



25 January 2017

The General Manager
Port Stephens Council

Attn: Brett Gardiner

council@portstephens.nsw.gov.au

Subject: DA 2016-883 – Commercial development (Aldi Supermarket) at 155 Salamander Way - Submission

Planning Context

TRRA is disappointed that Aldi has chosen to move from the existing mall to a new site, as this in our view compounds a long term problem of Council's approach to the development of its landholding at 155 Salamander Way.

We have consistently argued for a redevelopment strategy that focusses on mixed use and integrated development rather than a continuation of the outdated 'separate site' approach. Encouragement of stand-alone commercial developments each with their own car park is undesirable, as it increases car-dependency and traffic movements, is visually unappealing, and fails to take the opportunities this landholding presented for innovative and attractive mixed use, including shop-top housing. It also fails completely to comply with the provisions of the Port Stephens Development Control Plan 2014 (DCP) 2014 that encourage active street frontages for commercial developments.

Assuming that this particular DA has to be assessed on its merits with Council's approach to subdivision and commercial arrangements as a 'given', we nevertheless submit that Council's overall approach to subdivision and development of its landholding at the Salamander Centre means that this DA is unavoidably non-compliant with key aspects of the DCP that relate to commercial development.



Submission relating to this DA

Assessment and determination – conflict of interest

We note that the application is made by Aldi on behalf of Council as the current owner of the site – we assume that there is an arrangement for sale or lease conditional on DA approval.

We submit that this DA should be assessed and determined by an independent third party to avoid the obvious conflict of interest if Council were to judge its own application.

Ownership/lease arrangements

The proposed ownership/lease arrangements are not clear, and are brought into question by the comment on page 22 of the Statement of Environmental Effects (SEE) that:

'Development is built to the front property line for the ground and first floor'.

We do not understand this as the store is clearly set well back from the western boundary of the lot, behind the car park. The status of the development is further confused by the comment on p.23 of the SEE that:

'All entry structures are located behind the property boundary so as not to obstruct pedestrian footpaths in public spaces.'

The community needs to know if the car park (and footpaths within the site) will be privately owned/operated, or remain as Council owned and/or maintained, as this has implications both the future cost of maintenance and for control over access to and use of the parking.

Traffic etc.

The plans, and October 2016 Traffic report (SEE Appendix E), indicate that two way (in and out) vehicular access, with right turns permitted, is proposed for both the Terminus Parade and Central Avenue access points. We question whether, particularly at peak periods, right turns should be permitted, especially at the Terminus Parade access point which is directly opposite the existing access to the main Centre parking area, and which will for the first time connect with Bagnalls Beach Road via the new Central Avenue as well as via Terminus Parade/Town Centre Circuit. We submit that without controls other than the proposed 'give-way' signs there is likely to be major congestion at peak times, with the potential for accidents.

The same issue may arise on Central Avenue, partly depending on how lots to the north are developed and the location of access points.

We submit that consideration be given to traffic controls to better manage vehicular access to and from the Aldi store, at least in main daytime hours and peak holiday periods.

TRRA is particularly concerned about provision for pedestrian (and cycle/mobility scooter) movements around the entire Salamander Centre. We note that the site plan shows a pedestrian link from the entrance to the new store west across Terminus Parade (currently Town Centre Circuit) to join the existing pedestrian crossings through the Centre car park to the Centre entrance. We question what provision will be made for foot traffic crossing south from the new Aldi store across Terminus Parade to the McDonalds restaurant, and to and from the new bus interchange between these two sites. These links may form part of the Council infrastructure currently being constructed, but the way the Aldi development will relate to them is important. The SEE Comment on the DCP clause C2.10 does not mention any linkage in this direction. It would be unfortunate if there is not easy access, particularly for the elderly and persons with disabilities, from the bus stop to the Aldi store.

We remain concerned about the lack of shade cover for pedestrians through the Centre car-parks. Further development of the centre means longer distances to walk and with evidence of increasing frequency and intensity of hot days, we submit that Council should be requiring shade covered walkways in any new developments, and hopefully in the longer term through the existing car parks.

Public toilets

In comments on clause c.22 of the DCP, the applicant submits that:

‘Public toilets are available in the Salamander Bay Shopping centre. Additional public toilets are not required.’

We disagree, and submit that consideration be given to requiring Aldi to provide and maintain public toilets on site. Existing public toilets in the Salamander Centre are barely adequate for existing customers, particularly at peak periods. As the entire landholding is further developed, demand for toilet facilities will increase – and this store will be a considerable distance from the existing Centre toilets. The needs of elderly members of the community are particularly important given the demographics of the area.

We submit that major developments such as this new Aldi store provide an opportunity to obtain a significant public benefit at no cost – either capital or ongoing – to ratepayers. We note the precedent of requiring the new

Woolworths store in Nelson Bay to provide public toilets and submit that a similar requirement for the Aldi store would be appropriate.

Landscaping

In relation to landscaping, we support concerns made in a personal submission by one of our members, and experienced landcare volunteer, Margaret Wilkinson, about the selection of plant species in the landscape plan. In particular, there seems to be an overdependence on *lomandra tanika*; pigface and grasses, with some more suitable and 'lower care' alternatives being overlooked. Also, the blueberry ash trees, while attractive, are slow growing, and consideration should be given to alternatives such as more of the *M. Qivs* already providing valuable shade in the main shopping centre car park. Overall, Council should require landscaping that is more consistent throughout the shopping centre and adjacent streets and roundabouts.

We also note from the SEE that:

'Landscape screening will also be provided along the eastern side boundary to screen the development from future commercial premises on neighbouring lots to the east' and that this has followed discussion with Council (SEE comment on DCP Clause C2.11, pp 22-23).

We question whether it makes sense to approve any specific treatment of this boundary until future uses of the two adjacent sites becomes clear – it will be important to avoid the emergence of a narrow 'alleyway' between buildings which could become an unsightly litter trap and an area with potential for anti-social behaviour. Council should consider requiring temporary planting pending DAs for the adjacent sites, with a longer term solution to be developed in consultation between the owners/occupiers of the three lots.

We also question the proposed use/treatment of the apparently vacant space at the north-east corner of the site adjacent to the staff car park. If left just grassed this area could become an untended eyesore.

Street frontage

Clauses C2.9 and C2.10 of the DCP specify that commercial development should be to be built to the front and side boundary to maximise continuous active street frontage, which is further encouraged by C2.16.

The SEE comments that compliance with C.2.10 is impractical. It also asserts that 2.9 is met (but as noted above we don't understand how this can be the case) and that 2.16 is met by the provision of a paved forecourt.

Chapter D8 of the DCP contains specific standards for the Salamander Bay Shopping Centre (defined to include the currently vacant Council owned land, including this site)

The Chapter includes an 'Integration' principle (clause D7.2 - we believe this should be D8.2):

'To ensure future development is sympathetically integrated with the existing surrounds and appropriately activates the precinct.'

The SEE asserts in response that:

'The orientation of the building and multiple access points will activate the sites multiple street frontages.'

We find this assertion to be unconvincing. While we accept the immediately preceding assertion in relation to the 'Identity Hub' principle (D7.1) that:

'The ALDI Store will complement the established character and setting of the locality.'

this is not something to be proud of – we submit that the 'established character' of the Salamander Centre shopping precinct is highly undesirable and that the adopted Principles in Chapter D8 should be applied with the objective of changing and improving that character.

While we accept that major setbacks, and largely 'unactivated' frontages are an unavoidable consequence of the 'standard' Aldi store design, this design and development model clearly does not meet the DCP standards in relation to street activation, or to the aspirations of Chapter D8 – particularly D7.2 (Integration) and D7.9 (Aesthetics).

We submit that this is a further illustration of how Council's approach to development of its Salamander Bay landholding, and encouragement of this DA, does not even meet its own adopted standards.

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