestrian safety.

Traffic Impacts – The impacts of these movements were included within the traffic assessment and modelling undertaken for the intersection by the traffic consultants and the traffic impacts were found to be acceptable.

Surrounding Road Network – As discussed above the modelling and assessment of traffic impacts by the traffic consultant found that the impact of this traffic on the road network was acceptable.

Carparking – The truck manoeuvre does not impact on carparking issues.

Loading Dock Conditions

The recommendation to the Joint Regional Planning Panel included a number of conditions which related to the operation of the loading dock. Consistent with the resolution of the panel, the following conditions were omitted from the consent and the details of these conditions are required to be addressed in response to the deferred commencement condition. The conditions which were omitted are listed below:

A4 - Deliveries to the premises shall be restricted to the hours between 7am to 6pm Monday to Friday and 8am to 5pm on Saturday, Sunday and public holidays. The loading dock roller doors shall not be permitted to be opened at any time outside of these hours.

A5 - Garbage collection from the premises shall only be permitted between the hours of 7am to 6pm Monday to Friday and 8am to 5pm on Saturday, Sunday and public holidays.

F2 - The loading dock roller door tracks must be fitted with polytetrafluoroethylene (PTFE) or high density polyethylene (HDPE) linings prior to the issue of an occupation certificate.

G1 - One month after the use has commenced a report is to be submitted to Council from an appropriately qualified person. The report is to certify the installation of all noise attenuation methods, assess noise emission from the development, the effectiveness of the noise attenuation methods and compliance or otherwise with the Noise Level Criteria described by Hunter Acoustics' Acoustic Assessment dated 22 December 2010 (Report Ref 8179-401.2). If necessary the report must detail additional noise attenuation measures required to achieve compliance.

Should additional attenuation measures be required to achieve compliance, they must be installed within 30 days of Council receiving the report and upon approval from Council. Subsequently, a suitably qualified person must certify that additional measures have achieved compliance.

G3 - The installation and operation of the loading dock fan/s shall comply with the recommendations of Hunter Acoustics letter dated 4 March 2011.

G5 - Deliveries to the premises must be restricted to one (1) vehicle at any one point in time.

G6 - The loading dock roller door tracks and linings must be maintained in good condition and lubricated with suitable grease at all times.

G7 - Loading dock roller doors shall only be permitted to be opened while a delivery vehicle or waste collection vehicle is entering or exiting the dock. Loading dock roller doors shall remain closed at all other times including while deliveries are being unloaded or waste is being collected.

G17 - All deliveries and use of the loading dock must comply with the submitted Woolworths Transport Delivery Management Plan dated February 2011 and the approved hours for the operation of the loading dock as contained in Condition A4 of this consent.

In regard to these conditions, the following comments are made and submissions presented for consideration of the Panel.

A4 - Deliveries to the premises shall be restricted to the hours between 7am to 6pm Monday to Friday and 8am to 5pm on Saturday, Sunday and public holidays. The loading dock roller doors shall not be permitted to be opened at any time outside of these hours.

The hours listed within the condition are not consistent with the Hours of operation for the loading dock presented within the development application. The hours requested were in relation to hours from 7am to 7pm Monday to Saturday and 8am to 6pm on Sundays. The applicant submits that appropriate hours would be 7am-6pm Monday-Saturday with reduced hours 8am-5pm on Sundays and public holidays.

It is noted that there was discussion around the possible further reduction of hours on a Sunday. In relation to this, the following comments are made:

- The potential impact of the operation of the loading dock to the closest affected residents has been significantly reduced by the proposed amendments.
- The acoustic assessment has found that truck movements during the time proposed would meet the NSW Industrial Noise Policy.
- The number of deliveries on Sundays would not change and would simply create a more intense period of activity over the reduced time on Sundays, potentially creating a greater degree of impact over a

shorter time period. Alternatively, the delivery periods on Saturday afternoon or Monday morning could become more intense.

- If the delivery period is reduced so far as to not be logistically feasible, the future viability of the premises may be affected.

A5 - Garbage collection from the premises shall only be permitted between the hours of 7am to 6pm Monday to Friday and 8am to 5pm on Saturday, Sunday and public holidays.

It would appear appropriate that this condition match the hours permitted for deliveries.

F2 - The loading dock roller door tracks must be fitted with polytetrafluoroethylene (PTFE) or high density polyethylene (HDPE) linings prior to the issue of an occupation certificate.

The applicant will provide PTFE or HDPE linings to the loading dock door tracks.

G1 - One month after the use has commenced a report is to be submitted to Council from an appropriately qualified person. The report is to certify the installation of all noise attenuation methods, assess noise emission from the development, the effectiveness of the noise attenuation methods and compliance or otherwise with the Noise Level Criteria described by Hunter Acoustics' Acoustic Assessment dated 22 December 2010 (Report Ref 8179-401.2). If necessary the report must detail additional noise attenuation measures required to achieve compliance.

Should additional attenuation measures be required to achieve compliance, they must be installed within 30 days of Council receiving the report and upon approval from Council. Subsequently, a suitably qualified person must certify that additional measures have achieved compliance.

The applicant will provide a report from an acoustic consultant certifying the installation of the noise attenuation measures and the effectiveness of the noise attenuation measures.

G3 - The installation and operation of the loading dock fan/s shall comply with the recommendations of Hunter Acoustics letter dated 4 March 2011.

Changes to the loading dock design allow for the roller doors to generally remain open. This may negate the need for loading dock exhaust fans. In any event the addendum to the acoustic report identifies options for ducting the

exhaust fan to reduce noise - these will be investigated further with mechanical engineers during detailed design.

In this case, the applicant proposes that the acoustic impact of loading dock exhaust fans (if installed) be reviewed by the acoustic consultant for compliance prior to the issue of an Occupational Certificate,.

G5 - Deliveries to the premises must be restricted to one (1) vehicle at any one point in time.

As has been discussed in this submission, the amended plan and operation of the loading dock has removed potential noise and amenity impacts as a result of more than one vehicles utilising the loading dock. As such, this condition is considered unnecessary.

G6 - The loading dock roller door tracks and linings must be maintained in good condition and lubricated with suitable grease at all times.

The applicant will maintain the roller door tracks and linings in good condition and keep the tracks lubricated.

G7 - Loading dock roller doors shall only be permitted to be opened while a delivery vehicle or waste collection vehicle is entering or exiting the dock. Loading dock roller doors shall remain closed at all other times including while deliveries are being unloaded or waste is being collected.

As a result of the amended plan, and further clarification of the loading procedure, there is no requirement to keep the entry or exit roller shutters closed as the additional enclosed area provides an effective noise barrier to potentially affected sensitive receptors. The entry roller shutter (off Manning Lane) can be kept open at all times over the period when deliveries can be accepted. The exit roller door (to Peel Street) will be closed when a refrigerated vehicle is unloading or when a garbage truck is emptying the bulk bins within the loading dock.

G17 - All deliveries and use of the loading dock must comply with the submitted Woolworths Transport Delivery Management Plan dated February 2011 and the approved hours for the operation of the loading dock as contained in Condition A4 of this consent.

The use of the dock will be consistent with the new Woolworths Transport Delivery Management Plan dated May 2011. The hours of operation will be as listed in this report or as determined by the JRPP.

CONCLUSION

Following the determination of the application and considering the discussions at the JRPP meeting in relation to the loading dock operation, further consideration has been given to the design and operation of the loading dock.

Changes have been made to the proposal. The key change being an extension of the loading dock enclosure eastwards over what was previously the entry driveway. This change provides an effective noise barrier between vehicles entering the loading dock and the adjoining residents. The sound attenuation is so profound that the doors to the loading dock can be left open, allowing vehicles to enter the dock without having to wait outside for the doors to be opened and noise levels remain substantially lower than previously. The plans includes a minor increase to the roof/ceiling level over the loading dock allowing further acoustic treatment and to providing garbage vehicles with sufficient height to operate within the loading dock.

In consideration of the issues raised by the Panel, additional investigation has been undertaken and additional reports obtained including acoustic assessment, revised traffic impact assessment, detailed assessment of articulated vehicle turning templates and a revised transport and delivery management plan prepared by Woolworths.

In relation to the concerns listed in the deferred commencement condition, these assessments found:

Residential Amenity – The acoustic review found that the original proposal (without the changes proposed) met relevant noise criteria, and that the proposed changes further improve the acoustic relationship with the adjoining residential uses.

Pedestrian Safety – The updated traffic report finds that the proposed design allows for suitable levels of pedestrian safety. *“There is expected to be minimal conflicts between pedestrians and the access to the loading dock”.* And pedestrian safety provisions adopted by the Proposal *“are considered adequate to provide safe and efficient access in and around the site for pedestrians.”*

Traffic impacts on the surrounding road network – The traffic consultant confirms that the surrounding road network would not be significantly impacted by the proposed supermarket operating and is suitable to cater for the proposed supermarket.

Carparking – The loading dock operation has minimal impact on parking. The Proposal provides 129 spaces against 115 spaces required.

The previously proposed conditions which related to the operation and use of the loading dock were reviewed, and are generally acceptable to the applicant. In relation to the key conditions the following is sought:

- Timing of deliveries is sought to be limited to the hours of 7am to 6pm Monday to Saturday, and restricted to 8am to 5pm on Sundays and public holidays.
- With the extended loading dock enclosure more than 1 vehicle can access the loading dock without impacting to adjoining properties or surrounding traffic. Deliveries will be managed to ensure no more than 1 articulated vehicle accesses the loading dock at a time.
- The loading dock doors can be left open during the deliveries period. The exception being that the western (exit) roller door is kept closed when a refrigerated vehicle is unloading or the garbage vehicle is emptying bins in the loading dock to minimise acoustic impact from these particular activities.

APPENDIX A: AMENDED PLANS

*APPENDIX B: SUPPLEMENTARY ACOUSTIC
REPORT*

APPENDIX C: TRAFFIC ASSESSMENT ADDENDUM

*APPENDIX D: ADDITIONAL HEAVY VEHICLE
TURNING TEMPLATES*

APPENDIX E: TRANSPORT DELIVERY
MANAGEMENT PLAN