

Settlement City Shopping Centre Port Macquarie

Environmental Assessment Proposed Stage 1 Preferred Project Report

December 2009



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Introduction

This Preferred Project Report (PPR) relates to the Settlement City Shopping Centre Port Macquarie Environmental Assessment Proposed State 1 as lodged with the NSW Department of Planning on 30 June 2009, a proposal to redevelop and extent the existing shopping centre.

The revitalised shopping centre is aimed at providing a new vibrant experience for locals and tourists that is responsive to the coastal character of Port Macquarie and the vision of the Port Macquarie-Hastings City Council's Settlement City Precinct Structure Plan.

Urban design and architectural features of the Stage 1 redevelopment and expansion include:

- Two new external streets through the site ('Entertainment' and 'Leisure' streets) to improve access and permeability, and diversify the retail setting.
- Activation of Bay Street and Park Street by adding retail and commercial uses.
- An improved food overlooking the water, optimising the river setting while activating the foreshore in line with planning objectives and improving views from across the water.
- Improved landscaping and pedestrian access through and around the centre, as well as better route options for buses and taxis.

An additional 5,088sqm of retail space will be built. Other features include:

- Greater retail diversity and a wider range of shops and services serving residents and tourists.
- The introduction of a leisure centre and potentially a gymnasium.
- A new state-of-the-art bowling alley.
- New cinemas for Port Macquarie, serving an aging population and teenagers.

The capital investment value for this major project is approximately \$59m. The project is expected to create 419 jobs during the construction phase and almost 598 new positions on completion. The multiplier effect will also lead to the creation of over 1,136 new positions.

Extensive consultation with the Port Macquarie community, retailers, Port Macquarie Hastings Council, and state government organisations has been undertaken during (and after) the public exhibition period, and the issues raised during this process have contributed to the refinement of the proposal. Consultation will be ongoing throughout the project.

A revised Statement of Commitments is included in this report and details the mitigation measures that will be undertaken to mitigate or manage the potential impacts of the proposal.

The PPR provides:

- a response to the issues raised by Council and the agencies;
- a response to the 10 public submissions received during (and after) the exhibition of the Environmental Assessment;
- describes the modifications to the project application resulting from the issues raised by Council, the agencies and the public;
- supplementary information including:
 - revised architectural and landscape drawings
 - updated Visual Impact Assessment
 - traffic response by Colston Budd Hunt & Kafes Pty Ltd
 - BCA report by BM+G
 - revised Statement of Commitment.

The proposal is considered to be entirely in the public interests. It is a project of local and regional significance for the Port Macquarie Hastings area which is considered to be both reasonable and appropriate in the context of state and local government policy and planning frameworks whilst having regard to the constraints and opportunities applicable to the site and its surrounds.

This PPR application seeks approval for all elements of this major project.

1. Inconsistency with Councils Settlement City Precinct Structure Plan (SCPSP)

The SCPSP was publicly exhibited by Council in September 2008 and adopted on 21 January 2009. The Structure Plan provides Council's policy position and planning framework for the precinct. The proposal does not satisfy the objectives and desired future character requirements of the Structure Plan given the following:

Response:

Following a significant design review of building heights, the revised design now complies with the objectives and desired character of the SCPSP.

1.1 The excessive scale of the building:

- i) The building height of front eastern section (approx. 20m in from front boundary) of the new Stage 1B building fronting Park Street, including at the corner of Park and Bay Streets, proposed at a range of maximum 19 to 21.2m, significantly exceeds the desired maximum building height for this section of the site by 4 to 7.2m above the maximum 14m AHD level as set by the SCPSP. This matter is also not addressed in the submitted EA.

Response:

Building has been modified to comply with the SCPSP, refer to attached drawings in Attachment No 1..

This matter is also responded to in Attachment No 2:

Clouston Associates Visual Impact Assessment,
Dated 15 December 2009: Issue: NS1063 R – 01G

- ii) The building height of central Level 2 section of the new Stage 1B building proposed at a maximum 24.31m significantly exceeds the maximum building height for this section of the site by 5.31m (maximum 19m AHD level set by the SCPSP).

Response:

Building has been modified, for response detail refer to item 1.1iv below.

This matter is also responded to in Attachment No 2:

Clouston Associates Visual Impact Assessment,
Dated 15 December 2009: Issue: NS1063 R – 01G

- iii) The Cloustons Associates Visual Impact Assessment report dated August 2009 outlines that the height of the built form is likely to have moderate to high visual impacts with regard to key mid distance views from several visual receptors in the public domain, including Hastings Avenue, seawall walkway and foreshore walk view locations. Significant impacts are also considered apparent from the Breakwall and Town Green. The report details that in light of the visual impacts of the cinema roof line in particular, a mitigation measure could be a redesign of the cinema element to reduce both height and footprint. Such a redesign is considered necessary.

Response:

Built form has been modified and now has a significantly reduced visual impact.

This matter is also responded to in Attachment No 2:

Clouston Associates Visual Impact Assessment,
Dated 15 December 2009: Issue: NS1063 R – 01G

- iv) Based upon the submitted details, it is disagreed that the additional height for the cinema building element is unavoidable on the basis of primarily site constraints including acid sulphate soils. The proposal does not include any basement carparking which could be practical solution to a measurable reduction in the central cinema building element significantly exceeding the desired heights of Council's SCPSP. The Martens June 2009 report, which includes details assessing acid sulphate soils and groundwater levels, details that potential acid sulphate soils (PASS) exist at an approximate range of 3.0m to 5.5m depth with the majority at 4.5m depth below the existing ground surface. Whilst this PASS could be likely to be encountered if a basement carparking area was constructed on the site, the extent is limited to approximately 25 percent of the testing boreholes and can be appropriately treated using standard agricultural lime or disposed of to landfill. It is also noted that the Panthers building has a basement parking area.

With regard to groundwater being intercepted it is noted that this is likely to occur at 1.8 to 2.5m depth below the existing ground surface. Investigations should be undertaken to establish whether the water table could be successfully intercepted in part and prepare an appropriate dewatering strategy.

The proposed additional height above the SCPSP height limits for the central section of the Stage 1B building, will be likely to have a significant adverse visual impact upon the distant views to the mountain horizon to the west of the site and will therefore be unable to meet the objectives for building height in the SCPSP.

The proposed additional height above the SCPSP height limits for the central section of the Stage 1B building will be inconsistent with the principle in the SCPSP to ensure that the height of development does not exceed the top of the wave of the Panthers Building (assumed to be RL 21.3m).

Response:

Amended design drawings are now consistent with the principle in the SCPSP to ensure that the height of Stage 1B building does not exceed the top of the wave of the Panthers building (assumed to be RL 21.3m).

Following assessment of the public submissions and subsequent discussions with Council, a detailed review of the proposed Stage 1B building has occurred and the building predominately complies with the SCPSP.

Note: investigations into the above suggestion that a basement carpark could be introduced to reduce the height found that this option is not commercially viable. We are also unable to reduce the cinema box volume any further as this would affect the actual operation/showing of the films.

The sectional height through the cinema has also been reduced and now is at RL21m thus complying with the principle and objective of the SCPSP that no building is to exceed the top of the wave of the Panthers building. The SCPSP also includes a height plan that indicates that the cinema building height should not exceed RL19m. The proposed cinema height is considered appropriate for the following reasons:

- Built form is not higher than the wave of the Panthers roof;
- The cinema is well set back from Bay and Park Streets, the local impact is minimal;
- From a distance the cinema built form is not higher than the Panthers roof thus the impact is minimal;
- The minor projection for the cinema box is more than offset by the proposed height of built elevations along Bay Street being 2 -3 metres below the guidelines contained in the SCPSP.
- The architecture design is sympathetic to the surrounding environment.

To further clarify this matter a proposed Building Heights Plan has been prepared which is included within the architectural set of drawings and this demonstrates that generally the proposed building heights are under the allowable height limit and there is surplus height available to maximise the site in areas. The proposed design includes a variety of building heights which creates diversity, character and interest within the project

This matter is also responded to in Attachment No 2:
Clouston Associates Visual Impact Assessment,
Dated 15 December 2009: Issue: NS1063 R – 01G

- v) The building height of the front southern section (approx. 5m in from front boundary) of the new Stage 1B building fronting Bay Street proposed at 4 storeys exceeds the desired maximum building height for this section of the site by 1 storey above the maximum 3 storeys height set by the SCPSP. This matter is also not addressed in the submitted EA.

Response:

Building has been modified to comply with the SCPSP, refer to attached drawings.

This matter is also responded to in Attachment No 2:
Clouston Associates Visual Impact Assessment,
Dated 15 December 2009: Issue: NS1063 R – 01G

- vi) With the additional heights above the SCPSP height limits proposed along the immediate frontages to Bay and Park Streets the built form will be inconsistent with the desired scale and character for the precinct. This additional height above the 14m AHD level will be also inconsistent with the desired principles set in the SCPSP with regard to lower human scale and to retain adequate sunlight to the public domain/streets such as Bay Street.

Response:

Building has been modified to comply with the SCPSP.

This matter is also responded to in Attachment No 2:
Clouston Associates Visual Impact Assessment,
Dated 15 December 2009: Issue: NS1063 R – 01G

- 1.2 The external elevation treatment of the ground floor level approximate 30m length of carparking area, which backs onto the eastern frontage to Bay Street, does not incorporate the recommended vertical slots to be provided to sections of inactive frontage in accordance with the SCPSP.

Response:

The façade design at this location shall be modified to comply with the intent of the SCPSP.

- 1.3 Improved active use/s along the eastern frontage to Bay Street as part of the proposed alterations to the existing multi-level carpark in the south-western corner of the site is required.

Response:

New retail frontage is proposed to the corner of Bay Street and Leisure Street, landscaping treatments to the existing carpark structure will assist in activating and revitalising this existing elevation

Reference: Landscape Masterplan Stage 1 Dwg 101B

- 41.4 Continuous awnings across the footpath in Park Street as part of the Stage 1B building works should be provided to provide for the likely pedestrian users comfort and amenity.

Response:

Continuous awnings have been incorporated in the revised drawings.

2. Incorrect Property Description

- 2.1 The property description detailed is incorrect. Description should be Lots 1 and 2, DP 702484, Lot 4, DP 1018087 and Lot 109 DP 1083464.

Response:

Property Descriptions are agreed as outlined above.

- 2.2 It should also be noted that Council is the owner of Lot 1, DP 702484 as well as having the benefit of a number of Easements and Restrictions On Use that will be affected by this development.

Response:

Noted. The design drawings have been amended to mitigate any impact on Lot 1 DP 702484. The Lot was overlooked on the original application due to its small site area. The current easement and access to Lot 1, DP 702484 will remain unchanged.

- 2.3 Properties should be consolidated.

Response:

The properties are owned by individual entities, including Council. It is not intended to consolidate the properties.

3. Roads and Traffic

- 3.1 The CBHK supplementary traffic report stipulates the applicant intends to enter into a planning agreement with Council for road/traffic works in the precinct. No details are provided on the planning agreement.

Response:

Resolution of this matter was delayed by Council as a result of Council updating/revising their own Traffic Report. Council and ING have now agreed the draft condition relating to development contributions which are included in the attached Revised Statement of Commitments.

Refer to Attachment No 5.

- 3.2 Council's Settlement City Precinct Road Network Traffic Report prepared by TTM Consultants dated September 2009 (as previously forwarded by e-mail) outlines a number of traffic infrastructure requirements:

- Signalise Park Street & Walters Street intersection
- Realignment of Bay Street to Ashton Street and construct a roundabout intersection with Bay Street/Warlters Street
- Channelised treatment of Bay Street & Bellbowrie Street intersection
- Channelised treatment of Newport Island Road & Bay Street intersection
- Channelised treatment of Newport Island Road & Denham Street intersection
- Signalise Hastings River Drive & Ashton Street intersection

It would be intended to impose conditions on any approval to require contributions to achieve necessary road upgrades in addition to S94A contributions.

Response:

Noted. We refer to item 3.1 Response

- 3.3 Reviewing page 17 of the TTPA traffic report, the additional retail for the Stage 1 development is anticipated to generate at 3.5 vtp/h, while the existing retail generates at 5.5 vtp/h. The RTA defines retail trip generation rates that are even higher than the existing measured rates. It is not clear why lower trip generation rates are expected for the retail expansion. If trip generation cannot be explained, please adjust trip generation rates to be consistent with existing retail rates.

Response:

This matter is responded to in Attachment No 3:
Colston Budd Hunt & Kafes Pty Ltd, dated 24 November 2009.

Reference: Items 2 – 9 inclusive

- 3.4 As stipulated in paragraph 2.27 on page 12 of the Colston Budd Hunt & Kafes Pty Ltd (CBHK) supplementary traffic report, the road and intersection/access points were analysed previously (TTPA traffic report). Analysis will need to be updated based upon trip generation and additional changes noted based upon these comments in this section.

Response:

This matter is responded to in Attachment No 3: Colston Budd Hunt & Kafes Pty Ltd, dated 24 November 2009.

Reference: Items 9 & 10

- 3.5 Please verify that "Leisure Street" and "Entertainment Street" are intended to be private streets.

Response:

Leisure & Entertainment Streets are intended to be private streets.

- 3.6 The TTPA traffic report only evaluates the traffic conditions at the Bay Street and Park Street roundabout and driveway intersections on Bay Street and on Park Street. Future volumes shown in Figure 6 appear to be higher than intersection volumes analysed in Appendix E (SIDRA results). Please verify that analysis addresses all traffic impacts.

Response:

This matter is responded to in Attachment No 3: Colston Budd Hunt & Kafes Pty Ltd, dated 24 November 2009.

Reference: Items 11 & 12

- 3.7 Traffic impacts at access driveways were only evaluated for Stage 1. Please analyse future traffic conditions at the driveways ("Leisure Street and Entertainment Street") with the completion of the master plan to verify that intersections and roads operates adequately for all likely master plan development impacts.

Response:

This matter is responded to in Attachment No 3: Colston Budd Hunt & Kafes Pty Ltd, dated 24 November 2009.

Reference: Item 13

4. Vehicular Access

- 4.1 As defined in the TTPA traffic report, all driveways including “Leisure Street” and “Entertainment Street” intersections shall be designed in accordance with AS/NZS 2890.1. Driveway widths and separators do not appear to comply for design vehicle and service vehicle standards.

Response:

This matter is responded to in Attachment No 3: Colston Budd Hunt & Kafes Pty Ltd, dated 24 November 2009.

Reference: Items 14 & 15

- 4.2 Demonstrate that vehicle queuing at all access driveways complies with AS/NZS 2890.1.

Response:

This matter is responded to in Attachment No 3: Colston Budd Hunt & Kafes Pty Ltd, dated 24 November 2009.

Reference: Items 16 – 20 (inclusive)

- 4.3 Paragraph 2.29 on page 13 of the CBHK supplementary traffic report states intersection concept plans for Bay Street and western site access driveway intersection were attached. No plans appear to be attached in the report. Concern is raised that the proposed realignment does not create operational concerns between intersections. Please provide plans showing anticipated driveway connection in conjunction with potential Bay Street realignment to Aston Street. Operation of this driveway needs to be evaluated in conjunction with the Bay Street/Aston Street & Warlters Street roundabout and articulated vehicle sweep paths need to be accommodated with this driveway.

Response:

This matter is responded to in Attachment No 3: Colston Budd Hunt & Kafes Pty Ltd, dated 24 November 2009.

Reference: Items 21 & 22

- 4.4 Restrictions have been placed at existing Settlement City driveway intersections along Bay Street and Park Street. Specifically turn radii do not accommodate large vehicle left turning egress movements at specific driveways. Please show sweep paths for design vehicles into and out of “Leisure Street” and “Entertainment Street” to verify driveway designs accommodate design vehicle turns.

Response:

This matter is responded to in Attachment No 3: Colston Budd Hunt & Kafes Pty Ltd, dated 24 November 2009.

Reference: Item 23

5. Parking

- 5.1 A total of over 1,500 spaces are provided. Based upon the June 2009 supplementary traffic information by CBHK, the total number of 1,275 off-street parking spaces is required to accommodate the peak demands for the site. Although an adequate number of parking spaces are provided, many of the spaces do not comply with AS/NZS 2890.1. Total parking will need to be recalculated upon required revision of parking layouts.

Response:

Car Parking requirements have been reviewed in accordance with all relevant compliance standards. Revised car parking numbers are outlined in Attachment No 1 Dwg 124 (4)

- 5.2 Parking spaces provided in the eastern car park (Cinema car park) are too small (4900 mm) and do not comply with AS//NZS 2890.1 and Council’s Development Control Plan No.18 – Off Street Parking Code.

- Response:**
Car Parking requirements have been reviewed and amended to comply with all relevant governing compliance standards.
- 5.3 Column placement for the parking on the eastern side of the eastern car park (Cinema car park) does not comply with AS /N/ZS 2890.1.
Response:
Column placement and access has been reviewed in accordance with all relevant compliance standards.
- 5.4 The single parking space located adjacent to the car service facility and along the ground floor entry to the western car park (DDS car park) will be difficult to use and may create sight obstructions to the entering and exiting vehicles of the car park. This space should be removed.
Response:
This space has been removed.
- 5.5 Stack parking provided in the back of the Existing DDS shall comply with DCP 18. Please delineate this parking in accordance with Section 5.3.4 of DCP 18 if used.
Response:
This area of stack parking is existing. It will be reviewed to comply with DCP 18.
- 5.6 Parking provided in the surface lot on the northern side of the site are 4900 mm. This parking is permissible with appropriate overhangs in accordance with Figure 2.2 of AS/NZS 2890.1. The eastern parking space in this lot appears to abut the building, and therefore does not meet the requirements.
Response:
Car Parking requirements have been reviewed and amended to comply with all relevant compliance standards.
- 5.7 On Mezzanine Level plan (Stage 1), parking adjacent to the travelators in the western car park (DDS car park) are not aligned with all other aisle parking. These specific parking spaces are anticipated to have difficulty backing due to sight distance obstructions from other vehicles. Please align these spaces with the aisle parking.
Response:
Car Parking requirements have been reviewed and amended to comply with all relevant compliance standards.
- 5.8 No trolley parking spaces can be determined. Please delineate locations for trolley parking facilities in car park areas.
Response:
Trolley return allocations have been operationally assessed and identified throughout the car park
- 5.9 The TTPA traffic report makes a provision for 100 bicycle spaces and 10 motorcycle spaces. These spaces cannot be confirmed on the plans. Please summarise where bicycles and motorcycles will be parked. Bicycle parking areas shall be designed in accordance with AS/NZS 2890.3.
Response:
Bicycle and motorcycle parking allocations are nominated throughout car park
- 5.10 Disabled parking is required for the site and is to comply with AS/NZS 2890.6 and DCP 18. Disabled parking for the site cannot be determined. Please delineate number and location of disable car parking.
Response:
Disabled car parking spaces will comply with AS/NZS 2890.6 and DCP 18.
- 5.11 A car parking space appears to be blocking pedestrian access to the stairwell on the southern side of the western car park (DDS car park) on the Stage 1 – Level 1 plan. Unobstructed pedestrian stairwell access should be provided to aisle.
Response
Car parking has been reconfigured to address this item
- 5.12 Parking spaces adjacent to walls, such as in the northwest quadrant of the eastern car park (Cinema car park) should provide adequate distance from obstructions as defined in AS/NZS 2090.1.
Response:
Car Parking requirements have been reviewed and amended to comply with all relevant governing compliance standards.

6. Vehicle Manouvering

- 6.1 2 to 3 vehicles have been observed to queue at the existing petrol station. Vehicle queuing may restrict access to the car park. Please show adequate queue storage can be achieved for the existing petrol station.

Response:

This matter is responded to in the Attachment No 3: Colston Budd Hunt & Kafes Pty Ltd, dated 24 November 2009.

Reference: Item 24 & 25

- 6.2 Inadequate information is provided to evaluate the proposed car park ramps. Car park ramps shall comply with AS/NZS 2890.1.

Response:

Car park ramps shall comply with ANZ/NZS.2890.1

- 6.3 Sweep paths provided in Figure 2 of the CBHK supplementary traffic report show the articulated truck exit path to traverse through the proposed rear parking rather than through the service road. Please modify to show truck access to the entry/exit through the service road.

Response:

This matter is responded to in Attachment No 3: Colston Budd Hunt & Kafes Pty Ltd, dated 24 November 2009.

Reference: Item 24 & 25

- 6.4 Service/loading sweep paths shall be provided for the master plan (i.e. the future loading zones along "Leisure Street") to verify proposed Stage 1 street design is adequate for future stages.

Response:

This matter is responded to in Attachment No 3: Colston Budd Hunt & Kafes Pty Ltd, dated 24 November 2009.

Reference: Item 24 & 25

- 6.5 Existing loading zone access to the Panthers Auditorium is not provided in the Stage 1 plans. Please provide details to demonstrate how servicing the Panthers Auditorium can be achieved.

Response:

Plans have been amended to retain existing access arrangements to Panthers Auditorium

Refer Attachment 1, Drawing No ASK 120 (5)

- 6.6 Vehicle islands behind the existing supermarket should be connected to clearly delineate service road operation from parking lot facilities uses.

Response:

These parking areas are existing and not proposed to change

- 6.7 The TTPA traffic report states that small retail units on "Leisure Street" and "Entertainment Street" will be serviced by small service vehicles (vans) at designated loading zones. It is unclear where these locations are.

Response:

Loading Zones are clearly marked on the revised plans

Refer Attachment 1, Drawing No ASK 120 (5)

- 6.8 Please show proposed on-site bus facilities and routes. Please verify design bus sweep paths for routes through the site for both Stage 1 and the completion of the master plan.

Response:

This matter is responded to in Attachment No 3: Colston Budd Hunt & Kafes Pty Ltd, dated 24 November 2009.

Refer Attachment 1, Drawing No ASK 120 (5)

- 6.9 With the completion of the master plan, an eastern leg is created to the on-site roundabout along the foreshore. The intent and use of this intersection leg is unclear.

Response:

This application and the revised design drawings contained in the PPR are not an application for the master plan. This plan was a component of a future conceptual masterplan, issued for information purposes only

7. Pedestrians

- 7.1 Safe pedestrian crossing/refuge should be considered across Park Street connecting the proposed development with the existing Sails Resort and the existing foreshore park, both of which would be anticipated users of the development.

Response:

This matter is responded to in the Attachment No 3: Colston Budd Hunt & Kafes Pty Ltd, dated 24 November 2009.
Reference: Items 29 – 32 (inclusive)

8. Water Supply

- 8.1 A 450mm water main runs along the south side of Bay Street opposite part of the road frontage of the development site and along the western side of Park Street. A 200mm water main crosses Bay Street to the site. There are several water meters servicing the development site.

Response:

Noted. Refer next item 8.2 for action

- 8.2 The present water metering arrangement can be best described as “ad-hoc” and it is recommended that consideration be given to its rationalisation in conjunction with any redevelopment. It is also noted from our photographic records that there appears to be plastic pipe used in the area of the metering. Replacement of this pipe in an above ground situation will be required, since apart from the limitations of the product in itself, the metal alternatives are more vandal resistant.

Response:

Noted. ING has inspected the water metering arrangement and commits to replacing and upgrading this system during the proposed redevelopment works.

- 8.3 It is unlikely that the proposed development will place undue strain on the existing 450mm water main. An upgrade for the 200mm water main across Bay Street to the site is also unlikely; however the capacity of this main will depend on any additional requirements requested by the developer's hydraulic consultant. The harvesting and reuse of rainwater as well as the requirement to connect the development to Council's reclaimed water supply could reduce the effective demand from the expanded development on this main.

Response:

Noted. The applicant has inspected the water metering arrangement and commits to replacing and upgrading this system during the proposed redevelopment works.

- 8.4 Details of rainwater harvesting and reuse are to be provided with the Section 68 application. Connection to Council's reclaim water supply will be required for use in toilet flushing and irrigation or for rainwater top up. The existing toilets that are retained in the redevelopment as well as existing external irrigation and washdown facilities are also to be supplied from this system.

Response:

Noted. The applicant confirms its intent to connect to Councils adjacent reclaim water supply for top up servicing over and above rainwater harvesting service that areas nominated.

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- 8.5 Final water service sizing for the proposed developments will need to be determined by a hydraulic consultant to suit the domestic and commercial components of the development, as well as addressing fire service and backflow protection requirements.

Response:

Noted. The applicant confirms it will engage a professionally qualified hydraulic design engineer to address and comply with all matters raised.

9. Sewerage Servicing

- 9.1 Clarification is sought on the proposal's impact on Council owned property, Lot 1, DP 702484. This lot does not form part of the application. Clarification is also sought on the impact on the existing sewer pump station plus additional pumping station within an easement on the Settlement City site.

Response:

Noted. The design drawings have been amended to mitigate any impact on DP 702484. The Lot was overlooked on the original application, due to the small site area. The current easement and access to Lot 1, DP 702484 will remain unchanged.

- 9.2 Pumping stations and rising mains are to be clear of building footprint.

Response:

Noted. The design drawings have been amended to mitigate any impact on DP 702484. The Lot was overlooked on the original application, due to the small site area. The easement and access to Lot 1, DP 702484 will remain unchanged.

- 9.3 Council requires unrestricted access to these pumping stations or any relocated station and associated rising mains.

Response:

Unrestricted access to the existing pumping station will be maintained.

10. Accessibility

- 10.1 It is unclear as to whether all proposed shops, cinemas and bowling alley will be accessible for the disabled.

Response:

Noted. Disabled access will be available to all proposed shops, cinemas and bowling alley and comply with all relevant governing authorities requirements.

11. Crime Risk Prevention

- 11.1 The ground floor carpark is isolated from external surveillance having limited linkages to the surrounding area with the exception of entry/exit points. Consideration should be given to having significant levels of glazing to shops that back onto this carpark to increase the supervision of this area.
Response:
 Noted. The majority of tenancies that face into the car park will have glass shopfronts.
- 11.2 The bicycle parking adjacent to the commercial lobby on the ground floor is poorly located having limited supervision and access (other than between vehicles).
Response:
 Noted. Bicycle parking in this area has been relocated.
- 11.3 The location of the public amenities on level 1 adjacent to the commercial suites is considered to be an inappropriate location. These facilities are isolated from the general shopping precinct, being on the first floor with access either via a pedestrian bridge or travelator. It is not known what level of access restrictions would apply to these amenities, however being located above ground level, this area is considered vulnerable to predatory behaviour, particularly during night hours. Consideration should be given to relocating these facilities to the ground floor or possibly relocating the main amenities in the development to allow both internal and external access.
Response:
 Noted. The plans have been amended to maintain existing toilet facilities on the ground floor of the shopping mall. The public amenities proposed on Level 1 are additional to the existing facilities and are located adjacent to and monitored by Centre Management offices. The facilities will be closed at selected hours to address the security issues raised.
- 11.4 Carparks at mezzanine and level 1, where possible should include open external perimeter walls to allow for a greater level of visibility. Appropriate screens should be provided to prevent items being thrown as passing traffic and pedestrians. Internal structures within carpark areas should also be kept to a minimum to reduce visual obstructions.
Response:
 Noted and agreed. These matters will be incorporated into the detailed design documentation to be prepared for tender issue following development consent.
- 11.5 The proposed modified loading bay is isolated from the rest of the development and lacks any form of supervision. This may make this area a target for graffiti or other anti-social activity.
Response:
 This loading bay is now proposed without modification. The area is managed by security staff and will continue in a similar operation.
- 11.6 High levels of lighting should be provided to the carpark areas, particularly the new ground level enclosed carpark as these will be used by patrons of the complex and nearby Panthers Club at all hours of the day and night. Carparking ceilings and pillars should be painted white to increase reflective light.
Response:
 Agreed. Lighting to car park areas will exceed the applicable AS/NZ standards taking into account additional security concerns
- 11.7 High levels of street lighting will be required for Leisure and Entertainment Streets, In particular to Leisure Street, which will in most cases be devoid of pedestrian traffic and any form of supervision after dark.
Response:
 Agreed. Lighting to these areas will exceed the applicable AS/NZ standards taking into account additional security concerns

- 11.8 Given the inclusion of the cinema complex and close proximity to licensed premises, a CCTV system is also considered appropriate for both these streets, as well as carpark entrances and exits.
Response:
 Agreed. A comprehensive security management plan shall be undertaken for this project. A major component of new electronic surveillance equipment with CCTV will be incorporated in consultation with the local area Police Command and Shopping Centre Operations.
- 11.9 Only limited details are provided in drawings in relation to landscaping. Trees are noted as being planted on medium strips through Leisure and Entertainment Streets as well as along Bay and Park Streets. These should be of a type that is free of vegetation to at least 2m to allow for clear visibility and should be of advanced stages when planted to avoid damage.
Response:
 Landscaping design and species selection, as recommended, has been incorporated into the revised Landscape Design Plan. Refer Attachment 1 Dwg No 101 B.
- 11.10 Hedge planting should be kept below 900mm. Greenscreen plantings should be considered on walls that may be susceptible to graffiti.
Response:
 Landscaping species selections, as recommended, have been incorporated into the revised Landscaping Design Plan. Refer Attachment 1, Drawing No. 101 B.
- 11.11 Some street furniture should be included along Leisure and Entertainment Streets to assist in activating these public spaces.
Response:
 Street furniture will be provided to assist in activation of Entertainment & Leisure Streets. The type and selection will be agreed with PMHC.
- 11.12 The close proximity to licensed premises and limited access to the cinema and bowling alley (two lifts only) is likely to lead to congregation of young people on the street outside the cinema foyer and has the potential for conflict between pedestrians and vehicular traffic. Restaurants aimed at this demographic will also increase this potential for conflict. Other potential conflict zones may be evident around the nearby taxi rank where at peak times, disputes often occur. Consideration should be given to the redesign of this area, in particular the cinema lift foyer leading out onto the street. Some form of barrier may also be warranted between the footpath and roadway to prevent conflict.
Response:
 This area has been redesigned in consideration of accommodating public transport, pedestrian movement and security considerations. Pedestrian barriers will be installed after consultation of the preferred location with the local area Police Command.
- 11.13 Ramp corrugations and other traffic calming devices should be installed throughout the carparks to prevent driving offences and skateboard activity.
Response:
 Agreed. These devices will be incorporated through the car parks and specified and documented in the tender documentation.
- 11.14 Given that the entrance into the ground level carpark from the petrol station side is likely to be well used, due to its linkage to the petrol station and the elderly demographic of this area, consideration should be given to opening up this corner.
Response:
 Agreed. This area has been redesigned with professional traffic engineering input.
- 11.15 The pedestrian footbridge from the level 1 carpark to the commercial suites and amenities is an area of concern. Access to this area would go unchecked with the potential for items to be thrown at vehicles and pedestrians, particularly at night. If this pedestrian bridge is to remain, appropriate aesthetic screens will need to be installed to prevent items being thrown from this bridge and should be aligned with the pedestrian crossing to provide shelter and protection for pedestrians.
Response:
 Agreed. Screens will be installed to prevent the risk of items being thrown from the

pedestrian and vehicular bridge links. The vehicular bridge link and has been aligned with the pedestrian crossing underneath.

12. Compliance with Building Code of Australia

- 12.1 Compliance (or otherwise) with current BCA requirements of the existing buildings on the site (it is noted the current buildings contain performance based solutions)

(i)

Response:

A BCA Assessment Report has been prepared.

Refer Attachment 4, BM+G Preliminary BCA Assessment Report

- (ii) Compliance (or otherwise) with current BCA requirements of the existing buildings on the site after the new development has been completed, and

Response:

A BCA Assessment Report has been prepared

Refer Attachment 4, BM+G Preliminary BCA Assessment Report

- (iii) Any proposed upgrading of the existing buildings.

This would require a report to be prepared by a suitably qualified BCA consultant.

Response:

A BCA Assessment Report has been prepared.

Refer Attachment 4, Pages 3 & 4

12.2

A further matter to consider is the safety of persons in and around the site during construction. It is likely the shopping centre will continue to operate in some capacity whilst works are carried out. Patrons of the centre will need to be kept separate from construction zones (hoardings) and the existing buildings must remain safe for the occupants. The following matters are appropriate considerations in determining the development application so far as they relate to the period during which demolition/construction works are carried out:

Response:

A BCA Assessment Report has been prepared by BM+G

Refer Attachment 4, Pages 3 & 4

- 12.3 Maintenance of fire safety measures within the existing buildings (ie will some measures be made temporarily/permanently redundant during construction),

Response:

A BCA Assessment Report has been prepared by BM+G

Refer Attachment 4, Page 3 & 4

- 12.4 Maintenance of access and egress paths of travel to and from the building, particularly in the event of fire or other emergency (ie will existing exits be blocked during construction),

Response:

A BCA Assessment Report has been prepared by BM+G

Refer Attachment 4, Pages 3 & 4

- 12.5 Maintenance of existing passive fire separation within the development site and with the adjoining Panthers Club (ie will demolition involve the removal of any existing fire rated walls for any period during construction).

Response:

A BCA Assessment Report has been prepared by BM+G

Refer Attachment 4, Page 3

13. Ecological Impacts

- 13.1 Clarification is sought on the impact of the vehicle ramp from Bay Street on the core Koala habitat corridor. It is additionally considered that a detailed koala plan of management should be included to support the proposal.

Response:

The vehicle ramp in this area has been deleted, As agreed with PMHC on 11.11.09 (ING/PMHC Meeting Minutes No 3, Item 3.6.1) there is no longer a requirement for a detailed koala plan of management, as the koala corridor will remain unchanged.

14. Public Submissions

- 14.1 Anticipated development variance in figures: TPPA, CBHK, EA Document

Response:

All traffic matters have been responded to in detail in Items 2 & 3 of this report

- 14.2 Traffic Impact Analysis –

Response:

The traffic impact of this development has been addressed in detail by PMHC revised TTM report. the applicant has agreed the extent of development contributions, with Council.

- 14.3 Parking Analysis

Response:

Parking provisions to the proposed development comply with all relevant governing authorities requirements.

- 14.4 Building Heights

Response:

Building Heights have been addressed in detail in Item 1 of this report.

- 14.5 Active Street frontages

Response:

This development will significantly activate the street frontages of Bay and Park Streets. with retail, leisure and commercial facilities Existing and new elevations of the car park with street frontages will be revitalised and enhanced with landscaping treatments, architectural elements and street furniture.

- 14.6 Cinemas

Response:

The applicant has engaged Urbis consultants to undertake extensive analysis of the Port Macquarie cinema market offering. The report identifies a strong cinema market demand which will be significantly undersupplied by 2012.

The inclusion of a new 6 screen complex together with selected leisure retail, restaurants and bowling is an integral component of the project and will assist in stimulating the night time economy of the Settlement City precinct.

- 14.7 Public Transport & Bus stop interchange

Response:

The applicant has met with Busways and incorporated appropriate bus requirements. Taxi rank provisions have also been accommodated.

- 14.8 Existing Pedestrian Crossing to the north

Response:

The existing pedestrian crossing will be maintained and upgraded. The existing waters edge concrete terraced steps and weir crossing will be retained.

- 14.9 Support for the proposal

Response:

Agreed.

14.10 Stormwater & sediment controls

Response:

The applicant will undertake all measures to comply with all relevant governing authorities requirements to implement stormwater and sediment controls throughout all stages of construction works.

14.11 Retail space & CBD Impact

Response:

Urbis Economic report has appropriately assessed this matter in the original EA application.

14.12 Noise & amenity Impacts

Response

The applicant has undertaken an acoustic impact report which contains measures to mitigate any potential future impact.

15. Contact Details

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