

Project	Ballina Gateway Corner of Kerr Street and River Street, Ballina	Our Ref: 05/021 Rev B
Applicant	Sundowner developments (NSW) Pty Ltd	Consent Authority: Department of Planning
Local Authority	Ballina Shire Council	Datum: N/a Date: 8 Dec 2006

Response to Public & Government Agency Submission
Traffic and Car Parking

1.0 Introduction

The Department of Planning (consent authority) has requested pursuant to Section 75H(6) of the Environmental Planning & Assessment Act 1979 a response to the issues raised by both the general public and government agency during the exhibition period for the Ballina Gateway project.

Newton Denny Chapelle has been instructed by Sundowner Developments (NSW) Pty Ltd to address the following issues.

1. Traffic & Car Parking

Public Submission Item

- A comprehensive traffic assessment has not been undertaken. There has been little or no assessment of the impact the proposed development may have during construction.

Response: The Traffic Impact Study (TIS) undertaken used the format advocated by the Roads and Traffic Authority publication, Guide To Traffic Generating Developments. This document advises that *'use of this format and the checklist will ensure those involved in the preparation and/or assessment of Development Applications that the most significant matters are considered'*. Accordingly, it is considered that this assessment is sufficiently comprehensive.

The TIS advises the site has good access and egress points as well as being well served by two street frontages thereby allowing many opportunities for safe access during construction activities. Detailed provision of traffic controls during the construction phase is proposed to be managed via the implementation of a Construction Management Plan as identified in the following submitted statement of commitment requirement.

*Prior to the commencement of construction, a **Construction Management Plan** will be submitted to and approved by the PCA. The Plan will address the following, including making recommendations regarding procedures to be adopted to minimise the impacts of construction activities:*

- pedestrian management: proposed protection of pedestrians adjacent to the site;*
- traffic management: proposed ingress and egress from the site and construction vehicle routes; and*
- construction staging.*

The proponent/site manager will implement the approved Construction Management Plan during excavation and construction of the development.

Public Submission Item

- In adequate pedestrian access audit. The audit was based on a one hour period on Friday 4th August 2006 between 8am – 9am. This is inadequate in determining overall pedestrian access for such a busy street.

Response: The TIS referenced to Ballina Shire Council's Pedestrian Access Mobility Plan (PAMP) document which is a comprehensive pedestrian assessment of the Ballina CBD and key pedestrian routes. This document identified that the pedestrian demand was low in this vicinity to which the TIS undertook an 'audit' (not study) which held that the PAMP assessment results is being correct. The audit times of between 8am – 9am are considered very appropriate as it includes starting times for most businesses in the CBD and would cover school student pedestrian activity.

Public Submission Item

- Traffic data is based on outdated information, i.e. Eppel, Olsen & Partners modelling was based on data contained in the PARAMICS traffic model, with the data being based on information sources collected during 2002 – 2004, two years out of date. The traffic flow data was based on the Ballina Road Network Study of 2000, six years out of date. Contests that there has been significant change over the last 6 years and these studies would not accurately reflect current traffic trends.

Response: The source of the modelling data is correct, however the assertion that the model does not accurately reflect traffic trends is unfounded. There has been limited to no change in transport modal details (ie bus, rail, ferry) which would impact traffic trends. In addition, the PARAMICS model does include updated data relevant to the percentages of heavy vehicles which use the Pacific Highway with the opening of the upgraded Yelgun/Chindrah section of highway. Allowance for changes over time have been had via the incorporation of growth rates, as is the assessment of future impacts. It is noted that the network data used by the PARAMICS model represents the most current details available from both Ballina Shire Council and the Roads and Traffic Authority.

Public Submission Item

- Objection to developer not having to upgrade roundabout and install traffic lights immediately to maintain normality to traffic flows in Kerr and River Streets. Other future developments may need to fund the upgrades.

Response: It would seem that the objection does not have regard for recognising that the site has substantial existing traffic generating credit entitlements, inclusive of retail uses, a restaurant/motel and motor vehicle repair shop. This limits the overall impact upon the development to nominally 1% through the intersection. The TIS identified that the PARAMICS modelling outlines that with or without this new development, the Kerr Street / River Street intersection would be at capacity at nominal year 2015. To offset incremental growth attributable to this development, works were identified that would limit impacts upon the roundabout. In addition, the developments footprint has shown how it would not preclude the implementation of signalisation of the intersection if implemented by the Roads Authorities.

An alternative option was also raised in the TIS, in that a contribution of \$150,000 be made to the roads authority in lieu of performing the works to the roundabout. This was premised on the issue that with the impending construction of the Ballina Bypass which would bypass some 8,000vpd from the intersection that the local Roads Authority may consider other works more desirable.

Public Submission Item

- Concerns regarding exacerbation of existing traffic, access and parking problems associated with functions at the Blue Room Hotel. The construction of the proposed development has the potential to make these problems totally chaotic.

Response: This concern appears focused upon existing land use of the site and management of functions at the Blue Room restaurant. The existing site does have limited available on site parking to which guests park on street, however this development makes suitable provision for on site parking and formalises the intersection to Camoola Avenue. Further management strategies of parking within the road reserve is the responsibility of the local Roads Authority.

Public Submission Item

- Development should not be commenced before completion of Ballina Bypass, which would ease the congestion in River and Kerr Streets.

Response: This objection does not have regard for recognising that the site has substantial existing traffic generating credit entitlements, inclusive of retail uses, a restaurant/motel and motor vehicle repair shop. This limits the overall impact upon the development to nominally 1% through the intersection. It is recognised that some 8,000vpd would be removed from the intersection once the Ballina Bypass is operational.

Public Submission Item

- Camoola Ave is extremely narrow and carries an enormous amount of traffic because it is the only street on the southern side of River Street which gives access via a roundabout to Kerr and River Streets. The proposed vehicle occupancy of the Gateway project would exacerbate enormously the already impossible car egress from the river front.

Response: The development has access to both River Street and Kerr Street and is proposing to formalise the turning manoeuvre to Camoola Avenue, thereby improving delineation and ensuring safety of the street system to current day design standards. The management of Camoola Avenue (west of the Kerr Street) is not impacted upon by this development proposal and is the responsibility of the local Roads Authority. It is noted that

residents in this vicinity who wish to head west bound on River Street do not need to access the Kerr Street / River Street roundabout.

Public Submission Item

- Concern regarding access to and across River Street and the Pacific Highway during construction.

Response: Site access points have good visibility and can adequately managed to meet all reasonable traffic management requirements. It is anticipated that the management of construction vehicles during excavation and erection will be via the implementation of a Construction Management Plan as identified in the following submitted statement of commitment requirement:

*Prior to the commencement of construction, a **Construction Management Plan** will be submitted to and approved by the PCA. The Plan will address the following, including making recommendations regarding procedures to be adopted to minimise the impacts of construction activities:*

- *pedestrian management: proposed protection of pedestrians adjacent to the site;*
- *traffic management: proposed ingress and egress from the site and construction vehicle routes; and*
- *construction staging.*

The proponent/site manager will implement the approved Construction Management Plan during excavation and construction of the development.

Public Submission Item

- Objection to entry basement car park from Kerr Street, opposite Camoola Avenue, resulting in an increase in traffic in Kerr Street. Concerns regarding safety and the increased volume and speed of traffic that will need to use the roundabout at Kerr St/ Pacific Hwy & River St.

Response: The development has access to both River Street and Kerr Street and is proposing to formalise the turning manouvre to Camoola Avenue, thereby improving delineation and ensuring safety of the street system to current day design standards. Speeding concerns are those of the appropriate law enforcement agencies.

Public Submission Item

- Insufficient car parking spaces (309 spaces) and increased number of cars parking in Camoola Avenue as a result of patron for the new hotel and restaurant.

Response: The development has provided sufficient spaces at the rates specified in the TIS as per the Ballina Control Plan requirements. The hotel rates adopted for this development exceed those as previously approved for the larger, Ramada complex at Martin Street in the Ballina CBD which had its parking demand peer reviewed and accepted. Management of on street parking within the existing road networks are the responsibility of the local Roads Authority.

Public Submission Item

- The application seeks parking 'based upon other similar facilities'. Parking requirements are compared to existing similar developments, which may not necessarily have enough parking spaces, eg: the Ramada Hotel under Construction.

Response: The development has provided sufficient spaces at the rates specified in the TIS as per the Ballina Control Plan requirements. The hotel rates adopted for this development exceed those as previously approved for the larger, Ramada complex at Martin Street in the Ballina CBD which had its parking demand peer reviewed and accepted.

Public Submission Item

- In calculating car parking spaces, consideration should be given to the fact that: (i) there is no public transport in the area (ii) the two buses/day referred to in the application will run to the shopping centres only (iii) there are a number of tourist attractions in the area that can only be accessed by motor vehicle (iv) majority of visitors will be using private or hire vehicles to get around, and not rely on public transport.

Response: The calculation of car parking spaces have regard for the local government authorities development control plan requirements and complies with the same. The various issues raised as to limited public transport are not uncommon in regional areas and it would be expected that the local government authorities would have taken these matters into account in their determination.

RTA Submission Item

- The discounting used for the proposed development would appear to over estimate the traffic generation from the existing developments. Most of the trips would not be specific to these developments but associate with other land uses. This needs to be re-assessed to identify the real impact of the proposed development and the appropriate contribution rate.

Response: The development has not sought discounting of its traffic generation based upon associated other CBD land uses and accordingly it has not applied discounting to existing land uses, but rather applied details commensurate with the RTA guidelines. It would seem that provided the same rationale basis is applied, the proportionality of the outcomes would still be applicable and given that traffic generation rates used are as per the RTA guidelines, this then would maximise trips (ie conservative case) and limits cause for concerns over the merits of applicable discounting rates which may be applied.

RTA Submission Item

- The RTA indicated that they would prefer the undertaking of road works in preference to a monetary contribution for improvements to the roundabout.

Response: Noted. However, discussions with local Council officers identified that perhaps monetary contributions towards signalisation of the roundabout may give rise to a better outcome but that a final position is yet to be made.

RTA Submission Item

- Proposed north bound left slip lane will conflict with existing pedestrian facilities.

Response: Noted that the slip lane would reduce pedestrian path width to an acceptable minimum of 2m and was shown on drawing SK2.

RTA Submission Item

- All road works on the Pacific Highway will require the RTA's approval and a Works Authorisation Deed (WAD).

Response: Noted and no response required.

RTA Submission Item

- The proposed central median in River Street should be continuous from Kerr to Grant Street. Alternative access is available via the Kerr Street entrance.

Response: Due to the large site area and no rear lane access roads, two access points are vitally necessary to which the proposed access to River Street has a protected right turn bay which complies with Australian Standard requirements. The access point to River Street was raised with Ballina Council as the local Roads Authority to which no negative feedback was raised. The development is already proposing significant consolidation of the 5 vehicular access points (which services 14 land parcels) into two access points. The traffic implications of installing a full length continuous median in River Street would be to force unnecessary additional turning movements at both roundabouts, inclusive of the Pacific Highway (i.e. Kerr / River Street intersection).

RTA Submission Item

- All existing access to River and Kerr Street are to be legally and physically closed.

Response: Excepting for the nominated two access points, such accesses will be closed/removed.

RTA Submission Item

- Due to the limitations of the underground parking / service area larger vehicles will have to utilise the River Street frontage. This will have a greater impact on an on-street loading area, especially for activities associated with the residential component. Further consideration will need to be given to how this will be safely managed.

Response: The TIS advocates designated loading zones subject to the local Roads Authority approval requirements. Appropriate management of these zones is available by imposing time limits for certain activities and vehicle types.

RTA Submission Item

- The RDC generally supported the improvements shown on the concept plan SK1 Rev B.

Response: Noted. The concept plan identifies the signalisation footprint requirements.

Ballina Shire Council Submission Item

- Further consultation is required between the Applicant, Council and RTA with regard to the future improvement to traffic management at the Kerr/River Street roundabout. The proposed development has been assessed at the RTA regional traffic committee. Council is still awaiting correspondence regarding the recommendations that came from this meeting.

Response: The TIS proposes works to mitigate the marginal increase in traffic by the development or the payment of monies which maybe used towards other works if that better suits the Roads Authority. No further advices have been received by the applicant in this regard.

Ballina Shire Council Submission Item

- The development is proposing short term loading zones on Kerr Street and River Street. Given the scale and location of the development this is considered unacceptable and further investigation is required into the provision of an onsite set down and pick area. As the basement loading zone can only accommodate delivery vehicles 2.5m high, it is envisaged that the proposed loading zones would be saturated by service vehicles and public transport.

The car parking rates used appear to be generally acceptable. Further justification is required for the rate used for apartments with dual key access and the number of full time hotel staff proposed.

Response: The provision of designated on-street loading zones is believed to be the most practical location for access to the site for larger commercial vehicles due to the constraints of basement parking. There currently exists no developments with basement parking within the Ballina CBD which provide on-site loading zones, inclusive of the neighbouring RSL development and the operational Ramada apartments which includes restaurants and retailing activities. Similarly, within the main CBD block of Ballina and Wigmore Arcade, on-street loading zones are used without any adverse impact upon street users.

The parking rate for apartments is based upon 1 space per apartment x average occupancy rate of 75%. Hotel staff (equivalent full time) are 10 people being 1 manager, 2 receptionists / administration, 3 housekeeping, 1 security, 1 bar staff, 1 maintenance and 1 accounts.

DEPARTMENT OF PLANNING COMMENTS – Letter dated 5 December 2006

ATTACHMENT 1

DOP Comment Item

- The Department is concerned about the proposed location of the two loading zones with regard to noise and safety for adjacent residents and pedestrians. Loading zones should not be located adjacent to sensitive receivers such as the residential area in Kerr Street and Camoola Avenue.

Response: The provision of designated on-street loading zone in River Street is within the CBD zone and would not have a significant impact upon Camoola Avenue due to distance separation. The onstreet loading zone is believed to be the most practical location for access to the site for larger commercial vehicles due to the constraints of basement parking and is consistent with current practice within the Ballina CBD. There currently exists no developments with basement parking within the Ballina CBD which provide on-site loading zones, inclusive of the neighbouring RSL development and the operational Ramada apartments which includes restaurants and retailing activities. The location of the loading zone in Kerr Street is such that it is as far removed from residential receivers as possible. It is possible to appropriately manage these zones (i.e. imposing time limits for certain activities and vehicle types) such that noise generation is limited to normal business times. This would seem an appropriate management tool given the CBD zoning use of the site and the presence of the noise generation from the existing Pacific Highway.

ATTACHMENT 2

DOP Comment Item

- The Department has concerns in regard to the number of car parking spaces provided, in particular, the calculation used for the hotel component of the development. A number of assumptions have been used (eg 75% occupancy rate); however there is not detail in the EA explaining why a rate of 75% has been used or which comparable sites this analysis and these assumptions have been based upon.

Response: The RTA Guide to Traffic Generation advises that 1 space per 4 bedrooms in a 3 and 4 star tourist hotel be provided (i.e. 0.25 spaces per room). This RTA rate is based upon city type environments and does not seem totally appropriate for Ballina. The RTA guide also does not require developments to provide the absolute maximum number of spaces that could ever be anticipated, but rather an 'adequate provision' for typical operation of a facility so as to not adversely impact the surrounding environment. Hence the typical operation of the facility was assessed as being at 75% occupancy which required dependence upon a car parking space (i.e. 0.75 spaces per room). This is considered reasonable given that some users of the tourist hotel would utilise taxi services, meet up with residents of the district or travel in a group with limited car dependence. An approval for a 115 suite Tourist Facility (by the DOP at Martin Street, Ballina) had an adopted parking rate 0.675 spaces per room, which had been peer reviewed.

DOP Comment Item

- An assumed 30% concurrent usage for guest has been used for calculating the car parking spaces required for the hotel restaurant parking. How has the percentage been derived?

Response: This concurrent usage is an estimate of 1 in 3 guests may use the restaurant. This was also an accepted concurrent usage by the approved tourist facility at Martin Street,

Ballina and has previously been accepted by Ballina Shire Council for other developments including the Riverside Development on the corner of Cherry Street / Fawcett Street.

DOP Comment Item

The occupancy rate of 75% used for the car parking analysis is contradictory to the occupancy rate of 70% which was used for the open space contributions calculations (refer Point 15 below). How have these discounted rates been derived?

Response: This occupancy rate is a nominated operating demand for the site. Peak times may well be at 100% but likewise off peak times of 50% would occur. To have three out of every four rooms occupied, on average, 7 days a week would be a reasonable usage figure, hence the 75%. The use of 70% is an erratum, to which 75% is correct.

DOP Comment Item

The manoeuvring area in the dead end in the north-west corner of basement car park levels 1 and 2 are too long (22 metres). The recommended length within the Ballina Shire Combined DCP Policy Statement No 2 is 15 metres.

Response: Noted. Given the confines of basement parking and to maximise use of space, an extension of this length is sought. No safety issues arise from the increase in length.

DOP Comment Item

A minimum of 75% of total spaces provided on site for the retail component are to be accessible parking in accordance with Council's Combined DCP. Please confirm that this is the case. If there is a non-compliance this should be identified and justified.

Response: Noted. 75% of retail spaces are accessible to the public.

DOP Comment Item

The Ballina Combined DCP specifies 1 car parking space per 25m² of retail space. The Traffic Impact Assessment prepared by Newton Denny Chapple calculates a total retail space of 1160m². This requires 46.4 car parking spaces. The total number of car parking spaces proposed for the retail component, as stated on page 2 of the Project Statistics Summary within the Architectural Design Statement, is 43.9 car parking spaces. Please clarify this discrepancy.

Response: Retail car parking is provided at the rate of 1 space per 25m² of retail floor space area, however the calculation for the restaurant component of the hotel is measured at a 30% reduction as stipulated on page 1 of the Projects Statistics Summary. The 30% reduction is based on a concurrent usage estimate as stipulated above. The car spaces provided for the hotel restaurant is therefore 5.8 spaces for 208m² floor space area and not 8.3 spaces. The 43.9 figure is correct.

DOP Comment Item

As there are two levels of basement car parking proposed, Council's DCP requires details showing how flood-proofing of the fire escapes and any ventilation openings will be achieved.

Response: Council requires that a minimum fill level of RL 1.8 AHD be achieved for the site. The basement fire egress stairs egress at ground level at a level of RL 1.8 AHD or higher, thereby achieving the required minimum level for flood-proofing. Both vehicular

ramps achieve an RL 1.8 AHD before descending into the basement. The car park has a ventilation system that draws in supply air from the top of the hotel building (Building A) and the top of the pool building (Building E) feeding supply air fan rooms in the basement. The car park exhaust is exhausted via two exhaust air fans rooms and risers terminating at the tops of the foreshore apartment buildings (Building B and F). As a result, all the car park ventilation risers terminate above the minimum fill level.

DOP Comment Item

Natural ventilation must be provided to underground car parking areas where possible. Have ventilation grilles been incorporated into the basement car park? These should be integrated into the overall façade and landscape design of the development.

Response: The basement car park has a mechanical ventilation system as described above to comply with the requirements of BCA as stipulated in the EMF Griffiths Services Report which forms part of the EA submission. The car park supply and exhaust risers are integrated with the design of the cores on the roofs of Buildings A, B, E and F.

DOP Comment Item

The pedestrian access (through site link) on Kerr Street and River Street are located adjacent to the car park entrances. The Department is concerned about the safety of pedestrians at these locations. Further consideration needs to be given to the location of the car park entrance and pedestrian access points.

Response: The sight lines from the car parking access points will comply with the requirements of Australian Standard AS2890.1 Off-street car parking. In addition, this development reduces the number of existing crossing/conflict points to two locations, which previously had some 6 accesses including poor sight lines.

DOP Comment Item

The Traffic Impact Assessment (page 11) provides an analysis of projected queuing at the River Street entrance but not the Kerr Street entrance. Further analysis is required.

Response: The Kerr Street entrance shall take 40% of traffic, thereby using the same references adopted by the Traffic Impact Assessment, a que length of 3 vehicles is required. The development has sufficient storage length to accommodate the que without impacting upon vehicles using Kerr Street.