



Planning

1 December 2010

Contact: David McNamara
Phone: (02) 9228 6523
Fax: (02) 9228 6455
Email: david.mcnamara@planning.nsw.gov.au

Marian Higgins
Director
The Planning Group
Po Box 1612
NORTH SYDNEY NSW 2059

Our ref.: MP 10_0195

Dear Ms Higgins

**Subject: Director-General's Requirements for Warnervale Town Centre,
Woolworth's Retail Development (MP 10_0195)**

The Department has received your application for the above project, lodged on behalf of Fabcot Pty Ltd.

I have attached a copy of the Director-General's Requirements (DGRs) for the preparation of an Environmental Assessment (EA) for the project. These requirements have been prepared in consultation with relevant government authorities.

I have also attached a copy of the government authorities' comments for your information. A number of these submissions provide more detailed comments and information that needs to be considered by the proponent as part of the Environmental Assessment preparation process.

The DGRs have been prepared based on the information you have provided to date. Please note that under section 75F(3) of the *Environmental Planning and Assessment Act 1979*, the Director-General may alter these requirements at any time. If you do not submit an Environmental Assessment for the project within 2 years, the DGRs will expire.

Prior to exhibiting the Environmental Assessment that you submit for the project, the Department will review the document to determine if it adequately addresses the DGRs. The Department may consult with other relevant government authorities in making this decision. Please provide 2 hard copies and 6 electronic copies¹ of the Environmental Assessment to assist with this review.

If the Director-General considers that the Environmental Assessment does not adequately address the DGRs, the Director-General may require you to revise the Environmental Assessment. Once the Director-General is satisfied that the DGRs have been adequately addressed, the Environmental Assessment will be made publicly available for at least 30 days.

¹ File parts must be no greater than 5Mb each. File parts should be logically named and divided.

If your project is likely to have a significant impact on matters of National Environmental Significance, it will require an approval under the Commonwealth *Environment Protection and Biodiversity Conservation Act 1999* (EPBC Act). This approval would be in addition to any approvals required under NSW legislation and it is your responsibility to contact the Department of Sustainability, Environment, Water, Population and Communities to determine if an approval under the EPBC Act is required for your project (<http://www.environment.gov.au> or 6274 1111).

Your contact officer for this proposal, David McNamara, can be contacted on (02) 9228 6523 or via email at david.mcnamara@planning.nsw.gov.au. Please mark all correspondence regarding the proposal to the attention of the contact officer.

Yours sincerely,

A handwritten signature in black ink, appearing to read 'Michael File', written in a cursive style.

Michael File
Director Strategic Assessment

Director-General's Requirements

Section 75F of the *Environmental Planning and Assessment Act 1979*

Application No.	MP10_0195
Project Description	Project Application for a mixed use development (retail with ancillary commercial and leisure components) within the Warnervale Town Centre, comprising: • Works involving construction of 43,225m² of floor space and ancillary components of the town centre. • Provision of 1,879 car parking spaces; • Petrol station located to the north of the main retail area; and • Construction of associated physical infrastructure (on and off site) including new access roads, intersections, communications, energy, water supply and sewerage.
CIV	\$154.2 million
Site	Nikko Road, Warnervale Town Centre, Warnervale
Proponent	Fabcot Pty Ltd
Date of Issue	1 December 2010
Date of Expiration	If the environmental assessment is not exhibited within 2 years after this date, the applicant must consult further with the Director-General in relation to the preparation of the environmental assessment.
General requirements	The Environmental Assessment (EA) must include (1) An executive summary; (2) A detailed description of the project including the: (a) details of and justification for works proposed; (b) alternatives considered including revised town centre configurations being proposed by adjoining landowners; and (c) various components and stages of the project including the coordination and staging infrastructure provision and the indicative timing of each stage. (3) A consideration of the following with any variations to be justified: (a) all relevant State Environmental Planning Policies, in particular Part 16, Schedule 3, of the Major Project SEPP; (b) the Warnervale Town Centre Development Control Plan; (c) any other relevant Council LEP, DCP, strategy and policy instruments; (d) NSW Health Healthy Urban Development Checklist 2009; and (e) all other relevant legislation and policies. (4) A detailed conclusion justifying the project, taking into consideration the environmental impacts of the proposal, mitigation measures to address these impacts, the cumulative impacts of the proposal, the suitability of the site, and whether or not the project is in the public interest; (5) A draft Statement of Commitments, outlining commitments to infrastructure provision as well as the project's management, mitigation and monitoring measures with a clear identification of timeframes and responsibilities; (6) A signed statement from the author of the EA certifying that the information contained in the report is neither false nor misleading; and (7) A report from a quantity surveyor identifying the capital investment value of the Project Application including the estimated cost of future development.
Key Assessment Requirements	The EA is to address the following issues: Built form/urban design (1) The proposal will create a distinct image and character for the future Warnervale Town Centre (WTC), therefore its focus needs to be on delivering an integrated hill top town centre, not only a retail centre. The objectives and controls of the WTC DCP should be complied with unless departures are demonstrated to deliver a better overall outcome for the town centre.

- (2) Demonstrate high quality architecture and urban design outcomes that facilitate the integration of key town centre precincts (station, civic square and civic precincts) and adjoining areas of the Warnervale Town Centre. Specific reference should be given to the proposed levels and grades of the station, streets and public domain spaces. Other key adjoining elements include remaining Fabcot lands north towards Hakone Road, town park, community facilities and adjoining development sites (in particular of the Council's land to the east).
- (3) Prepare a comprehensive architectural design analysis outlining the methodology used to develop the design and configuration of the proposal. This should include an analysis of the design options that were considered in order to demonstrate that the submitted proposal promotes design excellence. This position should be supported by design details of the facades, massing, setbacks, building articulation, landscaping, safety by design (CPTED) principles and the public domain design and finishes.
- (4) The civic square is required to be a total of 2,700m² designed as fully accessible public space not a public roadway or fully enclosed as part of the shopping centre. The space(s) should be activated along their edges by shops, cafes, restaurants, community uses and access to the shopping centre and commuter car parking.
- (5) The submission should include detailed sections and elevations of the proposed development to 1:500 scale. All interfaces of development to adjoining sites and streets should be shown.
- (6) A number of fully verified photomontages should be developed of the proposal utilising GIS to incorporate accurate topographic data. The required views are from: Sparks Road, the proposed railway station and the crescent road around the proposed central park.
- (7) Three dimensional studies of the proposed development on all the blocks associated with the proposal should be presented in the context of the overall Warnervale Town Centre master plan and future development scenarios.
- (8) Identify the extent of any overshadowing on the proposed residential precincts to the south of the site.
- (9) Detailed design of infrastructure including roads (including typical cross sections and long sections as per the DCP cross sections illustrating any proposed variations if applicable), drainage, open space, water supply, sewer, pavements, street and public domain lighting, pedestrian and bicycle infrastructure.
- (10) The large floor plate retail outlets should be located in such a way on site to allow for good interfaces of smaller retail shops to be accommodated along the streets and to allow for good interfaces with the adjoining sites.

Residential land use opportunities

- (1) Identify a component of residential development to be provided as part of the proposal. Illustrate appropriate development footprints, storeys, residential amenity (given proximity to commercial uses) and the approximate yield (include and document reasonable assumptions as necessary).
- (2) Demonstrate that the proposed retail and commercial built form is capable of supporting a residential structure above it now or in the future. This should include references to the structural integrity of the building and the ability of the proposed retail/commercial built form to be converted to allow suitable access and car parking arrangements for future residential development.

Design, ownership and maintenance of the public domain

- (1) Have regard to the Wyong Shire Council Public Art Policy and DCP and the Draft Public Domain Plan for the town centre.
- (2) Provide details of the proposed ownership and management arrangements for publically accessible lands including all proposed public roads, access ways, parks and other publically accessible areas in the town centre.

Development staging

- (1) Provide details of the staging of development including a staging plan clearly identifying each stage of the retail project and the potential staging of the remainder of the site which will be subject to separate approvals.

Economic Impact Assessment

- (1) Address the economic impact of the proposal (including employment generation) and how it can support the aims and objectives of all relevant State, regional and local planning strategies.

Social impact assessment

- (1) An assessment should be provided that identifies how the social outcomes for Warnervale/Wadalba, identified within the Warnervale/Wadalba Human Services Strategy and the requirements of the WTC DCP are addressed by the proposal.
- (2) Assessment should consider the opportunities to integrate the community facilities identified by the DCP within the other functions of the town centre. The WTC should be a desired destination for people to live and use various services and the community facilities need to be part of that attraction.

Biodiversity

- (1) Assess any potential impact on any surrounding waterways in terms of water quality and aquatic ecosystems.
- (2) Have regard to draft or final Biodiversity Certification Assessments for the WTC.
- (3) Identify impacts of the development on threatened species and their habitats having regard to detailed consultation comments provide by DECCW during the preparation of the DGRs (DECCW letter dated 23 November 2010). Outline measures to avoid or mitigate impacts on threatened species and their habitat.

Heritage

- (1) Provide an archaeological assessment and heritage impact statement in accordance with NSW Heritage Office guidelines. The statement should assess the impacts of the application on the area and any significant components of the site, including indigenous heritage.
- (2) Provide an assessment in accordance with the draft Guidelines for Aboriginal Cultural Heritage Impact Assessment and Community Consultation (DEC 2005).

Development contributions

- (1) Provide a detailed analysis regarding development contributions in consultation with Wyong Council and any other relevant parties. Include a summary of all applicable local and state contribution frameworks and details of the proposed contributions with a detailed justification.
- (2) Key matters to be addressed should include (but not be limited to) commuter car parking, bus interchange, local roads, water and sewer infrastructure, community facilities, civic square and the Sparks Road/access Road intersection. Outline the various methods that the project will employ to mitigate impacts on infrastructure and services and timing of delivery.

Transport and accessibility

- (1) Provide a Transport and Accessibility Impact Assessment prepared with reference to the *Metropolitan Transport Plan – Connecting the City of Cities*, the *NSW State Plan 2010*, the *Draft Central Coast Regional Transport Strategy*, *NSW Planning Guidelines for Walking and Cycling*, the *Integrating Land Use and Transport Policy Package* and the RTA guide to Traffic Generating Development, which includes (but is not limited to) the following:
 - (a) Identify all relevant vehicular traffic routes and intersections (existing and proposed) required for access and egress. Specific reference is to be made to service and delivery vehicle routes including along existing local roads from the F1 freeway in the west the Pacific Highway in the east for short, medium and long term timeframes;
 - (b) Identify the extent of any road improvements, including intersection upgrades, required on existing and proposed road network to cater for the largest anticipated service and delivery vehicles in the short, medium and long term;
 - (c) Current traffic counts for all existing traffic routes and intersections and the

anticipated vehicular traffic generated from the proposal;

- (d) Consideration of the traffic impact on the existing and future intersections and the capacity of the local and regional road network to safely and efficiently cater for the additional vehicular traffic generated;
- (e) Consider and assess any staging options for improvement works to the Sparks Road intersection based on the traffic generation of the development;
- (f) Demonstrate a minimalist approach to the provision of on site car parking for the proposed development having regard to the site's potential increased accessibility to public transport, future walkability, local planning controls and the RTA's *Guide to Traffic Generating Developments*;
- (g) Access, loading dock and car parking arrangements for all proposed uses;
- (h) Provide an analysis of public transport provision, walking and cycling connections within the vicinity of the site. Address the potential for improving accessibility to and from the site and connections to the wider region via sustainable transport modes. Identify measures to manage travel demand, increase the use of public and non car transport modes and assist in achieving the objectives and targets set out within the NSW State Plan 2010;
- (i) Demonstrate (following consultation with Transport NSW) that interchange facilities can be incorporated into the design of the town centre along with the facilitation of full access to the proposed North Warnervale Station;
- (j) The location and number of commuter car parking spaces to be provided within the site and the operational, safety and access arrangements (to and from the station) outside operating hours of the proposed retail centre; and
- (k) Address the potential for implementing a location specific sustainable travel plan, such as a Workplace Travel Plan (WTP) for workers and a Travel Access Guide (TAG) for future visitors and users of the site.

Ecologically sustainable development (ESD)

- (1) Detail how the development will commit to ESD principles in the design, construction and ongoing operation phases of the development and demonstrate the development has been assessed against a suitably accredited rating scheme to meet industry best practice.
- (2) The EA should outline commitments to sustainability including water reuse, reduction in water and energy use, waste minimisation and car dependency.

Drainage and stormwater management

- (1) The EA should address drainage and stormwater management issues, including: on site detention and re-use of stormwater; water sensitive urban design (WSUD); integrated water cycle management and drainage infrastructure.
- (2) Limit the amount of effective impervious area i.e. hard surfaces connected to the drainage network, through the use of previous surfaces such as green roofs, gardens, grass areas, permeable paving, etc.

Hydrology, water quality and management

- (1) Identify the impacts of the development on the existing hydrology, hydrogeology and geology of the site. **Note:** The hydrology impacts of development were previously quantified and addressed through the implementation of the Porter's Creek IWCM Scheme and this work should be acknowledged by the assessment.

Topography and site preparation

- (1) Provide a survey plan showing existing and proposed levels and proposed estimates of cut and fill necessary for the proposed works.
- (2) Details of the location for the disposal of excess cut and the methodology of transportation to this location.
- (3) The EA shall provide a preliminary construction management plan to address the potential impacts from construction and site preparation works.

	Geotechnical and contamination (1) Identify any implications for development of slope stability, rehabilitation (compaction) and the presence of potential and actual acid sulphate soils. Outline actions, management and mitigation measures required to address. (2) Identify and detail any measures to be undertaken to appropriately remediate the site, including protocols to address unexpected finds, in accordance with State Environmental Planning Policy No 55 – Remediation of Land (SEPP 55). Waste and chemicals (1) The EA must provide details of the quantity and type of any waste that is generated, received, handled, processed or disposed of at the premises. Waste must be classified according to DECCW's Waste Classification Guidelines (2008). Bushfire risk assessment (1) Provide an assessment against <i>Planning for Bush Fire Protection 2006</i> and identify the ongoing management arrangements required for any proposed APZs. Noise and vibration (1) Demonstrate that the proposal will be designed, constructed, operated and maintained so that there are no unacceptable impacts from noise and/or vibration. In relation to construction noise the assessment is to be in accordance with "NSW Interim Construction Noise Guidelines, DECC 2009" and for operational noise "NSW Industrial Noise Policy, January 2000" (2) In particular assess the noise and vibration impact from the existing rail line and the proposed railway station. This should be assessed with reference to <i>Development Near Rail Corridors and Busy Roads – Interim Guideline</i> prepared by the Department of Planning. Utilities infrastructure (1) Prepare a preliminary utility and infrastructure servicing strategy that provides evidence that the development can be adequately serviced in terms of water, sewerage, stormwater, gas, electricity and communication services.
Consultation Requirements	The EA should reference any consultation undertaken with relevant parties. You must undertake an appropriate level of consultation local Councils, relevant State and Commonwealth agencies, utility providers, emergency services, adjoining landowners and the local community, providing written documentation of any consultation carried out. If consultation has already been carried out or will only be undertaken during exhibition, this needs to be documented. Relevant agencies must include, but not be limited to: • Wyong Shire Council. • Transport NSW. • Roads and Traffic Authority. • Railcorp. • Department of Education and Training. • Department of Environment, Climate change and Water. • Commonwealth Department of Environment, Water, Heritage and the Arts. • Local Aboriginal Land Councils. • Rural Fire Service. • Utility/infrastructure providers. The EA shall clearly indicate the issues raised by stakeholders during consultation and how those matters have been addressed during preparation of the proposal.
Deemed refusal period	60 days (see Clause 8E of the <i>Environmental Planning & Assessment Regulation 2000</i>)
Landowners Information	The consent of all landowners is to be provided in accordance with Clause 8F of the <i>Environmental Planning and Assessment Regulation 2000</i>.