**Attachment 1 –External & Internal Referral Response Table**

1. **External referrals**

The application, and subsequent revisions, was referred to a number of External Agencies for comment. The following table details the Agency and their final comments in relation to the proposed development.

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| **External Agency**  | **Reason for Referral**  | **Response**  |
| **Transport for NSW (TfNSW)**  | Impact on State Road Network.  | Transport for NSW raise no objection to the proposed development.  |
| **Endeavour Energy** | Development carried out immediately adjacent to an easement for electricity purposes. | Endeavour Energy raises no objection to the proposed development; a condition of consent requiring the developer to consult Endeavour Energy, prior to the issue of a Construction Certificate, has been included in the Recommended Conditions of Consent provided in **Attachment 3**. |
| **Rural Fire Service (RFS)** | Special fire protection purpose (tourist accommodation) proposed on bushfire prone land | The NSW RFS raise no objection to the proposed development and has issued General Terms of Approval for the proposed development which are included as **Attachment 4**.  |

1. **INTERNAL REFERRALS**

The application, and subsequent revisions, was referred to a number of Council departments for comment. The following table details the department and their final comments in relation to the proposed development.

| **Internal Department**  | **Response**  |
| --- | --- |
| **City Services – Asset Strategy**  | The application was referred to Council’s City Services – Asset Strategy who requested additional information in relation to inadequate parking spaces for the development, turning paths for larger vehicles and impact on trees located on council owned land.These comments were subsequently addressed by the applicant in amended documentation. The proposal is deemed to be acceptable by Council’s City Services – Asset Strategy subject to the incorporation of conditions of consent which have been included in the Recommended Conditions of Consent provided in **Attachment 3**. |
| **City Services – Property** | The application was referred to Council’s City Services – Property who stated that no footings or encroachments from the proposed development would be permitted on Council land. |
| **Building Surveyor**  | Council’s Building Surveyor raises no objection to the proposed development, subject to the incorporation of conditions of consent which have been included in the Recommended Conditions of Consent provided in **Attachment 3**. |
| **Property**  | The application was referred to Council’s Property Team who raised no objection to the development.  |
| **City Services - Waste** | Council’s City Services – Waste Department raises no objection to the proposed development subject to the incorporation of conditions of consent which have been included in the Recommended Conditions of Consent provided in **Attachment 3**. |
| **Development Engineer** | The application was referred to Council’s Development Engineer who requested additional information in relation to parking/ traffic impact, stormwater and waste servicing.These comments were subsequently addressed by the Applicant in amended documentation. The proposal is deemed to be acceptable by Council’s Development Engineer subject to the incorporation of conditions of consent which have been included in the Recommended Conditions of Consent provided in **Attachment 3**, including a deferred commencement condition requiring the preparation, and approval by Council, of a Traffic and Parking Management Plan. |
| **District Engineer** | The application was referred to Council’s District Engineer who raised no objection to the development.  |
| **Environmental Health Officer** | The application was referred to Council’s Environmental Health Officer who requested additional information relating to a recently approved subdivision to the East and the need for the Applicant to prepare an updated Acoustic Report.These comments were subsequently addressed by the Applicant in amended documentation. The proposal is deemed to be acceptable by Council’s Environmental Health Officer, subject to the incorporation of conditions of consent which have been included in the Recommended Conditions of Consent provided in **Attachment 3**. |
| **Landscape Architect**  | The application was referred to Council’s Landscape Architect who requested additional information relating to the requirement for a demolition plan and planting plan to be prepared in addition to updates to the landscape plan to use the floor plan instead of the roof plan.These comments were subsequently addressed by the Applicant in amended documentation. Upon review of the additional information, Council’s Landscape Architect raised additional matters, which have been incorporated into the Recommended Conditions of Consent at **Attachment 3**; requiring an updated Landscape Plan to be provided to the Certifier, prior to the issue of a Construction Certificate. |
| **Open Space & Recreation Planning**  | The application was referred to Council’s Open Space & Recreation Planning Department who raise no objection to the development.  |
| **Shoalhaven Water**  | The application was referred to Shoalhaven Water who requested additional information requiring the Applicant to prepare amended plans to provide minimum clearances and access to the sewer junctions for future maintenance.These comments were subsequently addressed by the Applicant in amended documentation. The proposal is deemed to be acceptable by Shoalhaven Water, subject to the incorporation of conditions of consent which have been included in the Recommended Conditions of Consent provided in **Attachment 8**. |
| **Tree Management Officer**  | The application was referred to Council’s Tree Management Officer who requested additional information and significant amendments to the design to eliminate all negative impacts on Council’s trees located adjacent to the subject site.Additional information was provided by the Applicant, however, Council’s Tree Management Officer has advised that the information is not satisfactory. Council’s Tree Management Officer was asked to provide conditions of consent to address the outstanding matters. These conditions have been included as deferred commencement matters in the Recommended Conditions of Consent provided in **Attachment 3**. |
| **Development Engineering** | My overall comments regarding the traffic and parking assessment is as follows:* Firstly, as the DA seeks to demolish the existing Pub and construct a new Pub (962m2) and Hotel accommodation for 22 rooms, Council’s DCP does not necessarily entitled the applicant parking credits for the existing development. Additionally, as the re-development of the pub is likely to result in an uptake over the existing development and become a destination rather than local pub, and even without considering the additional floor area, it is not considered appropriate to extrapolate the existing parking demand or apply parking credits.
* 54 off-street car parking spaces are proposed in total on the current architectural plans.
* Council’s DCP includes the following rates for parking which are included in Chapter G21 Car Parking and Traffic, Pg 7:
	+ Pubs 1 space per 5m2 of licensed floor area (e.g. bar, lounge, beer garden, games room.
	+ 1 space per 40m2 of gross floor area of office space.
	+ Function rooms / restaurants or café 1 space per 24m2 of GFA within CBD areas or 1 space per 6.5m2 of gross dining area outside CBD area
	+ Dance areas and other recreation areas will be considered separately.
	+ Hotel or Motel accommodation is calculated at 1 space per room, plus 1 space per employee and/or manager.
* Council’s DCP states “*Alternatively, car parking requirements may be determined by Council following the completion and submission of a parking impact and needs study by an independent suitably qualified professional. Comparisons must be drawn with other similar clubs/hotels in similar locations. Depending on individual circumstances, Council may accept some grassed overflow areas as overflow parking. Provision should be made for emergency vehicles (doctors/ ambulance) to gain ready access to the club or pub*.”
* Based on Council’s DCP rates the following off-street car parking would be required to comply with the DCP.
	+ Bistro & kitchen (325.75m2) at 1 per 6.5m2 = 50.11 spaces
	+ Licensed Area 1 (736.25m2) at 1 per 5m2 = 147.25 spaces
	+ Hotel – 22 rooms with an office so assuming a manager onsite at 1 space per room and 1 employee = 23 car parking spaces.
	+ Total required number of spaces to comply with the DCP would be 220 car parking spaces
* 54 Spaces proposed compared to 220 car parking spaces required to comply with the DCP, results in a 166 parking space deficit.
* The applicant has prepared a revised traffic and parking assessment (Rev. C) prepared by Lyle Marshall & Partners, the summary of their opinion is:
	+ The report used existing data of the hotel and patronage numbers and have then used an increase of 20% patronage for the new facility. My response is that there is no justification for making this assumption, and based on my opinion provided above, cannot be supported. This is also considered not realistic given the development value for only a 20% uptake in revenue.
	+ The report has estimated the peak patronage using an 85th percentile to arrive at a peak patronage of between 116 – 127 adults. This is again based on the existing use and is not considered appropriate.
	+ The report concludes that 56 spaces are proposed on-site with 40 on street parking available in the local streets to arrive at a total of 92 spaces available using both on and off site spaces. Council’s DCP requires that the parking for the development is required to be provided on-site. The public road should be available for use by the general public, not for patronage of a private development. The reliance on parking within the public road is only going to cause community angst, congestion, noise impacts, etc. which Council will be required to assist in managing in the future.
	+ The report argued that when you combine the proposed parking and street parking there will be sufficient parking. Again, it is not considered appropriate of compliant with Council’s DCP to rely on the existing public roads to meet the parking demand for the development.
	+ The report also states that if Council still has reservations concerning the disparity between the DCP the following actions are proposed:
		- The owner has purchased the adjoining site where 38 spaces could be provided.
		- Provide a flex bus on demand service at certain times of the week.
		- After 12 months operation, provide parking surveys to confirm everything is ok.
		- If issues arise, e.g. parking is not provided to meet 85th percentile demand, then provide additional parking.
		- Of the above proposed measures, only the additional bus is considered an appropriate and legal way to require the parking impact be somewhat mitigate through a development consent. It is of my opinion that the additional bus alone will not sufficiently address the impact.
	+ The report has now under Rev. C, included a parking demand and provision comparison with other similar developments within and outside the LGA. The figures provided in this comparison table are difficult to make a conclusion on as there is no distinct pattern between the 85th Percentile Parking Demand and the No. of spaces provided for each development. There is also no real conclusion drawn from these figures provided.
	+ However, from the above, I have averaged out the utilisation, which results in a rate of approx. 1 space per 8.65m2 of licensed flood area. Based on this rate for the proposed licensed flood area., the new development should be providing 110 parking spaces overall. Again, the DCP requires this to be provided on site.

There is also strong evidence through aerial imagery that the existing parking on the site is fully inundated during current parking peak demand periods. The development proposes to nearly double the existing licenced floor area plus provide 21 hotel rooms.Based on the above evidence and comments, I am strongly opposed to the development as the required parking demand for the development will no doubt in my opinion have substantial impact on the surrounding businesses and residential built environment as well as the public road network. It will also create a significant precedent for future applications to not provide the required parking which benefits the development, within the development site.Should the Regional Planning Panel elect to support and approve the development against my advice above, draft conditions are provided below for the consideration of the panel. These conditions are a set of standard conditions and conditions include to offset some of the impact associated with the significant parking shortfall and proposal to offset this shortfall with on-street parking spaces within the surrounding streets as well as the additional bus service. |