

KING + CAMPBELL

Bulky goods retail development, including
a *Masters Home Improvement Store* and
Subdivision to create two (2) lots at
Lots 12 and 13 DP 1088869,
No.18 John Oxley Drive, Port Macquarie

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Section 1

Introduction

1.1 Introduction

This Statement of Environmental Effects has been prepared for a bulky goods retail development, including a *Masters Home Improvement Store* and subdivision to create two lots at Lots 12 and 13 DP 1088869, No.18 John Oxley Drive, Port Macquarie.

The proposed development includes:

1. The subdivision of the site to create two (2) lots, incorporating easements for access and services as required, including:
 - Proposed Lot 1 with a site area of approximately 3.29 ha; and
 - Proposed Lot 2 with a site area of approximately 1.53 ha.
2. Vehicular access from John Oxley Drive, including:
 - A primary shared vehicular access point for entry and exit to each proposed lot; and
 - A secondary vehicular access point for service vehicle entry only and for access to the proposed northern staff parking area within proposed Lot 1 (12 spaces).
3. The development of proposed Lot 1, including:
 - A *Masters Home Improvement Store*, with a total gross floor area of approximately 13,415m²;
 - Car parking for a total of 385 vehicles (includes 3 x car/trailer spaces, 8 x disabled spaces and 14 staff spaces); and
 - Associated loading facilities.
4. The development of proposed Lot 2, including:
 - A bulky goods retail premises incorporating three (3) separate tenancies, with a total gross floor area of approximately 6,864m²;
 - Car parking for a total of 138 vehicles (includes 7 x disabled spaces);

- Associated loading facilities to each tenancy; and
 - Truck turning area.
5. Landscaping works, including
- A minimum 3m wide setback to the carpark to provide a landscaped edge to John Oxley Drive; and
 - A 3m-6m wide landscape buffer to the adjacent Sienna Grange.
6. Acoustic fencing (3m high) and set back 3m from the adjacent Sienna Grange Residential Aged Care Facility to the west.
7. A Stormwater Management Plan, incorporating bio-filtration within the proposed carpark.
8. Signage, including;
- On premise signage, as detailed on the architectural plan set at Appendix C;
 - A pylon sign (10m) adjacent the Oxley Highway frontage; and
 - A pylon sign (10m) adjacent the John Oxley Drive frontage.

This Statement provides all relevant information necessary for Council to assess and determine the proposal. The relevant legislation in the preparation and assessment of the proposal includes:

- The John Oxley Drive Precinct Structure Plan, PMHC 2012;
- PMH Local Environmental Plan 2011;
- PMH Development Control Plan 2013, including;
 - Part 2 – General Provisions;
 - Part 3 – Development Specific Provisions for Business and Commercial Development; and
 - Amendment No.4 to Part 4, Chapter 4.4 – Port Macquarie West, John Oxley Drive East;
- SEPP (Infrastructure) 2007;
- SEPP No. 44 – Koala Habitat Protection;

- SEPP No.64 – Advertising and Signage; and
- Section 79C of the Environmental Planning and Assessment Act, 1979.

1.2 Development Application Pre Lodgement Meeting

A preliminary concept proposal was presented to Councils *Development Application Pre-Lodgement Panel Meeting* on 24 March, 2015 (reference 210.2015.54).

A copy of the minutes to this meeting is included at Appendix A.

The following table provides a summary of the outcomes together with a link to the relevant section of this report:

Pre-lodgement minutes	Outcome	Section
<p>Planning</p> <p>A detailed Statement of Environmental Effects addressing relevant Environmental Planning Instruments and merit-based issues is required. Particular attention should be given, but not limited to, the following:</p>		
<p>The Economic Impact Assessment and Flood Impact Assessment previously prepared for the planning proposal are acceptable for the purpose of a Development Application.</p>	<p><u>Economic:</u></p> <p>A supplementary EIA has been prepared by MacroPlan Dimasi to consider changes that have occurred since completion of their 2013 report. The 2015 report considered that the following three changes are relevant to the proposed development:</p> <ol style="list-style-type: none"> 1. The revised population forecasts for the PMH LGA; 2. The minor change in proposed GFA of the development; and 3. The current supply of bulky goods retail space in the PMH LGA. <p>The 2015 report concluded that the development should proceed as it will generate a substantial net community benefit for Port Macquarie and the surrounding region.</p> <p><u>Flooding:</u></p> <p>The <i>Flood Impact Assessment and Flood Emergency Response Strategy</i> prepared in support of the Planning Proposal is attached at Appendix J.</p> <p>This assessment found that due to the location of the site at the periphery of a large flood storage area on the southern floodplain of the Hastings River, it is not expected that the proposed development will have a significant impact on flow velocities, flood levels or flow distribution during flooding of the Hastings River.</p>	<p>Section 4.3 and Appendix G</p>
<p>A Noise Impact Assessment or addendum to the previous report will be required with the development application. It is noted that the concept</p>	<p><u>Noise:</u></p> <p>A <i>Development Application Acoustic Report</i> has been prepared by Acoustic Logic to accompany this submission. This report has confirmed that subject to</p>	<p>Section 4.5 and Appendix L Section 4.1.6</p>

Pre-lodgement minutes	Outcome	Section
<p>plan includes an acoustic barrier 3m high along the southern boundary adjoining 28 John Oxley Drive. Potential overshadowing and visual impacts of such a barrier will need to be considered in the application.</p>	<p>compliance with the following recommendations, the potential noise emissions from the development will comply with the relevant acoustic criteria:</p> <ol style="list-style-type: none"> 1. Roof plant As the sensitive receivers do not overlook the rooftop, noise screens and barriers will ensure noise emissions comply with the EPA requirements. A detailed review of the plant will be required to be undertaken at the CC stage, once mechanical plant selections have been undertaken. 2. Masters and tenancies 2 and 3 Between 6am and 7am, all truck movements are to be restricted to the northern entry driveway only. This will permit loading dock operations to be undertaken for Masters and tenancies 2 and 3 between 6am and 7am. However trucks/delivery vehicles cannot exit the site, which can only be undertaken via the primary driveway, until after 7am. 3. Tenancy 1 All loading dock operations for tenancy 1 are to be restricted to after 7am. Further, no trucks or delivery vehicles are to proceed along the service road past tenancy 2 until after 7am. 4. Acoustic fence A continuous 3m high noise fence is to be provided 3m from the common boundary with Sienna Grange. <p><u>Overshadowing:</u> Shadow diagrams have been prepared of the southern wall of the bulky goods retail tenancy and the 3m high acoustic wall setback 3m from the southern boundary are included at Appendix P. The shadow diagrams show the existing shadow cast by the existing 1.8m high boundary fence and the combined shadow cast once the 3m high acoustic wall is introduced.</p> <p>The shadow diagrams confirm that the proposed acoustic wall and bulky good retail tenancy building will not detrimentally impact the adjacent ground-level private and other key open space (bocce court and seating) of Sienna Grange and that greater than 3 hours sunlight will be available to these areas between 9.00am and 3.00pm on June 22. In addition it is noted that the shadow cast by the proposed acoustic wall will be fully contained within the shadow cast by the existing courtyard fences.</p> <p>In addition, sunlight to all north-facing windows will remain available to the adjacent dwellings at all times.</p>	<p>Appendix P Section 4.1.6</p> <p>Exhibit 3B</p>

Pre-lodgement minutes	Outcome	Section
	<p><u>Visual:</u> The proposed acoustic fence is shown diagrammatically on Exhibit 3B – Detail section C. The fence will maintain a minimum setback of 3m from Sienna Grange and will feature a climbing plant (<i>Ficus pumila</i>) on its northern side. In addition to this climber, the 3m setback to Sienna Grange will include substantial tree planting that will provide a vegetated backdrop when viewed from the north. This green foreground and background will aid in reducing the visual impact of the fence and will ensure that the fence itself is not a dominant built form feature.</p>	
Potential impacts of lighting (including any illuminated signage) to be considered in the application.	The proposed hours of operation for the development are 6am to 10pm Monday to Friday and 6am to 9pm on the weekends. Outside of these hours the on-site lighting will be minimal. In addition, given the height of the proposed acoustic fence (3m), it is anticipated that impacts on the adjoining Sienna Grange will be minimal.	
Visual impact assessment to be provided for the development and associated signage from the Oxley Highway and John Oxley Drive.	<p>Photomontages of the proposed development, as seen from the approaches along the Oxley Highway and John Oxley Drive, have been prepared by Leffler Simes Architect and are included at Appendix D.</p> <p>The photomontages have been taken from four locations:</p> <ul style="list-style-type: none"> - Photo 1 – this photo demonstrates the view of the proposed tenancy buildings from within the Sienna Grange site. At this location the proposed building is approximately 6m from the common boundary. This setback distance will include the planting of a range of trees including Swamp Oak, Broad-leaved paperbark and Prickly paperbark, as shown on the photomontage. It is anticipated that the planting will provide a dense visual screen for the existing residents. - Photo 2 - this photo demonstrates the view of the proposed development from the Oxley Highway. Given the height of the existing acoustic wall and the existing mature vegetation within the road corridor, views of the development are limited. The photo also shows visible flush wall signs. Given the scale and height of the proposed development and its location within a business zone it is submitted that this view, which includes future signage, is an acceptable outcome. - Photo 3 – this photo demonstrates the view of the proposed development from John Oxley Drive, immediately adjacent the site. The proposed setback and level that applies to the bulk of the building and the future landscaping to the John Oxley Drive road frontage ensures that the visual impact of the development remains appropriate for its location. 	Section 4.6 and Appendix D

Pre-lodgement minutes	Outcome	Section
	<p>- Photo 4 - this photo demonstrates the view of the proposed development from John Oxley Drive, towards the northern aspect of the site and prior to entering the existing Wrights Road roundabout. This photomontage confirms that the existing acoustic wall and the existing mature vegetation within the road reserve will screen the majority of the development, with the distinctive blue Masters signage becoming legible upon exiting the roundabout (see photomontage 3).</p> <p>It is submitted that the visual assessment provided by the photomontages confirm that the proposed bulk, scale and height of the proposed development is appropriate for its location and zoning.</p>	
<p>All signage for the project will be assessed against the provisions of SEPP No. 64 - Advertising and Signage. The signage strategy should avoid proliferation of signs, and no signs should project above the building roof into the skyline. All signage must also be located below the maximum height of buildings specified on the LEP map.</p>	<p>The proposed development incorporates two (2) illuminated pylon signs and a number of illuminated on-premise signs (see architectural drawings at Appendix C).</p> <p>In relation to the pylon signs the appropriate assessment in accordance with Schedule 3 of SEPP 64 has been undertaken. The signage satisfies the assessment criteria of this legislation.</p> <p>In relation to illumination and the proximity of the signage to Sienna Grange, it is submitted that a suitable condition can be attached to the consent to specify that a timer switch be fitted to all signage to dim by 50% by 11pm each night.</p>	Section 4.1.4
<p>The proposed subdivision will need to comply with the minimum lot size shown on the LEP Lot Size Map. It is understood that the planning proposal currently with the Department of Planning and Environment will result in a minimum lot size of 1.5 hectares for the site. Provision will need to be made for appropriate legal access, servicing and shared use of car parking spaces.</p>	<p>The proposed subdivision will create two (2) allotments that comply with the minimum lot size of 1.5 ha, as shown on the Lot Size Map. Proposed Lot 1 has an area of 3.29 ha and proposed Lot 2 has an area of 1.53 ha.</p> <p>A right-of carriageway will be created over the primary vehicular access driveway and the service vehicle secondary access, with easements for services as required.</p>	Exhibits 03A and 06
<p>Landscaping to improve between John Oxley Drive and the car parking area, and additional landscaping should be provided within the car parking area if possible.</p>	<p>The Site Master Plan, including landscape principles, is shown at Exhibit 03A. A minimum 3m setback between the road reserve boundary and the carpark provides for a landscaped edge to the John Oxley Drive frontage in accordance with the DCP requirements, as shown on the cross section detail at Exhibit 03B.</p>	Exhibit 03A and 03B.
<p>Details of the proposed hours of operation for the businesses and any associated deliveries.</p>	<p>The proposed hours of operation for the development are:</p> <ul style="list-style-type: none"> • Monday to Friday - 6am to 10pm; and • Saturday and Sunday – 6am to 9pm. <p>The proposed hours for delivery vehicles are required to be restricted to ensure compliance with the attached acoustic report. Between 6am and 7am, all truck movements are to be restricted to the northern entry</p>	Section 3.5

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	<p>driveway only. All delivery vehicles cannot exit the site (via the primary driveway) until after 7am.</p> <p>In addition, the acoustic report at Appendix L has specified that delivery vehicles cannot proceed past tenancy no.2, or utilise the turning area adjacent Sienna Grange, until after 7am.</p>	
An assessment under the principles of Crime Prevention Through Environmental Design should be submitted with the application.	<p>The four principles associated with Crime Prevention Through Environmental Design (CPTED) have been considered in the development of the built form. These principles are addressed below:-</p> <p><u>Surveillance</u> To ensure good surveillance for the public clear sight lines are provided between all proposed business fronts and associated parking areas. All landscaping has been selected to retain the sight lines, with garden bed plantings achieving a maximum height of 800mm and tree canopies to be under- pruned to a minimum height of 2m.</p> <p>The proposed landscaping will be complemented by pedestrian scale lighting for all primary walkways.</p> <p><u>Access Control</u> A combination of pedestrian pathways, signposting and lighting will be used to provide clearly defined access routes and public spaces for future users. In particular the main entry driveway will be highly visible from passing traffic and the pedestrian network leading to each building will be defined and easily legible. Areas where public access is not encouraged (i.e. rear service road and loading dock areas) will be suitably signposted.</p> <p><u>Territorial Reinforcement</u> The proposed public areas (carpark and store entries) have been designed with a direct line of sight to the Masters and tenancy entries. Lighting and pedestrian footpath detailing will ensure a clearly defined path network and barriers will not restrict movement for the public.</p> <p><u>Space Management</u> Masters as a successful and experienced retailer, will be responsible for ensuring all areas available to the public are well maintained.</p>	Section 4.9
The site is located in proximity to the airport and there may be limitations on the height of cranes used in the construction phase having regard to the Obstacle Limitation Surface.	The site is approximately 1.8km from the southern extension of the north-south runway at Port Macquarie airport. The site is not directly beneath the flight path or the designated obstacle limitation surface (OLS). The broader OLS (outside the flight path) is at RL 47.5m AHD. Accordingly there should be a 40m height limit on cranes used during the construction phase.	
Part of the site is mapped as bush fire prone and consideration of the relevant	A Bushfire Hazard Assessment has been prepared by David Pensini of Building Certification and	Section 4.8 and Appendix F

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provisions of Planning for Bush Fire Protection 2006 will be required.	Environmental Services. A minor portion of the John Oxley Drive frontage is mapped as 'buffer' on Councils bushfire risk mapping due to the remnant forest vegetation within the road reserve. The assessment has concluded that the bushfire risk is manageable.	
An ecological assessment will be required for the development, including consideration of State Environmental Planning Policy No. 44 - Koala Habitat Protection, and the relevant provisions of Development Control Plan 2013. The report should also consider any off-site impacts such as vegetation removal in John Oxley Drive for any required road widening. Council can provide koala habitat and vegetation mapping to assist in the preparation of this assessment.	<p>Two separate ecological reports have been prepared to accompany this submission –</p> <p>1. Lots 12 and 13 - Flora and Fauna Assessment (Peter Parker Environmental Consultants Pty Ltd):</p> <p>This assessment concluded that the site has little conservation significance and that the proposed development is unlikely to have a significant effect on threatened species or endangered ecological communities.</p> <p>In relation to SEPP 44 This assessment has concluded that notwithstanding the existing Koala food trees comprises greater than 15% of the existing tree canopy, evidence of Koala presence (e.g. scats or scratches under Schedule 2 trees) could not be found. Accordingly, a site specific Koala Plan of Management is not required and further consideration under SEPP 44 is not required.</p> <p>The proposed development will remove all existing vegetation from the site, including two (2) hollow-bearing trees (scores of 10.5 and 11). Following consultation with Councils Natural Resources section, a nest box strategy for their removal has been developed, with the location for the compensatory boxes to be provided within a newly developed Council public reserve on The Ruins Way. An appropriate condition can be attached to the consent.</p> <p>2. John Oxley Drive road corridor – Ecological Assessment (FloraFauna Consulting):</p> <p>This report was prepared in relation to the area edged by an orange dashed line on Exhibit 03A, within the John Oxley Drive road corridor.</p> <p>The proposed duplication of John Oxley Drive incorporating the signalised intersection to the development will require the removal of vegetation from within the John Oxley Drive road reserve. At this location the John Oxley Drive road reserve has a width of approximately 100m. The proposed road upgrade and new intersection treatment will require the removal of approximately 2,500m² of vegetation. The footprint of the vegetation proposed to be removed is located within the</p>	<p>Section 4.2 and Appendix J.</p> <p>Section 4.2 and Appendix Q and S</p>

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	<p>footprint of the concept design for the duplication of John Oxley Drive prepared by PMHC.</p> <p>The proposed development will result in the works associated with the duplication of John Oxley Drive along the site's frontage being brought forward. A seven part test was undertaken in relation to the threatened species that are known to occur in the locality. Given the existing highly modified state of the habitat within the study area (edge effect and weed invasion), its relatively small scale and position in the landscape it is unlikely that the proposed upgrading work within the John Oxley Drive road reserve will impact significantly on threatened species and populations.</p> <p>An assessment for Potential and Core Koala Habitat confirmed that 15 % of the total numbers of trees in the upper or lower strata of the tree component comprise Schedule 2 Koala food trees and the site provides a link between known areas of Core Koala Habitat. As a precautionary measure the preparation of a Koala Plan of Management was recommended.</p>	
It is Council's preference for the application to be lodged after the proposed rezoning of the site has been finalised by the Department of Planning and Environment.	Amendment no.20 to Port Macquarie-Hastings LEP 2011 was gazetted 19 June, 2015. The site is zoned B5 Business Development and the proposed development is permissible with consent.	-
Water		
Council records indicate there is an existing sealed water service to the lot from the 300mm water main on the same side of John Oxley Drive.	Noted. It is proposed to construct new water meter assemblies and booster valves at the southern entry to the site. Details will be finalised with the CC plans.	Exhibit 04
Final water service sizing for the proposed development 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.	Noted. Final water service sizing will be determined at the CC stage.	Exhibit 04
Sewer		
Council records indicate that there is an existing 100mm Sewer Rising Main that traverses the site. From further investigation, it was found that the rising main is "Disused". It is understood that the 100mm pipe is still present in the ground.	It is proposed to relocate a portion of the existing disused 100mm sewer rising main, extinguish part of the existing easement and create a new easement as shown in Exhibit 04 – Servicing Plan and as agreed in consultation with Council's Infrastructure staff.	Exhibit 04
There is an existing manhole outside the northern property boundary. A junction can connect to this for sewer reticulation given it is possible to drain to the junction.	It is proposed to construct a new sewer gravity main along the western boundary of the site and connect to the existing manhole outside the northern property boundary. This new sewer gravity main will service Proposed Lot 1 and also provide a connection for the relocated 100mm disused sewer rising main.	Exhibit 04

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Depending on the subdivision of the lot, a sewer extension may be required.	Lot 2 will require a private pump station to provide a connection to the new sewer gravity main along the western boundary. Concept details are included in Exhibit 4.. Final details will be determined at the CC stage.	Exhibit 04
Stormwater		
The stormwater principles discussed in the pre-lodgement letter are generally agreed with for the DA lodgement approach.	A Stormwater Management Plan is provided at Appendix M.	Section 3.9, Appendix M and Exhibit 05
Further stormwater reports are not anticipated to be required, provided however that the ultimate design for John Oxley Drive does not result in a significant change for the proposed site which is down slope of the road reserve (for example, road drainage may increase or require a different location for easements and overland flow paths).	The attached Stormwater Management Plan has been prepared as an update to the Stormwater Drainage Assessment Report (2013) that was prepared in support of the rezoning submission.	Section 3.9, Appendix M and Exhibit 05
A stormwater management plan must be prepared in accordance with the requirements of AUSPEC D5 and D7 and the requirements of relevant Australian Standards, demonstrating how all stormwater and surface water discharging from the proposed development site, buildings and works will be conveyed to the legal point of discharge by underground pipe drains to the satisfaction of Council.	<p>The SMP at Appendix M provides a review of the existing information relating to stormwater drainage in the locality, consideration of the existing site conditions, a description of the proposed development and an assessment of the stormwater quality and quantity issues which relate to the proposal.</p> <p>Stormwater modelling has been carried out using the MUSIC, DRAINS and HECRAS software.</p> <p>The proposal includes the construction of large floor plate buildings together with associated car parking and landscaping. Bio-retention facilities are proposed within the car parking modules to treat stormwater runoff before discharging from the site.</p> <p>The stormwater quality modelling has considered the proposed on-site treatment facilities and has compared the pre and post development scenarios. In addition, the modelling has measured the performance of the proposed facilities against the relevant stormwater quality targets.</p> <p>The results of the stormwater quality modelling have determined that the proposal is capable of providing suitable stormwater treatment devices to ensure that the quality of stormwater being discharged from the site is in accordance with the identified targets.</p> <p>The stormwater quantity modelling has considered the context of the site as part of the broader catchment. In addition, the report has also investigated the impact of the construction of the fill embankment for the Oxley Highway upgrade on the stormwater drainage regime in the area. The pre development scenario has been modelled together with two post development scenarios,</p>	Section 3.9, Appendix M and Exhibit 05

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	<p>each providing different levels of on-site stormwater detention.</p> <p>The results of the stormwater quantity modelling have shown that the proposal will have a negligible effect on the stormwater drainage regime in the area. In particular, the modelling has shown that the provision of sufficient on-site stormwater detention to match pre and post development flows from the site has little effect on the downstream conditions and is not warranted in this instance.</p>	
Engineering		
<p>Generally, the SMEC and TTM traffic reports should be reviewed to provide an up-to-date summary of recommendations accompanying the DA, especially in regard to the effect of planned signalisation of the Wrights Road roundabout by RMS. The Traffic Impact Assessment is to be prepared in accordance with guidelines contained in the Roads and Maritime Services Guide to Traffic Generating Developments and Austroads Guide to Traffic Management, Part 12: Traffic Impacts of Development.</p>	<p>Two traffic/engineering reports have been prepared to accompany this submission –</p> <ol style="list-style-type: none"> 1. Traffic Report (Colston Budd Hunt & Kafes Pty Ltd), in relation to the on-site traffic implications; and 2. Access and Adjacent Intersections, Estimated Future Road Network Operations (TPS Group), in relation to the adjacent John Oxley Drive intersection requirements and coordination with the RMS and Councils future designs for the John Oxley Drive corridor and the Oxley Highway/ Wrights Road roundabout. 	<p>Section 4.7 and Appendix K and Appendix R</p>
<p>Council's Transport Network Group has initiated a master plan design process for John Oxley Drive in the vicinity of the site, to optimise the competing issues of traffic demand at nearby intersections and considering the signalised intersection required in the long term at the entrance to the Masters development. The master plan is expected to be completed around August 2015.</p>	<p>Consultation with Council on this matter has been on-going throughout the preparation of this submission.</p> <p>The TPS Group report, which includes SIDRA Network and Paramics micro-simulation models, has confirmed the following:</p> <p><i>The most cost effective short term action to improve the operation of the Wrights Rd roundabout would be to construct a 'free' left turn slip lane across the north-east quadrant of the intersection. This conclusion has been conveyed to RMS officers who are investigating future roundabout requirements. RMS officers have agreed that the investigations reported in this document should be based on that roundabout option being the preferred option.</i></p> <p><i>Estimates shown in pages 15 to 21 indicate that the assumed Bulky Goods Opening Day road network and 2023 long term road shown in pages 13 and 14 are capable of accommodating anticipated traffic demands associated with the proposed development and the "high growth" scenario described in the SMEC report. That is, adequate capacity is provided by each network and intersection configuration to satisfy expected future traffic demands and provide for traffic queues to be managed between each intersection in the road system.</i></p> <p><i>In addition to the modelled outputs described in this</i></p>	<p>Appendix R Section 4.7</p>

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	<i>document, video files have been generated from the Paramics model and have been conveyed to Council and RMS. These video files confirm the adequacy of the Opening Day and long term road networks and the estimates contained in this document.</i>	
The proposed internal site layout is largely acceptable. Internal access aisles and parking bays will be assessed for conformance with AS 2890, and in particular part 1 for cars, part 2 for garbage and delivery trucks, and part 6 for disabled parking (if required by the BCA or other standards). Broad comments on the plans provided: a. Consider conflicting traffic movements at the end of the main entrance aisle (where vehicles park towards either building) and demarcate to avoid confusion, especially considering different traffic types (cars, trucks). A roundabout could assist. The trade entrance could be reoriented from this location to work sympathetically with the truck docks. b. Set back the disabled access spaces at the front of the Masters building to be further from the main entrance aisle, to increase efficiency of this intersection and reduce the hazard for disabled users. c. The proposed service entrance to the north, and cut/embankment design may depend on Council's future John Oxley Drive design. d. Provide driveway long sections with the plans for critical grade areas (e.g. requiring greater than 8% slope). e. Show the AS 2890 turning templates for critical vehicles / locations to assist with DA processing timeframes.	The Traffic Report prepared by Colston Budd Hunt & Kafes has confirmed that access, servicing arrangements and internal layout will be provided in accordance with AS 2890.1:2004 and AS 2890.2 – 2002. Typical driveway sections are shown at Appendix O. a. Roundabout introduced treatment at end of main entrance; b. Disabled spaces relocated as shown in Architectural DA01 Rev C. c. The proposed service entrance has been designed on conjunction with the design of John Oxley Drive. d. Refer Exhibit 07 e. Swept paths shown in traffic report at Appendix K.	Appendix K, Appendix O Section 4.7 Exhibit 07
Works within the road reserve and/or on Council owned assets will require a refundable bond equal to 130% of the cost of the works (required for Section 138 approval).	Noted	-
Oxley Highway is a Roads and Maritime Services (RMS) 'classified' (State) road. Referral of the development application to the RMS will be required under Schedule 3 of the Infrastructure SEPP (2007).	Noted	-
Detail the safe pedestrian links, refuge islands and crossings between the two buildings and to the frontages of the site, considering grades and distance between	Proposed pedestrian linkages are shown on the Site Master Plan at Exhibit 03A and includes the following provisions – - 1.5 m wide footpath on the southern edge of	Exhibit 03A

Pre-lodgement minutes	Outcome	Section
refuges to meet disabled access compliance.	<p>the main driveway;</p> <ul style="list-style-type: none"> - Designated footpath crossings, linking this footpath with the Masters building; - Designated footpath crossings linking the Masters building with the tenancies; - Pedestrian link from John Oxley Drive via stairs and designated pedestrian walkway to the main entry of the Masters building; and - Various pavement pedestrian paths that will function to direct pedestrians to the main building entries whilst warning drivers that pedestrians are moving through the carpark area. 	
Concrete footpath will be required along the public road for the full frontage of the development site. Details shall match Council's standard drawing ASD 100 series.	A 1.5m concrete footpath is provided for the full frontage of the site.	Exhibit 03A
Provide the details, volume and offsite source or destination if significant earthworks cut or fill is proposed (e.g. 1000 cubic metres). Council may require a bond to make good any damage to public property resulting from the development.	An earthworks detail plan is provided at Appendix N. This plan details the areas of cut and fill across the site. Approximately 7,500m ³ of the cut material will be utilised on-site as fill. Approximately 45,250m ³ of the cut material will be removed from the site. Details of the removal strategy will be provided with the CC documentation.	Appendix N
Torrens subdivided lots are preferred to have direct frontage to a public road. This is to the applicant's benefit with regard to future re-development, and land values. However, 'land-locked' lots may be accepted. Ensure that each lot adequately caters for its own land use by providing legal rights of carriageway, easements for services and parking. Shared easements for parking are difficult to attribute planning credits to in the future, so it may be preferable for parking quotas to be provided within their own lot boundaries.	The Plan of Proposed Subdivision at Exhibit 05 includes appropriate rights of carriageway and easements for services and access.	Exhibit 05
Other		
Please make reference to these pre-lodgement comments within the DA submission/planning report.	Noted.	-
Any comments in this Pre-Lodgement advice are based on the information provided. The comments do not predicate the outcome of a full assessment of any forthcoming development application regarding this proposal. Any subsequent change to legislation may also affect the accuracy of this advice.	Noted.	-

Section 2

The Development Site

2.1 The Site

The site is known as Lots 12 and 13 DP 1088869, No.18 John Oxley Drive, Port Macquarie and has a total site combined area of area of 4.83ha, including;

- Lot 12 - 4.574ha; and
- Lot 13 - 2,561m².

A copy of DP 1088869 is included at Appendix B.

The site is irregularly shaped and includes a frontage to John Oxley Drive of approximately 204m and a frontage to the Oxley Highway of approximately 400m. The site shares its southern boundary with the existing Sienna Grange (approximately 430m) and its northern boundary with the existing Wrights Road roundabout (approximately 58m).

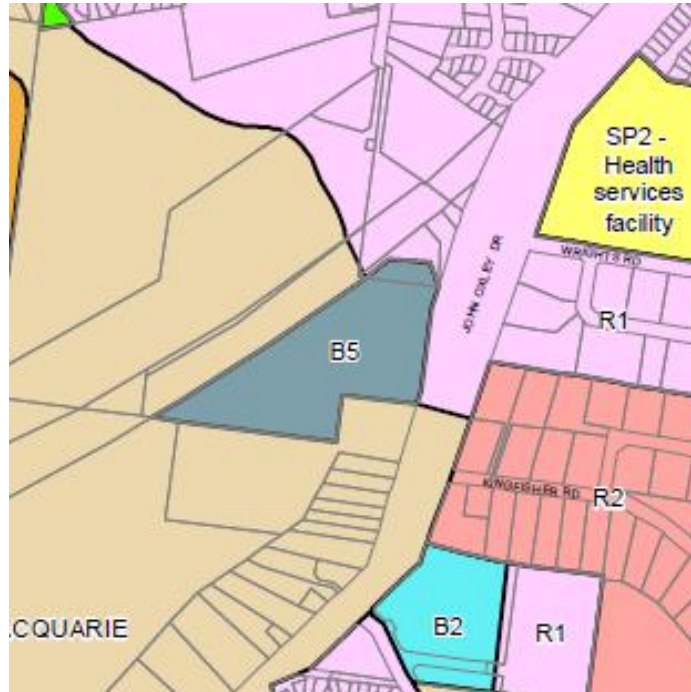
The site is currently vacant having previously been occupied by the Port Gateway Residential Park.

2.2 Zoning and Permissibility

The site is zoned B5 Business Development under the provisions of Port Macquarie-Hastings LEP 2011 (Amendment no.20, gazetted 19 June, 2015). The proposed development is permissible with the consent of Council.

The objectives for the B5 zone include:

- *To enable a mix of business and warehouse uses, and bulky goods premises that require a large floor area, in locations that are close to, and that support the viability of, centres.*
- *To minimise conflict between land uses within the zone and with adjoining zones.*
- *To ensure that new developments make a positive contribution to the public domain and streetscape.*

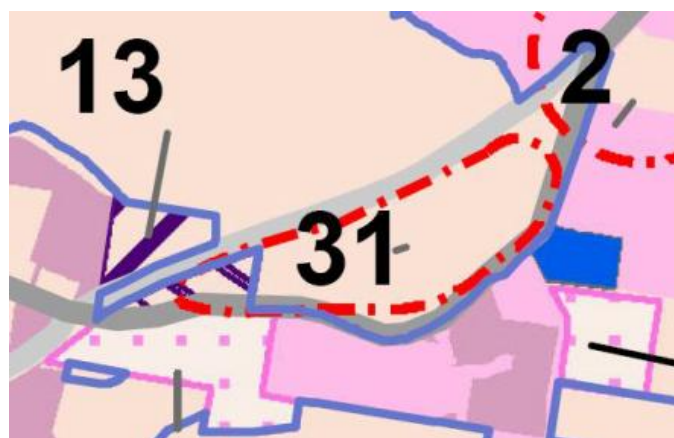


Extract: LZN_013D

As the proposed development has a capital investment value of greater than \$20m (\$21.95m), the Joint Regional Planning Panel will undertake the consent functions, in accordance with SEPP (State and Regional Development) 2011.

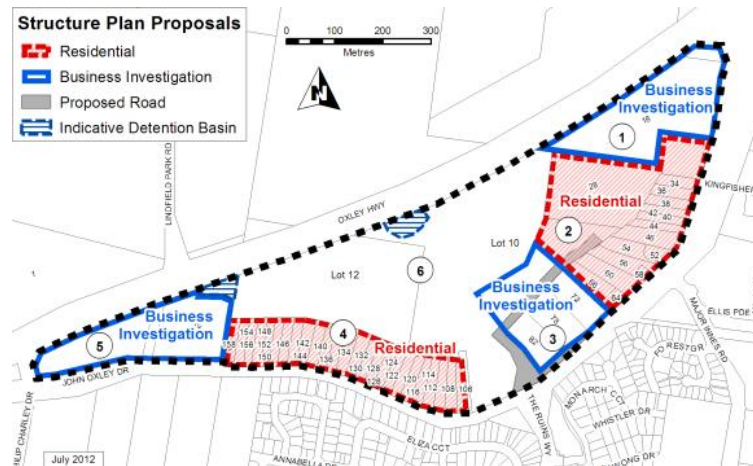
2.3 Background

Council's Urban Growth Management Strategy 2011-2031, identified the site within a precinct as a suitable location to provide economic initiatives. The area identified as '31' was identified as an area with potential for bulky goods development.



Extract from Summary Map, UGMS

On 25 July 2012 Council adopted the John Oxley Drive Precinct Structure Plan. The purpose of this Plan was to provide a planning framework for the coordination and assessment of future land uses in the area. The Plan identifies the site for business investigation:



Extract from John Oxley Drive Precinct Structure Plan

A Planning Proposal was prepared and lodged with the Department of Planning and Infrastructure on 19 September, 2012, in relation to the eastern extent of the John Oxley Drive Precinct. Public exhibition of the Planning Proposal was undertaken from 15 April, 2013.

The LEP Amendment No.20, rezoning the site from its historical RU1 Primary Production zoning to B5 Business Development, was gazetted on 19 June 2015.

Also submitted in electronic format is the following specialist reports and background material that formed part of the Planning Proposal:

- *John Oxley Drive Traffic Study - SMEC - July 2013;*
- *John Oxley Drive (Wrights Road to Major Innes Drive) Future Requirements and Road Concept – Summary Report (December 2012) – TTM;*
- *Proposed Bulky Goods Development – 18 John Oxley Drive, Port Macquarie – Transport and Traffic Engineering Report (February 2013) – TTM;*
- *Rezoning and Development of lots 12 and 13 DP 1088869, John Oxley Drive, Flood Impact Assessment*

and Flood Emergency Response Strategy (December 2012) – WorleyParsons (see Appendix I);

- *Port Macquarie Gateway Concept Acoustic Design Report* (June 2012) – Acoustic Logic;
- *Economic Impact Assessment of Development Proposal 18 John Oxley Drive, Port Macquarie* (August 2012) – MacroPlanDimasi (see Appendix G);
- *Review of Economic Impact Assessment* (4 November 2013) – Hill PDA;
- *Stormwater Drainage Assessment Report for the Development of Lots 12 and 13 DP 1088869 18 Oxley Drive*, (February 2013) – King & Campbell (see Appendix M) ;
- *Draft Planning Proposal* (November 2011) – Urbis; and
- *The exhibited version of the Planning Proposal.*

Section 3

The Development Proposal

3.1 The Proposal

In summary, the proposed development includes:

1. The subdivision of the site to create two (2) lots, incorporating easements for access and services as required, including:
 - Proposed Lot 1 with a site area of approximately 3.29 ha;
 - Proposed Lot 2 with a site area of approximately 1.53 ha; and
 - Separate water supply and sewerage services from each lot.
2. Vehicular access from John Oxley Drive, including:
 - A primary shared vehicular access point for entry and exit to each proposed lot; and
 - A secondary vehicular access point for service vehicle entry only and for access to the proposed northern staff parking area within proposed Lot 1 (13 spaces).
3. The development of proposed Lot 1, including:
 - A *Masters Home Improvement Store*, with a total gross floor area of approximately 13,415m²;
 - Car parking for a total of 385 vehicles (includes 3 x car/trailer spaces, 8 x disabled spaces and 13 staff spaces); and
 - Associated loading facilities.
4. The development of proposed Lot 2, including:
 - A bulky goods retail premises incorporating three (3) separate tenancies, with a total gross floor area of approximately 6,864m².
 - Car parking for a total of 138 vehicles (includes 7 x disabled spaces); and
 - Associated loading facilities to each tenancy; and
 - Truck turning area.

5. Landscaping works, including
 - A minimum 3m wide setback to the carpark to provide a landscaped edge to John Oxley Drive;
 - A 3m-6m wide landscape buffer to the adjacent Sienna Grange; and
 - Landscaping within the car parks.
6. Acoustic fencing (3m high) to the adjacent Sienna Grange development to the west.
7. A Stormwater Management Plan, incorporating bio-filtration within the proposed carpark.
8. Signage, including;
 - On premise signage, as detailed on the architectural plan set at Appendix C;
 - A pylon sign (10m) adjacent the Oxley Highway frontage; and
 - A pylon sign (10m) adjacent the John Oxley Drive frontage.

The Architectural Drawings are included at Appendix C.

3.1.1 Statistical summary

		Lot 1 - Masters	Lot 2 - tenancies
Site Area:	48,310 m ²	32,900 m ²	15,300 m ²
Floorspace (GFA):	20,348 m ²	13,415 m ²	6,864 m ²
Floor Space Ratio (FSR)	0.42:1	0.41:1	0.45:1
Boundary setbacks			
- John Oxley Drive (east):	-	10 m	340 m
- Sienna Grange (east):	-	-	185 m
- Wrights Road (north):	-	8 m	-
- Oxley Highway (north-west):	-	6 m	6.7 m
- Sienna Grange (south):	-	160 m	6 m
Height of Building (development standard)	-	11.5	Part 11.5 and part 8.5
Car parking:	523	385	138
Car parking rate (per GFA):	1/38.9 m ²	1/35m ²	1/49.7m ²

3.2 Proposed subdivision

It is proposed to subdivide the existing 2 lots to create two (2) lots as set out below:

- Proposed Lot 1 - 3.29 ha

Proposed Lot 1 is the northern allotment that will include the proposed *Masters Home Improvement Store* and associated on-site parking and loading facilities. The primary vehicular access, both ingress and egress, to proposed Lot 1 will be via a driveway off John Oxley Drive. A secondary vehicular access point is also proposed for delivery vehicles and limited staff parking. This secondary access point is for ingress only.

- Proposed Lot 2 - 1.53 ha

Proposed Lot 2 is the smaller southern allotment that will include the bulky goods tenancies (3) and associated on-site parking and loading facilities. The primary vehicular access to proposed Lot 2 is via a right-of-carriageway over proposed Lot 1. A right of carriageway is also provided over proposed Lot 1 to facilitate service vehicle entry to tenancies 2 and 3 before 7am.

The proposed easements for access and services are shown on the Plan of Proposed Subdivision at Exhibit 06.

3.3 Masters Home Improvement Store

The proposed *Masters Home Improvement Store* is a single building comprising the following elements:

- Main floor - 8,576m²;
- Garden centre - 1,790m²;
- Trade centre – 2,013m²;
- Receiving (store room) - 686m²;
- Administration, amenities and staff areas – 290m²; and
- Customer entry/exit - 60m².

3.4 Bulky goods tenancies

The proposed bulky goods tenancies will present as a single building adjacent the southern property boundary. The building will comprise three separate tenancies, as set out below:

- Tenancy 1 - 3,840m² (GFA);
- Tenancy 2 - 1,454m² (GFA); and
- Tenancy 3 - 1,570m² (GFA).

Each tenancy is provided with a rear roller shutter door on their northern elevation for loading / un-loading. A shared truck turning circle in the south-western corner of the site will enable all vehicles to exit the site via the main vehicular entry/exit road in a forward direction.

3.5 Operational detail

The proposed hours of operation for the development as a whole is set out below:

- Monday to Friday - 6am to 10pm; and
- Saturday and Sunday – 6am to 9pm.

3.6 Exterior works

Landscape works associated with the proposed development are illustrated on the Site Master Plan at Exhibit 03A. All plants are either groundcovers to maximum 800mm height or trees under-pruned up to a minimum 2 metres. This will allow for clear visibility across the site and is consistent with the principles of Crime Prevention through Environmental Design (CPTED). Exhibit 03B includes cross-section detail of the boundary treatment at John Oxley Drive, the carpark bio-filtration areas and the interface with Sienna Grange.

3.7 Signage

On-premise signage

All proposed on-premise signage is shown on the architectural drawing set at Appendix C. The signage is an integral part of the building design and does not project beyond the building walls or parapets.

Pylon signage

Two (2) 10m high pylon signs are proposed, one adjacent the access driveway on John Oxley Drive and one adjacent the northern boundary with the Oxley Highway.

An assessment against the relevant criteria in SEPP 64 and a visual impact assessment is included at Sections 4.1.4 and 4.6 respectively.

3.8 Intersection works and vehicular access

It is proposed to upgrade John Oxley Drive to a four-lane road incorporating a signalised intersection at the development entry. The upgrade of John Oxley Drive will include tapers to incorporate proposed changes to the Wrights Road roundabout and the existing intersection with Kingfisher Road.

The intersection has been designed in consultation with both Council and the RMS, taking into account the recently published upgrading to the Oxley Highway/ Wrights Road/ John Oxley Drive intersection. This proposed upgrading will see the retention of the Wrights Road roundabout and the installation of traffic lights to one leg, which is to operate during peak times.

Details of the proposed intersection at John Oxley Drive, road improvements within John Oxley Drive and the proposed development access road are shown on Exhibit 07 and Appendix O.

3.9 Stormwater Management Plan (SMP)

The SMP at Appendix M provides a review of the existing information relating to stormwater drainage in the locality, consideration of the existing site conditions, a description of the proposed development and an assessment of the stormwater quality and quantity issues which relate to the proposal.

Stormwater modelling has been carried out using the MUSIC, DRAINS and HECRAS software.

The proposal includes the construction of large floor plate buildings together with associated car parking and landscaping. Bio-retention facilities are proposed within the car parking modules to treat stormwater runoff before discharging from the site.

The stormwater quality modelling has considered the proposed on-site treatment facilities and has compared the pre and post development scenarios. In addition, the modelling has measured the performance of the proposed facilities against the relevant stormwater quality targets.

The results of the stormwater quality modelling have determined that the proposal is capable of providing suitable stormwater treatment devices to ensure that the quality of stormwater being discharged from the site is in accordance with the identified targets.

The stormwater quantity modelling has considered the context of the site as part of the broader catchment. In addition, the report has also investigated the impact of the construction of the fill embankment for the Oxley Highway upgrade on the stormwater drainage regime in the area. The pre development scenario has been modelled together with two post development scenarios, each providing different levels of on-site stormwater detention.

The results of the stormwater quantity modelling have shown that the proposal will have a negligible effect on the stormwater drainage regime in the area. In particular, the modelling has shown that the provision of sufficient on-site stormwater detention to match pre and post development flows from the site has little effect on the downstream conditions and is not warranted in this instance.

3.10 Services (sewer and water)

Water Supply

The strategy for water supply services has been resolved in consultation with Council staff. It is proposed to construct new water meter assemblies and booster valves at the southern entry to the site, with final service sizing to be determined at the CC stage.

Sewerage Services

The strategy for sewerage services has been resolved in consultation with Council staff. It is proposed to relocate a portion of the existing disused 100mm sewer rising main, extinguish part of the existing easement and simultaneously create a new easement as shown in Exhibit 04 – Servicing Plan.

It is proposed to construct a new sewer gravity main along the western boundary of the site and connect to the existing manhole outside the northern property boundary. This new sewer gravity main will service Proposed Lots 1 and 2, and also provide a connection for the relocated 100mm disused sewer rising main.

Lot 2 will also require a private pump station for the three bulky good retail premises to provide a connection to the new sewer gravity main along the western boundary. Final details will be determined at the CC stage.

3.11 Koala Plan of Management

The development of Lots 12 and 13 DP 1088869 will require the upgrade of the adjacent John Oxley Drive road reserve to a four lane road incorporating the signalised intersection at the development entrance. These road upgrade works form part of the Concept Design for the John Oxley Drive corridor prepared by PMHC that will be brought forward as part of the subject development. The works on John Oxley Drive will require the removal of approximately 2,500m² of vegetation that is on the eastern edge of the existing formed road, within the John Oxley Drive road reserve.

An assessment for Potential and Core Koala Habitat confirmed that 15% of the total numbers of trees in the upper or lower strata of the tree component comprise Schedule 2 Koala food trees and that the site is a link between areas of known Core Koala Habitat. As a precautionary measure a Koala Plan of Management accompanies this submission at Appendix S.

Section 4

Key Issues and Assessment

4.1 Relevant Legislation

4.1.1 Environmental Planning and Assessment Act 1979

The proposed development has a capital investment value of greater than \$20m (\$21.95m) and therefore Schedule 4A of the Act applies. In accordance with SEPP (State and Regional Development) 2011, the Joint Regional Planning Panel will undertake the consent functions for the subject DA.

4.1.2 SEPP (Infrastructure) 2007

The site has frontage to the Oxley Highway and John Oxley Drive and accordingly, Clause 101 of this Policy applies.

The objectives Clause 101 include:

(a) to ensure that new development does not compromise the effective and ongoing operation and function of classified roads, and

(b) to prevent or reduce the potential impact of traffic noise and vehicle emission on development adjacent to classified roads.

The proposal satisfies the objectives and development standards of this clause in the following manner:

- Vehicular access has been restricted to John Oxley Drive only, where the design of the primary entry/exit intersection, which will include signalisation, will ensure that the ongoing operation of John Oxley Drive will not be compromised; and
- The secondary access will provide for entry only for service vehicles and limited staff parking, ensuring minimal disruption to the existing John Oxley Drive traffic.

The DA will also require referral to the RTA pursuant to clause 104(3) as the development will provide for a bulky goods development with a total gross floor area of 20,348 m², parking for a total of 523 cars and direct access to a classified road.

The existing conditions and traffic implications of the proposed development has been reviewed and assessed in the Traffic Report prepared by Colston Budd Hunt & Kafes Pty Ltd (Appendix K) and the Access and Adjacent Intersections, Estimated Future Road Network Operations prepared by TPS Group (Appendix Q).

The TPS report is supported by SIDRA Network and Paramics micro-simulation modelling of the John Oxley Drive corridor between Wrights Road and Kingfisher Road (refer Section 4.7).

4.1.3 SEPP No.44 – Koala Habitat Protection

The subject site has an area greater than 1ha and therefore the provisions of SEPP No.44 apply.

1. Lots 12 and 13:

The provisions of SEPP 44 have been addressed by the attached Flora and Fauna Assessment (Peter Parker Environmental Consultants Pty Ltd). A copy of this report is attached at Appendix J.

The assessment has concluded that notwithstanding the existing Koala food trees comprises greater than 15% of the existing tree canopy, evidence of Koala presence (e.g. scats or scratches under Schedule 2 trees) could not be found. Accordingly, a site specific Koala Plan of Management is not necessary and further consideration under this Policy is not required.

2. John Oxley Road reserve

The provisions of SEPP 44 have been addressed by the attached Ecological Assessment (FloraFauna Consulting). A copy of this report is attached at Appendix Q.

The assessment confirmed that two Schedule 2 Koala food species can be found within the John Oxley Drive road corridor, including *Eucalyptus microcorys* (Tallowwood) and *Eucalyptus tereticornis* (Forest Red Gum). These species comprise more than 15 % of the total number of trees in the upper or lower strata of the tree component within the habitat and therefore the habitat satisfies the criteria for 'Potential Koala Habitat'.

In relation to assessment for Core Koala Habitat, the survey found two relatively old Koala scats at the base of a tree within the study area. There was also disturbance of bark on the trunks of several trees within the study area, consistent with the types of marks produced by the claws of Koalas when climbing trees.

The survey noted that the habitat within the study area and adjacent land within the John Oxley Drive road reserve comprises a relatively narrow strip of remnant vegetation that essentially runs through a developed residential and commercial landscape. Food resources are available for the Koala, however due to its narrow linear shape and position in the landscape these food resources are limited in any one part of the road reserve. Therefore, it is unlikely that a population of the Koala could rely on these food resources over a sustained period.

Aerial imagery indicates that the remnant vegetation within the road

reserve forms part of an extensive vegetated corridor that provides connectivity between areas of Koala habitat to the north, east and south. The Atlas of NSW Wildlife database search also recorded 981 records of the Koala within a 10km x 10km search area around the site.

Therefore in this context, and adopting a precautionary approach, a Koala Plan of Management is attached to this submission at Appendix S.

4.1.4 SEPP No.64 – Advertising and Signage

The proposed development incorporates two (2) illuminated pylon signs and a number of illuminated on-premise signs. Details of the proposed signage have been included on architectural drawings at Appendix C.

The two pylon signs achieve a maximum height of 10m and will display the Masters logo, as detailed below:



Pursuant to the provisions of SEPP No.64, the pylon and wall signs are defined as 'building identification signs', being "a sign that identifies or names a building, and that may include the name of a business or building, the street number of a building, the nature of a business and a logo or other symbol that identifies the business, but that does not include general advertising of products, goods or services".

Accordingly, Part 3 of the SEPP does not apply and the proposed signs need only satisfy the provisions of Clause 3 and Schedule 1.

The following table therefore provides a summary of compliance with the relevant clauses contained in SEPP No.64:

SEPP No.64	Comments
Clause 3: Aims and objectives	Signage for the proposed development has been designed as an integral component of the building design, compatible with the future desired character of the locality and appropriate for the sites prominent location. The signage will offer effective communication and in particular, is of a high quality design and finish.
Schedule 1: Assessment Criteria	
1. Character of the area	The future character of the area is embodied in the John Oxley Drive Precinct Structure Plan (July 2012), adopted by Council following the identification of the site for future investigation for bulky goods development and in the objectives for the B5 zone. The proposed signage is therefore consistent with the future development of the site under the current B5 zone.
2. Special areas	The site does not adjoin areas of heritage, conservation, open space significance. The existing Sienna Grange village adjoins the site on its southern boundary, however due to the proposed separation distance, the signage will be non-intrusive for the current occupants of the village.
3. Views and vistas	The proposed signs are sited so as not to obscure view lines, dominate the skyline or reduce the quality of vistas. A Visual Analysis in relation to all signage is provided at Section 4.6 and photomontages of the site are included at Appendix D.
4. Streetscape, setting or landscape	The scale and proportions of the proposed signs is appropriate for the building location and area. The overall number of signs has been kept to a minimum, thereby limiting the potential for clutter. The proposed pylon signs will not protrude above the adjoining tree canopy.
5. Site and building	The scale and proportions of the proposed signs is appropriate for the building design and has been designed to complement the building design.
6. Associated devices	Lighting and logos have been designed as an integral component of the sign structures.
7. Illumination	The proposed pylon sign on John Oxley Drive adjacent the Sienna Grange development will be fitted with a timer switch to dim by 50% by 11pm each night, in accordance with the provisions of the Draft amendments to Part 3 of the PMH DCP 2011.
8. Safety	Safety for the general public will not be compromised as a result of the proposed signage.

4.1.5 PM-H Local Environmental Plan 2011

Relevant Clauses	Comment	Complies
2.3 Zone Objectives and Land Use Table	The site is zoned B5 Business Development, where the proposed development is consistent with the zone objectives and permissible with the consent of Council.	Yes
4.1 Minimum subdivision lot size	The proposed subdivision will create two (2) allotments that comply with the minimum lot size of 1.5 ha as shown on the Lot Size Map. Proposed Lot 1 has an area of 3.29 ha and proposed Lot 2 has an area of 1.53 ha.	Yes

Relevant Clauses	Comment	Complies
4.3 Height of buildings	The Height Limit to Building Envelope Depth Plan (Appendix H) compares the building heights to the existing ground levels. The plan also shows the extent to which the 8.5m and 11.5m height of building development standards apply. The plan demonstrates that the proposed development complies with the Height of Building development standards.	Yes
4.4 Floor space ratio	The proposed development achieves an FSR of 0.41:1 for proposed Lot 1 and 0.45:1 for proposed Lot 2. The Floor Space Ratio Map does not specify a minimum for the site.	Yes
5.9 Preservation of trees or vegetation	<p>The proposed development will result in the removal of all vegetation on the site and approximately 2,500m² of vegetation from within the John Oxley Drive road reservation.</p> <p>A Flora and Fauna Assessment (Peter Parker Environmental Consultants Pty Ltd) accompanies this submission in relation to Lots 12 and 13 (see Appendix J). This assessment concluded that the site has little conservation significance and that the proposed development is unlikely to have a significant effect on threatened species or endangered ecological communities.</p> <p>An Ecological Assessment (FloraFauna Consulting) accompanies this submission in relation to the area edged by an orange hatch on Exhibit 03A, within the John Oxley Drive road corridor.</p> <p>The proposed upgrade of John Oxley Drive incorporating the signalised intersection at the development entry will require the removal of approximately 2,500m² of vegetation from within the John Oxley Drive road reserve. At this location the John Oxley Drive road reserve has a width of approximately 100m.</p> <p>A hollow bearing tree removal strategy, a nest box strategy and a Koala tree removal strategy are included at Sections 4.2.1 to 4.2.3.</p>	Yes
7.1 Acid sulfate soils	The western extent of the site is mapped as "Class 5" on Councils Acid Sulfate Soil mapping. As no works will be carried out within adjacent Class 1, 2, 3 or 4 lands, an ASS Management Plan has not been prepared.	Yes
7.3 Flood planning	<p>The western extent of the site is identified as within the "Flood planning area" on Councils Flood Planning Map.</p> <p>A site specific Flood Impact Assessment was undertaken by Worley Parsons as part of the rezoning process. This assessment is included at Appendix I and a summary is provided at Section 4.4.</p> <p>In summary the assessment found that due to the location of the site at the periphery of a large flood storage area on the southern floodplain of the Hastings River, it is not expected that the proposed development will have a significant impact on flow velocities, flood levels or flow distribution during flooding of the Hastings River. Accordingly, it was not considered necessary to undertake detailed modelling of the proposed filling.</p>	Yes
7.4 Floodplain risk management	<p>The site is identified on the Flood Planning Map as including land between the 'flood planning area' and the 'probable maximum flood level'.</p> <p>However further consideration under this clause does not apply as the proposed development is not a use specified in clause 7.4(3).</p>	Yes
7.5 Koala habitat	An assessment in accordance with SEPP 44 was undertaken by Peter Parker Environmental Consultants Pty Ltd as part of the Flora and Fauna Assessment (see Appendix J). The assessment concluded that	Yes

Relevant Clauses	Comment	Complies
	notwithstanding the the existing Koala food trees comprise greater than 15% of the existing tree canopy, evidence of Koala precedes (e.g. scats or scratches under Schedule 2 trees) could not be found. Accordingly, a site specific Koala Plan of Management is not required and further consideration under SEPP 44 is to required.	
7.13 Essential services	All essential services are available and shown at Exhibit 04.	Yes

4.1.6 PMH Development Control Plan 2013

The relevant provisions of the PMH Development Control Plan 2013 applicable to the site and the proposed development include:

1. Part 2 - General Provisions; and
2. Part 3 - Development Specific Provisions for Business and Commercial Development.

An assessment summary against the relevant development provisions of Part 2 and Part 3 is included at Appendix E.

Additionally, Council at its meeting of 15 July, 2015 resolved to adopt Amendment No.4 to DCP 2013. This amendment applies specifically to the site, which is identified as John Oxley Drive East. Consideration of the adopted amendments is provided below:

Commercial Development of 18 John Oxley Drive, Port Macquarie
<p>4.4.2.1 Objective To ensure that the amenity of neighbouring residents is not adversely affected by noise emanating from the subject property.</p> <p>Development Provisions a) A development application should be accompanied by a Noise Impact Assessment report, which is to be prepared by a professional acoustician in accordance with the Industrial Noise Policy 2000, NSW Environment Protection Authority and with applicable Australian Standards. This requirement may be waived by Council for minor applications or modifications where minimal noise impacts are likely.</p> <p><u>Comment:</u> A <i>Development Application Acoustic Report</i> has been prepared by Acoustic Logic to accompany this submission (see Appendix L). This report has confirmed that subject to compliance with the following recommendations, the potential noise emissions from the development will comply with the relevant acoustic criteria:</p> <ol style="list-style-type: none"> 1. Roof plant – As the sensitive receivers do not overlook the rooftop, noise screens and barriers will ensure noise emissions comply with the EPA requirements. A detailed review of the plant will be required to be undertaken at the CC stage, once mechanical plant selections have been undertaken. 2. Truck movements for Masters and tenancies 1 and 2 – Between 6am and 7am, all truck movements are to be restricted to the northern entry driveway only. This will permit loading dock operations to be undertaken for Masters and tenancies 1 and 2; however trucks cannot exit the site (via the primary driveway) until after 7am. 3. Tenancy 3 – All loading dock operations for tenancy 3 will be restricted to after 7am.

Commercial Development of 18 John Oxley Drive, Port Macquarie

4. Noise fence – A continuous 3m high noise fence is to be provided setback 3m from the common boundary with Sienna Grange.

4.4.2.2 Objective

To avoid the potential for significant overshadowing of habitable rooms and key open space areas for adjoining residential properties.

Development Provisions

- a) Sunlight to the principle area of ground-level private and other key open space of adjacent residential properties shall not be reduced to less than 3 hours between 9.00am and 3.00pm on June 22.
- b) Buildings shall not reduce the sunlight available, to the north-facing windows of living areas in existing adjacent dwellings, to less than the above specification.

Comment:

Shadow diagrams of the southern façade of the bulky good retail premises and the 3m high acoustic wall have been prepared to accompany this submission and are included at Appendix P. For information purposes the existing shadow impact generated by the courtyard fence to the immediately adjacent Sienna Grange dwellings is shown by the dashed line on the images.

The shadow diagrams confirm that the proposed acoustic wall and tenancy building will not detrimentally impact the adjacent ground-level private and other key open space (bocce court and seating) and that greater than 3 hours sunlight will be available to these areas between 9.00am and 3.00pm on June 22. It is noted that the shadow cast by the proposed acoustic wall will be fully contained within the shadow cast by the existing courtyard fences.

In addition, sunlight to all north-facing windows will remain available to the adjacent dwellings at all times.

4.4.2.3 Objective

To ensure the visual impact of the development enhances the amenity of:

- the entrance of Port Macquarie along the Oxley Highway
- John Oxley Drive, and
- the adjoining residents

Development Provisions

- a) The design details for any development application should address mitigation of any adverse impacts of the proposed development, when viewed from outside the site, in relation to:
 - siting and bulk of buildings
 - car parking areas
 - signage.

Photomontages could be used to illustrate the visual impacts on the property to the south, and when viewed from east-bound traffic on the Oxley Highway.

This requirement may be waived by Council for minor applications or modifications where minimal visual change is proposed.

Comment:

Photomontages of the proposed development, as seen from the approaches along the Oxley Highway and John Oxley Drive, have been prepared by Leffler Simes Architect and are included at Appendix D.

The photomontages have been taken from four locations:

Photo 1

This photo demonstrates the view of the proposed tenancy buildings from within the Sienna Grange site. At this location the proposed building is approximately 6m from the common boundary. This setback distance will include the planting of a range of trees including Swamp Oak, Broad-leaved paperbark and Prickly paperbark, as shown on the photomontage. It is anticipated that the planting will provide a dense visual screen for the existing residents.

Photo 2

This photo demonstrates the view of the proposed development from the Oxley Highway. Given the height of

Commercial Development of 18 John Oxley Drive, Port Macquarie

the existing acoustic wall and the existing mature vegetation within the road corridor, views of the development are limited. Where the proposed buildings can be viewed from this aspect, flush wall signs have been introduced. Given the scale and height of the proposed development and its location within a business zone it is submitted that this view, which includes future signage, is an acceptable outcome.

Photo 3

This photo demonstrates the view of the proposed development from John Oxley Drive, immediately adjacent the site. The proposed setback that applies to the bulk of the building and the future landscaping to the John Oxley Drive road frontage ensures that the visual impact of the development remains appropriate for its location.

Photo 4

This photo demonstrates the view of the proposed development from John Oxley Drive, towards the northern aspect of the site and prior to entering the existing Wrights Road roundabout. This photomontage confirms that the existing acoustic wall and the existing mature vegetation within the road reserve will screen the majority of the development, with the distinctive blue Masters signage becoming legible upon exiting the roundabout (see photomontage 3).

It is submitted that the visual assessment provided by the photomontages confirm that the proposed bulk, scale and height of the proposed development is appropriate for its location and zoning.

4.2 Flora and Fauna

Two separate ecological reports have been prepared to accompany this submission, as set out below –

1. Lots 12 and 13:

A Flora and Fauna Survey has been prepared by Peter Parker Environmental Consultant Pty Ltd and a copy of the report is included at Appendix J. This report has been prepared in relation to Lots 12 and 13 only.

In summary, the survey found the following in relation to Lots 12 and 13:

- The existing vegetation communities comprises the following:
 - Tall sparse woodland -
 - Three (3) tallwoods (*Eucalyptus microrrys*), nine (9) swamp mahogany (*Eucalyptus robusta*) and two (2) forest redgum, (*Eucalyptus tereticornis*) are scattered throughout the site;
 - Other woody vegetation comprises of introduced native and exotic trees; and
 - Four (4) large aspen (*Populus tremula*) planted in a row in the northern part of the site
 - Landscaped areas and grassland –

Understorey vegetation is comprised predominantly of exotic species, including introduced grasses, shrubs and ground covers;

Swampy areas to the west of the site are dominated by swamp rice grass (*Leersia hexandra*) and dryer areas by the exotic Parramatta grass (*Sporobolus indicus var. capensis*)

- The site does not support threatened plants or endangered ecological communities;
- Two (2) hollow-bearing trees were recorded, scoring 10.5 and 11 under Councils hollow-bearing tree protocol;
- No threatened fauna species (reptile, frog, bird, mammal) were recorded during field surveys;
- Based in records from the OEH Wildlife Atlas, a seven part test was undertaken in relation to the following threatened species that are known to occur in the locality:
 - The koala;
 - The eastern freetail bat;
 - The hoary wattled bat;
 - The grey-headed flying-fox;
 - The squirrel glider; and
 - The little bent-wing bat.
- This assessment concluded that the proposed development is unlikely to have a significant effect on threatened species or endangered ecological communities.

In relation to the removal of the two (2) hollow-bearing trees (scores of 10.5 and 11), consultation has been undertaken with Councils Natural Resources section. A hollow-bearing tree removal and nest box strategy has been developed, with the location for the compensatory boxes to be provided within a newly developed Council park on The Ruins Way. The strategy is provided at Section 4.2.1 below.

2. John Oxley Drive Road Corridor:

An Ecological Assessment has been prepared by FloraFauna Consulting and a copy of the report is included at Appendix Q. This report has been prepared in relation to the area edged by an orange hatch on Exhibit 03A, within the John Oxley Drive road corridor.

The proposed upgrade of John Oxley Drive incorporating the signalised intersection at the development entry will require the removal of vegetation from within the John Oxley Drive road reserve. At this location the John Oxley Drive road reserve has a width of approximately 100m. The proposed road upgrade and new intersection treatment will require the removal of approximately 2,500m² of vegetation, as shown within the area edged by an orange hatch on Exhibit 03A.

A hollow bearing tree removal strategy, a nest box strategy and a Koala tree removal strategy are included at Sections 4.2.1 to 4.2.3.

In summary, the survey found the following in relation to the road reserve:

- The floristics data gathered during the flora survey suggests that the vegetation within the study area and on the adjacent land within the unformed parts of the road reserve consists of a patch of remnant forest that is highly disturbed. There is a significant assemblage of exotic species including several environmental weeds in the understorey and groundcover and the influence of edge effect was clearly evident;
- Thirteen (13) hollow-bearing trees were recorded;
- Two species listed on Schedule 2 of SEPP 44 including *Eucalyptus microcorys* (Tallowwood) and *Eucalyptus tereticornis* (Forest Red Gum) were recorded within the study area and within the adjacent habitat located within the road reserve;
- The two Schedule 2 species comprise more than 15 % of the total number of trees in the upper or lower strata of the tree component within the habitat and therefore the habitat satisfies the criteria for 'Potential Koala Habitat' for the purposes of SEPP 44;
- Two relatively old Koala scats were observed at the base of a tree within the study area. There was also disturbance of bark on the trunks of several trees within the study area, which were consistent with the types of marks produced by the claws of Koalas when climbing trees;
- The habitat within the study area and adjacent land within the John Oxley Drive road reserve comprises a relatively narrow strip of remnant vegetation that essentially runs through a developed residential and commercial landscape.
- There are food resources available to the Koala within the road reserve, however due to its narrow linear shape and position in the landscape these food resources are limited in any one part of the road reserve. Therefore, it is unlikely that a population

of the Koala could rely on these food resources over a sustained period;

- Aerial imagery indicates that the remnant vegetation within the road reserve forms part of an extensive vegetated corridor that provides connectivity between areas of Koala habitat to the north, east and south. This is likely to be important in providing a means by which Koalas are able to move between areas of otherwise disjunct habitat through the developed landscape;
- In this context the habitat within the study area would be important to the species survival and likely constitutes part of a wider area of core Koala habitat.
- The footprint of the upgrade work within the road reserve (2,500 m²) represents a relatively small part of the remnant vegetation within the road reserve. Furthermore, it is unlikely that the functioning of the remnant vegetation within the road reserve as a wildlife corridor will be significantly affected by the proposed works.
- A seven part test was undertaken in relation to the threatened species that are known to occur in the locality;
- Given the existing highly modified state of the habitat within the study area (edge effect and weed invasion), its relatively small scale and position in the landscape it is unlikely that the proposed upgrading work within the John Oxley Drive road reserve will impact significantly on threatened species and populations.

4.2.1 Hollow bearing tree removal and nest box strategy

- A qualified Ecologist shall be present on site during removal of all hollow-bearing trees;
- All hollow-bearing trees are to be left in place until at least 48 hours after all other trees and vegetation located within 25 metres of the hollow-bearing tree has been removed;
- Once the other trees and vegetation have been removed from around a hollow-bearing tree, the hollow-bearing tree is to be bumped on the side at least twice per day, using the on-site clearing equipment or other appropriate means, to encourage any resident fauna to depart the tree;
- The bumping is to be repeated at one minute intervals over a period of at least 5 minutes immediately prior to the felling of the tree;

- During the bumping the Contractor is to take precautions to ensure that there is no risk of personal injury or equipment damage from falling limbs.
- Hollow-bearing trees are to be felled on to stockpiles of previously felled timber or other material to soften the impact of felling;
- Immediately following the felling of a hollow-bearing tree the Ecologist is to properly inspect the tree for signs of fauna occupation. If hollows cannot be viewed over their full length, then they are to be sectioned carefully to enable a full inspection of the hollow. When the Ecologist is satisfied the tree is free of fauna, the tree can be removed;
- An inventory of the number and size of all tree hollows shall be maintained in order to determine the number and type of nest boxes to be provided in the nest box strategy;
- Where fauna is found within a hollow of the felled hollow-bearing tree all work within 25 metres of the fauna shall cease until it has moved away of its own volition or is captured for later release; and
- The Ecologist will need to make a judgement call in some instances as to whether fauna found within a hollow of a felled hollow-bearing tree should be left to move away of its own volition or should be captured for later release or placed into care with a member of FAWNA NSW Inc.

4.2.2 Nest box strategy

Consultation with Council on the location for compensatory nest box provision has confirmed that on the basis of their uncertainty with respect to the ultimate works within the John Oxley Drive road corridor and timing, the preferred option for compensatory boxes should be undertaken offsite at a newly developed Council reserve on The Ruins Way.

The nest box strategy shall incorporate the following measures:

- Nest boxes shall be provided at a ratio of 2 nest boxes for each tree hollow to be removed as determined by the tree hollow inventory;
- Nest boxes shall be installed in mature trees located clear of the development footprint, which do not currently contain hollows;

- Nest boxes will be manufactured to reduce the likelihood of occupation by feral animals such as the Common Myna and Honey Bee according to industry standards;
- Nest boxes are to be installed in trees (both rough-barked and smooth-barked eucalypts) that do not already have hollows;
- A 40 mm to 50 mm thick layer of wood shavings is to be placed in the base of nest boxes to simulate decaying hollows and provide extra insulation;
- All nest boxes will be attached to the tree using the Habisure system, which involves:
 - A length of 3.15 mm plastic-coated soft fencing wire passed through the nest box and around the tree trunk;
 - The wire must be folded into at least four folds about 60 mm tall and 15 mm apart at the sides of the box to allow for tree growth;
 - Where the wire is in contact with the tree trunk or branch it must be threaded through a length of garden hose to protect the tree;
 - Where possible the wire around the tree should pass over a branch behind the trunk, although nest boxes can be installed directly on a straight-stemmed tree; and
 - Nest boxes will be positioned on the north-west to east sector of tree trunks to avoid hot afternoon sun and the predominant aspect of severe storms.

4.2.3 Koala food tree removal strategy

Removal of Koala food trees within the study area shall be mitigated as follows:

- All Koala food trees within the study area shall be located by stadia survey to determine the precise number and species that will be impacted;
- Compensatory tree planting shall be undertaken for each Koala food tree to be removed at a ratio of four (4) replacement trees for every one (1) tree removed; and
- Each replacement Koala food tree shall be of the same species as the tree it is replacing.

The Koala Plan of Management includes provision for establishment of Trust funds to fund future compensatory plantings by Council in conjunction with the duplication of John Oxley Drive.

4.3 Economic Impact

An Economic Impact Assessment was prepared by MacorPlan Dimasi in August 2012 to support the rezoning of the site. A copy of this assessment is included at Appendix G. The following provides a summary of the key findings from this assessment:

- Economic evidence suggests that there is a market gap for additional bulky goods retail floorspace within Port Macquarie;
- An existing gap of around 14,200 m² was identified at present (2012) and this gap was expected to increase to be almost 20,000 m² by 2016;
- Moderate trading impacts on the existing bulky goods retailers was expected, with very limited impacts upon the traditional retail centres hierarchy of the region;
- The proposed development will create approximately 234 net additional jobs on site, a further 94 jobs through the broader economy, while the construction phase of the project will see some 94 direct jobs and 151 indirect jobs created;
- The development will provide enhanced consumer choice and competition; and
- The new bulk goods retail node that will be created at the subject site will enhance the role and function of Port Macquarie as the key regional centre of the mid-north coast.

A supplementary EIA has been prepared by MacroPlan Dimasi to consider changes that may have occurred since completion of the 2013 report that may now be of relevance to the proposed development. A copy of this supplementary assessment is also included at Appendix G.

The three main changes considered in the supplementary report include:

1. The revised population forecasts for the PMH LGA;
2. The minor change in proposed GFA of the development; and
3. The current supply of bulky goods retail space in the PMH LGA.

The supplementary EIA has concluded the following:

"Based on the most up-to-date information which is now available, having regard for the approximately three years which have elapsed since the Economic Impact Assessment was prepared by MacroPlan Dimasi for the proposed development at 18 John Oxley Drive, we conclude as follows:

- *Following the preparation of the EIA by MacroPlan Dimasi in 2012, a review of bulky goods floorspace provision within Port Macquarie-Hastings LGA, commissioned by Port Macquarie-Hastings Council and undertaken by Hill PDA in November 2013, concurred with all the key findings and conclusions of the EIA.*
- *Most importantly, the Hill PDA review found that the proposed development did not threaten in any way the existing and planned town centres within Port Macquarie-Hastings, and therefore recommended that Council should not delay the rezoning of the subject site, to permit the Masters store development, on the grounds of economic impact.*
- *Revised estimates of future population for Port Macquarie-Hastings LGA, prepared on behalf of Council by forecast.id in January 2014, now project a greater population over the next decade than was expected at the date of preparation of the EIA.*
- *The available homemaker goods expenditure market within the trade area that will be served by the proposed development at 18 John Oxley Drive is now noticeably greater than was the case at the date of preparation of the EIA, in part because of increases in per capita expenditure, and in part because of the passage of time, with three years having elapsed.*
- *The analysis presented in the 2012 EIA identified a substantial gap in the provision of bulky goods floorspace in Port Macquarie-Hastings, and that finding clearly remains the case today. Further, projected growth in available homemaker expenditure means that there will still be a gap at 2021 and 2026 even after the subject proposal at 18 John Oxley Drive is built and after a further 5,000 sq.m of floorspace is allowed for within the Thrumster Town Centre.*

- *On the basis of this review, therefore, the proposed development at 18 John Oxley Drive should proceed as it will generate a substantial net community benefit for Port Macquarie and the surrounding region."*

4.4 Flood Impact

A Flood Impact Assessment and Flood Emergency Response Strategy was prepared by Worley Parsons to support the rezoning of the site. A copy of this assessment is included at Appendix I.

This assessment concluded the following:

"Investigations into the existing flood characteristics at the site indicate that a majority of the existing site area is above the 100 year ARI flood level of 3.38 mAHD. Flow velocities in the vicinity of the site during major flooding are expected to be very low (almost zero), which is reflective of the large flood storage area to the south of the Port Macquarie Airport.

In accordance with Council's Interim Flood Policy (2007) and subsequent amendments to address climate change impacts, it is recommended that the finished floor levels for the proposed rezoning and commercial development be established as per the following:

- *At least 25% of the floor area of the proposed development must be constructed to a minimum finished floor level of 4.38 metres AHD (the year 2100 design 100 year ARI flood level plus an allowance for 500 mm freeboard); and*
- *The remaining floor area must be constructed to a minimum finished floor level of 3.88 metres AHD (equivalent to the year 2100 design 100 year ARI flood level).*

It has been determined that the proposed car parking areas should have a minimum level of 3.58 mAHD, which permits a maximum depth of 300 mm in the year 2100 design 100 year ARI flood.

A portion of the site will need to be filled in order to accommodate the required minimum floor levels. The associated loss in flood storage volume across areas to the south of the Port Macquarie Airport has been calculated to be a maximum of 0.09%, which has been assessed for a range of design flood events. A loss in flood storage of this magnitude is considered negligible and would not have the potential to impact on flood behaviour across nearby sites.

For a cumulative development scenario the associated loss in flood storage may be up to 3.4%. This is considered to represent a likely worst-case filling scenario, because a majority of the remaining

flood prone land south of the Airport is zoned as 'E2' and 'E3' and is unlikely to be filled in the future (refer Appendix A). This reduction in flood storage is not considered to be significant.

Investigation of the flood evacuation potential from the site has determined that evacuation can be undertaken along two possible routes that remain flood free in the Probable Maximum Flood (PMF). Assessment of PMF flood level hydrographs at Wauchope (18 km upstream) and at the site indicates that at least 10 hours warning time will be provided between the Major flood warning at Wauchope and the commencement of inundation at the site. The warning time during a 100 year ARI flood would be more than 20 hours."

4.5 Noise Impact

A Noise Impact Assessment has been prepared by Acoustic Logic to accompany this submission. A copy of the assessment is included at Appendix L.

This report has confirmed that subject to compliance with the following recommendations, the potential noise emissions from the development will comply with the relevant acoustic criteria:

1. Roof plant

As the sensitive receivers do not overlook the rooftop, noise screens and barriers will ensure noise emissions comply with the EPA requirements. A detailed review of the plant will be required to be undertaken at the CC stage, once mechanical plant selections have been undertaken.

2. Masters and tenancies 2 and 3

Between 6am and 7am, all truck movements are to be restricted to the northern entry driveway only. This will permit loading dock operations to be undertaken for Masters and tenancies 1 and 2 between 6am and 7am. However trucks/delivery vehicles cannot exit the site, which can only be undertaken via the primary driveway, until after 7am.

3. Tenancy 1

All loading dock operations for tenancy 3 are to be restricted to after 7am. Further, no trucks or delivery vehicles are to proceed along the service road past tenancy 2 until after 7am.

4. Acoustic fence

A continuous 3m high noise fence is to be provided adjacent the common boundary with Sienna Grange.

4.6 Visual Impact

Photomontages of the proposed development, as seen from the approaches along the Oxley Highway and John Oxley Drive, have been prepared by Leffler Simes Architect and are included at Appendix D.

The photomontages have been taken from four locations:

Photo 1

This photo demonstrates the view of the proposed tenancy buildings from within the Sienna Grange site. At this location the proposed building is approximately 6m from the common boundary. This setback distance will include the planting of a range of trees including Swamp Oak, Broad-leaved paperbark and Prickly paperbark, as shown on the photomontage. It is anticipated that the planting will provide a dense visual screen for the existing residents.

Photo 2

This photo demonstrates the view of the proposed development from the Oxley Highway. Given the height of the existing acoustic wall and the existing mature vegetation within the road corridor, views of the development are limited. The photo also shows the extent of proposed flush wall signs. Given the scale and height of the proposed development and its location within a business zone it is submitted that this view, which includes future signage, is an acceptable outcome.

Photo 3

This photo demonstrates the view of the proposed development from John Oxley Drive, immediately adjacent the site. The proposed setback that applies to the bulk of the building and the future landscaping to the John Oxley Drive road frontage ensures that the visual impact of the development remains appropriate for its location.

Photo 4

This photo demonstrates the view of the proposed development from John Oxley Drive, towards the northern aspect of the site and prior to entering the existing Wrights Road roundabout. This photomontage confirms that the existing acoustic wall and the existing mature vegetation within the road reserve will screen the majority of the development, with the distinctive blue Masters signage becoming legible upon exiting the roundabout (see photomontage 3).

It is submitted that the visual assessment provided by the photomontages confirm that the proposed bulk, scale and height of the proposed development is appropriate for its location and zoning.

4.7 Traffic Impact

4.7.1 Background and existing traffic studies

Council are currently preparing a concept design for the duplication of the John Oxley Drive corridor, between Wrights Road and The Ruins Way. A number of existing traffic studies have contributed to their understanding of the future traffic needs for this locality, including a potential bulky goods development that is now the subject of this submission.

These existing studies have also identified a requirement for traffic signals at the site access point with John Oxley Drive.

The existing traffic studies include the following and are included on the accompanying 'background studies' CD;

1. *Proposed Bulky Goods Development 18 John Oxley Drive, Port Macquarie (Application PP 2-11-0007.02) Transport and Traffic Engineering Report*, TTM Group for King & Campbell Pty Ltd, 11 February 2013.

This report was prepared in response to the Gateway Determination for the Planning Proposal and concluded that a signalised intersection would operate satisfactorily in the long term for all movements into and out of the subject site.

2. *John Oxley Drive (Wrights Road to Major Innes Drive) Future Requirements and Road Concept Summary Report*, TTM Group for Port Macquarie Hastings Council, 22 March 2013.

The purpose of this report was to describe the desirable future road cross sections and intersection configurations for John Oxley Drive between and including the existing Wrights Road and Major Innes Drive roundabouts.

Taking into account the potential development of the subject site for bulky goods development and future growth generally in the locality, the report concluded the following:

- a. *Notwithstanding the subject development adjacent to the Wrights Road roundabout there will be a need to duplicate John Oxley Drive before 2024 and probably within the next ten years. That is, even if the anticipated development at the northern end was not to occur.*
- b. *The effect of the development will be to effectively increase traffic growth on John Oxley Drive to the immediate north of Kingfisher Road by approximately*

10% on a weekday and 15% on a Saturday relative to that which would occur if the development was not to occur.

- c. The Major Innes Drive roundabout will need to be upgraded within the next five years, even if the development was not to proceed. An appropriate upgrade may be to construct 2 approach lanes in each approach with 2 circulating lanes in the roundabout. However, the option of constructing a signalised intersection should be investigated, recognising the advantages that retaining the roundabout would have in respect to facilitating U-turns and providing for pedestrians.*
- d. The expected development to the immediate south-west of the Wrights Road roundabout will require a right turn lane and a left turn lane to be constructed in John Oxley Drive. Ultimately the access may need to be signalised, even though the access could operate satisfactorily for a number of years if the right turn out movement was not allowed. The need to signalise the access will depend on the degree of impact which development traffic will have on the Wrights Road roundabout due to U-turn movements and the associated desirability of allowing right turns out of the development. If signals were installed including allowing right turns out of the development, the access would operate satisfactorily at least through to 2024.*
- e. Regardless as to the timing of a John Oxley Drive upgrade there is a need to address the provision of pedestrian facilities along and across the route. The extent to which the proposed new development might contribute to pedestrian access and safety improvements will depend in large part on whether the development access is signalised. Fig 8.2 of this report provides a description of desirable future pedestrian facilities which should be implemented as part of a John Oxley Drive upgrade or in advance of the upgrade where practical.*
- f. The appropriate long term road concept plan for John Oxley Drive is shown in attached Fig 6.1. An appropriate staging plan which would be required simultaneously with the subject development is shown in Fig 7.1.*

3. *John Oxley Drive Precinct Traffic Study*, SMEC for Port Macquarie Hastings Council, 4 July 2013.

The purpose of this report was to determine the suitable infrastructure upgrades to support development of the John Oxley Drive Precinct, including:

- The Port Macquarie Base Hospital (PMBH) expansion and ongoing hospital precinct development ;
- Bulky goods retail, 18 John Oxley Drive (i.e.; the subject development);
- Charles Sturt University, Major Innes Road;
- Lake Innes Shopping Village expansion; and
- Ongoing residential development along Major Innes Road and The Ruins Way.

This report recommended the following upgrades for the John Oxley Drive Precinct:

- *Installation of a 1-lane roundabout, fourth leg and bus bay at The Ruins Way;*
- *Installation of a left-turn slip lane on the Major Innes Road roundabout ;*
- *Banning the right turn out of Kingfisher Road. This traffic will be diverted to Major Innes Road roundabout where it can perform a U-turn movement;*
- *Installation of signals at the new entry to the Bulky Goods Retail site, including provision for a 2-lane exit and southbound turn bay;*
- *Conversion of the Oxley Highway/ Wrights Road roundabout to full signal control;*
- *Localised widening of John Oxley Drive in the following locations:*
 - *2-3 lanes northbound between the Bulky Goods Retail site and the Oxley Highway*
 - *2-3 lanes northbound, north of Wrights Road*
 - *2 lanes southbound between Oxley Highway and Kingfisher Road.*

(Note: In relation to the Oxley Highway/John Oxley Drive/Wrights Road intersection the Roads and Maritime Services (RMS) have recently amended their upgrade commitment from a fully signalised intersection to a modified arrangement that will include signals to one leg only.)

4.7.2 Development Specific Traffic Study – Onsite Conditions

A Traffic Report has been prepared by Colston Budd Hunt & Kafes Pty Ltd to accompany this submission. A copy of this report is included at Appendix K. The purpose of this report is to describe the existing traffic conditions and to assess the traffic implications of the proposed development.

On-site parking

In summary, this study has determined the following in relation to on-site parking provision:

- For bulky goods development PMH DCP 2013 requires one space per 100m² plus one space per two employees (warehouse area), for development with a display GFA >500m²
- For garden centres, hardware and building supplies, landscape material supply and timber yards PMH DCP 2013 requires one space per 70m² of display area

(Note - DCP 2013 does not specify a requirement for a 'home improvement centre' for which the Masters store has been classified by the courts)

- RMS surveys of parking demands of similar home improvement centres (Masters) has determined a peak parking demand of 1.53 spaces per 100m².

On this basis, the proposed Masters would have a peak parking demand of 210 spaces and the proposed bulky goods retail tenancies (one space per 70m²) would require 98 spaces – a total of 308 spaces.

- The proposed development provides for a total of 523 spaces, including 385 spaces for Masters and 138 spaces for the bulky goods retail tenancies.

The following table provides a summary of the various parking requirements (under DCP 2013 and the RMS), together with the parking provided as part of this submission:

	Gross floor area (m ²)	Parking required			Parking provided
		DCP 2013 (1/70m ²)	DCP 2013 (1/100m ²)	RMS (1.53/100 m ²)	
<i>Masters Home Improvement Store</i>	12,735 (total floor area of 13,484)	181.9	127.3	194.8.3	385 (inc. 3 trailer spaces and 8 disabled)
Bulky goods tenancy 1	3,840	54.8	38.4	-	138 (inc. 7 disabled)
Bulky goods tenancy 2	1,454	20.7	14.5	-	
Bulky goods tenancy 3	1,570	22.4	15.7	-	
	total	279.8	195.9	-	523

Access, Servicing and Internal Layout

In summary, this study has determined the following in relation to the proposed access, servicing and internal layout:

- Vehicular access is proposed from John Oxley Drive, in two locations.
- The main access will be controlled by traffic signals, as identified in the Traffic report prepared by TPS in response to the Gateway Determination for the Planning Proposal.
- A separate entry point for Masters service vehicles is proposed toward the northern end of the site on John Oxley Drive. Masters service vehicles will enter by left turn from John Oxley Drive. A small number (13) of employee parking spaces will also be accessed from this driveway.
- Loading areas are proposed for the Masters store for deliveries and garbage collection. The Masters loading bays will provide for 19 metre semi-trailers and 12.5 metre large rigid trucks.
- Separate loading bays will be provided for the bulky goods tenancies. These bays will also provide for 19 metre semi-trailers and 12.5 metre large rigid trucks.
- The access arrangements from John Oxley Drive, internal circulation and loading areas will provide for service vehicles to enter the site, manoeuvre and exit the site in a forward direction. Service vehicle swept paths are shown in Appendix E of the Traffic Report prepared by Colston Budd Hunt & Kafes Pty Ltd (see Appendix K).

4.7.3 Development Specific Traffic Study –John Oxley Drive Corridor Co-ordination RMS and Council

A Traffic Impact report has been prepared by the TPS Group in relation to the adjacent John Oxley Drive intersection requirements and coordination with the RMS and Councils future designs for the John Oxley Drive corridor and Wrights Road roundabout. A copy of this report is included at Appendix R.

The TPS Group report, which includes SIDRA Network and Paramics Micro-simulation models, has confirmed the following:

"The most cost effective short term action to improve the operation of the Wrights Rd roundabout would be to construct a 'free' left turn slip lane across the north-east quadrant of the intersection. This conclusion has been conveyed to RMS officers who are investigating future roundabout requirements. RMS officers have agreed that the investigations reported in this document should be based on that roundabout option being the preferred option.

Estimates shown in pages 15 to 21 indicate that the assumed Bulky Goods Opening Day road network and 2023 long term road shown in pages 13 and 14 are capable of accommodating anticipated traffic demands associated with the proposed development and the "high growth" scenario described in the SMEC report. That is, adequate capacity is provided by each network and intersection configuration to satisfy expected future traffic demands and provide for traffic queues to be managed between each intersection in the road system.

In addition to the modelled outputs described in this document, video files have been generated from the Paramics model and have been conveyed to Council and RMS. These video files confirm the adequacy of the Opening Day and long term road networks and the estimates contained in this document."

4.8 Bushfire

A Bushfire Hazard Assessment has been prepared by David Pensini of Building Certification and Environmental Services. A copy of this assessment is included at Appendix F.

A minor portion of the John Oxley Drive frontage is mapped as 'buffer' on Councils bushfire risk mapping due to the remnant forest vegetation within the road reserve.

The assessment has concluded that with the implementation of the following measures, the bushfire risk is manageable:

(i) *Asset Protection Zones between proposed commercial buildings and areas of bushfire hazard vegetation are to be provided and maintained in accordance with the requirements of Table 4 of this report.*

Comment: A minimum width of >35m is available (comprising part of the existing road pavement to John Oxley Drive) where 15m is required.

(ii) *Water and other services are to be provided to the proposed development in accordance with the requirements detailed in Section 3.1.4 of this report.*

Comment: All services are available to the site.

(iii) *Any landscaping proposed to be undertaken in relation to the proposed development is to comply with the principles contained in Appendix 5 of NSW Rural Fire Services, Planning for Bushfire Protection, 2006.*

Comment: The proposed landscaping concept is shown on Exhibit 03. All vegetation will be provided within designated planting areas throughout the car parking area and maintained to a suitable standard.

(iv) *Ensure that gas bottles and other sources of ignition are stored away from hazard vegetation and also in positions to reduce the risk.*

Comment: Any hazardous materials will be located adjacent /within the proposed buildings and therefore well clear of the mapped bushfire buffer area.

(v) *Access and egress is to be provided as detailed in Section 3.1.3 of this report. In this new access and internal road infrastructure is to be designed and constructed so as to comply with the internal access road requirements of Section 4.1.3 of NSW Rural Fire Service, Planning for Bushfire Protection, 2006.*

Comment: Access, egress and internal road infrastructure will meet the required standards.

(vi) *An Emergency and Evacuation Plan, incorporating bushfire evacuation is to be prepared for the proposed buildings prior to their occupation.*

Comment: An Emergency and Evacuation Plan will accompany the CC documentation.

4.9 Crime Prevention Through Environmental Design

The four principles associated with Crime Prevention Through Environmental Design (CPTED) have been considered in the development of the built form. These principles are addressed below:-

Surveillance

To ensure good surveillance for the public clear sight lines are provided between all proposed business fronts and associated parking areas. All landscaping has been selected to retain the sight lines, with garden bed plantings achieving a maximum height of 800mm and tree canopies to be under- pruned to a minimum height of 2m.

The proposed landscaping will be complimented by pedestrian scale lighting for all primary walkways.

Access Control

A combination of pedestrian pathways, signposting and lighting will be used to provide clearly defined access routes and public spaces for future users. In particular the main entry driveway will be highly visible from passing traffic and the pedestrian network leading to each building will be defined and easily legible. Areas where public access is not encouraged (i.e. rear service road and loading dock areas) will be suitably signposted.

Territorial Reinforcement

The proposed public areas (carpark and store entries) have been designed with a direct line of sight to the Masters and tenancy entries. Lighting and pedestrian footpath detailing will ensure a clearly defined path network and barriers will not restrict movement for the public.

Space Management

Masters as a successful and experienced retailer, will be responsible for ensuring all areas available to the public are well maintained.

Section 6

Concluding Comments

This submission has been prepared to accompany a submission for a bulky goods retail development, including a *Masters Home Improvement Store* and subdivision to create to lots at Lots 12 and 13 DP 1088869, No.18 John Oxley Drive, Port Macquarie.

The development proposal has been prepared having regard to:

- The John Oxley Drive Precinct Structure Plan, PMHC 2012;
- PMH Development Control Plan 2013, including;
 - Part 2 – General Provisions;
 - Part 3 – Development Specific Provisions for Business and Commercial Development; and
 - Amendment No.4 to Part 4, Chapter 4.4 – Port Macquarie West, John Oxley Drive East;
- SEPP (Infrastructure) 2007;
- SEPP No. 44 – Koala Habitat Protection;
- SEPP No.64 – Advertising and Signage; and
- Section 79C of the Environmental Planning and Assessment Act, 1979.

It is submitted that the granting of development consent to the proposed development is consistent with the aims, objectives and development standards contained within the above legislation. In particular, the development is consistent with Councils adopted John Oxley Drive Precinct Structure Plan that identified the site as a future business use.