

**ADDENDUM AND RESPONSE
TO RFI FOR DA/251/2013/A,
DA/1188/2017 AND DA/1191/2017**

**20 PACIFIC HIGHWAY,
BENNETTS GREEN**

URBIS STAFF RESPONSIBLE FOR THIS REPORT WERE:

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Project Code	SA6493

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Additional A3 Appendices under separate cover – refer list at Section 3.1.

INTRODUCTORY STATEMENT

21 December 2017

Mr Brian Gibson
Senior Development Planner
Lake Macquarie City Council
Box 1906
HRMC NSW 2310

Dear Brian,

ADDENDUM AND RESPONSE TO RFI FOR DA/251/2013/A, DA/1188/2017 AND DA/1191/2017 – 20 PACIFIC HIGHWAY BENNETTS GREEN

We write with reference to your email to Urbis dated 27 September 2017 comprising a request for information (RFI) and stop the clock notice relating to three related applications, as follows:

DA/251/2013/A	Section 96(2) Modification application relating to approved <i>Building Products Warehouse and Showroom, Bulky Goods Premises, Restaurant, Signage, Demolition and Consolidation/subdivision, As A Staged Development.</i>
DA/1188/2017	Service station and take away food and drink premises
DA/1191/2017	Six bulky goods premises

The applications are closely interrelated, and a number of the amended reports and drawing packages relate to all three applications.

We are pleased to now provide a comprehensive response to the RFI, in addition to an addendum to the application relating to pylon signs and consent conditions.

The response is structured as follows:

- Amendments to Signage (Addendum to DA/251/2013/A)
- Amendments to Consent Conditions (Addendum to DA/251/2013/A)
- RFI response for each application, including matters still to be addressed in a further response
- Revised and additional plans and documents – A4 appended, A3 in separate volume

We would like to take this opportunity to thank you for assisting Urbis and Blueprint, on behalf of the applicant, to resolve the issues associated with this complex application.

If you have any questions, please contact Edward Green of this office on 8233 9900, or the undersigned on 0408 971 591.

Yours sincerely,



Alison Brown
Associate Director

1. AMENDMENTS TO SIGNAGE : DA/251/2013/A

1.1. PYLON SIGNS

The Section 96(2) application as lodged proposed:

- **two x 12m** high pylon signs on the Pacific Highway;
- **one x 12m** high pylon sign on South Street.

The signage locations as lodged are illustrated below.



The addendum now proposes the following pylon signs:

- **three x 9m** high pylon signs on the Pacific Highway;
- **one x 9m** high pylon sign at the Lake Street entry.

The third sign the Pacific Highway relates to the proposed service station and associated fast food tenancy.

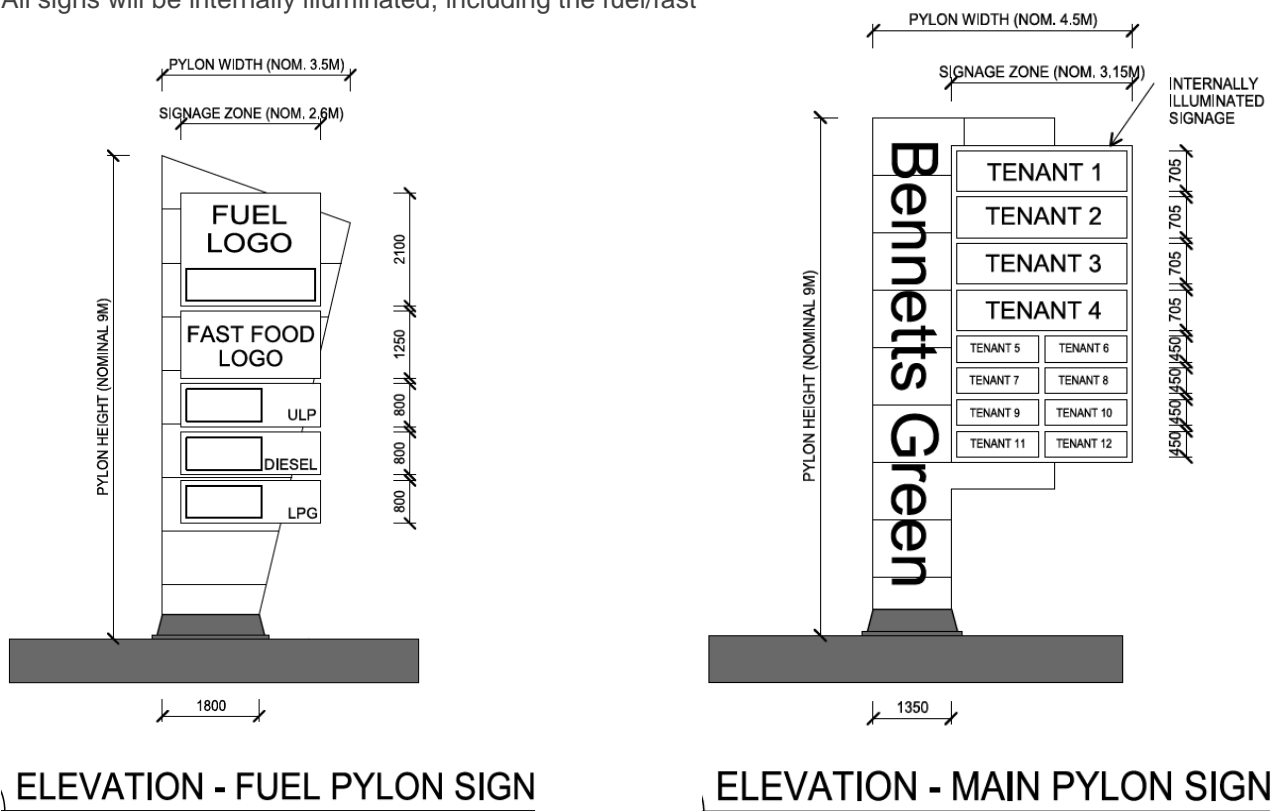
Note that the South Street pylon sign has been removed, and will be replaced with a small directory sign, discussed in the following section;

Pylon sign locations now proposed are illustrated below.



The detailed dimensions of the proposed pylon signs are illustrated overleaf.

All signs will be internally illuminated, including the fuel/fast



1.2. SOUTH STREET ENTRY SIGN

The 12m pylon sign proposed on South Street (which was consistent with the previous Masters scheme) has now been deleted and replaced with a small scale, 3m x 1m (approx) entry sign, as per the image below. The sign location is indicated on amended drawing ATP-220.



1.3. STATUTORY ASSESSMENT

The amended proposal includes a total of four, 9m high pylon signs compared to the three, 12m high signs previously proposed.

The amended signage has been assessed against SEPP 64 and the Lake Macquarie DCP, to determine if the assessment and conclusions in the S96(2) application as submitted remains valid.

In relation to SEPP 64, the assessment provided previously remains valid.

In relation to compliance with the DCP, the signs remain consistent with DCP sections 17.1 - Signage Design, 17.2 - Signage Positioning, and 17.4 Illuminated, Flashing and Moving Signs.

The following non-compliances arise with the DCP, which was also the case for the previously lodged S96(2) application. An updated assessment is provided below:

Section	Control	Comment
17.3 Specific Sign Dimensions	<p>9. Pole and/or pylon signs (freestanding) must be a maximum height of six metres from ground level with a minimum clearance of 2.6 metres above ground level. The maximum width must be 3.75 metres, with a maximum depth of one metre.</p> <p>Signage must be limited to one freestanding sign for each business/occupancy on each street</p>	<p>The pylon signs have been reduced in height from 12m to 9m. The width of the fuel sign is less than 3.75m, and while the main signs are wider than 3.7m, the width of the signage zone complies. While the proposed pylon signs do not comply with the DCP in height and width, they are smaller than the pylon signs approved under the original application.</p> <p>Further, while there is more than one freestanding sign along the Pacific Highway</p>

	frontage, including flagpoles containing advertising material.	<p>frontage, the size and number of signs are considered appropriate in context of the site for the following reasons:</p> <p>The site has an area of approximately 7.89ha with the main site frontage to the Pacific Highway which is a major vehicular thoroughfare. Accordingly, the site is prominently located and lends itself to visual signage which will indicate the site usage to passing traffic. The purpose of the signage is to identify the businesses within the complex and give opportunity for passing trade to slow down and enter the site.</p> <p>As the site is of a substantial size and accommodates give separate elements (being the Bunnings Warehouse, Lot 2 bulky goods tenancies, the restaurant, Lot 3 bulky goods tenancies and the service station and fast food restaurant, a total of four pylon signs are deemed appropriate to communicate the range of tenants which the development will accommodate.</p> <p>Given the scale of the proposed development, the scale and number of pylon signs are considered appropriate in context of the surrounding urban environment.</p>
17.6 Multiple Tenancy Signage	<p>1. Where the signage relates to multiple tenancy/occupancy, an entry/directory board signage structure must be used, rather than individual signs for each tenancy.</p> <p>2. Multiple tenancy/occupancy entry/directory boards and advertising panels must have an integrated theme approach to signage in the Industrial Zones and Business Zones. They must not obstruct traffic vision or create safety hazards, and be located clear of underground or overhead services.</p> <p>The maximum allowable height is six metres, and there must be only one entry/directory board/ advertising panel per street frontage.</p>	<p>The proposed pylon signs utilise a directory board format which is designed to accommodate multiple tenancies details. The architect-designed signs have an integrated theme.</p> <p>Non-compliance with the size and number of signs is addressed above.</p>

2. AMENDMENTS TO CONSENT CONDITIONS: DA/251/2013/A

2.1. SUMMARY

Section 5.3 of the Statement of Environmental Effects accompanying the S96(2) application as lodged, sets out a list of conditions that will require amendment to reference the amended scheme.

In addition to these amendments, we now seek to amend conditions in such a way to:

- reflect the proposed staged CC framework, and enable flexibility in the timing of issue of CC should the CC staging vary (condition 4);
- Reflect the amended Staged Development approval framework (condition 8); and
- Amend the wording of several conditions to reflect the intended CC and OC framework and occupation process (various conditions).

2.2. CONDITION 4 - CONSTRUCTION CERTIFICATES

We are instructed that five stages of work are planned, each of which will be subject to a separate construction certificates:

1. Environmental works; tree removal and site clearance
2. Civil Works; including bulk earthworks, site retention, services and associated works
3. Main Contract Building Works; including Bunnings, all Large Format Retail buildings, Family Restaurant, Petrol Station, take away food and premises, internal Roadworks, carparking and internal landscaping
4. External Roadworks in accordance with RMS WAD
5. Public Domain Works; including landscaping; hardscaping

Due to the large and complex site including offsite works, it is possible that some elements of work will be moved to a different stage, or more than one CC may be issued for one stage. It is therefore important to ensure that there is no impediment to the issue of staged CCs, and that the consent conditions are triggered for satisfaction at the appropriate time.

As such, Condition 4 is proposed to be modified as follows:

4. Construction Certificates

Prior to the commencement of building work or subdivision work, a Construction Certificate shall be obtained.

Notwithstanding any other condition of this consent, the consent permits separate Construction Certificates to be issued for the development in stages, provided that conditions of consent relevant to the development incorporated within that stage have been complied with prior to the release of the relevant Construction Certificate.

Note: If the Construction Certificate is issued by a Principal Certifying Authority that is not Council it will be necessary to lodge the Construction Certificate and other approved documents with Council within two days of such approval. (Clause 142(2) EPA Regulation 2000).

2.3. CONDITION 8 – STAGING OF DEVELOPMENT

Existing Condition 8 has been imposed with reference to Section 80(4) of the Environmental Planning and Assessment Act 1979. It does not relate to the staging of works, but rather refers to a list of matters which are approved in total, and which require separate development consent. The condition requires amendment as follows:

8. Staging of Development - The development is staged pursuant to with S80(4) of the Environmental Planning and Assessment Act, 1979, and the following:

Stage 1A, being the subject of this development consent, incorporates the following:

Subdivision

Building Products Warehouse

Restaurant

Lot 2 Bulky Goods Units ~~4-8~~

Lot 3 Bulky Goods Units (concept approval only – see Stage 1B)

Demolition

Signage

Landscaping

Civil and Stormwater

Intersection upgrades at Pacific Highway and South Street

Car parking and access ways associated with the Building Products Warehouse, **Lot 2** Bulky Goods Units ~~4-8~~ and Restaurant

Service Road at the rear of the **Lot 2** Bulky Goods units ~~4-8~~, connecting with the internal round-a-bout servicing the access off the Pacific Highway and Groves Road intersection

Public Domain Works

Stage 1B, being subject to separate Development Consent, incorporates the following:

Lot 3 Bulky Goods Units **9-13**

Intersection upgrade at Lake Street

Service Road at the rear of **Lot 3** Bulky Goods Units ~~9-13~~

Car parking and access ways associated with **Lot 3** Bulky Goods Units ~~9-13~~

Landscaping associated with **Lot 3** Bulky Goods Units ~~9-13~~

Public Domain Works

Stage 1C is specifically excluded from this Development Consent, and is subject to separate Development consent, incorporates the following

Lot 3 service station and take away fast food outlet.

2.4. OTHER CONSENT CONDITION AMENDMENTS

The applicant's certifiers have reviewed the development consent and request a range of amendments as marked up below.

The purpose of the amendments is to ensure that the need to satisfy each consent condition is triggered at the appropriate point during the site works, construction and occupation phases. Due to the scale of the site and complex range of on and offsite works required, this approach – combined with the flexibility provision proposed to be added to Condition 4 - is considered to be both reasonable and highly pragmatic.

If Council has concerns about any of the proposed amendments set out below, we would be pleased to provide more detailed justification in relation to that matter.

6. Sequence of Development

The ~~first or any~~ **Construction Certificate for any new works above the ground level** shall not be issued/released by the Principal Certifying Authority unless application for registration of the Linen Plan of Subdivision has been made through the Office of Land and Property Information.

10. Concurrence Conditions by the NSW Office of Environment & Heritage

- (1) The development must be undertaken in accordance with the Species Impact Statement (SIS) including but not limited to the ameliorative measures documented in Section 7 of the SIS.

Reason: To ensure that the proposal is undertaken as described in the SIS and incorporates amelioration measures for threatened species as agreed to by the Minister administering the Threatened Species Conservation Act 1995 for this issued Concurrence.

- (2) The provision of biodiversity offset at Ryhope ('the Offset') as shown in Figure 1 (below) must be secured in perpetuity for conservation prior **to the issuance of the construction certificate for all external Landscaping works being granted.** Evidence of this is to be provided to the planning authority prior to the granting of any construction certificate by the Principal Certifying Authority. As a minimum such evidence is to include transfer of the 4.35 hectares of unmade roads (known as Lot 1 DP 1198888) in the Offset from the applicant to the consent authority; a Planning Agreement with the consent authority or future owner of the offset land demonstrating commitment and funding for ongoing conservation management; and a Section 88E instrument under the Conveyancing Act 1919 securing the land for conservation purposes.

14. Water Course Rehabilitation Plan

~~The Principal Certifying Authority shall not release the first or any~~ **Prior to the issuance of the Construction Certificate for any Structure to the Building, Construction Certificate without approval from Council for the Water Course Rehabilitation Plan for Crokers Creek is to be provided.**

The applicant is to submit to Lake Macquarie City Council for approval a Water Course Rehabilitation Plan for Crokers Creek, generally in accordance with the Windale Creek Restoration Plan (24 October 2014) by Eco Logical Australia Pty Ltd with the following additional requirements:

15. Stormwater Disposal - Stormwater Detention, Harvesting & Water Quality

Prior to the issuance of the Construction Certificate for any Stormwater works, ~~The Stormwater system submitted with any Construction Certificate~~ **the Stormwater System** shall be generally in accordance with the plans approved by the Development Consent prepared by Mott MacDonald and must comply with the following:

16. Concrete Footpath

At the cost of the person having benefit of the consent, concrete footpaths 1.2 metres wide shall be constructed in accordance with the approved plans and additionally extend along the southern side of Lake Street from the Lake Road access for the Service Road to the existing footpath located on the western side of the PCYC.

Concrete footpaving shall be constructed in accordance with Lake Macquarie City Council standard drawing EGSD-301 which is available from Councils website. An approval under s138 of the Roads Act 1993 shall be obtained from the appropriate roads authority prior to the issue of any **the relevant** Construction Certificate for those works. No footpath works shall commence prior to the issue of a Construction Certificate.

Prior to the issue of the final Occupation Certificate a certificate shall be issued by the Principal Certifying Authority stating that the work has been undertaken in accordance with the Council's DCP 1 Volume 2 Engineering Guidelines.

17. Vehicles Access Crossing and Kerb Layback

A paved vehicular access including ~~kerb~~ layback from the property boundary to the street shall be installed in accordance with Council's DCP 1 Volume 2 Engineering Guidelines and Councils Standard Drawings: EGSD-103, EGSD-201 or EGSD-104 (available from Councils website). An approval under s138 of the Roads Act 1993 shall be obtained from the appropriate roads authority prior to the issue of any **the relevant** Construction Certificate for those works.

Prior to the issue of an Interim or Final Occupation Certificate, whichever occurs first the paved crossing shall be completed for the building, at the owner's cost.

Prior to the commencement of work the person having the benefit of the consent shall contact Council for footpath levels so that a suitable driveway can be constructed to provide vehicular access onto the site.

Any disused ~~kerb~~ and gutter and footpath crossing shall be removed and replaced with full ~~kerb~~ and gutter to match adjoining ~~kerb~~ and gutter to the satisfaction of Council.

18. → Erosion and Sediment Control Plan¶

~~Prior to the release of the first Construction Certificate or any works commencing onsite (including, but not limited to, demolition or vegetation clearing), the final Soil and Water Management Plans (SWMP) shall be submitted to, and approved by, Council's Erosion and Sediment Control Officer. It shall be generally in accordance with the plans approved by the Development Consent.¶~~

22. Fix Damage Caused by Construction Works

Any damage or injury caused to a public road or associated structures including footpaths, drains, kerb and gutter and utility services caused as a consequence of the construction works shall be made good at the cost of the person with the benefit of the consent.

Any disused kerb and gutter and footpath crossing shall be removed and replaced with full kerb and gutter in accordance with Council's standards to match finished adjoining kerb and gutter. All replacement works are to be completed to the satisfaction of Council prior to the issue of an **the Final Occupation Certificate** at the cost of the person with the benefit of the consent.

26. Crime Prevention Through Environmental Design

The above requirements are to be incorporated into the plans submitted with the Construction Certificate and implemented **prior to release of the Final Occupation Certificate by the Principal Certifying Authority.**

28. Translocation of Small-flower Grevillea

Plans and a cover letter from a suitably qualified Ecologist detailing the proposed area for the translocation of the 10 plants of Small-flower Grevillea are to be submitted to Council for endorsement. The Ecologist is to identify the suitability of the location in terms of environmental conditions and its compatibility with adjoining/surrounding land uses and landscaping, the timing of the translocation works in relation to the construction works for Stage 1A of the development, as well as demonstrating compliance with the Concurrence conditions.

The Principal Certifying Authority must not release the ~~first or any~~ **relevant Construction Certificate** until Council has endorsed the recommendations of the Ecologist.

33. Landscape Plan

The Principal Certifying Authority must not issue the ~~first or any~~ **relevant Construction Certificate for Landscaping works** without Council having approved a revised Landscape Plan.

35. Acoustic Wall Detail

The Acoustic Wall as recommended in the report by RCA Acoustics is to be textured and/or designed such that it does not present to South Street and other public areas without providing visual relief. Landscaping shall be used to soften the appearance of the acoustic wall.

Details of the Acoustic Wall and landscape treatments are to be submitted to Council for approval. The Principal Certifying Authority must not issue the ~~first or any~~ **the relevant Construction Certificate** without Council having approved the detail of the Acoustic Wall and landscape treatments.

In submitting the design detail to Council, an endorsement of the proposed Acoustic Wall by an Acoustic Engineer is to be provided stating it is in accordance with the recommendations of the RCA Acoustic Report.

38. Fencing

Detailed plans showing the proposed location, extent, materials, dimensions is to be submitted to Council for approval. The Principal Certifying Authority must not issue the ~~first or any~~ **the relevant** Construction Certificate until Council has approved a fencing plan for the development.

41. South Street Entry

Delivery vehicles exiting onto South Street are limited to those servicing the Building Products Warehouse. All delivery vehicles shall enter South Street with a left turn only. No delivery vehicles are to enter the site at the South Street entry.

The transition to the road pavement shall be smooth to ~~minimise noise from exiting delivery vehicles~~. In addition, the road pavement fronting the South Street access is to be resealed/resurfaced to reduce future damage by delivery vehicle ~~manoeuvring~~.

Details of the South Street access, including the transition, road pavement area to be resealed/resurfaced and demonstrating suitable width for delivery vehicle sweep paths are to be submitted to Council for approval. The Principal Certifying Authority shall not issue the ~~first or any~~ **the relevant Construction Certificate** without Council having approved the documentation for the South Street entry.

42. Restaurant Service Vehicle Manoeuvring

~~Manoeuvring~~ details for the servicing of the Restaurant with regard to unloading and waste collection are to be submitted to Council for approval. The Principal Certifying Authority must not issue the ~~first or any~~ **the relevant Construction Certificate** until Council has approved the ~~manoeuvring~~ by service vehicles for the Restaurant.

43. Car Parking and Allocation of Spaces

All car parking spaces, line marking and signage shall be completed prior to the issue of an ~~Interim or~~ **Final Occupation Certificate**, ~~whichever occurs first~~.

54. Screening of Roof Top Plant and Equipment

All Roof Top Plant and Equipment for the Bulky Goods Units are to be suitably screened. Details of the screening measures are to be submitted to Council for approval.

The Principal Certifying Authority must not release the ~~first or any~~ **the relevant Construction Certificate without the Principal Certifying Authority Council** having approved the screening measures for the Roof Top Plant and Equipment.

56. Ausgrid Requirements

Prior to the issue of the ~~first~~ **the relevant Construction Certificate**, any requirements of ~~Ausgrid~~ shall be obtained and a copy of the such requirements shall be lodged with Council and the Principal Certifying Authority. All works shall comply with the requirements of ~~Ausgrid~~.

71. Build Over Water Mains - Hunter Water Corporation Requirements

The Principal Certifying Authority shall not release the ~~first or any~~ **the relevant Construction Certificate** without the approval of Hunter Water Corporation of the Construction Plans having regard to the water main and easement adjoining South Street. The development must be constructed in accordance with the Hunter Water Corporation requirements.

82. Liquid Wastes

Prior to the issue of ~~the first~~ **the relevant Construction Certificate** details on the collection, treatment and/or disposal of liquid wastes arising from the operations shall be submitted to Council for approval. Details shall include segregation of drainage areas subject to likely contamination, and the methods for preventing contaminants discharging from the site into the stormwater system. No work shall commence on site until the Council's approval is obtained.

58. Bus Shelter

The following works are to be completed prior to the issuing of ~~an~~ **the Final Occupation Certificate** by the Principal Certifying Authority:

- i. A bus shelter shall be provided at the Pacific Highway.
The bus shelter structure shall be constructed and installed in accordance with Council's Standard Drawing EGSD-801.
- ii. The existing bus stop in Iona Street shall be upgraded, inclusive of a concrete pad, seat and Tactile Ground Surface Indicators, in accordance with Council's Standard Drawing EGSD-801.
- iii. A new bus stop is to be established in Iona Street, opposite the existing bus stop, inclusive of a concrete pad, seat and Tactile Ground Surface Indicators, in accordance with Council's Standard Drawing EGSD-801.

An approval under s138 of the Roads Act 1993 shall be obtained from Council prior to the issue of any Construction Certificate for these works.

Each bus stop is to comply with disability access requirements.

Prior to the issue of a Compliance Certificate/**Final Occupation Certificate** a certificate shall be issued by the contractor stating that the bus stop and/or shelter installation has been undertaken in accordance with the Council's Standard Drawing EGSD-801.

All works are to be undertaken at the cost of the person having the benefit of the consent.

3. RFI RESPONSE

3.1. SCHEDULE OF AMENDED AND ADDITIONAL DOCUMENTATION

Parts C and D contains all amended plans and reports, as summarised below.

Part C – A4 Volume

- A. RFI Response Table - S96 application
- B. RFI Response Table - bulky goods DA
- C. RFI Response Table - service station DA
- D. Stormwater Report – all applications
- E. Traffic Report - all applications
- F. Acoustic Report - all applications
- G. Ausgrid Letter - S96 application
- H. Mine Subsidence Report - S96 application
- I. Legal Advice re Substantially the Same Development - S96 application
- J. Ecological Letter - S96 application
- K. CPTED Report - bulky goods DA
- L. Access Report - bulky goods DA
- M. CPTED Report - service station DA

Part D – A3 Volume

- N. Replacement Architectural Drawing set - S96 application
- O. Replacement Architectural Drawing set - bulky goods DA
- P. Replacement Architectural Drawing set - service station DA
- Q. Replacement Landscape Drawing set - all applications
- R. Replacement Civil Drawing set - all applications
- S. Northrop General Arrangement Plan

3.2. SUMMARY OF RESPONSE

Blueprint on behalf of the applicant has worked closely with Council, the project team and key authorities including RMS and OEH, to resolve a wide range of issues raised in the RFI.

The RFI response addresses the majority of matters raised, however certain issues remain to be closed out (refer following section).

Amendments arising from the RFI include, but are not limited to:

- Provision of further detail in relation to civil and stormwater works, mines subsidence, accessibility, and power supply;
- Resolution of access, traffic and car parking flows and confirmation of swept paths;
- Reduction of car parking spaces from 841 to 837;
- Clarifications regarding accessible spaces, trailer parking and wheel stops;
- Development of a solution for the translocated *Grevillea parviflora* to the satisfaction of Council;
- Creation of additional landscaping opportunities through creation of enlarged and additional planters within the car park;
- Narrowing of footpath within the site adjacent to the Pacific Highway, enabling a widened planting bed;
- Rationalisation of trees along the Pacific Highway frontage to balance amenity with visibility of the complex;
- Rationalisation of trees on the Lake Street frontage in response to the engineering constraints of the site and Council's comments;
- Removal of planting in the Hunter Water easement following receipt of advice from that authority;
- Identification of fencing, including acoustic and boundary fencing;
- Improved architectural presentation of the façade of buildings overlooking the playing fields;
- Additional information regarding various architectural details such as RLs, materiality and finishes;
- Amendment of architectural plans to include additional glazing where requested/required;
- Additional information to confirm that acoustic impacts are acceptable; and
- Amendments to the proposed signage in accordance with Council's feedback, including a reduction in height (to 9m), and removal of the pylon on sign South Street.

3.3. OUTSTANDING MATTERS

The following matters remain to be addressed, in January 2017:

- Amended Bunnings elevation to Pacific Highway
- Landscape and architectural renders; and
- NSW OEH approval of the amended *Grevillea parviflora* translocation strategy.

3.4. STATUTORY ASSESSMENT

Overall, the changes resulting from the RFI response largely aim to improve the environmental outcomes of the proposal.

The proposal remains substantially the same development as that lodged, and in the case of the Section 96(2) application, as that which was previously approved.

No change to land use, built form or GFA arises.

Enlarged and additional landscaping beds have been created within the car park and species varied to address Council's comments.

An off-site location for the translocated vegetation has been put forward to NSW OEH (to the satisfaction of Council) and the detailed stormwater design finalised. Noise impacts will be appropriately managed through the erection of an acoustic wall and implementation of management measures.

The RMS has been consulted and design changes made. The total car parking provision will reduce from 841 to 837, which remains an adequate provision. No additional traffic will be generated from the amended design.

The architectural quality of the buildings facing the playing fields has been enhanced.

Further work is being undertaken on the design quality of the Bunnings Pacific Highway elevation, and renders will be provided to illustrate the site-wide landscape and architectural response. This will be provided to Council in January 2018.

Although the total number of pylon signs has been increased from 3 to 4, the height of the signs has been reduced to 9m in response to Council feedback, and the proposed pylon sign on South Street has been deleted.

No further inconsistencies with any State Environmental Planning Policy or Local Environmental Plan arise when compared with the applications as previously lodged. The applications remain generally consistent with the DCP as previously assessed, apart from the size and number of pylon signs which is addressed in Section 1.3 of this letter.

In conclusion, the impacts of any amendments arising from the RFI response are acceptable and can be appropriately mitigated.

DISCLAIMER

This report is dated 21 December 2017 and incorporates information and events up to that date only and excludes any information arising, or event occurring, after that date which may affect the validity of Urbis Pty Ltd's (**Urbis**) opinion in this report. Urbis prepared this report on the instructions, and for the benefit only, of Bennetts Green Spotlight 2 Pty Ltd (**Instructing Party**) for the purpose of Addendum (**Purpose**) and not for any other purpose or use. To the extent permitted by applicable law, Urbis expressly disclaims all liability, whether direct or indirect, to the Instructing Party which relies or purports to rely on this report for any purpose other than the Purpose, and to any other person which relies or purports to rely on this report for any purpose whatsoever (including the Purpose).

In preparing this report, Urbis was required to make judgements which may be affected by unforeseen future events, the likelihood and effects of which are not capable of precise assessment.

All surveys, forecasts, projections and recommendations contained in or associated with this report are made in good faith and on the basis of information supplied to Urbis at the date of this report, and upon which Urbis relied. Achievement of the projections and budgets set out in this report will depend, among other things, on the actions of others over which Urbis has no control.

In preparing this report, Urbis may rely on or refer to documents in a language other than English, which Urbis may arrange to be translated. Urbis is not responsible for the accuracy or completeness of such translations and disclaims any liability for any statement or opinion made in this report being inaccurate or incomplete arising from such translations.

Whilst Urbis has made all reasonable inquiries it believes necessary in preparing this report, it is not responsible for determining the completeness or accuracy of information provided to it. Urbis (including its officers and personnel) is not liable for any errors or omissions, including in information provided by the Instructing Party or another person or upon which Urbis relies, provided that such errors or omissions are not made by Urbis recklessly or in bad faith.

This report has been prepared with due care and diligence by Urbis and the statements and opinions given by Urbis in this report are given in good faith and in the reasonable belief that they are correct and not misleading, subject to the limitations above.

APPENDIX A RFI RESPONSE TABLE - S96 APPLICATION

APPENDIX B

RFI RESPONSE TABLE - BULKY GOODS DA

APPENDIX C
DA

RFI RESPONSE TABLE - SERVICE STATION

APPENDIX D STORMWATER REPORT – ALL APPLICATIONS

APPENDIX E

TRAFFIC REPORT - ALL APPLICATIONS

APPENDIX F ACOUSTIC REPORT - ALL APPLICATIONS

APPENDIX G

AUSGRID LETTER - S96 APPLICATION

APPENDIX H MINE SUBSIDENCE REPORT - S96

APPLICATION

APPENDIX I LEGAL ADVICE RE SUBSTANTIALLY THE SAME DEVELOPMENT - S96 APPLICATION

APPENDIX J ECOLOGICAL LETTER - S96 APPLICATION

APPENDIX K CPTED REPORT - BULKY GOODS DA

APPENDIX L ACCESS REPORT - BULKY GOODS DA

APPENDIX M CPTED REPORT - SERVICE STATION DA



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