



RFI RESPONSE TABLE – 20 PACIFIC HIGHWAY BENNETTS GREEN – SECTION 96(2) DA/251/2013/A

No	Category	Detail	Response	Reference
1	Concurrence Threatened Species	The Office of Environment & Heritage has provided revised concurrence conditions in relation to the proposed modification. [LINK]	Noted. The applicant raises no objection to these concurrence conditions.	-
2	State Road Roads & Maritime (RMS)	The matters raised in the correspondence by the RMS dated 19 February 2018 were discussed at the meeting of 20 March 2018 at which representatives of the applicant and Council were in attendance. Following the meeting the RMS provided correspondence on 28 March 2018 with regard to intersection treatments on the Pacific Highway. A response by CBRK dated 4 April 2018 was forwarded to the RMS for consideration. To date Council has not received any further advice from the RMS.	Noted. The revised site layout and highway intersection locations have been approved 'in-principle' by RMS and are discussed further within the revised Traffic Letter prepared by CBRK.	Appendix E
3	NSW DPI Water	The Department of Primary Industry – Water NSW provided its advice in relation to the General Terms of Approval (GTAs) on 12 February 2018. Water NSW advised the existing GTAs remain valid. [LINK]	Noted. The applicant raises no objection to these GTAs.	-
4	NSW Subsidence Advisory	Council referred the 'Desk Top Study on Mine Subsidence Risk' to NSW Subsidence Advisory on 5 March 2018. On 4 May 2018 the NSW Subsidence Advisory provided its General Terms of Approval (GTAs which can be viewed at [LINK])	Noted. The applicant raises no objection to these GTAs.	-
5	Building Design	Discussions have been held with Bunnings regarding changes to the elevation, however revised plans are yet to be formally submitted.	The applicant has gained 'in-principle' support from Council for the Bunnings elevation design (illustrated through CGI and provided via email). The Architectural and Landscape Plan packages detail works consistent with the render provided to Council.	Appendix G Appendix J



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6	Building Design	The external finishes have been reviewed. Clarification is required of the use of 'Dulux Saudi Sand P13. B4', as the Bulky Goods units appear to have different colours, i.e. grey and brown where Dulux Saudi Sand P13. B4 is referenced.	The external finishes schedule together with the elevations has been updated as requested.	Appendix G
7	Building Design	Details of roof plant screens for the Bunnings building are noted, as is the comment for the Restaurant. The detail for the roof top screens is inadequate in terms of material, form and colour. This can be conditioned requiring detail be submitted to Council prior to release of the first or any Construction Certificate.	The notation on the elevation plans has been updated to include details as requested.	Appendix G



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8	Building Design	<p>RFI 1: The height (inclusive of RLs), diameter and material details of the proposed Sprinkler Tank and Fire Sprinkler Pump House adjoining the South Street access ramp/driveway are required in the form of architectural elevations and perspectives. Concerns are the tank will be quite prominent and visually obtrusive to residential properties opposite. Following a review of such detail, it may be required the infrastructure be relocated.</p> <p>RFI 2: No detail has been provided to Council.</p>	<p>The Sprinkler Tank colour and materiality has been revised to match the main Bunnings building. The height (in RL) is shown on the Site Plan.</p> <p>In the response to RFI no. 1, dated December 2017, the plans and RFI table indicated that the tank would have the dimensions 5m high x 10m diameter. It was subsequently confirmed that these dimensions could not be accommodated and the tank is now proposed to be 9.5m high x 6m diameter, as shown in the above perspective and accompanying architectural set.</p> <p>The location and dimensions of the tank allow it to sit predominately within the outline of the Bunnings building when viewed from South Street. Views of the tank from South Street are filtered by landscaping along the frontage.</p> <p>A montage of the tank as viewed from South Street (and precedent images of other sprinkler tanks on Bunnings sites) are provided showing this outcome.</p>	Appendix G
9	Engineering Traffic Comment	<p>Council's Traffic Engineer has considered the outcomes of the meeting with the Roads & Maritime regarding access to the development off the Pacific Highway. Council in principle has no objection to the request by Roads & Maritime to provide left out only at the Groves Road intersection and left and right at the southern intersection.</p> <p>Should the application be amended in this manner, it is expected the internal layout will require adjustments i.e. the service road may need to be one-way southbound.</p>	<p>Noted. The revised site plan accommodates RMS requirements which has been approved 'in-principle'.</p> <p>CBRK has prepared a traffic letter which confirms the suitability of the revised intersection design and the associated 'flow-on' impacts for the internal site layout.</p>	Appendix E



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10	Engineering Subdivision	<p>The comments regarding the proposed subdivision are noted. The parent application sought consent for the consolidation of the lots, and then subdivision to separate the development lot from Council's reserve to the south and sports fields to the west. The applicant at the time nominated development lots, but these were not intended for subdivision.</p> <p>Council raises no issue with the proposal to formally subdivide these development lots however a subdivision plan drawn up by a surveyor including details of rights of carriageway and easements for stormwater and services is required for the purpose of assessment as such matters cannot be conditioned.</p> <p>Additionally, on receipt of a subdivision plan Council will need to consult with external agencies (RMS, RFS, NSW Subsidence Authority, etc.).</p>	This Section 96(2) Mod does not seek any formal subdivision. This matter has been clarified with Council and no further action is required.	-



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11	Engineering Stormwater Management	<p>The Stormwater Management Plan by Mott MacDonald submitted in support of the proposal has failed to demonstrate compliance to Lake Macquarie Development Control Plan. In particular the strategy should provide suitable stormwater harvesting facilities. Stormwater harvesting tank sizes are mentioned in the Stormwater Report as below:</p> <p>Table 16: Rainwater Tank Sizes</p> <p>Rainwater Tank Lot Size (kL)</p> <p>RWT 1 Lot 1A 40</p> <p>RWT 2 Lot 1B 80</p> <p>RWT 3 Lot 2 80</p> <p>RWT 4 Lot 3 100</p> <p>RWT 5 Lot 3 100</p> <p>There is only one rainwater tank (adjacent to OSD Tank No. E7) shown on the plans submitted with the current modification application.</p> <p>A revised Stormwater Management plan for the proposed development, showing locations and sizes of rainwater tanks, is required to be submitted for further assessment.</p>	<p>Refer to updated civil engineering drawings MMD-382538-C-DR-00-S96-0110 to 0114 for locations of proposed rainwater tanks. Please note that the total rainwater tank provision for the site has been amended to suit the revised layout.</p> <p>Rainwater tanks have been sized in accordance with Council's water quality treatment requirements. A minimum of 80% of total rainwater reuse has been assumed for the site.</p> <p>There are now three rainwater tanks which are reflected on both the Civil and Architectural Plans and align with the Stormwater Management Report recommendations.</p>	Appendix D Appendix K



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No	Category	Detail	Response	Reference
12	Engineering Access, Parking and Manoeuvring	<p>The proposed development has not achieved adequate facilities for service vehicles with regard to AS 2890.2 Parking Facilities – Off Street commercial vehicle facilities. The service road access from Lake Street may be inaccessible during flood events and service vehicles will not be able to safely exit or enter the site. The height of the flood water in the 1 in 20 year storm event at this location is to be shown on revised plans.</p> <p>Additionally, details of the delivery times for the restaurant are required to consider safety in terms of conflicts with pedestrians and vehicles during reversing movements.</p> <p>Direction of vehicle movements</p> <p>Any changes to the direction of movement of service vehicles to address the requirements of the RMS may have impacts on the layout of the restaurant.</p>	<p>Refer to updated drawing MMD-382538-C-DR-S96-0114 for height of 1 in 20-year flood level. We note this level has been based on advice provided by Council.</p> <p>Lake Street to the north of the site is fully inundated during flood events, with the depth at the site boundary at the new driveway access approximately 0.2m in the 1 in 20yr ARI storm.</p> <p>The site levels are appropriately designed to accommodate the 1:20 storm event at this location and in such an event, the road network levels outside the site will restrict site access.</p> <p>To manage access to and from the site during a flood event and potential evacuation (if required), a site-specific Flood Management Plan has been prepared (see Appendix D of the Stormwater Management Report).</p> <p>The service road is now designed as one-way southbound to remove the safety concern relating to exiting the site onto flood water. The drive through is now separated from the service road to avoid a clash between vehicles.</p> <p>CBRK have undertaken a revised traffic assessment of the amended site layout, including swept path analysis. This concludes that the delivery vehicle movements are appropriate subject to the preparation of a loading dock management plan to manage potential conflicts between vehicles reversing into the fast food outlet loading docks and the operation of the drive throughs.</p>	<p>Appendix E Appendix D Appendix K</p>



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No	Category	Detail	Response	Reference
13	Engineering Retaining walls	The interface of the retaining walls along the western boundary were a major consideration in the assessment of the parent application. The visual impact of the retaining walls remains a concern (i.e. rear of bulky goods units T3 & 4 in Lot 3) with reliance on the landscaping and ongoing maintenance during the establishment phase. Refer to additional comment below regarding landscaping	<p>Refer to drawings MMD-382538-C-DR-S96-0120 to 0121 and Landscape Plan by Site Image for revised typical sections. Further design was undertaken to reduce the requirement for retaining walls where possible. Additional documentation has been produced by Mott Macdonald showing the impact of the retaining wall to the adjoining sporting fields.</p> <p>We note that for most of the site (as viewed from the sports fields) the retaining walls are below natural ground level and are not visible. Extensive landscaping on top of retaining walls will, to a large extent, reduce visibility of the development. Only a short section of retaining wall is above ground at the north of the site and this section will be treated with landscaping to reduce visual impact.</p>	Appendix J Appendix K
14	Signage	<p>The revised Pylon signage scheme, both in terms of height and location has been noted. Council raises no objection to the use of three 9m Pylon signs along the frontage, including Lake Street but excluding South Street, however the introduction of a fourth Pylon sign in proximity to the Groves Road intersection is not supported.</p> <p>This proposed sign will be in proximity to another 9m Pylon sign and is considered unwarranted in the context of the site (note, similar large centres with a service station have such signage at the boundary of the business itself rather than at the boundary of the centre). Council raises no objection to the Pylon sign being relocated to within the general boundaries of the service station subject to a maximum height of 6m.</p>	The fourth pylon sign has been adjusted to 6m and moved within the fuel site per the Council's request.	Appendix G



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No	Category	Detail	Response	Reference
15	Acoustic	The acoustic assessment by Acoustic Logic dated 18 December 2017, has revised the recommendations in Section 7 including deletion of restrictions on the use of forklifts and after-hours access. No explanation has been provided as to why this restriction is no longer necessary to prevent adverse noise impacts on adjacent residential premises.	The Acoustic report has been updated to address this matter. One electric forklift has been permitted in the nursery unloading area between 7am and 6pm. This is considered appropriate because the forklift is electric (emits for less noise) and the Acoustic noise screen has been amended (increased) in size and is now the full length of the western boundary fronting South Street. Acoustic Logic concludes that the hours of operation for all uses are acceptable noting the South Street residential interface.	Appendix F
16	Landscaping Visual Impact	<p>RFI 1: The large format building form remains as per the Masters approval to accommodate the internal display areas, however fails to provide an external finish responsive to the Business Park zoning and prominent site. The building features a boxy profile. As identified prior to lodgement, views from Pacific Highway (and South Street) are important with Council seeking an innovative architectural response. The SoEE refers to the built form as responsive to the 'industrial nature of the precinct' and this is not considered suitable given the Business Park zoning and proximity to residential neighbourhood. A revised architectural response is required to improve the visual impact of the building when viewed from either street frontage.</p> <p>RFI 2: Resolution of the built form presenting to the Pacific Highway is unresolved.</p>	<p>The architectural design of the building has been further resolved through close and ongoing consultation with Council. In email correspondence (dated 5 June), Council provided support for a revised Bunnings design. This is supported by a landscaping strategy developed in response to Council feedback elicited at a meeting on 19 June 2018.</p> <p>Key elements of the landscape solution include:</p> <ul style="list-style-type: none"> • Tree planting throughout the car park in sustainable zones, including a consolidated large wedge planting zone adjacent to the Pacific Highway. • Addition of street trees along Pacific Highway in viable planting zones. • Understorey planting of shrubs, grasses and ground covers to complement tree planting. • Continuous mass planting along the south and west site boundaries at interfaces to Crokers Creek bushland and South Street. <p><i>N.B. this item should be read in conjunction with item 5 above.</i></p>	Appendix G Appendix J



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17	Landscaping Visual Impact	<p>The south eastern streetscape frontage comprises 7m fire brigade access, 1500mm concrete path and 850mm planting area. This is a total of 9350mm. The area allocated for landscape is inadequate to establish large trees that are critical to the visual amenity.</p> <p>A more effective configuration would be 6m fire brigade access (standard width), incorporate the 1500mm width pathway either fully or partially within the fire brigade access and the remaining 2350mm-3350mm be as landscape area.</p> <p>The current configuration is not supported as it does not adequately address planting areas.</p>	<p>The applicant explored the opportunity to implement this solution, however NSW RFS did not support the consolidation or partial overlapping of the Brigade Access and the Public Footpath.</p>	-
18	Landscaping Visual Impact	<p>The landscape plans and civil plans are not consistent as follows:</p> <p>The landscape plans detail single depth shrub planting in a narrow landscape area along the southern boundary.</p> <p>The civil sections 1 & 2 for this boundary (sheet 0120 D08665927) identify 550mm from the eastern southern boundary (Section 2) and no area for planting on the western southern boundary (Section 1). Of the 550mm, approximately <300mm (with drainage infrastructure below) is available for planting which is inadequate to support landscape areas.</p> <p>As previously noted the development relies on neighbouring vegetation to screen the proposed service area and this is not supported. The civil and landscape plans are to be revised to ensure consistency, with an adequate width provided along the southern boundary for supporting screening vegetation.</p>	<p>Landscape and Civil plans have now been co-ordinated. A continuous landscape bed has been included along this southern boundary with a minimum 500mm width with additional wider planting zones.</p> <p>In the civil sections 1 & 2 along the southern boundary (MMD-382538-C-DR-00-S96-0120) there is no civil infrastructure designed under the boundary garden beds.</p> <p>The garden beds (500mm min up to 2200mm max width) can support the proposed screening species (coastal rosemary) which will grow to a screening height of 2000mm.</p> <p>Further, the garden bed has a root zone constrained only on the northern side which will further improve establishment of the screen vegetation along the boundary.</p>	<p>Appendix J</p> <p>Appendix K</p>



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19	Landscaping Streetscape Landscaping	<p>Street tree planting has been provided along South Street however no street tree planting is proposed across the Pacific Highway frontage or information on location of overhead power lines that potentially impact tree growth along the frontage.</p> <p>Additionally, the photomontages referenced in the RFI response table have not been received.</p>	<p>Street trees have been included on South Street and along Pacific Highway in areas clear of overhead powerlines and in-ground rocky outcrops.</p> <p>Photomontages have been included within the revised Architectural Plan package.</p>	Appendix G Appendix J
20	Landscaping Landscape Design	<p>RFI 1: Perimeter planting along the northern boundary comprises a monoculture of hedging species (VO) under planted with a grass (PK) that behaves as an annual in this region. Tall shrub planting is not contextually appropriate or considerate of the extent and nature of native vegetation removed from the site. There is an abundance of native genera suitable for this site including Acacia, Banksia, Melaleuca, Callistemon, and Xanthorrhoea. Provide contextually appropriate and diverse planting outcomes responsive to the adjoining land use, landscape intent, and providing some compensation for the vegetation removed.</p> <p>RFI 2: There are no changes apparent in the amended landscape detail.</p>	A variety of native shrubs and grasses has been proposed per Council's request.	Appendix J
21	Landscaping	<p>RFI 1: Tree planting along the northern boundary includes the species CG Casuarina glauca. This is a suckering species that out competes other plantings. It is recommended this species be replaced with Corymbia gummifera or Eucalyptus pilularis.</p> <p>RFI 2: There are no changes apparent in the amended landscape detail.</p>	The Casaurina Glauca has been replaced with a more appropriate non-suckeing species - Cupaniopsis Anacardioides (Tuckeroo) - to alleviate the concern of Council.	Appendix J



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22	Landscaping	Proposed trees have been removed from earlier plans around the roundabout and north eastern corner and boundary of the site. The result is the view shed to the pylon signs and large bulky buildings from the Pacific Highway are maximised as a consequence of the tree loss.	<p>Planting has been maintained within the northern roundabout and feature landscape bands have been introduced. This will provide a feature entry and large expanse of planting to assist in creating site legibility.</p> <p>Within the garden bed in the north east corner of the site, shrubs, ground covers and grasses have been maintained in place of taller trees to maintain key sight lights. Taller trees are proposed in the surrounding area within the site and road verge as part of the overall landscape strategy.</p>	Appendix J
23	Landscaping	The Architectural Drawings, Landscape Plans and Civil detail in relation to the western boundary are not consistent. Note, fencing on the boundary combined with the adjoining retaining wall will create difficulties for maintenance of the landscaping along the western boundary.	<p>Gardens beds on top of retaining walls elevated above service roads will be maintained via a pedestrian access from the mid-site pedestrian link to the adjoining sports reserve. Through this access point gardeners can access the full length of garden beds to perform maintenance works. A balustrade/handrail will be provided along the top of the retaining wall for safety.</p> <p>Where retaining walls are below the service road, gardens beds will be accessible for maintenance from the sports reserve. A balustrade/handrail will be provided along the top of the retaining wall for safety. Notes reflecting this arrangement have been added to relevant plans and sections in the Landscape Plan. Architectural, Landscape and Civil drawings are all now consistent.</p>	Appendix J



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24	Landscaping Tree Planting in Carpark – B7 Zone	<p>RFI 1: It is required that landscaping be used to provide a desirable setting for the buildings as opposed to buildings being located in a setting of expansive carparking. Section 3.9 of Part 5 of Council's DCP 2014 refers to a tree planting bays in a car park every 6 spaces. Presently the Bunnings site contains an excess of parking and therefore additional planting is to be provided.</p> <p>RFI 2: This issue has not been adequately addressed.</p>	Previously shown narrow blister and diamond planting zones have been removed. The car park planting has created, where possible, contiguous planting areas. While the tree to car space ratio may be slightly lower than the DCP provision – the planting conditions have been improved to ensure viable tree growth and an improved landscape outcome for the site.	Appendix J
25	Landscaping Tree Planting in Carpark – B7 Zone	<p>RFI 1: Tree planting within narrow blisters is not supported as it does not provide adequate root volumes however wedge shaped planting is supported. It is required that designated bays supporting tree pits with appropriate root volume be provided.</p> <p>RFI 2: This issue has not been adequately addressed.</p>	As noted above, the narrow blister and diamond planting zones have been removed and contiguous planting areas are now proposed to ensure effective tree growth and sustainability of the landscape strategy.	Appendix J
26	Landscaping Tree Planting in Carpark – B7 Zone	The pedestrian path width fronting the Nursery Entrance provides an opportunity for improving the amenity with planting.	Planting of trees was determined to be too close to the Bunnings building and encroach on operational requirements of the tenant.	-



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27	Landscaping Tree Planting in Carpark – B7 Zone	Footpath along Pacific Highway is flanked by narrow planting areas. Given the importance of the frontage planting areas should be consolidated to provide contiguous planting areas with pathway abutting car parking bays with wheel stops. Civil section 6 (sheet 0121 D08665927) show the width of the footpath at 2500mm with 1200mm landscape area impacted by retaining. It is recommended a widened landscape area unaffected by retaining approximately 2200mm be provided.	Footpath width has been reduced to 1800 along Pacific Highway resulting in an increase to garden bed width. Furthermore, the garden bed has a rootzone constrained only on the western side which will further improve establishment of the screen vegetation along the boundary.	Appendix J
28	Landscaping Tree Planting in Carpark – B7 Zone	<p>There are multiple opportunities within the carpark to amalgamate pedestrian permeability through the carpark utilising existing bay between disabled bays for access to the forecourt. This provides efficiencies in pedestrian access. Where planting areas are bisected by pedestrian path, this is not supported when contiguous planting areas will result in greater success with tree growth in carparks.</p> <p>Pedestrian access off the streetscape path fronting the Pacific Highway directs pedestrians to the vehicle circulation aisle and is not supported. No pedestrian connection exists at the first left in access off the Pacific Highway connecting to the path from South Street. It is recommended safe continuous pedestrian access be provided, though not at the expense of landscaped areas.</p>	<p>A comprehensive update of pedestrian movements and footpaths within the site has been included, consolidating planting/soil areas for effective tree growth. Avenues of tree rows through the car park provide geometry to the site and enhance amenity to pedestrian paths between the retail concourse and Pacific Highway verge. Planting zones either side of these paths are equivalent to a standard car space and will provide sustainable areas for tree and vegetation growth.</p> <p>In conjunction with the geometry of tree planting throughout the car park, the landscape plan has been enhanced with the introduction of feature totems at 8m centres along the central north/south pedestrian concourse in the site. These complement the retail architecture and landscaping strategy.</p>	Appendix J
29	Hunter Water	The additional information was referred to Hunter Water Corporation (as was the original application). On both occasions Council has not received a response from the Corporation.	Noted.	-