



TOWN PLANNING  
AND URBAN DESIGN

# **PREFERRED PROJECT REPORT AND RESPONSE TO SUBMISSIONS**

**PROJECT APPLICATION NO. 10\_0195**

## **Warnervale Town Centre Civic Precinct – Stage 1**

for Fabcot Pty Ltd

October 2012

PROJECT NO: 212.065 PPR

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#### **SYDNEY OFFICE**

Suite 1.02, 8 West Street  
North Sydney NSW 2060

PO Box 1612  
North Sydney NSW 2059

Telephone +61 2 9925 0444  
Facsimile +61 2 9925 0055  
[www.tpgnsw.com.au](http://www.tpgnsw.com.au)

The Planning Group NSW Pty Ltd  
ABN 90 100 209 265

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## TABLE OF CONTENTS

EXECUTIVE SUMMARY .....	V
1. INTRODUCTION .....	1
1.1 PURPOSE .....	1
1.2 REFINED PROPOSAL .....	2
1.3 SITE DESCRIPTION .....	3
2. PREFERRED PROJECT AND ADDRESSING DEPARTMENT MATTERS ...	5
2.1 DEPARTMENT OF PLANNING AND INFRASTRUCTURE LETTER .....	5
2.1.1 Proposal.....	11
2.1.2 Development Staging.....	14
2.1.3 Development Contributions.....	14
2.1.4 Street Design/Layout .....	18
2.1.5 Built Form/Urban Design.....	19
2.1.6 Civic Square.....	22
2.1.7 Connectivity .....	24
2.1.8 Design, Ownership and Maintenance of the Public Domain.....	26
2.1.9 Car Parking .....	26
2.1.10 Hydrology, Water Quality and Assessment .....	28
2.1.11 Utilities Infrastructure (Appendix E) .....	29
2.1.12 Geotechnical and Contamination.....	30
2.1.13 Economic Impact Assessment.....	30
2.1.14 Social Impact Statement .....	31
2.1.15 Ecologically Sustainable Development (ESD) .....	31
2.1.16 Biodiversity.....	31
2.1.17 Consultation .....	32
2.1.18 Community/Youth Space .....	33



2.1.19 Residential Land Use Opportunities .....	33
3. RESPONSES TO SUBMISSIONS.....	35
3.1 AGENCIES.....	35
3.2 GENERAL PUBLIC .....	57
4. CONCLUSION.....	58

## APPENDICES

Appendix A: Amended Architectural Drawings

Appendix B: Summary of Drawing Changes

Appendix C: Amended Compliance Tables

Appendix D: Amended CPTED Report and Design Statement

Appendix E: Aboriginal Consultation

Appendix F: Contamination Statement

Appendix G: Economic Report – Assessment of Stage 1 retail potential

Appendix H: Revised Statement of Commitments

Appendix I: Amended Stormwater Concept and Service Strategy Stage 1

Appendix J: Amended Landscape Concept

Appendix K: Revised Traffic Report

Appendix L: Woolworths Sustainability Initiatives Brochure

Appendix M: Amended Social Impact Assessment

Appendix N: Revised QS Certificate and Summary Costs of Public Benefits

Appendix O: Analysis of public spaces

Appendix P: Perspectives

## FIGURES

Figure 1: Aerial Context of Site

## TABLES

Table 1: Responses to DP&I matters raised May2012



Table 2: Responses to DP&I matters raised in letter dated 24 October 2011

Table 3: Summary of proposed contributions against Draft Section 94 Contributions Plan

Table 4: Responses to NSW Department of Health Submission

Table 5: Response to NSW Police Submission

Table 6: Responses to Landcom Submission

Table 7: Responses to NSW Department of Education and Communities Submission

Table 8: Responses to Wyong Shire Council Submission dated 4 October 2011

Table 9: Responses to NSW Department of Transport – Railcorp Submission

Table 10: Responses to RTA Submission

Table 11: Responses to Ausgrid Submission

Table 12: Responses to NSW Rural Fire Service Submission

Table 13: Responses to NSW Department of Transport Submission

Table 14: Responses to NSW Office of Environment and Heritage Submission

Table 15: Responses to Wyong Shire Council submission dated 21 October 2011

Table 16: Concerns raised in general public's submissions



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## EXECUTIVE SUMMARY

This Preferred Project Report (PPR) and Response to Submissions (RS) has been prepared on behalf of the proponent, Fabcot Pty Ltd.

This PPR will provide:

1. Details of the design refinements to the proposed development to seek approval for only Stage 1, as a result of:
  - a. The consideration of the matters raised by the Department of Planning and Infrastructure (DP&I) in letter dated 24 October 2012 and feedback in May 2012;
  - b. The matters raised in the submission; and
  - c. Further consultations undertaken by the proponent with adjoining land owners (being Wyong Shire Council (WSC) and Landcom).
2. Additional technical investigations have been completed by the proponent;
3. Responses to the DP&I's matters and those raised in submissions in Tables 1 to 16.

This Preferred Project Report and Response to Submissions includes the following information:

- Amended Architectural Drawings by BN Group - **Appendix A**;
- Summary of Drawing Changes by TPG – **Appendix B**;
- Amended Compliance Tables by TPG - **Appendix C**;
- Amended CPTED Report and Design Statement by TPG and BN Group - **Appendix D**;
- Aboriginal Consultation by Woolworths and Responses from Land Council's - **Appendix E**;
- Contamination Statement by Coffey - **Appendix F**;
- Economic Report – Assessment of Stage 1 retail potential by Pitney Bowes - **Appendix G**;
- Revised Statement of Commitments by TPG - **Appendix H**;
- Amended Stormwater Concept for Stage 1 and Service Strategy Stage 1 by Mott McDonnell - **Appendix I**;
- Amended Landscape Concept by Site Image - **Appendix J**; and
- Revised Traffic report and Statement by Colston Budd Hunt and Kafes – **Appendix K**;
- Brochure on Sustainability Initiatives by Woolworths – **Appendix L**;
- Amended Social Impact Assessment by TPG NSW – **Appendix M**;
- Revised QS Certificate and Summary of costs associated with provision of public benefits – **Appendix N**;
- Analysis of public spaces by TPG NSW – **Appendix O**;
- Updated Perspective by BN Group – **Appendix P**.



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## 1. INTRODUCTION

### 1.1 PURPOSE

This report is the proponent's PPR and RS prepared by The Planning Group NSW Pty Ltd (TPG NSW) on behalf of the proponent Fabcot Pty Ltd (Fabcot), as the response to the submissions received by the DP&I to the exhibition of Major Project No. 10\_0195 involving the proposed retail premises and ancillary infrastructure within the first stage of the Town Centre Civic Precinct within the Warnervale Town Centre (WTC), Warnervale.

As a result of the matters raised by the Department of Planning and Infrastructure and those contained within the submissions, the proponent has refined the design of the proposed first stage of the Town Centre Civic Precinct. As such, this report outlines the proponent's responses to the matters raised, details the design refinements and provides an assessment of the changes along with providing additional technical investigations as requested.

On 1 October 2011, Part 3A of the *Environmental Planning & Assessment Act 1979* (EP&A Act) was repealed. However, Part 3A still applies to developments that fall under Schedule 6A "Transitional arrangements – repeal of Part 3A of the EP&A Act", more specifically Clause 3(2b) states that:

*"...declarations, orders, directions, determinations or other decisions with respect to a transitional Part 3A project continue to have effect and may continue to be made under Part 3A (including for the purpose of the application or continued application of Part 4 or 5 or other provisions of this Act in relation to the project)."*

As the Director-General's Environmental Assessment Requirements (DGEARs) for Major Project No. 10\_0195 were issued before the repeal date, the application had been lodged and exhibited, the current major project declaration remains in force, hence the development is considered to be a transitional Part 3A project and its assessment and determination can be completed under the transitional provisions.

On 21 September 2012, State Environmental Planning Policy (Major Development) 2005 (Major Development SEPP) was amended, so as to remove all of Part 16 Warnervale Town Centre from Schedule 3. At the same time, a further clause was added to the Major Development SEPP as follows:

#### **18 Savings provision—Warnervale Town Centre**

- (1) *This Policy continues to apply to development carried out in Warnervale Town Centre that is a transitional Part 3A project under Schedule 6A to the Act as if Part 16 of Schedule 3 to this Policy had not been repealed by State Environmental Planning Policy Amendment (Miscellaneous) 2012.*
- (2) *In this clause:*



**Warnervale Town Centre** means the land shown on the State Environmental Planning Policy (Major Projects) 2005 (Amendment No 24)—Warnervale Town Centre—Land Application Map as in force immediately before the commencement of State Environmental Planning Policy Amendment (Miscellaneous) 2012.

The subject site falls within the Land Application Map detailed above.

It should be noted that this Project Application can continue to be assessed and determined based on the “savings and transitional provisions” outlined above. This PPR has been prepared on this basis.

## 1.2 REFINED PROPOSAL

The proposed development has been refined. A reduced set of the drawings for this Preferred Project Report can be found at **Appendix A**. The refined proposal seeks approval for the first stage of the development in the Town Centre Civic Precinct on the Fabcot land, which can now be described as follows:

- New “Main Street” running east-west which will act as a link between the future railway station to the west of the site to the edge of the “Hill Top Park” at the eastern boundary. It should be noted that the proponent has agreed to dedicate “Main Street” to Council when complete;
- A “Civic Square”;
- Site preparation and bulk earthworks for proposed new roads, infrastructure and buildings;
- Construction of proposed buildings which specifically seeks approval for usage as a retail premises of 25,761 square metres inclusive of 1,892 square metres of bulky goods retailing, 3,529 square metres of mall and 140 square metres of amenities, along with:
  - ancillary commercial uses of 3,608 square metres, and
  - leisure-entertainment uses of 5,642 square metres.
- Use and fit-out within the proposed buildings for the purposes of a Big W Discount Department Store, and Woolworths Supermarket;
- Car parking for 1,438 spaces, inclusive of an at-grade car parking area for 177 cars and 17 parking spaces in Main Street;
- Loading dock facilities; and
- Infrastructure measures associated with the provision of road access, water, sewer, communications and energy to the proposed development.

A comparative summary of the design changes can be found at **Appendix B**.



### 1.3 SITE DESCRIPTION

The Warnervale Town Centre (WTC) land was declared a State Significant Site (SSS) and gazetted as such on 7 November 2008, is located in the northern portion of Wyong Shire Council and the east of the F3 freeway. The WTC land is approximately 4.5km north east of Wyong. The land which forms the WTC straddles the main north-south rail corridor, and incorporates the land bound by Sparks, Hiawatha and Hakone Roads and an area of land to the west of the railway line.

The WTC land as declared as a SSS has an area of approximately 119 ha. It is vegetated in parts (57.6% being vegetated), and cleared and/or degraded in the remainder.

The proposal the subject of this Preferred Project Report is on an allotment that forms part of the land within the area declared under the SSS of the WTC.

The site the subject of this Preferred Project Report is located at 262 Hakone Road, Warnervale and has an area of approximately 9.05 hectares. Hakone Road is a 'no-through road', with the site the last property on the southern side of the Road. The intersection of Hakone Road and Hiawatha Road is some 390m west of the site.

The subject site comprises of one allotment, identified as Lot 521 DP 594725. The site is largely vacant with a few remnants of past uses, including farm dams, entry driveway, part of a building and hard stand areas. The site has been largely cleared of vegetation with the exception being along the western and southern boundaries. There are also stands of trees in the northern portion of the site.

Figure 1 as follows demonstrates the location of Lot 521 and clearly shows the majority of the site has been cleared.



**Figure 1: Aerial Context of Site (Site defined by red outline) NTS**  
**Source: Google Maps**

The central portion of the site has been modified with the installation of levelled pads and farm dams that were used by the former nursery. These pads generally comprise compacted gravel and are located at the central portion of the site. This is also the highest part of the site.

As a result of the pads, this part of the site's topography has been significantly modified with large areas of flat land. The area that comprised the nursery area is on a flat lower level that has been cut out of the hill. From this high point, the topography falls to the north, south and west, with a slight fall to the east.

There are also three farm dams on the site. Two of the dams are located just south of where the former nursery was located and are likely to have been used as part of the nursery activity, whilst the third is located in the south-eastern corner. The site also borders the northern rail line, which is located in a cutting along the western boundary.





## 2. PREFERRED PROJECT AND ADDRESSING DEPARTMENT MATTERS

It is noted that in addition to the amendment to the Major Development SEPP as discussed previously, the Warnervale Town Centre Development Control Plan 2012 (WTC DCP 2012) was revised and became effective as at 21 September 2012. A number of the references in the Department of Planning and Infrastructure's feedback in October 2011 and May 2012 are to the previously effective WTC DCP and the proponent's responses seek to address not only the comments provided but also the newly effective WTC DCP 2012.

### 2.1 DEPARTMENT OF PLANNING FEEDBACK MAY 2012

The Department of Planning and Infrastructure (DP&I) provided feedback in May 2012 with respect to the project. This feedback resulted in the proponent, Fabcot undertaking a number of design refinements and providing additional information which can be summarised in Table 1 as follows:

**Table 1: Responses to matters raised by DP&I May 2012**

DP&I Issue	Proponent's Response
<p><b>Public space</b></p> <ul style="list-style-type: none"> <li>The WTC DCP nominates the civic square is a significant element in the town centre. The square indicated on the application plans is significantly smaller than the size of square that is indicated in the DCP (shown as approximately 40x25m). It reads more like a forecourt entry to the shopping centre. The civic square needs to be enlarged in size so that it is equivalent in size to that indicated in the DCP (figure 2.8).</li> </ul>	<p>To assist the assessment of this revised PPR a detailed analysis of civic squares in Sydney and Melbourne can be found at <b>Appendix O</b>.</p> <p>This analysis has demonstrated that in both highly urbanised areas as well as "Greenfield" locations, no other civic square has dimensions or an area as proposed in the guideline document the WTC DCP 2012.</p> <p>The analysis undertaken demonstrates that existing successful civic and town squares located in existing urban areas which are supported by existing infrastructure and people movements, are not successful merely due to the size of the space, but rather with a clear rationale for an appropriately located and sized "Civic Square" designed to include public domain furniture such as seating, landscaped elements and pathways for pedestrians while also supporting development at its edges can generate well used spaces – the same is true for the proposed development and wider WTC.</p> <p>It is considered that the size of a "Civic Square" at 2700 square metres is excessive in this location. Based on the analysis of similar town centres and some well known civic spaces, it is clear that for the WTC a "Civic Square" of this size located as per the WTC DCP 2012 would be excessive.</p> <p>However, the proponent acknowledges the intent of the WTC DCP 2012, and the PPR seeks to deliver a "Civic Square" that integrates</p>



DP&I Issue	Proponent's Response
	<p>both sides of "Main Street" rather than favouring one side.</p> <p>In addition, the proponent seeks to create three nodes along "Main Street" which vary in character. First is the public transport node adjacent to the future Railway Station, second is the "Civic Square" mid-way along "Main Street", and third is the community precinct which abuts and joins the "Hill Top Park".</p> <p>In this regard, the "Civic Square" in stage 1 will have a gross area of some 2,200 square metres.</p> <p>In addition, as can be seen in the Landscape Concept for the Town Centre Precinct the Civic Square can readily be integrated on both sides of the street to designate its intended use and formalise its pedestrian character.</p> <p>As such, the proposed development still meets the intent for a Civic Square despite not complying with the numerical criteria of the WTC DCP 2012 and the proponent requests the Department vary the DCP in this instance.</p>
<ul style="list-style-type: none"> <li>• <i>The design of the civic square should incorporate generous landscaping, quality paving, street furniture, public art and street lighting so it is a useable public space as detailed in Section 4.1 of the DCP. Bicycle racks should also be located in the civic square to encourage active transport.</i></li> </ul>	<p>This request has been incorporated into the design. Refer to the drawings at <b>Appendices A and J</b>.</p>
<ul style="list-style-type: none"> <li>• <i>To minimise the potential for pedestrian and vehicle conflicts, a change in level as well as material should be included in the civic square to delineate the vehicular route through the square. A raised pedestrian crossing should be incorporated in the civic square across the vehicular route. Traffic needing to cross the square should be minimised.</i></li> </ul>	<p>This request has been incorporated into the design. Refer to the drawings at <b>Appendices A and J</b>.</p>
<p><b>Streetscapes</b></p> <ul style="list-style-type: none"> <li>• <i>There is much less activation of frontages to public streets than was indicated in the initial scheme. This lack of activation will result in compromised safety and security for pedestrians particularly on the railway street for users of the bus shelter. Additional activation needs to be included as required by Section 6 of the DCP as follows:</i> <ul style="list-style-type: none"> <li>o <i>A vehicle entry is being located on the railway street which was not</i></li> </ul> </li> </ul>	<p>The design of the development has been amended to include shop fronts where possible along all frontages of the proposed development including Main Street (Road W06), Road W01, and Road W05,</p> <p>Access and egress points into and out of the proposed development have been design to disperse traffic so as to minimise congestion both on the proposed street system and within the development, therefore access points are proposed from Railway Street (Road W01).</p>



DP&I Issue	Proponent's Response
<p><i>recommended in the master plan/DCP and the majority of the length of this elevation comprises ventilation louvres. The railway street elevation needs to include active frontages as a minimum for the length between the vehicle entry and the intersection with the main street to better comply with Section 6.2 of the DCP.</i></p>	<p>The design has been amended to the Railway Street to include active street frontages and removed at street level ventilation louvers.</p>
<ul style="list-style-type: none"> <li><i>Perspective views should be updated to include potential shop front entries. The current perspectives indicate long lengths of fixed glazing which is not consistent with the plans.</i></li> </ul>	<p>The perspective views have been updated – refer to <b>Appendix P</b>.</p>
<p><b>Architectural design quality</b></p> <ul style="list-style-type: none"> <li><i>The architectural design quality has been significantly downgraded in the current scheme than was conveyed in the initial scheme. A greater mix of materials and colours to façades is required to ensure well articulated and varied façade treatments as required by Section 4.4 of the DCP.</i></li> </ul>	<p>The amended design has sought to improve the fine grain details of the proposal including the materials and finishes of all facades – refer to <b>Appendix A</b>.</p>
<p><b>Car parking</b></p> <ul style="list-style-type: none"> <li><i>The on grade retail parking is both in excess of the amount required and not in an acceptable location. Parking for the centre is to be provided in a permanent manner in basements as per the original application and the requirements of the DCP. Temporary parking at grade will only be considered for the commuter car parking.</i></li> </ul>	<p>The design of the at-grade car parking area has been amended and reduced in overall size and number.</p> <p>This at-grade parking area is capable of performing the function for commuter parking.</p> <p>Refer to <b>Appendix A</b>.</p> <p>The proponent has designed the car parking both within the basement car parking levels and in the at-grade area so as to meet the needs of future commuters and customers while at the same time allowing for the traffic generational needs of the development.</p> <p>Refer to the traffic report and statement at <b>Appendix K</b>.</p>
<ul style="list-style-type: none"> <li><i>An additional 59 spaces are required to be accommodated in the basement areas to meet the minimum RMS standard of 4.1 spaces per 100m<sup>2</sup> (1258 spaces in total).</i></li> </ul>	<p>It is noted the WTCDP 2012 includes parking rates. While the proposal indicates an entertainment facility in the form of a cinema complex, the proposal does not seek approval for the internal fitout and therefore a calculation for this element is somewhat premature based on the WTCDP 2012 car parking rates as follows:</p> <p><i>Entertainment facility 1 space/10 seats for 75% of total seats, and 1 space/4 seats for 25% of total seats.</i></p>



DP&I Issue	Proponent's Response
	<p>It should be noted that the operation of the entertainment facility is likely to have peak period which will not overlap that of the shopping facilities and all of the parking associated with the development will be available for the cinema complex.</p> <p>The car parking rates for remainder of the development under the WTC DCP 2012 are as follows:</p> <p><i>Bulky goods 1 space/ 50sqm GFA.</i></p> <p>Therefore, based on 1,829 square metres of bulky goods = 36.58 spaces</p> <p><i>Business premises 1 space/ 30sqm GFA.</i></p> <p>Therefore, based on 3,608 square metres of commercial premises = 120.3 spaces</p> <p><i>Retail premises 1 space/20sqm GFA</i></p> <p>Therefore, based on 20,263 of retail floor space which is capable of being used as retail premises = 1013.15 spaces</p> <p>The total parking required: 1,170 spaces.</p> <p>The total parking available will be 1,438 spaces.</p> <p>Commuter parking for 177 spaces at-grade are also proposed.</p>
<ul style="list-style-type: none"> <li><i>The proposed retail at grade parking area should be utilised for the expanded Civic Square and part of a reconfigured commuter car parking area. The reconfigured area should provide for 200 commuter spaces. The future commuter car park can be used for shoppers prior to opening of the station.</i></li> </ul>	<p>The civic square design has been amended as has the at-grade parking area.</p>
<ul style="list-style-type: none"> <li><i>No vehicular entry points are permitted to any at grade car park from Main Street, as it is not appropriate for this type of street.</i></li> </ul>	<p>The design has been amended accordingly. Therefore access to Railway Street is required.</p>
<p><b>Landscaping</b></p> <ul style="list-style-type: none"> <li><i>Landscape beds proposed along the edges of the car park are required to be enlarged to at least 3m in width to increase the amount of landscaping. Generous landscaping is required to provide a pleasant outlook and presentation to the main street, to minimise glare impacts from the car park, mitigate the heat island effect from so much unshaded tarmac and to promote good pedestrian amenity.</i></li> </ul>	<p>Landscape beds have been amended and provide for a variable setback so as to provide for visual variation and improved user amenity, while at the same time including sections which are well in excess of 3m in width. Refer to <b>Appendices A and J.</b></p>





DP&I Issue	Proponent's Response
<ul style="list-style-type: none"> <li>Landscaping in the road reserve is essential to the desired future character of streets (Section 4.2 and Fig 4.1 of the DCP). Therefore, street trees should be allowed for along the other street frontages as well as the main street and civic square frontages to provide improved pedestrian amenity and presentation to streets and to comply with DCP requirements.</li> </ul>	<p>The design of Main Street has been amended to include landscape bays which are capable of supporting tree plantings.</p> <p>The design of Main Street does not seek the inclusion of the "swale" landscape feature (refer to Type 9 in WTC DCP 2012) as this will impact connectivity from one side of Main Street to the other, whereas the concept is to generate a well used pedestrian environment in the future. The remainder of Road Type 9 other than the portion of Main Street could be designed with the inclusion of the swale.</p> <p>Other landscape elements have been used along the perimeter of Main Street but not in footpath areas.</p>
<ul style="list-style-type: none"> <li>The landscape drawings show street furniture images but do not note on the plan where these elements will be located in the square. More detail of the design of the square is required, especially locations for nominated street furniture items.</li> </ul>	<p>The drawings have been amended to account for this request – refer to <b>Appendices A and J</b>.</p>
<p><b>Public domain works</b></p> <ul style="list-style-type: none"> <li>Provide a plan(s) to illustrate the full extent of all proposed road dedications and public domain works to be undertaken as works in kind.</li> </ul>	<p>The full extent of road dedications and public domain works are shown in drawing A00.11 PPR-1 at <b>Appendix A</b>.</p>
<ul style="list-style-type: none"> <li>The plan(s) must clearly show the extent of the area of Main Street that is proposed to be dedicated to Council and what is proposed to be retained in private ownership.</li> </ul>	<p>The full extent of road dedications and public domain works are shown in drawing A00.11 PPR-1 at <b>Appendix A</b>.</p>
<ul style="list-style-type: none"> <li>A draft plan of subdivision should be provided if approval is being sought to create the roads or any other residual lots as part of this approval. Alternatively conditions can require separate approvals to be sought at a later date from the relevant authority.</li> </ul>	<p>A condition can be imposed to require a plan of subdivision for the road dedications. The information contained in drawing A00.11 PPR-1 demonstrates the extent of works and dedications proposed.</p>
<p><b>2. Documentation</b></p> <ul style="list-style-type: none"> <li>The A4 drawings and electronic copies provided are version v6 not v7.</li> </ul>	<p>Noted</p>
<ul style="list-style-type: none"> <li>Only plans showing works proposed for the Stage 1 application will be considered for approval. Other plans showing future stages</li> </ul>	<p>Noted. The design in the drawings submitted with the PPR involve Stage 1 only.</p>



DP&I Issue	Proponent's Response
<i>are to be provided as a separate Appendix and must be clearly marked as being for information purposed only to avoid confusion.</i>	
<ul style="list-style-type: none"> <li><i>The original engineering drawings for the proposed road works have not been included in the PPR. If any plans that formed part of the exhibited EA are intended to be included as part of any approval, this needs to be clarified and form part of the formal PPR documentation. Alternatively, revised and updated plans are to be provided, including plans that clearly detail the extent of works for the transport interchange as well as the proposed road cross sections for all roads being constructed.</i></li> </ul>	Refer to <b>Appendix I</b> for civil drawings.
<ul style="list-style-type: none"> <li><i>The schedule of proposed contributions is to include itemised dollar amounts for works in order for the value, appropriateness and reasonableness of these items to be considered.</i></li> </ul>	Refer to <b>Appendix N</b> for a schedule prepared by RLB.
<p><b>3. Other minor issues</b></p> <ul style="list-style-type: none"> <li><i>Provide an updated CIV for revised stage 1 based on proposed site areas and revised design (including as a separate amount any areas of at grade/commuter car parking).</i></li> </ul>	Refer to <b>Appendix N</b> for updated CIV Certificate prepared by RLB.
<ul style="list-style-type: none"> <li><i>Address how the site could be accessed if construction is sought to commence prior to the Entry Road being completed, otherwise construction may not be permitted to commence.</i></li> </ul>	The design of Access Road W01 is proposed to occur in 3 stages, with Landcom having already obtained approval for Stage 1 via an REF, Stage 2 will form part of a REF which Landcom is currently preparing. The drawings in this PPR are consistent with the REF drawings for Stage 2 REF. Stage 3 is the intersection of Sparks Road which is the subject of a Access Deed being negotiated by Landcom, Council and Fabcot. The Road intersection is currently with RMS, being the first 80m of Access Road W01
<ul style="list-style-type: none"> <li><i>Details of the approximate amount of excess cut material are to be provided, including how the excess material will be disposed (on site or off site).</i></li> </ul>	Refer to drawing A00.20 PPR-P1 at <b>Appendix A</b> .
<ul style="list-style-type: none"> <li><i>Clarify that access from Road W05 into the centre will be provided for pedestrians via a lift as part of the current proposal, not some later stage.</i></li> </ul>	Lift access is available from Road W05 through the centre and forms part of Stage 1. Refer to the drawings at <b>Appendix A</b> .



## 2.2 DEPARTMENT OF PLANNING AND INFRASTRUCTURE LETTER

The DP&I provided feedback in letter dated 24 October 2011 at the conclusion of the exhibition period of the Major Project. This feedback seeks additional information and clarification of a number of matters. As a result the proponent has refined the design of the proposal in this Preferred Project Report (PPR) and Table 2 (below) provides details of the proponent's responses to the DP&I matters including design changes and additional technical specialist information.

**Table 2: Responses to DP&I matters raised in letter dated 24 October 2011**

DP&I Issue	Proponent's Response
<b>2.2.1 Proposal</b>	
<p><i>(EA) documentation needs to clearly identify what is being applied for in this application.</i></p>	<p>This PPR seeks approval Stage 1, which is not considered to be dissimilar to that which was original submitted and exhibited in 2011, and responds to the matters raised in the submissions with design refinements.</p> <p>The proposed development is for the first stage in the Town Centre Civic Precinct on the Fabcot land and includes:</p> <ul style="list-style-type: none"> <li>• New "Main Street" running east-west which will act as a link between the future railway station to the west of the site to the edge of the "Hill Top Park" at the eastern boundary;</li> <li>• Dedication of "Main Street" to Council;</li> <li>• A "Civic Square";</li> <li>• Site preparation and bulk earthworks for proposed new roads, infrastructure and buildings;</li> <li>• Construction of proposed buildings which specifically seeks approval for usage as a retail premises of 25,761 square metres inclusive of 1,892 square metres of bulky goods retailing along the Railway Street frontage of the development, 3528 square metres of mall and 140 square metres of amenities, along with: <ul style="list-style-type: none"> <li>○ Ancillary commercial uses of 4,608 square metres along the frontage of the development to Access Road W05 and the corner of Main Street</li> </ul> </li> </ul>



DP&I Issue	Proponent's Response
	<p>(Access Road W06) and Railway Street (Access Road W01), and</p> <ul style="list-style-type: none"> <li>○ Leisure-entertainment uses of 5,642 square metres.</li> <li>• Use and fit-out within the proposed buildings for the purposes of a Big W Discount Department Store and Woolworths Supermarket;</li> <li>• Car parking for 1,438 spaces inclusive of an at-grade parking area for 177 cars and 17 parking spaces in Main Street;</li> <li>• Loading dock facilities; and</li> <li>• Infrastructure measures associated with the provision of road access, water, sewer, communications and energy to the proposed development.</li> </ul>
<p><i>All variations to the Major Development SEPP and the Warnervale Town Centre Development Control Plan (DCP) need to be identified and then fully justified in order for concessions to be considered.</i></p>	<p>The Compliance Tables have been updated accordingly to reflect all the variations to the Major Development SEPP and the Warnervale Town Centre Development Control Plan 2012 (WTC DCP 2012). Please refer to <b>Appendix C</b>.</p>
	<p><b>a) Residential Densities</b></p> <p>Section 2.4 Development Targets and Figure 2.7 (WTC DCP 2012) indicates the subject site should target the inclusion of mixed use multi-dwelling housing over retail/ commercial development with a target of 1,100 apartments in the Town Centre Civic and Civic Fringe Precincts. It is noted that this Precinct extends beyond the boundaries of the subject site.</p> <p>The proponent is of the opinion that the market for multi-unit housing in this location, will not be desirable for a considerable period of time, as other forms of housing such as small lot detached housing are readily available in Wyong, and this will continue in the short and medium terms.</p> <p>Landcom and another developer are currently proposing small lot subdivisions in the WTC.</p> <p>As such, this application does not propose multi-unit housing in the stage 1 of the proposed development, apart from this, the proposed form of development in this Project Application not being appropriate given the</p>



DP&I Issue	Proponent's Response
	<p>limitations in Schedule 3, Part 16, Clause 6 of the <i>Major Development SEPP which related to "retail premises"</i>. The information submitted with the EA indicated the Fabcot land has the capacity for this form of development to be provided in the future and this is not precluded on the land north of "main street".</p> <p>Chapter 3 of the EA considered the residential yield for areas within the subject site to provide for multi-unit housing in greater detail. It should be noted that as Figure 2.12 (former WTC DCP 208) crosses into adjoining land, so too does the density analysis in Chapter 3. The same is true of section 2.4 of the WTC DCP 2012. Given the residential density requirements under the WTC DCP 2012, it is doubtful the future multi-unit development would be able to comply with the height constraints established by the provisions of the SEPP.</p> <p><b>b) Street Design</b></p> <p>Figure 3.1 "Street Hierarchy" under Chapter 3 of the WTC DCP 2012 - Traffic and Movement, indicates the preferred location for future roads throughout the WTC. The proposed development has utilised this hierarchy and location of streets as closely as possible.</p> <p>The layout of Main Street (Access Road 06) is shown as street type 9 which requires the inclusion of a swale. For the reasons discussed previously in this PPR a swale is not considered suitable in this Stage 1 of the Main Street design as this would restrict the pedestrian movements of Main street. Therefore, a variation is requested to this element of the control. It should be noted that landscaped elements outside of footpath areas/pedestrian routes have been increased.</p> <p><b>c) Continuous Awnings</b></p> <p>Section 5.5 Awnings in Chapter 5 Built Form and Figure 5.1 Active Street Frontages indicate all street frontages of the subject site are to have continuous awnings. Continuous awnings have not been provided around the entire development. In the alternate, awnings have been provided to primary pedestrian paths and entry areas.</p> <p><b>d) Civic Square</b></p> <p>The variation sought to the numeric requirement under section 5.2 Civic Square has been previously discussed.</p> <p>An analysis to justify the variation sought can be found at <b>Appendix O</b>.</p>



DP&I Issue	Proponent's Response
<b>2.2.2 Development Staging</b>	
<p><i>The implications of staging the development should be addressed in more detail.</i></p>	<p>The proposed development has been designed to meet market demands and the retail provisions detailed in the WTC DCP 2012 whilst accommodating potential for future growth in the remainder of the Fabcot site beyond the completion of stage 1.</p> <p>The initial stage is a standalone major development that meets the current market demands. The amended Architectural Drawings clarify the extent of what is proposed in this phase.</p> <p>The subsequent stages can be designed and built as the market requires for instance the fitout of the cinema complex and office tower can be accommodated in later stages. The design does not preclude future development in this precinct.</p>
<b>2.2.3 Development Contributions</b>	
<p><i>The report should accurately detail any monetary contributions or works in kind proposed, especially as a S94 plan has not been adopted for the site.</i></p>	<p>Refer to summary of Development Contributions section below and Table 2.</p>
<p><i>Details should be provided on the proposed public art contribution (\$150k) including what form of public art is being considered, and whether this could be included as part of an overall contribution for public art as part of any local developer contributions.</i></p>	<p>Recently, Fabcot successfully gained an approval for a retail development at Lake Munmorah from the JRPP based on a condition recommended by Wyong Shire Council, in which the details of the propose public art were the subject of a condition which reads as follows:</p> <p><i>Public Art</i></p> <p><i>The applicant is to prepare a public art masterplan incorporating a final design concept for the public art work in consultation with Council that provides public art as part of the development at the applicant's cost. The public art work shall be planned for, designed, approved and implemented in accordance with the provisions of Council's DCP Chapter 112 for Public Art.</i></p> <p>As such, the same practice and approach can be implemented for this application without the</p>



DP&I Issue	Proponent's Response
	additional cost being incurred now. It requested that the Department also condition public art in a similar manner to the approval granted by the JRPP.
<i>Details should be provided on any Voluntary Planning Agreements being proposed for the development including the scope of any agreement and current status of negotiations.</i>	There are no voluntary planning agreement/s proposed as part of this application

### Summary of development contributions:

The proponent will be undertaking works in lieu of monetary contributions for the proposed development and this will create areas of open space, public infrastructure and road works within the proposed Stage 1 of the Civic Precinct of the Warnervale Town Centre.

**The total estimated development contribution based on the estimated cost of works is \$8.36 million.**

**Table 2: QS Estimates of proposed works against Draft Section 94 Contributions Plan**

Works proposed	Included in draft Section 94 contributions plan	QS Cost (\$)
<b>Open Space</b>		
<b>Civic square (works &amp; embellishment)</b>	Yes	675,000
<b>Public art</b>	Yes	150,000
<b>Public Infrastructure</b>		
<b>Commuter car parking (177 spaces)</b>	This is included in the WTC DCP 2012 and not the Draft Section 94 Contributions Plan	1,030,000
<b>Bus stop, kiss &amp; ride, cycle way</b>	Yes	Part of 1,600,000





Works proposed	Included in draft Section 94 contributions plan	QS Cost (\$)
Contribution to South-West detention system	Refer to discussion below	300,000
<b>Roads</b>		
W01 – access road (works)	Access Deedl	1,600,000
W06 – main street (works)	No	1,600,000
W08	No	630,000
W05	No	1,400,000
W06 – main street (land dedication)	No	Legal and subdivision costs TBC
W05 (land dedication)	No	Legal and subdivision costs TBC
Fabcot contribution to Traffic signals – i11	Yes	250,000
Fabcot contribution to Traffic signals – i31	Yes	250,000

The proposed works for areas of **open space** include the following:

- Civic Square: The construction and embellishment of the civic square as envisaged in the WTC DCP 2012 and as documented in the drawings at Appendix A.
- Public Art: Imposition of a condition as suggested to comply with Council's *DCP Chapter 112 for Public Art*

The proposed works for areas of **public infrastructure** include the following:

- Commuter Car parking: 177 car parking spaces shall be constructed at the initial stage of the proposed development for the commuters utilising the railway station.





- Provision of bus stop (W01), Kiss & Ride facility (W06) and cycle way (W05).
- Dedication of “Main Street” at surface level to Council in a stratum arrangement.

The proposed **road works** include the following:

- Main Access Road (W01): The design of the main access road from Sparks Road to the turnig circle north of Main Street (W06) has already commenced, with the first stage (REF 1) approved. The design documentation for the 2nd stage (REF 2) of the Access Road has been made available from Landcom's consultants to Fabcot and has formed part of the architectural and civils drawing in this PPR. This is yet to be approved.
- Public Roads Works: The proponent has agreed to the construction of roads part W05, part W06 and W08 for portions shown in the architectural and civil drawings to service the proposed development. These roads service a wider catchment than just the proposed development itself in the Town Centre Precinct, as they provide connectivity through the entire WTC site as well as connections to the external road network.
- Traffic signals: The proponent will provide contributions to traffic signals as identified in the draft Section 94 Contributions Plan at Table 28 and Figure 6:
  - I11 (W06/W01)
  - I31 (W05/W01)
- Public Roads Land: The proponent will dedicate roads W05 and W06 (in a stratum lot arrangement) to Council at no cost. The rates used in arriving at the land value of these roads has been taken from Council's Draft S.94 Developer Contributions Plan.
  - W06 Main Street – Tier 2 Road
  - W05 South Access road – Tier 1 Road

These roads will be dedicated to Council in the form of an individual title, with W06 limited to depth and height as part of a Stratum Lot. Appropriate restrictions will be placed, to allow the basement car park underneath W06 to remain as part of the development on the title and to ensure its commercial management, i.e. to ensure pedestrian and vehicular access at all times.



**Table 1 continued: Responses to DP&I matters raised in letter dated 24 October 2011**

DP&I Issue	Proponent's Response
<b>2.2.4 Street Design/Layout</b>	
<p><i>Details will need to be provided demonstrating how the [signalised intersection at Sparks Road] can be funded and constructed prior to the development being operational.</i></p>	<p>The proponent has agreed that the intersection of the WTC Entry Road and Sparks Road intersection requires traffic signals. However it is considered that the requirement to upgrade this intersection is being driven by the larger WTC SSS site, not just the stage 1 Town Centre civic precinct development proposed by Fabcot.</p> <p>It is considered that the signalisation of this intersection is required to ensure appropriate entry of vehicles to the Warnervale Town Centre of which the stage 1 Town Centre Civic Precinct is just one precinct. It is noted that the WTC was nominated as a SSS based on its regional significance to NSW, being a future urban development which will accommodate some 6,000 residents, in addition to the retail and commercial employment jobs to be generated, and include a public train station that will serve some 40,000-60,000 people in the broader Warnervale/Wadalba release area (RailCorp estimate).</p> <p>It is understood that the NSW Government has committed \$260,000 towards the design of the intersection to allow detailed costing, RMS approvals and State budgeting for 2012. Landcom have been appointed by the RMS/Council to co-ordinate the design and costing of the intersection.</p> <p>An Access Deed is in the final stages of negotiation between Landcom, Council and Fabcot.</p> <p>It is understood the design for the intersection and the first 80m of Access Road W01 will form part of Landcom's REF 3 which will be submitted to the RMS.</p>
<p><i>The proposal should incorporate the street layout that has been revised for the overall town centre since the application was originally lodged. Plans should include revised cross sections to demonstrate consistency with the street design requirements with the DCP.</i></p>	<p>The street layout provided in this application is based on the WTC DCP 2012 street layout .</p>
<p><i>The report should clarify</i></p>	<p>The amended architectural drawings have been refined to show the</p>



DP&I Issue	Proponent's Response
<p><i>the extent of the roads being provided by the proponent, as there is an inconsistency in the submitted details (draft Statement of Commitments, plans in section 2.7 of the EA).</i></p>	<p>extent of the roads proposed as part of the initial stage of the retail development. Refer to the <b>Appendix A</b>.</p> <p>Stage 1 Roads:</p> <ul style="list-style-type: none"> <li>• <u>W01 Road</u> – Serves as an access road from Sparks Road – jointly designed to be built between Landcom, Council and Fabcot.</li> <li>• <u>W06 Road</u> – Main Street – designed and built by Fabcot. Dedicated back to Council as part of a stratum arrangement – Lot &amp; DP (limited in depth &amp; height, usage restrictions including an easement in the adjoining footpath for services).</li> <li>• <u>W05 Road</u> – road south of Retail precinct which runs east-west – this “1<sup>st</sup> tier” Street (Figure 3.1) will be designed and built by Fabcot, to be dedicated back to Council. This road will provide vehicular and pedestrian access into the proposed retail development, plus form part of a regional significant road throughout WTC.</li> <li>• <u>W08 Road</u> – “2<sup>nd</sup> tier” road linking the Access Road (W01) into the basement parking. To be built by Fabcot.</li> </ul>
<p><i>The EA states that Appendix F provides justification for variations to the street hierarchy identified in Section 3.1 of the DCP, however this has not been included in Appendix F.</i></p>	<p>There is no variation to the street hierarchy proposed.</p>
<p><b>2.2.5 Built Form/Urban Design</b></p>	
<p><i>The Department has concerns with the design of the development in regards to its potential to interface with other components of the Town Centre, in particular Nikko Road, the land to the south, and land to the east. More detail should be provided to demonstrate how the proposal will achieve a satisfactory design response to these other parts of the Town Centre</i></p>	<p>The amended architectural drawings at Appendix A have been developed with consideration of the matters raised by the DP&amp;I's. Detailed elevations and façade treatments have been detailed to demonstrate how the proposed building fits into the landscape, including land to the east.</p> <ul style="list-style-type: none"> <li>- Section 4.1 Public Domain</li> <li>- Section 4.2 Landscaping</li> <li>- Section 4.4 Design Excellence</li> <li>- Section 5.4 Mixed use buildings</li> <li>- Section 5.5 Planting on Structures</li> </ul>



DP&I Issue	Proponent's Response
<p><i>to meet the aims and objectives of the DCP, including detailed elevational drawings and/or renderings.</i></p>	<ul style="list-style-type: none"> <li>- Section 6.2 Active Street Frontages</li> <li>- Section 6.5 Awnings</li> </ul> <p>Amended elevations / sections form part of the drawing set at <b>Appendix A.</b></p>
<p><i>Section 4.1 Public Domain: an assessment against the requirements of Table 3 should be prepared.</i></p>	<p>The table has been removed from WTC DCP 2012.</p> <p>The WTC DCP 2012 states at Clause 5.2 in relation to the Civic Square the following objective:</p> <ul style="list-style-type: none"> <li>• <i>To provide a generous, centrally located public square to cater for a variety of civic activities.</i></li> </ul> <p>While the controls state:</p> <ul style="list-style-type: none"> <li>• <i>Provide a north facing public square adjoining Main Street up to 2,700m<sup>2</sup>.</i></li> <li>• <i>Activate the square with retail functions, cinema foyers and various community uses.</i></li> <li>• <i>Allow for outdoor dining on the square.</i></li> <li>• <i>Provide on grade pedestrian links through the retail centre and from adjoining sites to arrive at the square.</i></li> <li>• <i>Landscape the square to provide shade in summer and sun in winter.</i></li> <li>• <i>Provide good lighting of the square to encourage night time use.</i></li> <li>• <i>Integrate high quality public art into the square.</i></li> </ul> <p>The proposed design of the civic square is considered to be consistent with the controls with the exception of the size of the public square, for which a variation has already been requested and discussed previously.</p> <p>The proposed development does not specifically include a library usage, under the WTC DCP 2012. The design does not preclude the Council occupying floor area within the proposed development for the purposes of a library subject to commercial negotiations.</p> <p>With respect to the Civic Square each of the matters listed has been incorporated into the Town Centre Landscape Concept at <b>Appendices A and J.</b></p>
<p><i>Section 4.2 Landscaping: the proposal should detail the public domain landscaping, including the location of hard and soft landscaping areas, as well as a street tree planting strategy.</i></p>	<p>A Town Centre Landscape Concept drawing has been prepared to show the public domain landscaping including hard and soft landscaped area including tree plantings and this can be found at <b>Appendix J.</b></p>
<p><i>Section 4.4 Design Excellence: a schedule of</i></p>	<p>The amended architectural drawings at <b>Appendix A</b> include a detailed schedule of external finishes which correspond to information</p>

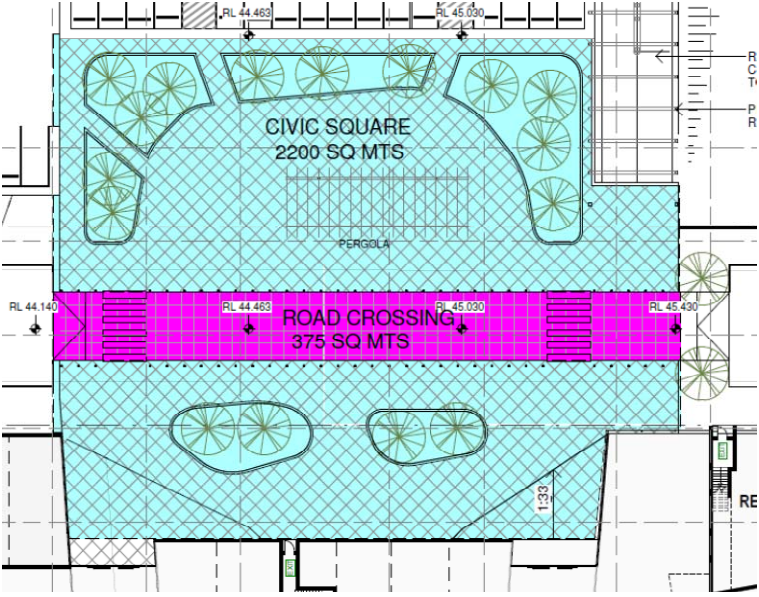


DP&I Issue	Proponent's Response
<i>finishes is required for external finishes, and public domain design and finishes etc.</i>	included on all elevations to determine the colour of that finish.
<p><i>Section 5.a (c) Mixed Use Buildings: this part of the DCP seeks to avoid blank walls.</i></p> <p><i>Further details for the western and southern facades should be provided to demonstrate compliance.</i></p>	<p>The proposed design has been amended so as it does not include any "blank" walls.</p> <p>The western and southern elevations include, windows, variation in building materials and façade articulation through the use of horizontal and vertical elements in the design.</p>
<p><i>Section 5.5 Planting on Structures: the proposal does not appear to address this component of the DCP. 'Planting' relates to green planting on roofs and on top of underground parking structures, etc.</i></p>	<p>The proposed development does not seek to include roof-top gardens as part of the stage 1 development due to the added costs of construction associated with a structural engineering design, the desire to ensure that the retail development below is not impacted by leaks from the roof above and on-going maintenance access not being available to the roof for this purpose.</p> <p>The proposed development includes a Woolworths supermarket and Big W as proposed uses within the completed stage 1 development. Woolworths are committed to a range of environmental sustainability initiatives and will implement a number of initiatives in addition to complying with Part J of the Building Code of Australia (now the National Construction Code). This is considered to be a suitable alternative to green planting on roofs. This is demonstrated in the brochure which can be found at <b>Appendix L</b>.</p> <p>Despite this non-compliance, the proposal does not preclude other future developments in the precinct use of green planting on roof-tops.</p>
<p><i>Section 6.2 Active Street Frontages: The DCP identifies Nikko Road as well as Main Street has having an active street front to promote an interesting and safe pedestrian environment. The proposal needs to provide more detail on how the Nikko Road frontage of the proposal will achieve these goals.</i></p>	<p>The design of the development has been substantially amended so as to enable each of the frontages of the development to provide for active street frontages as sought by the WTC DCP 2012 – with shops fronting Main Street (W06), Bulky good shop spaces fronting access road W01 and commercial spaces fronting access road W05.</p>



DP&I Issue	Proponent's Response
<i>Section 6.5 Awnings: The inclusion of continuous awnings is noted in the EA however the drawings should clearly show the extent and location of the awnings. The DCP requires Nikko Road and Main Street to have awnings.</i>	This matter has already been previously addressed in this PPR.
<i>More detail should be provided to demonstrate how the recommendations outlined in the CPTED report that were identified in the EA will be incorporated into the design of the development.</i>	<p>A revised CPTED report has been prepared and is submitted with the PPR. The report provides more detail to demonstrate how the recommendations outlined in CPTED report submitted as part of the EA will be incorporated into the design of the development.</p> <p>This report can be viewed at <b>Appendix D</b>.</p>
<i>Detailed drawings should be provided to show the proposed areas of cut and fill, and the balance of the cut and fill proposed. Cross sections should be provided to compare proposed and existing ground levels across the site.</i>	Please refer to the cut and fill drawing for details at <b>Appendix A</b> .
<i>Cross sections should be provided through the proposed building, including the Big W and Cinema, with finished RL's to assist with understanding the height, bulk and scale of the development.</i>	A set of cross-sectional drawings have been submitted as part of the amended architectural drawing set with this PPR (refer to drawing A11.01 Proposed Sections). This drawing can be viewed at <b>Appendix A</b> .
<b>2.2.6 Civic Square</b>	
<i>Calculations should be provided for the total area of the proposed Civic Square upon completion</i>	The proposed total gross area of the Civic Square for Stage 1 will be approximately 2,200m <sup>2</sup> .



DP&I Issue	Proponent's Response
(gross area).	Refer to drawings as part of <b>Appendix A</b> .
<p><i>Calculations should be provided for the Area excluding the road reserve (net area).</i></p>	<p>The proposed total area of the Civic Square for Stage 1 will be approximately 2,200 square metres, and 1,825 square metres excluding the road reserve.</p>  <p>Refer to drawings in <b>Appendix A</b>.</p>
<p><i>Calculations should be provided for the Area of spaces north and south of Main Street.</i></p>	Refer to drawings in <b>Appendix A</b> .
<p><i>Calculations should be provided for the Confirmation of the extent of the Stage 1 works.</i></p>	Noted.
<p><i>The DCP suggested an area of 2700m<sup>2</sup> be provided. If less area is proposed, a detailed justification should be provided. The EA will need to demonstrate how the Civic Square can function appropriately and serve the scale of development proposed. The proposed café extending into the Stage 1 space appears to</i></p>	<p>The design of the Civic Square has been refined and amended as part of the amended architectural drawings at <b>Appendix A</b>.</p> <p>A request to vary the numeric requirement has been detailed previously in this PPR based on the analysis of civic squares as contained in <b>Appendix O</b>.</p> <p>As such, the proposed development has been designed to activate the edges around the Civic Square while at the same time maintaining its function in compliance of the WTC DCP 2012.</p>



DP&I Issue	Proponent's Response
<i>limit the functionality of the square and the design should be reconsidered.</i>	
<i>The proposed ownership and management arrangements should be clarified.</i>	<p>The Civic Square will remain in private ownership by Fabcot. However, Main Street will be dedicated back to Council under a stratum lot subdivision arrangement with appropriate easements.</p> <p>Private ownership is required to ensure high levels of finishes, maintenance, servicing, security, and infrastructure and retail management which will in turn guarantee the long terms success of this type of civic / retail development.</p> <p>The Civic Square will be managed on a daily basis by the Centre Management for the retail centre. This will be a professional Asset Management company that has experience in retail management. This will ensure a high level of operational management and security, especially during evening trading.</p>
<i>Any temporary works required due to proposed staging should also be clarified.</i>	<p>Although there are no specific temporary works, any buildings or structures proposed on the remaining portion of Fabcot land to the north of the commuter parking area will be subject to a future development application/s.</p> <p>The at-grade commuter car park, if ever removed, could be incorporated into any future stages of the precinct.</p>
<b>2.2.7 Connectivity</b>	
<i>Figure 6.1 of the DCP identifies north-south access links through the site. The proposal has enclosed and privatised these links, restricting access. A justification for the departure from the DCP should be provided in the EA.</i>	<p>The intent of the north-south link through the site has been satisfied in that a person at the southern edge of the development can traverse through the development via an accessible route using a lift through to the Civic Square.</p> <p>This is considered to provide for a superior outcome than that shown in Figure 5.1 of the WTC DCP 2012, in that the path of travel would be accessible for all users including less able persons, it provides for all weather access and would operate only when the development is open for trade so as prevent security and safety issues arising.</p> <p>As the Department would be aware that the information in Figure 5.1 shows the site as if it were flat, where in fact there is a significant gradient. Due to the natural site topography, rising from RL 31 at the south up to the Civic Square of RL 45, a pedestrian link as envisaged in the DCP is not possible regardless of the design, as it would require stairs which limits access for all users.</p> <p>The lift proposed will be operational during normal retail hours, 7 days per week. Outside of these times, appropriate pedestrian access is possible via the public footpaths and bike paths surrounding the</p>





DP&I Issue	Proponent's Response
	<p>development.</p> <p>It is considered that the proposed outcome is more suitable than that proposed under the WTC DCP 2012, while achieving the controls and objectives of 5.1 under the WTC DCP 2012.</p>
<p><i>Nikko Road will likely become the primary publically accessible north-south link to the station. This reinforces the need to provide a high level of pedestrian amenity along this road.</i></p>	<p>It is acknowledged that Nikko Road/Railway Street/W01 will at times be a pedestrian route from the southern residential area up to the railway station and civic square. This would generally be limited to times outside of the retail trading hours.</p>
<p><i>The Department has concerns about the location of a double width driveway from Nikko Road to the carpark. Section 6.5 Vehicle Entries of the DCP identifies preferred locations for vehicle access to improve pedestrian amenity, and does not include this section of Nikko Road. The proposed right turn lane for the car park access also restricts southbound traffic to one lane, which is not consistent with the design of this street in the DCP. A detailed justification for the car park driveway access in this location would therefore need to be provided for the design to be considered.</i></p>	<p>The design has been amended. Access from Access Road W01 which is also known as Nikko Road/Railway Street is required into the basement parking levels and the commuter car park.</p> <p>Access into the customer car parking from Nikko Road/Railway Street/W01 is critical for the retail development. The success of a retail development of this nature is based on convenience, especially from a vehicular accessibility perspective.</p> <p>Although the WTC DCP 2012 does not recommend access along Nikko Road/Railway Street/W01, a civic retail precinct of this scale envisaged in the WTC DCP 2012 cannot have vehicular access limited to one street (southern road W05). Vehicular access designed in accordance with the WTC DCP 2012 would result in all 1,400 plus car spaces accessing the site from the southern road, causing considerable bottlenecks in the traffic throughout the road network and internal car park.</p> <p>The vehicular access design proposed allows for a choice of access points, allowing traffic to enter and exit from different levels and roads. This is consistent with all shopping centres and car park designs of this scale.</p>
<p><i>Section 4.4 of the DCP: Pedestrian connectivity to station should be addressed, including commitments for the necessary traffic control measures to ensure pedestrian access and safety</i></p>	<p>Pedestrian connectivity from the train station has significantly been improved in the amended drawings. The commuter car park is provided immediately adjacent to a future station.</p> <p>Should future stages of the retail development be developed, the commuter car park will be maintained within that development. Appropriate accessibility arrangements will be designed to ensure ease of commuter access.</p> <p>Pedestrian amenity and connectivity through the development has</p>



DP&I Issue	Proponent's Response
	been considered and demonstrated in the architectural and civil documentation.
<b>2.2.8 Design, Ownership and Maintenance of the Public Domain</b>	
<p><i>The EA report has not detailed how the public domain, including Main Street, will be owned, managed and maintained. The EA should detail whether these arrangements may be different during Stage 1 compared to subsequent stages of development of the town centre site.</i></p>	<p>Fabcot will construct Main Street and dedicate in a stratum subdivision lot arrangement with appropriate easements, land to Council.</p> <p>Refer to the road dedication drawing in <b>Appendix A</b>.</p>
<p><i>Specific details should be provided to explain the need for any roads to be kept in private ownership rather than dedicated to Council as public roads.</i></p>	<p>It is understood that Council will be responsible for the maintenance for all roads surrounding the development.</p> <p>A plan has been prepared to show the extent of the road dedication.</p>
<b>2.2.9 Car Parking</b>	
<p><i>The RTA recommends a minimum car parking rate of 4.3 off-street car parking spaces per 100m<sup>2</sup> of gross leasable floor area for shopping centres between 20,000 and 30,000 GLFA, and a rate of 1 space for 40m<sup>2</sup> GFA for commercial premises. This would result in 1360 spaces. Plan SK 20 Issue P7 shows 1349 off-street car parking spaces, a deficiency of 11 spaces, which will need to be addressed.</i></p>	<p>It is noted the WTCDCP 2012 includes parking rates. While the proposal indicates an entertainment facility in the form of a cinema complex, the proposal does not seek approval for the internal fitout and therefore a calculation for this element is somewhat premature based on the WTCDCP 2012 car parking rates as follows:</p> <p><i>Entertainment facility 1 space/10 seats for 75% of total seats, and 1 space/4 seats for 25% of total seats.</i></p> <p>It should be noted that the operation of the entertainment facility is likely to have peak period which will not overlap that of the shopping facilities and all of the parking associated with the development will be available for the cinema complex.</p> <p>The car parking rates for remainder of the development under the WTC DCP 2012 are as follows:</p> <p><i>Bulky goods 1 space/50sqm GFA.</i></p> <p>Therefore, based on 1,829 square metres of bulky goods = 36.58 spaces</p> <p><i>Business premises 1 space/30sqm GFA.</i></p> <p>Therefore, based on 3,608 square metres of commercial premises = 120.3 spaces</p>



DP&I Issue	Proponent's Response
	<p><i>Retail premises 1 space/20sqm GFA</i></p> <p>Therefore, based on 20,263 of retail floor space which is capable of being used as retail premises = 1013.15 spaces</p> <p>The total parking required: 1,170 spaces.</p> <p>The total parking available will be 1,438 spaces.</p> <p>Commuter parking for 177 spaces at-grade are also proposed.</p> <p>As such, it is considered that the proposed development achieves the required car parking numbers as specified by the WTC DCP 2012 requirements.</p>
<p><i>It is noted that the figures in section 3 of Appendix S (the transport report) are out of date as the plans have been updated since.</i></p>	<p>Parking numbers are as per the revised architectural drawings included at <b>Appendix A</b> and comply with the WTC DCP 2012.</p>
<p><i>The RTA recommends a higher rate for gymnasiums in sub-regional centres (between 4.5 to 7.5 spaces per 100m2 GFA), and that bulky goods retail stores should be compared with rates for similar developments. These requirements should also be addressed in the consideration of car parking spaces for the development.</i></p>	<p>Parking numbers are as per the revised architectural drawings included at <b>Appendix A</b> and comply with the WTC DCP 2012.</p>
<p><i>Details should also be provided for motor cycle and bicycle parking locations, capacity and facilities.</i></p>	<p>Motor cycle parking for 10 are shown on CP1 in the drawings at <b>Appendix A</b>.</p>
<p><i>The report should confirm the number of commuter car parking spaces to be provided as part of this application to address Section 7.4 of the DCP. For example, Appendix M states that 500 commuter car parking spaces will be</i></p>	<p>WTC DCP 2012 states:</p> <p><i>Commuter carparking shall be provided in close proximity to the railway station, indicative locations are shown in <b>Figure 3.19</b>.</i></p> <p>The proposed 177 commuter parking spaces are shown at-grade in close proximity to the future railway station and as shown by the dot in Figure 3.19 of the WTC DCP 2012.</p>



DP&I Issue	Proponent's Response
<i>provided, whereas other statements in the EA indicate that 200 spaces will be provided and/or that no spaces will be provided at all in Stage 1.</i>	<p>The WTC DCP 2012 is silent on the required number of commuter parking spaces.</p> <p>As such, it is considered that the provision of commuter car parking is consistent with the objectives of the WTC DCP 2012 and of significant public benefit.</p>
<i>How can commuter car parking be provided in Stage 1 if the railway station construction and operation occurs before the delivery of Stage 2?</i>	<p>Commuter parking is part of this PPR and the amended architectural drawings at <b>Appendix A</b>. It is considered there is sufficient site area to accommodate the future needs of the Civic Precinct and any redevelopment of the portion of the site in which the proposed at-grade commuter car park is currently located will be incorporated in that development which is subject to future separate development approval. A condition can be imposed to require the inclusion of replacement commuter car parking spaces within future stages of development.</p>
<i>How would commuter car parking, if provided in Stage 1, be accessed during centre trading hours and outside of centre trading hours?</i>	<p>The at-grade commuter car parking area will be accessible 24 hours a day 7 days a week in its revised location.</p>
<i>What commitments can be offered to providing commuter car parking as part of the application or any associated approval</i>	<p>The commuter parking forms part of the PPR and the amended drawings at <b>Appendix A</b>.</p>
<i>Further information is required regarding the at-grade car parking proposed north of Main Street, including its purpose, need, compliance with DCP controls in section 7.4, integration with the civic square, and what undertaking will be given to secure its future removal.</i>	<p>The purpose of the at-grade parking is to service the needs of the stage 1 development and when a railway station becomes operational, commuter parking needs.</p> <p>The land to the north of Main Street has development potential as detailed in the WTC DCP 2012 and this will be captured as demand increases. Any development to the north of Main Street can be designed to comply with the provisions of the WTC DCP 2012 at the time an application is submitted and could be conditioned for the same.</p>
<b>2.2.10 Hydrology, Water Quality and Assessment</b>	
<i>Section 8.1 of the DCP provides details for Water</i>	<p>Civil drawings and report at <b>Appendix I</b> have been prepared to</p>



DP&I Issue	Proponent's Response
<p><i>Consumption, Alternative Water Supplies and Treatment Options, and Cooling Towers. Although the EA states that the proposed development is consistent with the controls, a report should be provided to demonstrate this.</i></p>	<p>address WTC DCP 2012.</p> <p>As part of the Construction Certificate documentation, the proponent can provide detailed documentation and measures consistent with the water quality guidelines provided in the WTC DCP 2012:</p> <ul style="list-style-type: none"> <li>• Gross pollutant traps (GPT) on site to capture water pollutants at the source, prior to discharge into the public stormwater system;</li> <li>• Water re-use / retention: stormwater capture from the roof will be retained for re-use within the building;</li> <li>• Bio-Swails and Bio-sinks within the on-grade car park: stormwater quality management.</li> </ul> <p><i>Draft condition:</i> Detailed design of the hydrology controls, including water quality design will be provided prior to the construction certificate for any building works, including GPTs, water re-use / retention and quality stormwater management.</p>
<p><i>The EA states the proposed development is consistent with the controls in Section 8.2 Integrated Water Cycle Management and Water Sensitive Urban Design of the DCP. A report should be provided to demonstrate this, and include an assessment of water quality and impacts on downstream watercourses.</i></p>	<p>Civil drawings and report at <b>Appendix I</b> have been prepared to address WTC DCP 2012.</p> <p>As part of the Construction Certificate documentation, the proponent can provide detailed documentation and measures consistent with the water quality guidelines provided in the WTC DCP 2012:</p> <ul style="list-style-type: none"> <li>• Gross pollutant traps (GPT) on site to capture water pollutants at the source, prior to discharge into the public stormwater system;</li> <li>• Water re-use / retention: stormwater capture from the roof will be retained for re-use within the building;</li> <li>• Bio-Swails and Bio-sinks within the on-grade car park: stormwater quality management.</li> </ul> <p><i>Draft condition:</i> Detailed design of the hydrology controls, including water quality design will be provided prior to the construction certificate for any building works, including GPTs, water re-use / retention and quality stormwater management.</p>
<p><b>2.2.11 Utilities Infrastructure (Appendix E)</b></p>	
<p><i>The report provided assesses the entire WTC site, rather than the subject site and development. The utilities infrastructure to service</i></p>	<p>Mott McDonald has completed a further analysis of the infrastructure required for the project. A simple diagram showing the required services in their proposed location can be found at <b>Appendix I</b>.</p>



DP&I Issue	Proponent's Response
<i>the proposed development should be detailed, such as water and sewer connections.</i>	
<b>2.2.12 Geotechnical and Contamination</b>	
<i>The EA should provide a summary of the outcomes of the Phase 2 Assessment in Appendix H, including a list of any conditions/mitigation measures to demonstrate the site is suitable for the proposed development.</i>	<p>Coffey have completed a further analysis of the site to conclude that the site is suitable for the proposed development.</p> <p>Refer to <b>Appendix F</b> for Coffey statement of clarification dated 28 November 2011.</p>
<b>2.2.13 Economic Impact Assessment</b>	
<i>The retail floor area proposed needs to be consistent in the documentation. For example, page iv of the Pitney Bowes report states the proposal has floor area of 20,640m<sup>2</sup>, whereas the EA quotes a figure up to 33,000m<sup>2</sup>.</i>	<p>Pitney Bowes have reviewed in the amended drawings and this has been assessed as to the economic impact of the development.</p> <p>An updated EIA has been prepared by Pitney Bowes (December 2011), enclosed for assessment. Refer to <b>Appendix G</b>.</p>
<i>The job multipliers in the economic assessment were based on a CIV of \$154m rather than the revised CIV of \$118m. Revised figures should be provided for the Stage 1 proposal.</i>	<p>A revised CIV can be found at <b>Appendix N</b>.</p> <p>Total jobs to be generated from the project during construction, its multiplier and when operational are likely to be 830 excluding non-retail components and allowing for a net increase.</p>
<p><i>The assessment should consider the economic impacts of Stage 1 and Stage 2 separately.</i></p> <p><i>The assessment should to confirm that Stage 1 brings with it stand alone economic benefits should</i></p>	<p>As no development is proposed in this application beyond Stage 1 buildings, any future application lodged for development north of Main Street as future development on the land will have to include its own economic impact assessment.</p> <p>Please find attached at <b>Appendix G</b> assessment of stage 1 economic impact, which concludes sales will not be fully realised until 2014 or beyond.</p>





DP&I Issue	Proponent's Response
<i>Stage 2 not proceed for a significant period of time, and that Stage 2 is viable and likely to proceed at some stage in the future.</i>	
<b>2.2.14 Social Impact Statement</b>	
<i>The Warnervale/Wadalba Human Services Strategy should be addressed as requested in the DGR's.</i>	An amended Social Impact Assessment report has been prepared as part of this PPR which has addressed the requirements of the Warnervale/Wadalba Human Services Strategy and this can be found at <b>Appendix L</b> .
<b>2.2.15 Ecologically Sustainable Development (ESD)</b>	
<i>The report should detail ESD measures for the development as a whole including the construction and operational phase. This should include quantifiable ESD measures or strategies to address, energy, water, transport, materials, emissions, indoor environmental quality, or an assessment against an approved ratings system such as the Green Building Council of Australia Green Star Retail Centre rating tool.</i>	<p>It is considered appropriate that the following conditions be placed on the consent:</p> <ul style="list-style-type: none"> <li>• The retail building will be designed to meet the minimum requirements of the BCA, including Part J (design efficiency);</li> <li>• Design initiatives will be implemented such as: <ul style="list-style-type: none"> <li>○ Passive design (completed as part of the concept design – building orientation etc)</li> <li>○ Solar panels</li> <li>○ Natural lighting</li> <li>○ PE (photo-sensitive) light switching</li> <li>○ Low power light fittings (LEDs)</li> <li>○ Rainwater collection for re-use</li> <li>○ Low use water fixtures</li> <li>○ Thermal insulation</li> </ul> </li> </ul> <p>Details of compliance to be provided as part of the construction certificate documentation.</p> <p>Woolworths as the major tenant in the proposed development will implement its sustainability initiatives as outlined in the brochure at <b>Appendix L</b>.</p>
<b>2.2.16 Biodiversity</b>	



DP&I Issue	Proponent's Response
<i>Update on the status of Biodiversity Certification Assessments for the Warnervale Town Centre.</i>	<p>Significant flora and fauna studies have been completed across the broader WTC site, including the subject land.</p> <p>Recently reports from the OEH have concluded there are no threatened species or EECs on the site.</p> <p>The OEH are currently finalising the Biodiversity Certification Assessment across the whole WTC site.</p>
<i>Impacts on threatened species, communities and habitats in addition to those matters that will be covered by the bio-certification process. The reports submitted for the proposal are for the whole Town Centre site and over 5 years old and do not specifically address the stage 1 proposal.</i>	<p>The site on which the proposed stage 1 development is to be located does not contain any threatened species, communities or habitats, (refer to the investigations at Appendix R of the original EA) and therefore there are no issues arising.</p>
<i>Any mitigation measures proposed, such as a tree clearing protocols to reduce impacts on any potential nesting or denning species on the site.</i>	<p>As there are no impacts arising, no mitigation measures are proposed. However, the proponent is prepared to accept conditions which the Department may seek to impose in relation to mitigation measures.</p>
<b>2.2.17 Consultation</b>	
<i>Demonstrate that consultation has been undertaken with local Aboriginal stakeholders and that any Aboriginal Cultural Heritage Values on the Fabcot development site have been identified and will be appropriately managed.</i>	<p>In addition to the previous Heritage Consultation and site studies completed by John Appleton Archaeological (March 2004), Fabcot contacted the following three stakeholders:</p> <ul style="list-style-type: none"> <li>• Darkinjung Land Council</li> <li>• Guringai Tribal Link Aboriginal Corporation</li> <li>• Kevin Duncan</li> </ul> <p>The three parties were contacted on 1 November 2011 and invited to take part in the further site consultation. In accordance with the guidelines, 21 days notice was provided to the stakeholders. In early December, the Darkinjung &amp; Garingai Land Council's were contacted to arrange a site inspection following their registration of interest.</p> <p><b>Site Walks:</b></p> <p>Site walks were completed with both Land Councils for several hours</p>





DP&I Issue	Proponent's Response
	<p>across the full extent of the Fabcot site. No artefacts or items of interest were found or recorded during the site walks.</p> <p><u>Guringai Tribal Link Aboriginal Corporation:</u></p> <ul style="list-style-type: none"> <li>• 10am, 11 January 2011</li> </ul> <p><u>Darkinjung Land Council:</u></p> <ul style="list-style-type: none"> <li>• 10am, 20 January 2011</li> </ul> <p><b>Conclusion:</b></p> <p>Given the significant level of ground disturbance across the site, (including dams, irrigation, fencing, concrete pads, remains of buildings and deep excavated levels) it is considered there is no heritage remains on the site.</p> <p>This is further supported by the report by John Appleton in 2004.</p> <p>It is proposed that no further aboriginal heritage consultation is required on the site.</p> <p>Please refer to the information contained at <b>Appendix E</b> with respect to the consultation completed.</p>
<b>2.2.18 Community/Youth Space</b>	
<p><i>The report should confirm whether the community facility/youth space identified in the DCP is proposed for this development. If so, detailed plans for this facility should be provided.</i></p>	<p>The proposed development does not involve construction to the north of Main Street as such the design in its current form does not preclude a youth centre.</p>
<b>2.2.19 Residential Land Use Opportunities</b>	
<p><i>The report should include a discussion on the feasibility of providing housing in the stage 1 development. Details should also be provided on the feasibility of future-proofing of the proposed buildings for future residential development (re carparking, access,</i></p>	<p>The EA at Chapter 3 provides a detailed discussion and justification for stage 1 development not including a residential component.</p> <p>The land to the north of Main Street has not precluded the inclusion of residential development in the future.</p>



DP&I Issue	Proponent's Response
<p><i>structural integrity etc) should the market for such housing improve in the future.</i></p>	
<p><i>Please provide further information to supplement the details provided regarding residential capacity of the overall Town Centre Civic Precinct. It would assist to provide details that quantify the likely shortfall in residential density for the Town Centre Civic Precinct assuming the northern part of the site was developed in accordance with the existing DCP height requirements. This will allow the worst case scenario impact for residential density to be understood.</i></p>	<p>It should be noted that an analysis was undertaken on the total area nominated in the WTCDCP 2008 and submitted as part of the original EA to provide for 1,100 apartments. In this regard, the analysis is advisory only to assist with consideration of this Project Application.</p> <p>The analysis indicates a substantial amount of residential development can be provided to the north of the proposed development on the remaining portions of the Fabcot land.</p> <p>Therefore the stage 1 development does not preclude the attainment of the residential densities with future development.</p> <p>The style of residential product is apartment based which would become more desirable and therefore suitable when the future Railway Station becomes operational. At this time the market is looking for "House and Land" packages which is the approach being taken by Landcom on the land to the south of the subject site within the WTC.</p>



### 3. RESPONSES TO SUBMISSIONS

#### 3.1 AGENCIES

TPG NSW has prepared responses on behalf of the proponent to the issues raised in the submissions made by the NSW Department of Health, NSW Police, Landcom, NSW Department of Education and Communities, RTA (now RMS), Ausgrid, NSW Rural Fire Service, NSW Department of Transport, NSW Office of Environmental and Heritage and Wyong Shire Council in regards to the proposed development. Responses to these submissions can be found in Tables 3 to 12.

Table 3 below provides a summary and responses to the submission from NSW Department of Health.

**Table 3: Responses to NSW Department of Health Submission**

NSW Department Of Health Issue	Proponent's Response
<i>We strongly recommend that a significant vertical residential component is incorporated into the proposal now, and that these residences overlook key public areas, including the length of Main Street, the Civic Square, and connections to and from the rail station.</i>	It is considered that the market for multi-dwelling housing in this location will not be desirable for a considerable period of time, as other forms of housing such as small lot detached housing are readily available in Wyong, and this will continue in the short and medium terms. However, the EA indicates that the land has the capacity for this form of development to be provided in the future.  Refer to the previous discussion in this PPR.
<i>The Architectural Drawings (Appendix B) show some aspects of its design, however, more detail is required to determine whether the Square will attract and interest people, and imbue a sense of community ownership.</i>	An amended architectural drawing set has been submitted as part of the PPR at <b>Appendix A</b> .  The amended drawing set includes detailed elevations as well as concept plans of the Civic Square, which shows street activation and material finishes used in the design. Every consideration has been made at the design stage of the proposed development to ensure that the proposed Civic Square will attract and interest people, and imbue a sense of community ownership.
<i>We seek clarification regarding traffic flow in and around the Civic Square, especially where the Square cuts across Main Street. The Architectural Drawings provided in the WTC Environment Assessment Report Combined,</i>	Refer to the traffic report submitted with the original EA and the revised traffic report attached at Appendix K.



NSW Department Of Health Issue	Proponent's Response
<i>show inconsistencies regarding traffic flows.</i>	
<i>Traffic through the civic square is contrary to the DGRs which state that "The civic square is required to be a total of 2,700m2 designed as fully accessible public space not a public roadway ... "</i>	This matter has been discussed in detail earlier in this PPR.
<i>Distance between the proposed Tavern and Civic Square is maximised. We highly recommend that the proponent consult further with NSW Police, the DoPI and the local existing community in the design of this valuable piece of public space.</i>	No tavern is proposed in the PPR, only stage 1 development as detailed in the amended architectural drawings at <b>Appendix A</b> .
<i>The Architectural Drawings at Section 2.4 of the Environmental Assessment gives the impression that Main Street has trees along its length (Fig. 61, p 64); similarly Fig. 52 (p 59) features trees, which is commendable. However, we note that Main Street is designated as a W06 type road (Appendix G MPEA 05 Type Road Cross Sections), which does not accommodate trees.</i>	Street trees will be located along Main Street. Refer to the amended Architectural drawings at <b>Appendix A</b> and the town centre landscape concept at <b>Appendix J</b> .
<i>It is unclear as to whether there are adequate opportunities for passive surveillance along each of the facades of the proposed development.... We raise the call for passive surveillance measures, such as glazing of external walls, wherever there are pedestrian walkways and cycle paths.</i>	<p>It is considered that the amended architectural design of the proposed development promotes passive surveillance along all frontages of the development.</p> <p>Opportunities for surveillance have been incorporated into the design with the inclusion of street activating frontages and significant proportions of glazing.</p> <p>The proposed development has been design to assist in the prevention of anti-social behaviour and the mitigations management of anti-social behaviour . The proposed development has been designed to allow quick detection and response to anti-social behaviour, through the use of a comprehensive CCTV camera system for mall areas, car parking and loading areas, and street frontages.</p> <p>The development has also been designed specifically to take advantage of passive surveillance opportunities, as it is considered that patrons and customers of the Town Centre can deter potential criminal activities through the</p>



NSW Department Of Health Issue	Proponent's Response
	<p>passive surveillance of public space.</p> <p>A revised CPTED report has been provided as part of the PPR, refer to <b>Appendix D</b>.</p>
<p><i>PA1.1: The Transport Report (Appendix S) it states that a work place travel plan (WTP) will be prepared to optimize travel to the site by means other than private car. This could be strengthened by the proponent being required to develop and implement a WTP for their workers as a condition of approval, prior to occupation.</i></p>	<p>Refer to the revised traffic report at <b>Appendix K</b>.</p>
<p><i>PA2.1: Links to the public transport, pedestrian and cycling networks within WTC will help promote walking, cycling and active transport. This could be strengthened by the proponent being required to develop and implement a transport access guide (TAG) for future visitors to the site, as a condition of approval, prior to occupation.</i></p>	<p>Refer to the revised traffic report at <b>Appendix K</b>.</p>
<p><i>PA2.3: The proponent's comment could be strengthened by stating that" ... temporary pedestrian and bicycle pathways will be provided."</i></p>	<p>Noted</p>
<p><i>PA2.8: Bike parking provisions as per car parking provisions (spaces per square metre) would be highly desirable and are recommended for consideration.</i></p>	<p>Refer to the revised traffic report at <b>Appendix K</b>.</p>
<p><i>PA2.9 &amp; 2.10: We highlight that, according to the WTCDCP, the proponent must comply with the NSW Bicycle guidelines (RTA 2005) and the Council's Pedestrian Access and Mobility Plan 2003. We ask the DoPI to ensure that relevant street design features listed in PA2.9 &amp; 2.10 are given due consideration.</i></p>	<p>The provisions of the WTC DCP 2012 are a guide and have been adopted in the design at <b>Appendices A and I</b>.</p>
<p><i>PA3.10: An outdoor gym would provide a more accessible (free) recreation option and is recommended for consideration.</i></p>	<p>The public domain as detailed in this PPR is in accordance with the WTC DCP 2012.</p>
<p><i>The need to consider the extent to which the WTCDCP 2008 and DGRs have been</i></p>	<p>These matters have been previously addressed in this PPR.</p>



NSW Department Of Health Issue	Proponent's Response
<p><i>addressed, in regards to:</i></p> <p><i>(1) identifying a component of (vertical) residential development to be provided as part of this proposal, and</i></p> <p><i>(2) ensuring that this proposal offers a residential component above the proposed retail and commercial built form.</i></p> <p><i>Further, there should be provision of affordable housing opportunities for households with low or moderate incomes.</i></p>	
<p><i>TC1.1: Worthy of consideration at this early phase in development, is the use of electric powered mini buses.</i></p>	<p>The local bus operators may wish to provide electric buses as part of their fleet, the proponent does not proposed any minibus service and it is not a guide in the WTC DCP 20012.</p>
<p><i>TC1.6 - 1.10 Should the proponent be responsible for public transport nodes on the new access roads, greater detail as to how the development complies are highly desirable.</i></p>	<p>Refer to Appendix G of the original EA. The proponent is not responsible for public transport nodes.</p>
<p><i>TC2.2: Modify the existing comment to "Measures to encourage walking and cycling will be implemented" (rather than can be accommodated).</i></p>	<p>Noted. The design incorporates the nominated locations for bicycle path infrastructure shown in the WTC DCP 2012 and bicycle rails can be readily included.</p>
<p><i>TC2.3: Modify the existing comment to "A car sharing program will be implemented" (rather than can be accommodated).</i></p>	<p>Noted. No change proposed.</p>
<p><i>TC2.8: Modify the existing comment to "Additional safety measures will be implemented in areas of high pedestrian, bicycle and vehicular activity."</i></p>	<p>Noted. The design incorporates the nominated locations for bicycle path infrastructure shown in the WTC DCP 2012 and bicycle rails can be readily included.</p>
<p><i>TC2.10: Modify the existing comment to "Walking and cycling entrances to buildings will be prioritised and safe."</i></p>	<p>Noted.</p>
<p><i>TC2.11: Modify the existing comment with "Walking and cycling routes through parking areas will be clearly marked and safe"; and "Bicycle parking will be prioritised" i.e. provided</i></p>	<p>Noted.</p>



NSW Department Of Health Issue	Proponent's Response
<i>in accordance with commitments detailed in the Transport Report (Appendix S).</i>	
<i>TC2.12: Modify the existing comment with "Provisions (treatments) for cyclists will be implemented where traffic 'squeeze points' are introduced on any new road associated with the development."</i>	Noted.
<i>TC4.2: Modify the existing comment to "Access to the internet in public spaces and semi public spaces within the proposed development will be implemented."</i>	This will be at the discretion of future tenants and cannot be mandated as a cost to businesses via planning decisions.
<i>TC4.5 Modify the existing comment to "Access to the internet together with signage, adequate power outlets and amenable seating will be provided in public spaces and semi public spaces within the proposed development."</i>	This will be at the discretion of future tenants and cannot be mandated as a cost to businesses via planning decisions.
<p><i>PS2.1 - 2.16: Appendix B provides some insight as to what the space might look like once constructed however further detail is highly desirable, particularly in regard to:</i></p> <p><i>2.1 Potential experiences and users - design for all ages to enjoy healthy interaction, provide for local identity and culture (e.g. public art), gathering and celebration space, and free market days.</i></p> <p><i>2.3 Amenities - examples are provided above in "A Safe, Fun and Active Civic Square."</i></p> <p><i>2.4 Safety considerations - safety without designing out the fun, consult with the community.</i></p> <p><i>2.7 Safe uses at night -ego a place to have 'a bite to eat and drink' and chat after the movies or late night shopping.</i></p> <p><i>2.10 Restrictions on drinking alcohol - particularly with a proposed Tavern nearby. Alcohol bans in public spaces is effective in breaking patterns of public disorder.</i></p> <p><i>2.11 Play area provision within both the civic square and retail areas.</i></p>	<p><b>Appendix A</b> of this PPR includes an amended architectural design for the proposed development. This set of drawings contains more detailed elevations and concept plans.</p> <p>The design of the proposed development is based on safety considerations. An amended CPTED report has been included at <b>Appendix D</b> which demonstrates how design elements of the proposal incorporate CPTED principles, and make the proposed development a safe place to be during the day and night.</p>





NSW Department Of Health Issue	Proponent's Response
<i>2.13 Wheelchair and pram/stroller users - ability to move freely and safely in this area.</i>	
<i>PS3.6: As part of implementing the Main Street, provision of street lighting should be a priority design inclusion.</i>	<p>All proposed lighting will comply with Australian Standards.</p> <p>It is considered that this can be implemented as a condition of consent.</p>
<i>We request further information on these issues and how they may be resolved to ensure fair and equitable access to resources and amenity, and to avoid community segregation (refer to SC4.2, 4.4, 5.1-5.4).</i>	<p>This has been addressed in the Amended Social Impact Assessment at <b>Appendix M</b>.</p>
<i>EH2: Consideration should be given to ensuring that all recycled water is managed to a standard fit for purpose, dependant on its source and end use.</i>	<p>The Department can condition for the same.</p>
<i>EH2: Draw attention to the DGRs which state that the proponent should address the issues of onsite detention and re-use of stormwater; and limiting the amount of effective impervious area through the use of previous surfaces such as green roofs, gardens, grass areas, and permeable paving. These initiatives need to be incorporated into this proposal.</i>	<p>These matters have been previously addressed in this PPR.</p>
<i>EH3: The Public Health Unit is unconvinced that the potential for noise and vibration to impact on health and amenity has been adequately addressed. The development must include effective design and control measures to ensure that health and amenity are not impacted by noise and vibration, both during the construction phase and when the site is occupied.</i>	<p>It is considered that any concerns raised by the Department beyond the information contained in the submitted noise report could be conditioned.</p>
<p><i>We note that correspondence from VIPAC Engineers &amp; Scientists Ltd., (20th July 2011) advises that, in addition to that report, further work is required to re-assess the traffic on Sparks Road.</i></p> <p><i>The Public Health Unit requests that these reports and the required design and control measures be to the satisfaction of the Office of Environment and Heritage. We would also</i></p>	<p>The further work can form part of a Construction Certificate and can be conditioned for the same.</p>



NSW Department Of Health Issue	Proponent's Response
<i>welcome the opportunity to provide further comment on these reports.</i>	
<i>We request consideration be given to alternative mitigation strategies since acoustic barriers may also provide barriers to movement and connectivity within the Warnervale site. Acoustic barriers may also pose safety risks and reduce passive surveillance. Block barriers can become a target for graffiti vandalism, creating aesthetically unpleasant environments with long term maintenance issues for Council and community alike.</i>	This is not considered necessary for the proposed stage 1 development as no residential development is proposed in this PPR.
<i>(BASIX)...will need to be incorporated into any proposed residential development, including the residential over retail component along Main Street and the Civic Square.</i>	BASIX is not triggered by the proposed development.

Table 4 below provides a summary and responses to the submission from NSW Police.

**Table 4: Response to NSW Police Submission**

NSW Police Issue	Proponent's Response
No objections.	Noted.

Table 5 below provides a summary and responses to the submission from Landcom.

**Table 5: Responses to Landcom Submission**

LANDCOM Issue	Proponent's Response
<i>The EA references incorrect figures.</i>	Noted
<i>The advice provided in Section 2.2.4 is outdated as it does not reflect the alternate road system proposed.</i>	This matter has been previously addressed in this PPR.
<i>Concern with the DGEARs Project Description.  The application does not address the construction of the RTA intersection Sparks Road, but relies on the State Government to</i>	This matter has been previously addressed in this PPR.



LANDCOM Issue	Proponent's Response
<i>provide funding for that facility....We are unaware of State funding for this intersection.</i>	
Inconsistent with DGEARs General Requirements (5). <i>No detail on the provision of access roads and services has been provided.</i>	This matter has been previously addressed in this PPR.
Inconsistent with DGEARs Key Assessment Requirements - Built Form Urban Design (5). <i>Unable to find any detail sections and elevations of the bulk earthworks that are intended for the development of the site not information about interfacing with adjoining streets.</i>	This matter has been previously addressed in this PPR.
Inconsistent with DGEARs Key Assessment Requirements - Built Form/Urban Design (8). <i>Impacts of overshadowing are not discussed or assessed</i>	Due to the topographical features of the site including the significant grade from the required location of Main Street to the location of the other roads required under the DCP guidelines, the bulk/scale of the development cannot take an alternative form but is within the maximum height allowed for under the SEPP and as such the proposal is considered to be consistent with the built form envisaged under the DCP and the associated shadow impact envisaged under the DCP.
Concern with DGEARs Key Assessment Requirements - Built Form/Urban Design (9) <i>The information lodged does not clarify that the delivery of these facilities relies on agreements with Landcom and Wyong Shire Council.</i>	Since the Project Application was lodged ongoing negotiations between Landcom, Council and Fabcot have enabled an Access Deed Arrangement to come about and this process is nearing completion.
Concern with DGEARs Key Assessment Requirements - Development Staging (1). <i>No reference to staging information....Difficult to provide an informed comment.</i>	Only stage 1 is proposed as part of this application. This matter has been previously addressed in this PPR.
Inconsistent with DGEARs Key Assessment Requirements - Biodiversity (1). <i>There is no assessment of the impact of disturbing that contamination on the surrounding waterways, particularly in relation to the groundwater aquifer.</i>	This matter has been previously addressed in this PPR.
Concern with DGEARs Key Assessment Requirements - Development Contributions (1).	This matter has been previously addressed in



LANDCOM Issue	Proponent's Response
<i>This issue will need to be addressed in full.</i>	this PPR.
Concern with DGEARs Key Assessment Requirements - Development Contributions (2). <i>Unclear how the funding of [the Sparks Road] intersection will be addressed by the proponent.</i>	It is Fabcot's understanding that the State Government is attending to this funding concern.
Concern with DGEARs Key Assessment Requirements - Transport and Accessibility (1b). <i>We reiterate that the major contributor to traffic flow through the RTA intersection and the access road will be the subject development as part of the Town Centre Zone.</i>	This matter is addressed in the traffic assessment at <b>Appendix K</b> .
Inconsistent with DGEARs Key Assessment Requirements - Transport and Accessibility (1e). <i>Refer to Section 4.2.1.1 of the IIA. It is unclear how this matter is to be addressed.</i>	This matter has been previously addressed in this PPR.
Inconsistent with DGEARs Key Assessment Requirements - Drainage and Stormwater Management (1). <i>Access and funding agreements should be included as a condition of any consent.</i> <i>[The Stormwater] plans present a catchment plan and conceptual piped drainage system for the subject site only it is therefore to provide informed comment.</i>	As above
Concern with DGEARs Key Assessment Requirements - Hydrology, Water Quality and Management (1). <i>Both reports conclude that site contamination exists, and that further assessment is required, This work should be undertaken, in consultation with adjoining landowners with relevant safeguards agreed.</i>	This matter has been previously addressed in this PPR.
Inconsistent with DGEARs Key Assessment Requirements - Topography and Site Preparation (2). <i>We find no mention of the methodology for transporting material or for controlling the disturbed contaminants. Nor is there any detailed discussion of where any material for disposal will be taken.</i> <i>The application suggests that these matters will be addressed later by the contractors, and does</i>	This matter has been previously addressed in this PPR.



LANDCOM Issue	Proponent's Response
<i>not address them.</i>	
Inconsistent with DGEARs Key Assessment Requirements - Topography and Site Preparation (3). <i>[As a result of the above previous concern] it is therefore difficult to provide informed comment.</i>	This matter has been previously addressed in this PPR.
Inconsistent with DGEARs Key Assessment Requirements - Geotechnical and Contamination (1). <i>We find no detailed discussion addressing this matter. It is therefore difficult to provide an informed comment.</i>	This matter has been previously addressed in this PPR.
Inconsistent with DGEARs Key Assessment Requirements - Geotechnical and Contamination (2). <i>We find no detailed discussion addressing this matter....It is therefore difficult to provide an informed comment.</i>	This matter has been previously addressed in this PPR.
Inconsistent with DGEARs Key Assessment Requirements - Utilities Infrastructure (1). <i>Access and funding agreements should be included as a condition of any consent.</i>	This matter has been previously addressed in this PPR.

Table 6 below provides a summary and responses to the submission from NSW Department of Education and Communities.

**Table 6: Responses to NSW Department of Education and Communities Submission**

NSW Department of Education & Communities Issue	Proponents Response
No objections	Noted.

Table 7 below provides a summary and responses to the submission from Wyong Shire Council dated 4 October 2012.

**Table 7: Responses to Wyong Shire Council Submission dated 4 October 2011**



Wyong Shire Council (4 October 2011 Submission) – As A Landowner - Issues	Proponent's Response
<i>Council requests that these revised road levels are implemented to improve the functionality of the town centre and interrelated community.</i>	Noted
<i>Neither the elevation or sectional drawings indicate the location of the eastern elevation being the BIG W external wall from the boundary between the adjoin allotment Lot 1 DP 376264.</i>	This has been rectified as part of the amended architectural drawing set at <b>Appendix A</b> .
<i>Length and Height of the Big W eastern Wall in regards to its size, bulk and visual impact from the park and adjoining lands.</i>	<p>The design has been amended so as the visual presentation of the eastern elevation has been improved when compared the design in the EA.</p> <p>The eastern side of Town Centre core abuts Wyong Council land which has future development potential. However in the interim the visual amenity of the built form has been considered so that a variety of building materials and striking architectural forms present well to the east until such time as future development occurs.</p>
The finished floor height of the Big W eastern wall has not been illustrated.	The finished floor height of the Big W in RL 45. The condenser deck at the eastern boundary roof plan is at RL 54.325 – refer to <b>Appendix A</b> .
The proposed location of the Tavern is not appropriate and should be relocated to the Dan Murphy's site.	There is no tavern proposed in the PPR.
The built form must not impose or be a burden for future developments on adjoining lands.	Noted.
<i>The construction zone must be clearly determined.</i>	This can be conditioned.
<i>Council requires the dedication of all public roads to Council.</i>	This matter has been previously addressed in this PPR.

Table 8 below provides a summary and responses to the submission from NSW Department of Transport – Railcorp.



**Table 8: Responses to NSW Department of Transport – Railcorp Submission**

NSW Department of Transport - Railcorp	Proponents Response
<p>Appendix S – Traffic Report states the followings:</p> <p>“Warnervale railway station will be relocated from its existing location to the new town centre.”</p> <p>This should be replace with the following:</p> <p><i>The new North Warnervale Station is located 1.5 km north of the existing Warnervale Station</i></p>	<p>Refer to revised traffic impact report at <b>Appendix K</b>.</p>
<p><i>RailCorp requests that the EA provides an indication on the proposed location of the remaining 280 spaces for the commuter car parking along with details on how these commuter spaces will be distinguished from retail and commercial spaces.</i></p>	<p>Commuter car parking is shown in this Stage 1 design for 177 at-grade parking spaces in the amended architectural drawings at <b>Appendix A</b>.</p>
<p>List of Draft Conditions of Consent.</p>	<p>This is a matter for the Department to consider and the proponent would like to participate in the consideration of any draft conditions prior to their finalisation.</p>

Table 9 below provides a summary and responses to the submission from RTA (now RMS).

**Table 9: Responses to RTA Submission**

Roads And Traffic Authority	Proponents Response
<p>No objections provided that the list of conditions stated are included in the Minister's of approval.</p>	<p>This matter has been addressed previously in this PPR.</p>





Table 10 below provides a summary and responses to the submission from Ausgrid.

**Table 10: Responses to Ausgrid Submission**

AUSGRID	Proponents Response
No objection.	Noted.

Table 11 below provides a summary and responses to the submission from NSW Rural Fire Service.

**Table 11: Responses to NSW Rural Fire Service Submission**

NSW Rural Fire Service	Proponents Response
<i>No specific information has been provided in regards to bush fire and compliance with Planning for Bush Fire Protection 2006.</i>	The application was supported by the bushfire information resultant from the SSS Study. It is noted that this matter was not raised by the DP&I, should the DP&I now seek this information, the proponent requests this clarification in writing.
As the development is proposed in stages there are concerns for the <i>remaining and unmanaged vegetation on the adjoining land but within the site.</i>	Noted.

Table 12 below provides a summary and responses to the submission from NSW Department of Transport.

**Table 12: Responses to NSW Department of Transport Submission**

NSW DEPARTMENT of TRANSPORT	Proponents response
<i>The possible relocation of Warnervale station to a location approximately 1.5km further north to link with the new Town Centre at North Warnervale, adjacent to the site.</i>	Noted. The location of the station has been confirmed and is reflected in the drawings submitted with this PPR.
Conditions for consent are recommended.	Noted
<i>Safety and design at the interface of Main Street (W06), road W01 and the proposed station for pedestrians and cyclists.</i>	This has been addressed previously in this PPR.



Table 13 below provides a summary and responses to the submission from NSW Office of Environment and Heritage.

**Table 13: Responses to NSW Office of Environment and Heritage Submission**

NSW OFFICE OF ENVIRONMENT & HERITAGE (OEH)	Proponents response
<i>Surveys greater than five years old would require re-surveying....Consequently OEH has been unable to provide a review or any flora and fauna assessments.</i>	The proponent believes the information is adequate for the proposed development, as the site has been cleared and no threatened species, communities or habitats were identified in these investigations.
<p><i>OEH considers the following work is required to be undertaken to inform a determination of the application:</i></p> <ul style="list-style-type: none"> <li>- <i>Additional Aboriginal cultural heritage field assessment</i></li> <li>- <i>A current Aboriginal Heritage Information Management System;</i></li> <li>- <i>Local Aboriginal community consultation process to be undertaken.</i></li> </ul>	The proponent has undertaken additional consultation and this has been previously discussed in this PPR.

Table 14 below provides a summary and responses to the submission from Wyong Shire Council dated 21 October 2011.

**Table 14: Responses to Wyong Shire Council submission dated 21 October 2011**

WYONG SHIRE COUNCIL (21 OCTOBER 2011 SUBMISSION)	Proponents response
<i>1. It is considered imperative that the application provides detail on how the rest of Precinct 6 will achieve the targets, as illustrated in WTCDP 2008 Figure 2.12.</i>	The proposed development involves stage 1 buildings and does not preclude the "rest of Precinct" in future application/s.
<i>2. Doesn't give adequate justification as to why the proposed development cannot comply with the WTCDP requirements for the minimum area required for a Civic Square.</i>	It is considered that the information contained in the original EA and this PPR adequately addresses these matters.
<i>2. A lack of information has been provided on the form and functionality of the proposed Civic Square, particularly given the proposed Square</i>	It is considered that the information contained in the original EA and this PPR adequately



WYONG SHIRE COUNCIL (21 OCTOBER 2011 SUBMISSION)	Proponents response
<i>is dissected by a Main Road.</i>	addresses these matters.
3. A youth space (a minimum of 1,000m <sup>2</sup> ) should be designated on the plans.	This proposed development does not seek approval for a youth space and such space could be accommodated within other portions of the Town Centre Civic or Town Centre Civic Fringe Precincts.
4. Insufficient information has been provided .... as to the proposed staging of the development.	This PPR proposes only Stage 1 development and seeks approval for the same as shown in <b>Appendix A</b> .
5. Does not adequately meet sustainable design principles in terms of sunlight, natural ventilation, wind, reflectivity, visual and acoustic privacy, energy and water efficiency.	It is considered that the information contained in the original EA and this PPR adequately addresses these matters.
6. No justification has been provided as to why a library has not been incorporated into the design.	<p>The proposed development does not specifically include a library usage.</p> <p>The WTC DCP 2012 indicates that this use is also suitable within land in the Town Centre Civic Fringe Precinct of which Council has some ownership and therefore can accommodate a library in the future.</p> <p>The design does not preclude the Council occupying floor area within the proposed development for the purposes of a library subject to commercial negotiations.</p>
7. No landscaping details have been provided	Please refer to <b>Appendix J</b> .
8. The location of the Service Station has not been specified, nor is its location identified on the plans.	No service station is proposed in stage 1.
9. Consideration of the aims and objectives for Planning for Bushfire Protection 2006.	It is considered that the information contained in the original EA and this PPR adequately addresses these matters.



<b>WYONG SHIRE COUNCIL (21 OCTOBER 2011 SUBMISSION)</b>	<b>Proponents response</b>
<p>10. <i>In the absence of a formally adopted Section 94E Contributions Plan for the site, it will be necessary for the proponent to enter into a Voluntary Planning Agreement (VPA) with Council prior to the granting of a project approval for the proposal.</i></p>	<p>It is considered that the information contained in the original EA and this PPR adequately addresses these matters.</p>
<p>11. <i>Inaccurate representation of the architectural form/design portrayed by the photomontages.</i></p>	<p>It is considered that the information contained in the original EA and this PPR adequately addresses these matters.</p>
<p>12. <i>The scale, form and massing of the Big W/ Cinema Building and associated earthworks appears excessive</i></p>	<p>It is considered that the information contained in the original EA and this PPR adequately addresses these matters.</p>
<p>13. <i>Additional contamination investigations should be carried out on the subject site, prior to determination</i></p>	<p>It is considered that the information contained in the original EA and this PPR adequately addresses these matters.</p>
<p>14. <i>Concern is raised for the proposed setbacks to Road WOS having regard to the amenity for future development the adjoining properties to the south</i></p>	<p>It is considered that the information contained in the original EA and this PPR adequately addresses these matters.</p>
<p>15. <i>A Water Sensitive Urban Design Strategy (WSUD) must be prepared by the applicant outlining how the development will comply with the requirements, and deliver the various elements, of the WTC Integrated Water Cycle Management Strategy (IWCM). The EA discusses the water sensitive urban design strategy at a philosophical level within the main body of the report and again in appendices E, G and M with compliance claimed in each reference.</i></p>	<p>It is considered that the information contained in the original EA and this PPR adequately addresses these matters.</p>
<p>16. <i>Owners consent must be obtained from neighbouring properties for the construction of service/road corridors for water and sewer infrastructure and servicing.</i></p>	<p>Fabcot has advised that no other land owners consent is required.</p>
<p>17. <i>Typical service location shown should be amended to comply with the requirements of Council's Development Control Plan 2005 Chapter 67 – Engineering Requirements for</i></p>	<p>It is considered that the information contained in the original EA and this PPR adequately addresses these matters.</p>



WYONG SHIRE COUNCIL (21 OCTOBER 2011 SUBMISSION)	Proponents response
<i>Development.</i>	
19. <i>The lower carparking rates stated in the RTA Guide for Traffic Generating Development does not have sufficient justification.</i>	It is considered that the information contained in the original EA and this PPR adequately addresses these matters.
20. <i>Concerns are raised over the inclusion of the leisure/entertainment uses within the general retail carparking generation figures considering there are different car parking rates for these types of uses.</i>	It is considered that the information contained in the original EA and this PPR adequately addresses these matters.
22. <i>The parking layout requires amendment to cater for pedestrian movement on significant pedestrian desire lines.</i>	It is considered that the information contained in the original EA and this PPR adequately addresses these matters.
23. <i>The development plans require amendment to provide appropriate bicycle storage, lockers and showers.</i>	It is considered that the information contained in the original EA and this PPR adequately addresses these matters.
24. <i>The carparking proposed adjacent to the proposed Civic Square on Retail level 1 fails to comply with Clause 7.4(g) of WTCDP.</i>	It is considered that the information contained in the original EA and this PPR adequately addresses these matters.
25. <i>Disposal details should be provided prior to commencement of works. Additionally, Geotechnical/Structural Engineering certifications will be recommended for all retaining structures and steep batter slopes (exceeding 1:3).</i>	It is considered that the information contained in the original EA and this PPR adequately addresses these matters.
26. <i>Signalising the Sparks Road intersections at Hiawatha Road and Virginia Road....would be creating unsafe movements in other locations to make those intersections left in and left out only.</i>	The intersection does not form part of this application. The matter is the subject of a REF which is currently under consideration by the RMS.
27. <i>Owners consent must be obtained from neighbouring properties where required for road corridors.</i>	Noted
28. <i>The perimeter road around the open space, as shown in the WTCDP is not practicable and therefore will never be constructed.</i>	The WTC DCP 2012 has been amended to address this issue.



WYONG SHIRE COUNCIL (21 OCTOBER 2011 SUBMISSION)	Proponents response
<p>29. It does not appear to be any provision for a future Taxi stand in the vicinity of the future railway station.</p>	<p>The taxi stand has been provided within the design of Main street W06 – refer to the drawings in <b>Appendix A</b>.</p>
<p>31. Further clarification is required from the developer in relation to road commitments to be completed with the development</p>	<p>It is considered that the information contained in the original EA and this PPR adequately addresses these matters.</p>
<p>32. The roundabout must be located and designed so that no additional road width is required over and above the normal lane widths beyond the eastern railway boundary.</p>	<p>At present, the proponent does not propose a roundabout beyond the eastern railway boundary.</p>
<p>34 The proposed RL at the intersection of road W06 and W04 (plan 10S183C-MPEA13) will create an unacceptable 5.0 metre cut /batter or retaining structure which will sever connectivity between the commercial/residential developments and the town park.</p>	<p>The edge of the road will be finished as per the civil drawing information submitted in <b>Appendix I</b>.</p>
<p>35 Road W-06 shown on plan 10S183C-MPEAOS should be modified to show 3.2 metre wide travel lanes, with 2.5 metre wide parking lanes. It is suggested that the footpaths be widened to 4.5 metre wide.</p>	<p>Details are as per the civil drawing information contained in <b>Appendix I</b>.</p>
<p>36. The Main Road must be transferred into Council ownership.</p>	<p>Fabcot is prepared to dedicate Main Street in a stratum lot arrangement limited in height and depth to allow for the basement level car parking area to be retained in the development and with easements to allow for services. Refer to the drawing information at <b>Appendix A</b>.</p>
<p>37. The length of the "kiss and ride" facility appears inadequate. Provision should be made for at least five carparking spaces.</p>	<p>The kiss and ride facility is now located in W06 Main Street.</p>
<p>38. Traffic signals should be provided at the intersection of Road W-01 and Road W-06 to cater for the anticipated pedestrian movements between the proposed railway station and the Woolworths development</p>	<p>This will be implemented as per REF 2.</p>



<b>WYONG SHIRE COUNCIL (21 OCTOBER 2011 SUBMISSION)</b>	<b>Proponents response</b>
<p>39. <i>Traffic signals should be provided at the intersection of Road W-01 and Road w-os to provide the necessary safety for all traffic, pedestrian and cycling movements</i></p>	<p>This will be implemented as per REF 2.</p>
<p>40. <i>The application does not contain any discussion in relation to the variation sought to WTCDP Section 6.6 (b), in relation to gaining access to the carparks from the transport interchange (Portion of Road wOI adjacent to railway corridor).</i></p> <p><i>The arrangement is not supported and the development plans require amendment to provide alternate vehicle access.</i></p>	<p>WTC DCP 2012 has been amended and the location proposed is in accordance with the WTC DCP 2012.</p>
<p>41. <i>The EA does not include any additional detailed surveys and identification work to describe the exact nature of the values on the site, impact of the development and mitigation measures, as required by the WTC DCP 2008</i></p>	<p>It is considered that the information contained in the original EA and this PPR adequately addresses these matters.</p>
<p>42. <i>it is Council's understanding that the offset strategy covered by the State Infrastructure Contribution that is in place for WTC does not relate to the proposed development, as it only applies to the residential development. The EA therefore does not sufficiently detail how the loss of habitat trees, and any native vegetation, as part of the proposed development will be offset.</i></p>	<p>It is considered that the information contained in the original EA and this PPR adequately addresses these matters.</p>
<p>43. <i>The EA makes no reference to the status of the biocertification application for WTC (as required in the DGRs) and makes no assessment as to whether the proposed development meets a maintain or improve outcome with or without biocertification (as per the objectives of the WTC DCP).</i></p>	<p>It is considered that the information contained in the original EA and this PPR adequately addresses these matters.</p>
<p>45. <i>Inadequate information has been provided to describe the exact nature, values and distribution of trees and identify measures for their maintenance and protection.</i></p>	<p>It is considered that the information contained in the original EA and this PPR adequately addresses these matters.</p>
<p>46. <i>No ecological mitigation measures have</i></p>	<p>It is considered that the information contained in</p>





<b>WYONG SHIRE COUNCIL (21 OCTOBER 2011 SUBMISSION)</b>	<b>Proponents response</b>
<i>been provided for the proposed development (as required in the DGRs</i>	the original EA and this PPR adequately addresses these matters.
<i>47. The EA does not consider the potential impacts of the proposed development on the surrounding waterways in terms of aquatic ecosystems (as required in the DGRs). Either an interim stormwater management plan is required or an agreement between the land owners reached in regards to timing of construction of the basin.</i>	It is considered that the information contained in the original EA and this PPR adequately addresses these matters.
<i>48. No landscape design and plan has been submitted that demonstrates how the objectives of the WTC DCP will be met, including integration of biodiversity values through inclusion of local indigenous species, tree species requiring deep soil planting</i>	It is considered that the information contained in the original EA and this PPR adequately addresses these matters.
<i>51. It is recommended that the Social Impact Assessment should include additional information such as an analysis/ description of any possible negative impacts of the development or actions as to how these impacts may be reduced or mitigated and an analysis of local public transport demographic data and service provision.</i>	It is considered that the information contained in the original EA and this PPR adequately addresses these matters.
<i>52. Consider and demonstrate how the development will enhance the planned and current shared pathways/ cycleway (on and off road) linkages from the surrounding communities.</i>	It is considered that the information contained in the original EA and this PPR adequately addresses these matters.
<i>54. The Social Impact Assessment does not examine how the local community, who will be impacted by the development, will be engaged. The applicant should provide information demonstrating how this has, or will be, undertaken.</i>	It is considered that the information contained in the original EA and this PPR adequately addresses these matters.
<i>55. As the total value of this project will be more than \$20 million Wyong Shire Council's DCP 2005 Chapter 112 - Public Art 2.1.1 Major Development applies. The Director General Requirements require consideration of Wyong</i>	It is considered that the information contained in the original EA and this PPR adequately addresses these matters.



WYONG SHIRE COUNCIL (21 OCTOBER 2011 SUBMISSION)	Proponents response
<i>DCP 2005 Chapter 112-Public Art.</i>	
<i>1. It is considered imperative that the application provides detail on how the rest of Precinct 6 will achieve the targets, as illustrated in WTCDP 2008 Figure 2.12.</i>	It is considered that the information contained in the original EA and this PPR adequately addresses these matters.
<i>2. Does it give adequate justification as to why the proposed development cannot comply with the WTCDP requirements for the minimum area required for a Civic Square.</i>	It is considered that the information contained in the original EA and this PPR adequately addresses these matters.
<i>2. A lack of information has been provided on the form and functionality of the proposed Civic Square, particularly given the proposed Square is dissected by a Main Road.</i>	It is considered that the information contained in the original EA and this PPR adequately addresses these matters.
<i>3. A youth space (a minimum of 1,000m<sup>2</sup>) should be designated on the plans.</i>	A youth space could form part of future development within the WTC but is not proposed in this Stage 1.
<i>4. Insufficient information has been provided .... as to the proposed staging of the development.</i>	This PPR seeks approval for only stage 1.
<i>5. Does not adequately meet sustainable design principles in terms of sunlight, natural ventilation, wind, reflectivity, visual and acoustic privacy, energy and water efficiency.</i>	It is considered that the information contained in the original EA and this PPR adequately addresses these matters.
<i>6. No justification has been provided as to why a library has not been incorporated into the design.</i>	<p>The proposed development does not specifically include a library usage.</p> <p>The WTC DCP 2012 indicates that this use is also suitable within land in the Town Centre Civic Fringe Precinct of which Council some ownership and therefore can accommodate a library in the future.</p> <p>The design does not preclude the Council occupying floor area within the proposed development for the purposes of a library subject to commercial negotiations.</p>
<i>7. No landscaping details have been provided</i>	Refer to Appendix J



<b>WYONG SHIRE COUNCIL (21 OCTOBER 2011 SUBMISSION)</b>	<b>Proponents response</b>
<i>8. The location of the Service Station has not been specified, nor is its location identified on the plans.</i>	No service station is now proposed.
<i>9. Consideration of the aims and objectives for Planning for Bushfire Protection 2006.</i>	The application was supported by the bushfire information resultant from the SSS Study. It is noted that this matter was not raised by the DP&I, should the DP&I now seek this information, the proponent requests this clarification in writing.
<i>10. In the absence of a formally adopted Section 94E Contributions Plan for the site, it will be necessary for the proponent to enter into a Voluntary Planning Agreement (VPA) with Council prior to the granting of a project approval for the proposal.</i>	The proposal involves substantial public benefit works which have been fully costed, which are proposed in lieu of a Section 94 Contribution condition and therefore a VPA is not required.
<i>11. Inaccurate representation of the architectural form/design portrayed by the photomontages.</i>	The elevations have been amended and new perspectives have been prepared.
<i>12. The scale, form and massing of the Big W/ Cinema Building and associated earthworks appears excessive</i>	It is considered that the information contained in the original EA and this PPR adequately addresses these matters.
<i>13. Additional contamination investigations should be carried out on the subject site, prior to determination</i>	It is considered that the information contained in the original EA and this PPR adequately addresses these matters.
<i>14. Concern is raised for the proposed setbacks to Road WOS having regard to the amenity for future development the adjoining properties to the south</i>	It is considered that the information contained in the original EA and this PPR adequately addresses these matters.



### 3.2 GENERAL PUBLIC

TPG NSW has also prepared responses to the issues raised in the submissions made from the general public in regards to the proposed development on behalf of the proponent. As the Department did not give numeric value issue to these submissions, TPG NSW has addressed each submission in the sequential order that they were provided on the Department's website. This information can be found at Table 15 as follows.

**Table 15: Concerns raised in general public's submissions**

SUBMISSION NUMBER	ISSUES RAISED IN PUBLIC SUBMISSION	TPG NSW RESPONSE
1	None.	No planning issue to address, comment noted.
2	- <i>Lacking coverage of water and stormwater issues</i>	It is considered that the information contained in the original EA and this PPR adequately addresses these matters.
	- <i>Concept designs should include water quality and water balance modelling as a minimum.</i>	
	- <i>How will stormwater be treated before leaving the development?</i>	
	- <i>Where will the treatment devices be located?</i>	
	- The stormwater drainage plans do not reflect ESD as there is no inclusion of IWCM or WSUD.	
	- No Mention of the SEPP No.14 Coastal Wetlands (Section 7-2). As the site falls within the Porters Creek Wetland catchment this should be addressed.	The subject location of the proposed development is not identified as a SEPP 14 wetland.
3	None.	No planning issue to address, comment noted.



#### 4. CONCLUSION

The original Environmental Assessment and its appendices, this combined Preferred Project Report and Submissions Report and Revised Statement of Commitments which can be found at **Appendix H**, have been prepared to address the Director General's Environmental Requirements (DGEARs) for the Project Application - ref *MP No.10\_0195* and respond to the concerns raised in the submissions and by the Department.



## **APPENDIX A**

### **Reduced Size Set of Amended Architectural Drawings**







## **APPENDIX B**

### **Comparative Summary of Drawing Changes**





**APPENDIX C**  
**Amended Compliance Tables**





## **APPENDIX D**

### **Amended CPTED Report and design Statement**





## **APPENDIX E**

### **Aboriginal Consultation**







## **APPENDIX F**

### **Contamination Statement**





## **APPENDIX G**

### **Economic Report – Assessment of Stage 1 retail potential**





## **APPENDIX H**

### **Revised Statement of Commitments**







## **APPENDIX I**

### **Amended Stormwater Concept and Service Strategy Stage 1**





## **APPENDIX J**

### **Amended Landscape Concept**





## **APPENDIX K**

### **Revised Traffic Report and Statement**





## **APPENDIX L**

### **Woolworths Sustainability Initiatives Brochure**







## **APPENDIX M**

### **Amended Social Impact Assessment**





## **APPENDIX N**

### **Revised QS Certificate and Summary of Costs of Public Benefits**





## **APPENDIX O**

### **Analysis of Public Spaces**







## **APPENDIX P**

### **Perspectives**

