

2ND 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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TABLE OF CONTENTS

Introductory Statement	i
1. Amendment to Site Layout	3
1.1. Introduction	3
1.2. Roundabout Design and Internal Circulation	3
1.3. External Engineering Design	4
1.4. Building Footprints	4
1.5. Gross Floor Area and Car Parking	4
2. Amendment to Elevations	6
2.1. Bunnings	6
2.2. Bulky Goods Tenancies	7
3. Amendment to Landscaping and Pedestrian Access	8
4. Amendment to Signage	9
5. Stormwater Management	12
6. Hours of Operation.....	13
7. RFI Response	14
7.1. Schedule of Amended Documentation	14
7.2. Summary of Response	14
7.3. Statutory Assessment	15
Disclaimer	16
Appendix A RFI Response Table – s96 Application	
Appendix B RFI Response Table – Bulky Goods DA	
Appendix C RFI Response Table – Service Station DA	
Appendix D Replacement Stormwater Management Report	
Appendix E Traffic Letter	
Appendix F Replacement Acoustic Report	
Appendix G Replacement Architectural Drawing Set s96 Application	
Appendix H Replacement Architectural Drawing Set Bulky Goods DA	
Appendix I Replacement Architectural Drawing Set Service Station DA	
Appendix J Replacement Landscape Drawing Set	
Appendix K Replacement Civil Drawing Set	

FIGURES:

Figure 1 – Site Layout at 21 December 2017.....	3
Figure 2 – Revised Site Layout (for Approval)	3
Figure 3 – Pacific Highway (Southern View)	6
Figure 4 – Pacific Highway (Intersection View)	6
Figure 5 – South Street Interface	7
Figure 6 – Examples of Bunnings Fire Sprinkler Tanks	7
Figure 7 – Proposed Signage Plan.....	9
Figure 8 – Signage Details	10

TABLES:

Table 1 – GFA and Car Parking Breakdown	5
Table 2 – Lake Macquarie DCP Compliance Table	11

INTRODUCTORY STATEMENT

Wednesday, 11 July 2018

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 10 May 2018 comprising a request for information (RFI) 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 (now three) 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 provide a comprehensive response to the RFI, in addition to an addendum to the application relating to consent conditions.

The response is structured as follows:

- A. Amendments to Application.
- B. RFI response for each application.
- C. 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

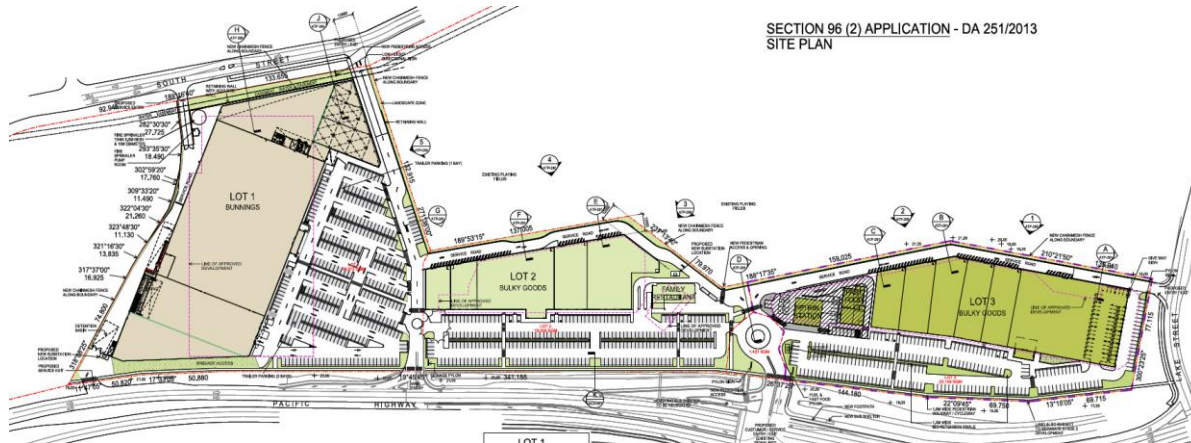
Director

1. AMENDMENT TO SITE LAYOUT

1.1. INTRODUCTION

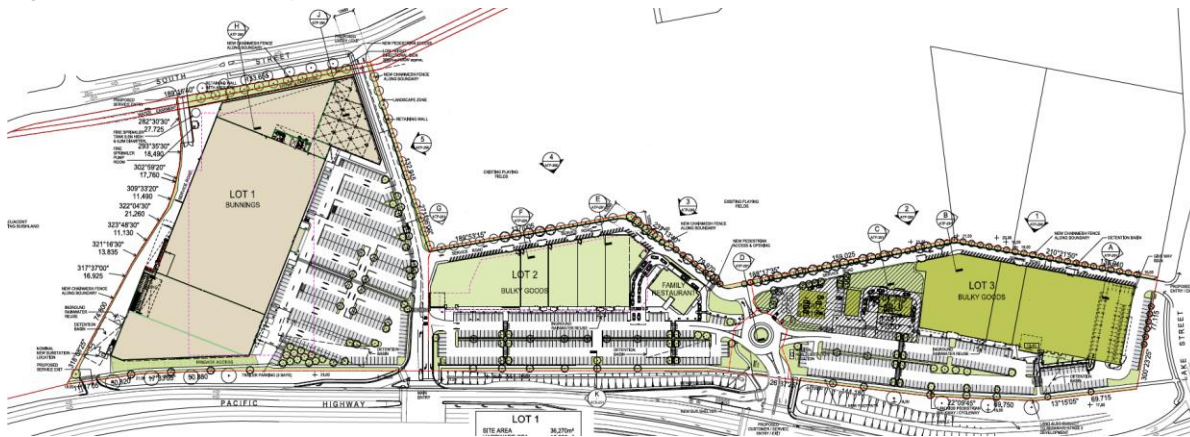
The applicant has worked closely with Council and key authorities including RMS to resolve a wide range of issues raised in the RFI. In resolving these matters, various amendments were made to the site layout which are summarised below and represented illustratively in Figure 1 and Figure 2:

Figure 1 – Site Layout at 21 December 2017



Source: Buchan

Figure 2 – Revised Site Layout (for Approval)



Source: Buchan

1.2. ROUNDABOUT DESIGN AND INTERNAL CIRCULATION

As above, Blueprint and Colston Budd Rogers & Kafes (CBRK) have proactively engaged with RMS to confirm an appropriate traffic and access outcome for the site. The highway intersections proposed in the revised site layout have been approved 'in-principal' by the RMS. The circulation changes to the site can be summarised as follows:

- Both Pacific Highway intersections have been amended, including further internalising the Groves Road roundabout within the site.
- Access to the site from the Pacific Highway intersections has been updated.
 - The right turn exit from the site onto Pacific Highway at Groves Road has been removed.
 - A right turn exit onto Pacific Highway at the southern intersection has been added; and
 - South roundabout replaced with offset T-intersections.
- In response to Council comments, the service road has been updated to be one-way southbound.

1.3. EXTERNAL ENGINEERING DESIGN

The updated Pacific Highway external engineering detail prepared by Northrop has been added to the Architectural plans. This has been prepared in response to the updated traffic arrangements.

1.4. BUILDING FOOTPRINTS

In responding to the RFI and the ongoing design development of the project, the applicant has amended the site layout to incorporate the following changes to the building footprints:

- The Restaurant tenancy in Lot 2 has been reorientated 45 degrees and incorporates a revised drive-through design.
- The previously interconnected Petrol Station and Fast Food building in D/1188/2017 has been separated into two buildings.
- The amendment to the Petrol Station and Fast Food layout has required adjustment to the Lot 3 bulky goods building footprint.
- The eastern façade of the Lot 3 bulky goods footprint has been further resolved due to design development.
- The location of the Lot 2 building entry (Anaconda) has been relocated, resulting east façade change.

These amendments have had flow-on impacts upon the Gross Floor Area (GFA) and car parking calculations which are summarised below.

1.5. GROSS FLOOR AREA AND CAR PARKING

Table 1 below summarises the changes to GFA and car parking across the site resulting from the circulation and building footprint changes (and associated landscaping and access modifications). In summary:

- The overall GFA has been reduced by 1,555 sqm.
- The overall car parking proposed has been reduced by 9 spaces.

Table 1 – GFA and Car Parking Breakdown

Lot*	Site Area (Current)	Site Area (Proposed)	GFA (Current)	GFA (Proposed)	Parking (Current)	Parking (Proposed)
1	36,072 sqm	36,270 sqm + 198 sqm	16,806 sqm (Bunnings)	16,806 sqm (Bunnings) No Change	310 spaces	312 spaces + 2 spaces
2	19,006 sqm	18,808 sqm - 198 sqm	5,905 sqm (Bulky Goods) 508 sqm (Restaurant) = 6,413 sqm (Total)	5,508 sqm (Bulky Goods) 546 sqm (Restaurant) = 6,054 sqm (Total) - 359 sqm	253 spaces	234 spaces - 19 spaces
3	19,091 sqm	18,945 sqm - 146 sqm	8,855 sqm (Bulky Goods)	7,571 sqm (Bulky Goods) - 1,284 sqm	274 spaces	273 spaces - 1 space
4 (Service Station and Fast Food)	4,058 sqm	4,204 sqm + 146 sqm	180 sqm (Fast Food) 200 sqm (Petrol Station)	298 sqm (Fast Food) 170 sqm (Petrol Station) + 88 sqm	14 spaces	21 spaces + 7 spaces
Roundabout	1,421 sqm	1,421 sqm No Change	N/A	N/A	N/A	N/A
Total:	79,647 sqm	No Change	32,454 sqm	30,899 sqm Reduced by 1,555 sqm	849	840 Reduced by 9 spaces

* A reference to 'Lot' is not a reference to a subdivided Lot but refers to development parcels within the site.

2. AMENDMENT TO ELEVATIONS

2.1. BUNNINGS

Pacific Highway

The applicant has been proactively liaising with Council on the presentation of the Bunnings elevations to Pacific Highway and South Street. Building articulation/elevation options have been explored (in concert with amendments to the landscape design) which provide better visual and urban design outcomes.

Via email on 5 June, Council gave 'in-principal' support for the revised Pacific Highway elevations below which have been incorporated into the detailed architectural package that forms part of this RFI:

Note: landscape details in the renders are indicative not reflective of the updated design which provides more extensive planting of vegetation along Pacific Highway and throughout the Bunnings car park.

Figure 3 – Pacific Highway (Southern View)



Source: Buchan

Figure 4 – Pacific Highway (Intersection View)



Source: Buchan

South Street

In response to Council's RFI regarding the presentation of Bunnings to South Street, Buchan have prepared a perspective render (see Figure 5), which shows the impact of the sprinkler tank (scale and materiality). The response has utilised both landscape screening and sympathetic materiality to create an appropriate visual outcome for this interface.

Figure 5 – South Street Interface



Source: Buchan

Note: 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.

Buchan architects have precedent experience in designing in-situ fire tanks with suitable landscape and materiality. Please refer to Figure 6 below which demonstrates how visual impacts can be successfully mitigated:

Figure 6 – Examples of Bunnings Fire Sprinkler Tanks



Source: Google Earth



Source: Google Earth

2.2. BULKY GOODS TENANCIES

The applicant has updated the Lot 2 and Lot 3 bulky goods building elevations with modified entries, shopfronts, feature elements, materials and finishes. Overall this creates a better visual outcome for the site in terms of its presentation to Pacific Highway and the interface to the adjacent sports fields.

3. AMENDMENT TO LANDSCAPING AND PEDESTRIAN ACCESS

The applicant attended a meeting with Council on 19 June 2018, which included detailed discussions about the landscape RFI items. In response to the comments elicited from that meeting, the applicant has amended the landscape design in the following ways:

The landscape plans have been coordinated with the architectural solution and provides softening of the built form from key public domain areas:

Landscaping in car parking areas:

The overall landscape strategy within the car parking areas has been modified to consolidate previously narrow blisters into larger tree planting beds.

Presentation of retaining walls to the sports fields:

For the most part, the retaining walls at this interface are not visible from the sports fields. Only a short section of retaining wall is visible above ground level, which has been treated with landscaping to reduce its prominence. Suitable strategies for its maintenance have been proposed to ensure its ongoing viability.

Street trees:

Street trees will be provided to South Street per Condition 33 of the DA consent. The applicant will also add some street trees to the Pacific Highway frontage where possible, noting the constraints associated with power lines, rock batter and grade.

Plant species:

The revised Landscape drawings reflect Council's preferred species.

Southern boundary:

A 500mm garden bed is proposed to the southern boundary together with local sections of wider garden beds in response to Council's RFI.

Pedestrian permeability/legibility:

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.

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. Continuous awnings have also been added along the east façade of retail buildings to complement totems and enhance customer amenity. These strategies complement the retail architecture and landscaping strategy.

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.

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.

4. AMENDMENT TO SIGNAGE

The December 2017 Response to RFI proposed:

- 3 x 9m pylon signs on the Pacific Highway;
- 1 x 9m pylon sign at the Lake Street entry; and
- 1 x ~3m entry sign at South Street.

In response to Council's May 2018 RFI, the scheme has now been amended to include:

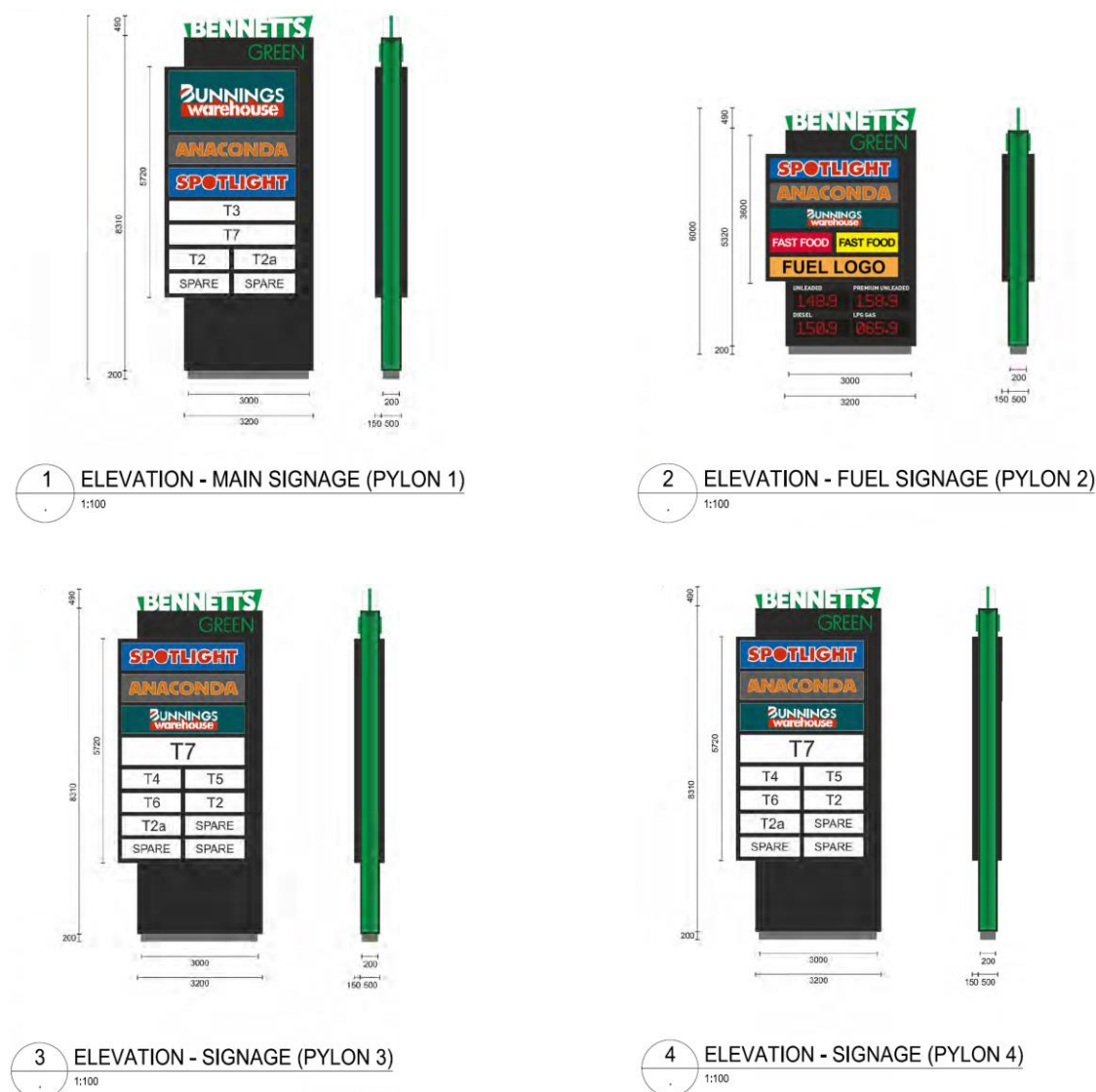
- 2 x 9m Pylon signs on Pacific Highway.
- 1 x 9m Pylon sign at the Lake Street entry.
- 1 x 6m sign - relocated within the boundaries of the service station; and
- 1 x ~3m entry sign at South Street.

Figure 7 – Proposed Signage Plan



Source: Buchan

Figure 8 – Signage Details



We note the amended proposal is consistent with the previous development consent (D/251/2013) – Condition 39 which states:

“The maximum height of the Main Pylon Signs located at the Pacific Highway entries is restricted to 9 metres. A maximum of three Main Pylon Signs are permitted within the development site, two of which are approved under Stage 1A and one being subject to Stage 1B.”

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 and RFI in December 2017. An updated assessment is provided below:

Table 2 – Lake Macquarie DCP Compliance Table

Control	Comment
<p><u>Section 17.3 – Specific Sign Dimensions</u></p> <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 frontage, including flagpoles containing advertising material.</p>	<p>The pylon signs have been retained at 9m in height, consistent with the development consent. The width and depths of the signage complies with the DCP.</p> <p>Further, while there is more than one freestanding sign along the Pacific Highway frontage, the size and number of signs are considered appropriate in context of the site for the following reasons:</p> <ul style="list-style-type: none"> • Three signs were approved under D/251/2013. • 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. • As the site is of a substantial size and accommodates separate elements, a total of three pylon signs are deemed appropriate to communicate the range of tenants which the development will accommodate. <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>
<p><u>Section 17.6 – Multiple Tenancy Signage</u></p> <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>

5. STORMWATER MANAGEMENT

Mott MacDonald on behalf of the applicant have been working with Council's engineers to clarify the engineering specifications for the site. Correspondence has confirmed the correct flood levels are (at Lake Street):

- 20yr ARI storm event at RL 16.05m AHD
- 100yr ARI storm event at RL 16.10m AHD

This has meant the Finished Floor Level (FFL) of the Lot 3 Bulky Goods building has increased from 19.0 RL to 19.4 RL and the On-Site Detention (OSD) tank has been relocated. This increase by 400mm does not lead to any consequential visual impacts and is compliant with the existing Lake Macquarie LEP building height control (15m).

For further information, refer to the Civil Engineering Plan Set and Stormwater Management Report prepared by Mott MacDonald.

6. HOURS OF OPERATION

The existing consent (D/251/2013) outlines both store and loading dock operating hours for the development at Condition 51.

This is proposed to change for the Restaurant in Lot 2, which will trade 24/7. The Service Station and Fast Food (via separate consent) will similarly seek 24/7 trading hours. These requests were set out in the original Section 96(2) application (as lodged), however we seek to ensure that these changes are reflected in Condition 51 and the conditions within the two DAs currently afoot.

The approved loading dock operating hours are not proposed to change.

The proposed condition amendment is expressed below:

51. Hours of Operation

Store Operating Hours

Following commencement of occupation, the premises shall operate or trade only between the times stated as follows:

Mondays to Fridays	6am to 10pm
Saturdays	6am to 9pm
Sundays and Public Holidays	7am to 9pm

Other internal operations such as cleaning, preparation, and office administration may be undertaken outside of the above hours provided no disturbance to the amenity of the neighbourhood occurs.

Note: the 'Store Operating Hours' apply to the Building Products Warehouse, ~~the Restaurant~~ and the Bulky Goods Units 1-8.

Restaurant

Monday to Sunday

24 hours

Loading Dock Operating Hours

Following commencement of occupation, the loading docks shall operate only between the times stated as follows:

Mondays to Fridays	7am to 7pm
Saturdays	7am to 7pm
Sundays and Public Holidays	7am to 7pm

An exception to the above is the use of loading docks by Customers to collect purchased goods during the store hours of operation.

7. RFI RESPONSE

7.1. SCHEDULE OF AMENDED DOCUMENTATION

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

Part B – 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 Letter - all applications
- F. Acoustic Report - all applications

Part C – A3 Volume

- G. Replacement Architectural Drawing set - S96 application
- H. Replacement Architectural Drawing set - bulky goods DA
- I. Replacement Architectural Drawing set - service station DA
- J. Replacement Landscape Drawing set - all applications
- K. Replacement Civil Drawing set - all applications

7.2. SUMMARY OF RESPONSE

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

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

- The previously connected service station and fast food building in excised lot (DA 1188 2017) has been separated into discreet buildings.
- Arising from the first dot point, the bulky goods tenancies in DA 1191 2017 have been adjusted in size.
- The building elevations have been updated with modified entries, shopfronts, feature elements, materials and finishes.
- Intersections have been adjusted to meet RMS requirements.
- The Bunnings car park layout and adjoining garden beds adjusted in response to the RMS intersection requirements and landscape RFI comments.
- Service road vehicle direction updated to be anti-clockwise from Lake Street to south Highway intersection.
- Family restaurant reorientated (flipped 45 degrees) due to tenant requirements and to fully separate vehicles in restaurant drive through from service road.
- Pedestrian paths, connectivity and bus stop co-ordination enhanced.
- Bioretention swales shown on plans deleted per the Stormwater Management Plan.
- Civil and stormwater design updated to reflect adjusted flood level at RL 16.1.
- Overall landscape strategy updated and co-ordinated with updated car park and retail layout.

7.3. STATUTORY ASSESSMENT

Overall, the changes resulting from the RFI response reflect further engagement with RMS and Council on outstanding issues, and 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, the same as that which was previously approved.

No change to land use arises. Built form changes have occurred in response to Council and RMS comments and are considered a positive amendment to the overall layout.

Enlarged landscaping beds have been created within the car park, and at the southern site boundary and species varied to address Council's comments.

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 849 to 840 (across the whole site), 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, South Street and Pacific Highway has been enhanced to the satisfaction of Council and has been coordinated with a cohesive landscape response.

The total number of 9m high pylon signs has been reduced back to three, in response to Council feedback and consistent with the original development consent.

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.

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

DISCLAIMER

This report is dated 11 July 2018 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 Response to RFI (**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).

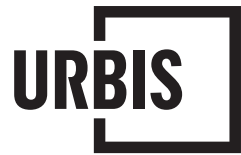
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All surveys, forecasts, projections and recommendations contained in or associated with this report are made in good faith and on the basis of information supplied to Urbis at the date of this report, and upon which Urbis relied. Achievement of the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

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