

**Interim Submission**  
**Pending resolution of issues associated with access to the**  
**Bay and Basin Leisure Centre precinct**

**SHOALHAVEN CITY COUNCIL**  
**ENVIRONMENTAL ASSESSMENT SUBMISSION TO THE NSW DEPARTMENT**  
**OF PLANNING**  
**PART 3A, ENVIRONMENTAL PLANNING & ASSESSMENT ACT, 1979**

**MAJOR PROJECT APPLICATION MP 06\_0205**  
**Modification No 2**

**PROPERTY:** The land within the Vincentia District Centre (VDC) being part of the Concept approval MP06\_0060 approved 25 January 2007.

**PROPOSAL:** Proposed MP06\_0205 VDC Stage 1 - Modification No 2 being modification to the VDC Stage 1 approval by delivery of the VDC is two stages with Stage 1 now being approx 22,600m<sup>2</sup> and the future Stage 2, being approx 9400m<sup>2</sup> floor area, and associated arrangements; and the delivery of various off-site works before occupation of the VDC Stage 1.

**APPLICANT:** Fabcot Pty Ltd

**OWNER:** Vincentia Nominees Pty Ltd

**DEPARTMENT OF PLANNING REFERENCE:** MP06\_0205 (Mod 2)

**COUNCIL REFERENCE:** 3A08/1006

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**TABLE OF CONTENTS**

	Summary
1.0	Proposed VDC Stage 1 - Modification No 2
2.0	Current Approval
3.0	The Library
4.0	The access road to the BBLC and community facilities
5.0	Car parking and delivery vehicle movements
5.1	Introduction
5.2	Moona Creek Road
5.3	Car parking
5.4	Loading bays
6.0	Acoustic controls
7.0	Landscaping
8.0	Stormwater, WSUD facilities
9.0	Traffic, Access, Roads and works in The Wool Road
9.1	Masson Wilson Twiney Report
9.2	New Intersection E
9.3	Access to and from Vincentia High School
9.4	New Intersection D

- 9.5 Council's SIDRA Analysis
- 10.0 Pedestrian pathways and facilities
  - 10.1 Pathways
  - 10.2 Pedestrian amenity and street furniture
- 11.0 Water and Sewer
- 12.0 Section 94
- 13.0 Proposed Statement of Commitments
- 14.0 Conclusion
  - Appendices
    - 1. Proposed Modification No 2
    - 2. Council Report and Resolution - 24 August 2010

## Summary

Council's submission raises a number of issues due to the change in staging delivery and Council requests that the proponent provides additional information and detail as outlined in this submission; and requests the Department review the application and make further amendments to approval conditions.

It is considered there are complex and as yet unresolved issues expressed in Section 4 for the delivery of required intersection and access roads that will impact of the Department's consideration.

## 1.0 Proposed VDC Stage 1 - Modification No 2

The proposed changes to the Vincentia District Centre (VDC) Stage 1 –Modification No 2 have come about by the sale of the VDC from Stockland Development Pty Ltd (Stockland) to Fabcot Pty Ltd (Fabcot). These are outlined in the Environmental Assessment Modification 2 Report (EAR-Mod 2) of The Planning Group (NSW) Pty Ltd (TPG) dated 30 June 2010, The result of the Mod 2, the major part of the overall development being delivered earlier than previously planned in the current Stage 1 approval creates impacts particularly in the timing of works in The Wool Road. The proposed Modification 2 is included in Appendix 1.

The EAR Mod 2 includes statements about associated works in Moona Creek Road and Naval College Road that are necessary for operations of the VDC but where Stockland has retained responsibility. A number of the previous Statement of Commitments and approvals that refer to Stockland being responsible have been transferred to Fabcot through conditions of the sale of the VDC to Fabcot.

The applicant has forwarded preliminary drawings prepared by Cardno Forbes Rigby (Cardno), engineering consultants, in respect of drainage proposals. The drawings are 46701 to 46711 and 46720 to 46722 (all are Revision P1). These have been used to assist parts of the council's submission, but are not such that are approved in this form by Council.

The applicant has forwarded preliminary plans prepared by Cardno in respect of The Wool Road proposals. The plans are 104016 -1001 drawings 1006 – 1011 and 1021 (all are Revision PO). These have been used to assist parts of the Council's submission, **but are not such that are approved in this form by Council.**

EAR-Mod 2 Appendix R includes reference to consultations with Council and includes emails dated 18 June and 7 July between the proponent's consultant Project Manager and planning consultant TPG. There was a meeting on 5 August 2010 between the proponent, Council staff and representatives of the Department and DECCW. The issues resulting from that meeting are included in Council's submission in Sections 3.0 (Library) and 4.0 (Access road to the Bay and Basin Leisure Centre and community facilities).

The staging plan also includes future development site (appearing similar to fast food outlets) in an area described in the January 2009 VDC approval as "land for future development and DOP submission Stage 4". Council assumes that the future development sites shown on the Daubey drawing DA0103 will be subject to a future Stage application to the Department. **This should be clarified in the approval.**

The proposed Pylon Sign shown on the approved January 2009 plan and the current modification at the corner of Access D and The Wool Road. There are no details provided and it should be excluded from the approval or a condition imposed that clarifies that the sign must comply with Council's Signage Strategy DCP 82. In that location, consideration should be given to Council's submission in Section 9.0 regarding provisions for moving traffic from The Wool Road to the VDC internal car park area.

## 2.0 Current Approval

The VDC Stage 1 was approved on 7 January 2009 as a three stage development with Stage 1 comprising approx 14000m<sup>2</sup> floor area, including two supermarkets, specialty shops, commercial space and a library. Stage 2 comprises an additional supermarket and specialty shops taking the aggregate floor area to 32,000m<sup>2</sup>.

The VDC Stage 1 – Modification 1 was approved on 10 April 2009 and this deleted two of the approval conditions relating to an underpass to Naval College Road, however the underpass will be delivered via the works that Stockland will undertake in conjunction with the consent granted to the Sydney Anglican Schools Ltd for Lot 1756 The Wool Road.

Various road upgrades required in The Wool Road as a consequence of the ultimate VDC development were required to be provided as the development proceeds. The Modification No 2 proposes The Wool Road work be expedited based on the timing of the occupation of the VDC Stage 1. As a further consequence, the new access road to serve the Council's Bay and Basin Leisure Centre (BBLC) and the planned future community facilities adjacent to the north of the BBLC is to be expedited in line with the other works in The Wool Road. It is noted that part of the overall requirements of the Department's approvals include the expected future road closure of the existing road access to the BBLC at the same timeframe for occupation of the VDC Stage 1.

The process for a road closure under the Roads Act 1993 has not been commenced and will be the subject of future negotiations between Council and Fabcot. Council must give consent to the closure of this local road. Council has resolved on 24 August 2010 to continue discussions with Fabcot and Government agencies to achieve an outcome, with Council's preferred outcome to be a new road access from

The Wool Road intersection and following the west side of the common boundary and linking with the existing point of access to the BBLC car park.

### **3.0 The Library**

This issue has been reported to Council and a copy of the Council Report and Council resolution is contained in Appendix 2.

Council does not object to the library being incorporated into future Stage 2 and does not require the use of the Stage 1 commercial floor area for provision of a temporary library. Council will continue negotiations with Fabcot concerning the arrangements and tenure for the provision of a library in accordance with Councils adopted Community Strategy and Library Report reviews.

### **4.0 The access road to the BBLC and community facilities**

This issue has been reported to Council and a copy of the Council Report and Councils resolution is contained in Appendix 2.

The current approval refers to Intersection D (being on The Wool Road and providing access to the new VDC car park) and Access E (being a new access from The Wool Road leading to the Bay and Basin Leisure Centre precinct).

The new intersections D and E and the existing access the BBLC are integral and must be carried out concurrently due to the proximity and need to maintain safety for traffic along this part of The Wool Road. It is not considered practical to only provide access D in isolation to achieving other access approvals.

A significant impact arises with the Mod 2 proposal to deliver a larger Stage 1 (22600m<sup>2</sup> floor area) because this requires that Access D be designed and constructed before occupation of VDC Stage 1, since the vehicle movements for the car park is unable to only utilise Moona Creek Road for entry/exit.

The existing access to the BBLC is contained within a local road under the ownership of Council and Council does not consent to its closure under the provisions of the Roads Act 1993 unless there are satisfactory provisions of an alternate access.

The design of a new road formation must take into account the constraints of the existing infrastructure in easements that exist and the final width necessary for two way movements and three lanes closer to the Wool Road ( similar to Cardno drawing 1010) will determine the reserve configuration. Council has provided comments on preliminary road designs that will be the subject of future consideration and referral to the Roads and Traffic Authority before determination and approvals are issued.

It is considered that the issues presented for the new Intersection E and the access road to the BBLC precinct must be resolved and the work done and completed before the occupation of VDC Stage 1. Should the Department enable the new access D while the future of the existing BBLC access road remains and issues for the new access remain unresolved a critical traffic safety issue for those using this

part of The Wool Road will result. **Council considers the traffic safety issues for this part of The Wool Road cannot be underestimated or ignored.**

## **5.0 Car parking and delivery vehicle movements**

### **5.1 Introduction**

It is noted that proposed Mod 2 is based on the earlier stage 1 approval dated 7 January 2009. However, the following are raised again as they remain strong concerns of Council for the future users of the VDC and are considered to need reconsideration by the Department. More detail is provided, below:

- (a) Upgrade works in Moona creek Road are identified in 5.2, below. The 90 degree car parking in Moona Creek Road is considered unsatisfactory in the context of the intended use as a public road and major district centre, the use of the section of road for larger delivery vehicles and buses. The Council's DCP18 –Car Parking does not include on-street car parking being included in the aggregate requirements.
- (b) There are inconsistencies in the assessed and provided car parking numbers and provisions for long vehicles
- (c) There are inconsistencies in requirements for acoustic impact mitigation.
- (d) There are inconsistencies in a number of statements, from Councils viewpoint, and these are discussed in this submission.

### **5.4 Moona Creek Road**

In regard to the Moona Creek Road, Council's Traffic unit have provided the following comments:

- Council Traffic Unit have considered the approval and the available road reserve widths of Moona Creek Road. Notwithstanding that Stockland and not Fabcot may have responsibility regarding Moona Creek Road, there are significant impacts caused from the VDC and therefore it is a strong recommendation that the following works be conditioned in Moona Creek Road (from south to north);
  - Moona Creek Road (between Naval College Road and the car park access) > two lanes northbound in Moona Creek Road including a single through lane and a single separate right turn bay (right turn lane) for protection of traffic turning into the car park
  - Moona Creek Road (between Naval College Road and the car park access) > two lanes southbound (exit to Naval College Road)
  - Moona Creek Road (between Naval College Road and the car park access) > median; of minimum 900mm width (include RTA pedestrian fence along full length of median in this section)
  - Moona Creek Road (intersection with car park access) > design must ensure that all traffic exiting the car park be forced to turn left out only by way of physical traffic island. Traffic Unit consider that it would be unsafe to allow traffic to turn right out at this location. Traffic may turn "in" to the car park from either direction
  - Moona Creek Road (between car park access and Halloran Street) > single lanes in each direction; and median; of minimum 2m width. No fence required along median.
  - Moona Creek Road (intersection with Halloran Street) > non mountable roundabout of inscribed circle R16m suitable for turning large rigid buses

- around; will provide satisfactory traffic management and improved pedestrian access
- Moona Creek Road (between Halloran Street and eastern roundabout) > single lanes in each direction; and median; of minimum 2m width. No fence required along median. On street car parking; change 90 degree angled car parking to 45 degree angled car parking. Traffic Unit consider 90 degree angled car parking would not be safe and if any parking is to be provided 45 degree angled parking (nose in) would be more appropriate.
- Moona Creek Road (at eastern roundabout) > roundabout is accepted; ensure mountable roundabout of inscribed circle R16m.

## 5.2 Car Parking

### (a) Car Park layout

The proponent has provided for aggregate car parking both permanent and temporary for Stage 1 and permanent layout once Stage 2 is completed.

The layout on the Rice Daubney plan DA0103 shows the central east-west boardwalk through the south car park. The Cardno layout / boardwalk plan 46701 shows a different layout where the parking spaces are located differently. To protect the integrity of the drainage system under the boardwalk, the Rice Daubney layout at this part of the layout is preferred.

The layout for car parking for people with a disability is to comply with AS2890.6-2009.

Submissions regarding the provisions for long vehicles are detailed, below.

### (b) Assessment of numbers.

The proponent has detailed car parking provision in a number of ways, however none can be adequately compared to what Council's DCP18 requires and comparison using floor area rather than the rates in the DCP is not possible. The inconsistencies do not make it possible to validate the proposal. For example;

(i) The EAR-Mod 2 in Executive Summary page 11(e) and in Section 3.1(e) states car parking numbers proposed for Stage 1 and Stage 2, including 55 spaces in Moona Creek Road with a total of 1360 (including the 55) after completing both stages.

(ii) In Section 2.2, Table 4, the car parking based on the current approval is shown, being a total of 1568 not including 78 proposed in Moona Creek Road.

(iii) In Section 3.3, Table 6, the proposed car parking under Mod 2 is shown, being a total of 1305 not including 55 proposed in Moona Creek Road.

(iv) Section 4.5.5 states "the modification is consistent with car parking requirements of DCP18" and this is discussed in the Halcrow Report - Appendix K.

(v) The Halcrow report in cl 3.5-parking provision and layout, and this includes 50 spaces being provided in Moona Creek Road and a total of 1355 spaces (including the 50)

(v) Council's DCP18 sets out rates based on gross leasable floor area. For the library component a rate of 1 space per 24m<sup>2</sup> is appropriate. The Section 3.3 Table 6 and Halcrow cl 3.5 cannot be compared with DCP18 and the statement in Section 4.5.5 must be questioned.

On "raw floor area" figures the number of car parking spaces under DCP18 could be as much as 1400. This is an example how the applicants application creates an inability to accurately assess the requirements and the provisions.

**Council requests that the proponent provides an accurate car parking validation, with none off site being included in the aggregate numbers.**

**(c) Provisions for long vehicles. (EAR cl 2.24)**

Council's submission at the time of VDC Stage 1 raised the need for long vehicle car parking to be provided. The VDC is in a prime holiday destination location and there will be a strong demand from caravan and motor-home combinations to use the VDC. Clause 2.24 indicates that 4 long vehicle spaces will be available along the edge of the southern temporary car park and then incorporated into the design of the stage 2 car parking area.

Council considers this is short-sighted in that the drawing DA0103 does not represent the statement in cl 2.24. The need for long vehicle parking should not be underestimated and should be provided as a permanent facility in Stage 1. The expected Stage 1 occupation is planned to coincide with the busy pre- Christmas trade and a peak holiday period. As such, there will be potentially maximum car parking demand at the outset. At the time when Stage 2 construction commences shopping patterns by residents and holiday visitors will be settled and permanent long vehicle parking should be determined at the earliest stage, suitably signposted and with appropriate manoeuvring and access arrangements. The current layout including separation bio-swales and landscaping does not currently enable the required provisions to be implemented.

**Council requests the Department to require further amendment to the parking layout to provide long vehicle parking in a permanent car park location in Stage 1**, because the modification that will result in Stage 1 being the major part of the overall development and the indeterminate timeframe for Stage 2. This request will require amendment to the wording of Condition 2.24.

**(d) Continuation of aggregate car parking during Stage 2**

There is a proposed car park that will remain for both stages and there are also temporary arrangements for Stage 1 provisions and then when both stages are complete. At the time when Stage 2 construction commences shopping patterns will be settled and maximum car parking should not be reduced.

**Council requests the Department include conditions that will ensure the minimum Stage 1 required car parking is available to Stage 1 when the Stage 2 work commences and the northern car park is out of service.**

### **5.3 Loading bays and delivery vehicles**

In each of the loading bays shown in Drawing DA0103 for Stage 1 and Stage 2 there will be fixed compactus and waste storage containers as well as long delivery vehicle manoeuvring. An assessment of each loading bay indicates that while vehicles may enter into the loading docks, they may not be able to depart in a forward direction into the internal roadway system. At the time of Construction Certificates the applicant will need to demonstrate that all vehicle types expected in the loading dock can execute access and manoeuvring as well as depart in a forward direction. The Halcrow Report cl 4.5 states this to be finalised at engineering design stage.

However, **Council requests that turning path plans for the delivery vehicles be submitted at this time to ensure the loading bays are workable.** It is considered that at this stage of assessment more information including a turning path plan for each loading dock and the largest expected vehicles is essential. In the design of the north car park at Stage 2, the practical access from Mona Creek Road roundabout to the two loading docks should also be tested with turning path plans at this time to avoid unnecessary changes to the development footprint.

## **6.0 Acoustic Controls**

There are issues relating to noise impacts that Council considers are not adequately resolved.

The Executive Summary page vii – refers to Heggies Report in Appendix H and this states that noise impacts are expected to two existing dwellings west of Moona Creek Road and Naval College Road intersection; to future dwellings that will be built in the residential development west of Moona Creek Road; and to the retirement living area that will be built opposite the VDC. The earlier VDC Stage 1 – DG's Assessment Report made reference to there being a 1.8m high acoustic treatment wall along part of Moona Creek Road and this is required during the VDC construction phase. There are variable development timeframes between the VDC Stages 1 and 2 and the new dwellings on the Bayswood residential lots.

Approval condition 2.33 addresses that a Section 88B Restriction is placed upon the affected adjacent residential lots (not within the VDC ownership) so future landowners will be required to incorporate architectural features to mitigate operational noise from the VDC. There is no reference to any assistance by the VDC owner to achieve this outcome. Similarly, there is no reference to any assistance by the VDC owner to assist the owners of the existing affected properties on the western side of Naval College Road that are outside the VCV and VDC footprint. Some clarification and commitment is requested.



Appendix H- Heggies Noise Report cl 4.2 states the loading dock has been restricted to only operate between 7am and 10pm, thus eliminating the risk of sleep disturbance. Review of the current approval and EAR-Mod 2 does not describe a restriction to the hours of operation of the loading dock. Council's experience of the Woolworths supermarket and the Stockland Nowra complex is that delivery vehicles are known to operate from as early as 4.00am and later than 10.00pm. This is especially due to delivery vehicles being on a multi location delivery run that sets the schedule for deliveries. It is considered that the Heggies report should consider the likelihood of a wider spread of hours for noise assessment and mitigation requirements.

**Council requests the Department to address this matter with amendment to Condition 2.33.**

## **7.0 Landscaping**

The proposed landscaping appears to be consistent with the original proposal and Council generally support the landscaping component. However the following comments are in regard to the proposed landscape treatments:

- 1) Buffer Planting along Naval College and The Wool Road:  
It is considered imperative that the development has an effective screen/buffer planting adjacent to these 2 main roads.
  - i) There is no screen planting shown adjacent to the 2<sup>nd</sup> stage car park. This is not acceptable on this prominent corner of the development. It is unclear if the existing buffer is to be removed or retained.
  - ii) If overhead wires are present the mature height of any plantings should not exceed 4 metres. If there are no overhead wires present the proposed Native Buffer Planting Tree Mix is acceptable.
  - iii) Overhead wires should be placed underground where possible to reduce the visual impact/dominance of this utility. The recently installed power lines at the Bayswood entrance detract from the development and have affected the natural amenity of Naval College Road.
- 2) It is important to install Root Barrier adjacent to all paths and kerbs (ie medians) where trees are proposed. This is noted in condition 2.37.
- 3) Ecological Sustainable Development (ESD) principals should be considered in relation to the design and construction and choice of materials for the timber boardwalk. Council recommends that all timbers be either plantation timbers, timbers from a sustainable source or recycled timber/plastic products (such as 'Modwood' or similar).
- 4) There is no indication of what material the 'Bike Track' is constructed of. Council would prefer the path to be a 'Shared User Path' (minimum of 2m wide) to connect with the network of shared paths within the immediate surrounds of the development and to be constructed of concrete or similar low maintenance materials when located in part of the road reserve. The Shared User Path should comply with Austroads – Guide to Road Design part 6a: Pedestrian and Cyclist Paths 2009.

## 8.0 Stormwater, WSUD facilities

As stated above in Section 1.0, above;

"The applicant has forwarded preliminary drawings prepared by Cardno Forbes Rigby (Cardno), engineering consultants, in respect of drainage proposals. The drawings are 46701 to 46711 and 46720 to 46722 (all are Revision P1). These have been used to assist parts of the council's submission, **but are not such that are approved in this form by Council.** "

It is noted that it is proposed to direct stormwater from the southern side of Naval College Road (Culvert CIV 3) into the car park bioswales. There are comments in Section 5.2(a) concerning the car parking spaced adjacent to the east-west boardwalk / drainage. The design safety of the pond wetlands should be considered in the overall civil designs.

The stormwater and WUSD detailed plans will be considered at Construction Certificate stage.

## 9.0 Traffic, Access, Roads and works in The Wool Road

### 9.1 Masson Wilson Twiney (MWT) - 3 October 2008 Report

Council's Traffic Unit has provided the following comments:

In terms of the report of Masson Wilson Twiney (MWT) - 3 October 2008 whilst there are numerous statements within that report that are not agreed to; these comments specifically addresses Appendix A & B of the report relating to the following intersections;

Appendix A: New BBLC access / Vincentia High School access / The Wool Road intersection; and

Appendix B: Intersection The Wool Road / Access D

Reference is also made to previous reports of MWT in terms of background to the original traffic surveys and traffic conditions forecasting with / without the development.

Relevant facts relating to the original traffic surveys and assumptions of traffic conditions forecasting by MWT

- Whilst surveys were undertaken on a number of different days the basis of traffic forecasting relates to traffic surveys undertaken Thursday 25 September 2003 and Saturday 4 October 2003
- From review of annual RTA traffic data for Jervis Bay Road (daily flows) MWT conclude that peak holiday traffic is best estimated by factoring up typical off peak flows by 20%.
- From the limited amount of traffic data Council had collected at different times of the year this factor of 20% was consistent with Council data (average daily traffic movements) recorded in both off peak and peak holiday times in the subject area.
- In the absence of other data at the time 20% was accepted as a reasonable

figure to adjust off peak flows to estimate average traffic conditions during times of peak (school holiday) periods.

- Accordingly the basis of all traffic forecasts by MWT includes;
  - “Long term peak seasonal traffic flows – Thursday PM” which has been based on PM peak traffic flows recorded on Thursday 25 September 2003 x 1.2 and in addition to these base movements MWT have loaded background growth traffic (based on Jervis Bay Settlement Strategy) and development traffic (based on RTA guidelines) and referred to these as ultimate traffic flows
  - “Long term peak seasonal traffic flows – Saturday AM ” which has been based on AM peak traffic flows recorded on Saturday 4 October 2003 (long weekend Saturday so these weren’t factored up by MWT) and in addition to these base movements MWT have loaded background growth traffic (based on Jervis Bay Settlement Strategy) and development traffic (based on RTA guidelines) and referred to these as ultimate traffic flows
- Council considers that the MWT terminology of “long term peak season” traffic volumes and “ultimate” traffic conditions based on full development are misleading in that;
  - There is evidence to suggest that higher traffic flows could eventuate;
    - possibly higher generation from the development
    - possibly higher seasonal background traffic flows
    - in reality there is no such thing as ultimate development; what MWT refer to as “ultimate” development is based on development levels currently envisaged could occur in accordance with the Jervis Bay Settlement Strategy
- Accordingly Council considers that sufficient sensitivity analysis needs to be undertaken to be certain that the proposed “ultimate” road layout is robust and with sufficient spare capacity to absorb any higher flows without adverse impacts on surrounding intersections, the main concern being access D because of its close proximity to the cross roads roundabout
- In 2008 Council completed an annual survey of traffic conditions on Jervis Bay Road including review of annual hourly movements. This level of data (hourly) allows a detailed assessment of exactly how peak period movements recorded relate to the traffic volumes for the rest of the year, and this is important in terms of planning road upgrades to be certain that AUSTROADS targets for recreational routes (such as Jervis Bay Road and The Wool Road) of 120<sup>th</sup> HH form the basis of traffic assessment, not a factor estimated from a very limited data sample.
- With reference to equivalent days from Council’s 2008 traffic survey on Jervis Bay Road; Thursday 25 September 2003 is the Thursday immediately prior to term 3 school holidays and ironically this corresponds directly to Thursday 25 September 2008. Similarly Saturday October 4 2003 corresponds directly to Saturday 4 October 2008 (both Saturday of October long weekend).
- Because of significant seasonal fluctuation for recreational routes (such as Jervis Bay Road and The Wool Road) AUSTROADS recommend a target range

of 80<sup>th</sup> HH – 120<sup>th</sup> HH for planning of road upgrades. Council in conjunction with RTA have adopted 120<sup>th</sup> HH for planning purposes.

- With reference to Council's 2008 traffic survey on Jervis Bay the following is relevant;
  - PM Peak Hour on the 'typical' Thursday equivalent day - Thursday 25 September 2008 (4-5pm) = 587 vph (621<sup>st</sup> HH)
  - Factor 25 September 2008 flows up by 20% as recommended by MWT =  $587 \times 1.2 = 704$  (equivalent to 136<sup>th</sup> HH)
  - AM Peak Hour on the 'peak' Saturday equivalent day - Saturday 4 October 2008 (11am-12pm) = 681 vph (179<sup>th</sup> HH)
  - 80<sup>th</sup> HH – 762 vph (8% higher than the MWT assumed peak Thursday and 12% higher than the Saturday 4 October flow)
  - 120<sup>th</sup> HH – 718 vph (2% higher than the MWT assumed peak Thursday and 5% higher than the Saturday 4 October flow)
- With reference to base traffic survey data from the original MWT traffic report the following is relevant for The Wool Road (east of Naval College Road);
  - Thursday 25 September 2003 traffic flows; 749 vph
  - Thursday 25 September 2003 x 1.2 traffic flows; 899 vph
  - Saturday 4 October 2003 traffic flows; 1011 vph (12.46% higher than the estimated 'peak' Thursday flow)
- With reference to the MWT report 3 October 2008 the following is relevant for The Wool Road (east of Naval College Road);
  - "long term peak seasonal traffic volumes" – through traffic for the seasonal peak Saturday scenario is shown as 965 vph (ie 10% lower than 1071 vph for the seasonal peak Thursday scenario)
- With reference to MWT development estimates in comparison with RTA guidelines (traffic generating developments);
  - Treating the entire ultimate district centre development as a whole shopping centre precinct; for shopping centre developments > 30,000m<sup>2</sup> the RTA guidelines suggest traffic generation as follows;
  - Thursday PM peak RTA guidelines 4.6 trips/100m<sup>2</sup>. MWT traffic generation equates to 5.01 trips / 100m<sup>2</sup> therefore ok in comparison with RTA guidelines
  - Saturday AM peak RTA guidelines 6.1 trips/100m<sup>2</sup>. MWT traffic generation equates to 5.90 trips / 100m<sup>2</sup> therefore some 3.3% lower in comparison with RTA guidelines
- With reference to Council traffic data for existing Stockland Nowra comparison with RTA guidelines (traffic generating developments)
  - Based on the size of the existing Stockland Nowra (16,041m<sup>2</sup>) the RTA guidelines suggest traffic generation as follows;
  - Thursday PM peak RTA guidelines 7.6 trips/100m<sup>2</sup>.
  - Saturday AM peak RTA guidelines 7.5 trips/100m<sup>2</sup>.
  - Traffic surveys undertaken by Shoalhaven City Council in relation to Stockland Nowra between 2000 and 2004 suggest;
  - Thursday PM peak traffic equates to 1141 trips or 7.11 trips/100m<sup>2</sup>. This is

- marginally lower by approximately 6.5% in comparison with the RTA guidelines (7.6 trips / 100m<sup>2</sup>)
- Saturday AM peak traffic equates to 1565 trips or 9.76 trips/100m<sup>2</sup>. This is significantly higher by approximately 30% in comparison with the RTA guidelines (7.5 trips / 100m<sup>2</sup>)
- Relevant observations having regard to the above;
  - Because the original traffic surveys identified Saturday 4 October as the busiest traffic day on The Wool Road east of Naval College Road (subject of assessment); and because according to RTA guidelines and Council data traffic generation from Shopping centres is greatest on a Saturday; and because of the seasonal nature of traffic in the subject areas; the Saturday peak period is likely to be the critical peak for the traffic assessment of all intersections however it is noted that the BBLC/HS access is also to be subject of sensitivity tests for the Thursday PM scenario
  - In relation to the MWT traffic estimates (3 October 2008); through traffic on The Wool Road needs to be adjusted up so that the Saturday through flows are greater than Thursday through flows (consistent with the ratio of Saturday to Thursday x 1.2 obtained from the original traffic surveys)
  - In relation to the MWT traffic estimates; through traffic on The Wool Road needs to be adjusted up to equivalent 120<sup>th</sup> HH
  - Based on Council's traffic surveys of Stockland Nowra; sensitivity analysis should be undertaken to test increase in the RTA rate for Saturday scenario by up to 30% increase
- Conclusions having regard to the above;
  - Given the sub-standard intersection spacing along The wool Road proposed between the Naval College Road roundabout and Access D - the traffic data forecasts contained in Appendix B of the MWT report 3 October 2008 are not considered robust enough to be confident of the layout suggested, and sensitivity analysis is suggested should be undertaken to more carefully examine and mitigate the impacts of the Access D intersection on The Wool Road, with consideration of the comments and observations above

The current approval requires upgrade and intersections within The Wool Road reserve. The EAR-Mod 2 Appendix K includes the proposals based on the Halcrow traffic study and the Statement of Commitments includes the required upgrades criteria.

Detail concerning the new road reserve and construction to the BBLC from new access E has been included in Section 4.0, above.

Detailed design plans for works in The Wool Road are to be submitted to Council for approval. Council has provided separate comments to the preliminary Cardno plans to assist their preparation of details design plans. The preliminary Cardno plans for work in The Wool Road and in particular the two signalised intersections are to be reviewed by the Roads and Traffic Authority (RTA) as the RTA has to

advise Council and the applicant of their requirements before the detailed plans can be finalised. The local Shoalhaven Traffic Committee will have an approving role for the regulatory signs and lines once detailed design plans are submitted to council for approval. This is similar to the works required in Naval College Road by Stockland under the original Concept approval.

Council considers that as traffic volumes in The Wool Road increase over time, there should be provision for two right turn lanes from the east turning into Access D. The preliminary Cardno plan 1008 indicates that the median could be altered in the future to provide an additional turning lane. However it is considered that provision should be made on the northern side from the intersection and the internal movements into the VDC site to avoid unnecessary impacts to infrastructure located at Stage 1. The RTA may make comment about the timing of a second right turn lane as well.

Council considers that the approval conditions should provide that additional future upgrades to the intersection should be at the cost of the VDC owner.

Based on the preliminary Cardno road plans both Access D and access E designs should ensure the environmental areas are not impacted unnecessarily or outside approved disturbance areas.

## **9.2 New Intersection E - BBLC access / Vincentia High School access / The Wool Road intersection**

The Lane provision is generally accepted as shown in Appendix A of the MWT report 3 October 2008. This is consistent with Council's assessment.

However auxiliary lane "lengths" are not accepted as shown; these need to be increased to meet minimum standards for deceleration plus the queue storage requirement.

Sensitivity analysis needs to be undertaken having regards to the factors discussed above to determine reasonable queue storage requirements to be provided in addition to deceleration and diverge requirements.

Accordingly the layout shown in Appendix A of the MWT report 3 October 2008 needs to be updated to include auxiliary lanes that comply with AUSTROADS and RTA guidelines including containing all forecast queue storage determined from sensitivity analysis.

## **9.3 Access to and from the Vincentia High School (Intersection E)**

The Cardo preliminary designs referred to, above, for this intersection (drawing 1010) shows the proposal for one entry lane and two exit lanes including a left turn west. It is understood that Council and the RTA will be involved in the final approval of the works due to the traffic signals, however Council is not aware of any comments that the Education Department may have submitted at the original Stage 1 application and it is understood that the Education Department may not have been consulted at the Mod 2 stage.

Council has received local representations that to avoid congestion within the school driveway for exiting vehicles that there should be arrangements with the Education Department land to widen the internal school driveway near the intersection with The Wool Road. This will require internal work on the Education Department land for a distance back at least 40m of the intersection for two exit lanes that enable a split for left and right turns and a further 23m to taper from one lane into two lanes; a total of 63m - all within the school land. Council requests the Department consider this matter.

#### **9.4 New Intersection D - The Wool Road / Access to VDC car park**

The Lane provision shown in Appendix B of the MWT report 3 October 2008 is NOT accepted and Council is concerned regarding the internal impacts to the development as well as the adverse impacts on The Wool Road including the impacts on westbound through lanes and eastbound through lanes (back to the adjacent roundabout).

In addition to Lane provision as shown in Appendix B; from Council Traffic Unit analysis it is considered there is an additional requirement for;

- a 2<sup>nd</sup> right turn lane on The Wool Road (ie for traffic movements east > north ie traffic from Vincentia turning right into the District Centre); and
- a 2<sup>nd</sup> right turn lane on Access D (ie for traffic movements north > west ie traffic from the District Centre turning right on to The Wool Road)

The main reason for the additional lane requirements is to reduce green time allocated to phases associated with those movements and optimise green time allocated to phase associated with west leg of The Wool Road (noting sub-standard storage available between Access D and the adjacent Naval College Road roundabout).

Even without the traffic volume adjustments and sensitivity analysis noted above to be required; the MWT analysis documented in Appendix B of report 3 October 2008 still shows;

- West leg – 95% back of queue parameter indicates 95%ile queuing of 79m ie allows for approximately only 5 more vehicles before impacting traffic departing the roundabout. This parameter means for 5% of the time queues will exceed this length. With regards to the above sensitivity analysis required this is inadequate spare capacity and this queue must be reduced.
- North leg (access D) – 95% back of queue parameter indicates 95%ile queuing of 134m. At the scale of drawing provided I estimate that length of queue will impact the south car park and this means for 5% of the time queues will exceed this length. If green time needs to be reduced on access D to ensure no adverse impacts on The Wool Road this queue will increase even further. The design objective is to minimise this queue on access D so that more green time can be allocated to The Wool Road, and alleviate adverse internal impacts within the car park.

## **9.5 Council SIDRA analysis**

Because of Council's concerns in regards to the sub-standard intersection spacing along The wool Road proposed between the Naval College Road roundabout and Access D – with regard to the short comings of the MWT traffic data; and in absence of additional detailed analysis; Council traffic unit have undertaken preliminary SIDRA analysis with sensitivity of traffic volumes, arrival flow rates, layout, phasing, pedestrian volumes, and cycle times and have suggested changes to the layouts as discussed below to ensure traffic conditions do not create adverse impacts internal to the development or on The Wool Road including adverse impacts on adjacent intersections.

## **10.0 Pedestrian pathways and facilities**

### **10.1 Pathways**

There will be shared 2.0m wide pathways as described in Table 9 page 76 (commitment No 65) . The natural and originally proposed VCV concept pathway linking the VDC and the BBLC area has been removed due to environmental constraints. There is a 2.0m wide footpath between the required underpass at Naval College Road (responsibility of Stockland) and access D. There is an existing shared pathway on the southern side of The Wool Road.

EAR-Mod 2 Appendix K (Halcrow page 16) states that it is proposed to construct a shared pathway on the west side of The Wool Road to link what are described as Access D and access E. The preliminary Cardno plans 1008, 1009 and 1010 do not currently show a path in this location. In orienting the plans to "north", the west reference in Appendix K is closer to north-west.

Council requests that a 2.0m wide pathway be provided on the north-west side of The Wool Road between the Access D footpath and the footpath at Access E to the BBLC to be consistent with the Halcrow report. This will also remove the need for pedestrians moving between the two locations from making two crossings of The Wool Road. The Statement of Commitment No 65 should also be amended.

### **10.2 Pedestrian amenity and street furniture**

There will be provisions for bus and taxi drop off and pick-up locations in Moona Creek road. For the amenity of pedestrians, Council requests that covered shelters are located at these points, with architectural features that compliment the urban design principles stated in the EAR-Mod 2.

## **11.0 Water and Sewer**

Shoalhaven Water advises that the proposed development can be supported by the water supply and sewerage systems. If granted consent, it will be necessary for the operational consent to include a standard condition requiring the applicant to obtain a certificate of compliance as follows:-

"A Certificate of Compliance (CC) under Section 307 of Division 5 of Part 2 of



Chapter 6 of the Water Management Act 2000 must be obtained to verify that all necessary requirements for matters relating to water supply and sewerage (where applicable) for the development have been made with Shoalhaven Water. A Certificate of Compliance shall be obtained from Shoalhaven Water after satisfactory compliance with all conditions as listed on the Development Application Notice and prior to the lodgement of an application for the issue of an Occupation Certificate. A copy of the Certificate of Compliance must accompany the application for an Occupation Certificate.

**In the event that development is to be completed in approved stages or application is subsequently made for staging of the development, separate Compliance Certificates shall be obtained for each stage of the development.**

***Where a Construction Certificate is required all conditions listed on the Shoalhaven Water Development Application Notice under the heading "PRIOR TO ISSUE OF CONSTRUCTION CERTIFICATE)" must be complied with and accepted by Shoalhaven Water. The authority issuing the Construction Certificate for the development shall obtain written approval from Shoalhaven Water allowing a Construction Certificate to be issued. This shall also apply to all approved stages of the development.***

#### **Water and Sewerage Matters**

1. Sewer main/s to be extended to serve the whole development, more than 1 extension of the sewerage system may be permissible after consultation with Shoalhaven Water's Planning and Development Section.
2. Sewer junction connection shall be made available to service the whole development. Shoalhaven Water shall determine whether more than one junction connection point may be granted to serve the overall development.
3. Applicant to submit plans and sizing calculations for the necessary metered service to support the development. The cost for the connection and meter assembly shall be at the full cost of the developer.
4. Payment of Developer Charges (Section 64 – Water Supply charges and Sewer charges) in relation to the proposal are applicable. The current Section 64 charges are:

Water Supply	\$6,200.00/ET (2010/11), and
Sewer Services	\$7,860.00/ET (2010/11).

It is estimated that the development will increase demand in excess of 70 ET's for both stages.

5. Comply with the requirements of Council's Tradewaste Policy.
6. Comply with the requirement of Council's Backflow Prevention Policy.
7. Any proposed sewer connection point/main that is within close proximity to the

proposed development will need to comply with Council's Policy for Building Over Sewer.

8. Road works associated with the development will have an impact on Shoalhaven Water's sewer and water assets, all plans and specifications of proposed works shall be submitted to Shoalhaven Water for determination and all works are to be constructed in accordance with Shoalhaven Water's requirements.
9. Works associated with the proposed road works adjacent to the Bay & Basin Leisure Centre will impact upon Shoalhaven Council's sewer easement.

Any proposed adjustment/alteration to the arrangement for the easement shall be requested in writing to the Director of Shoalhaven Water and Council's Property Section.

All existing rights/entitlements are to be retained within the easement with the exception of parts of the easement that are to be converted to public road reserve. Access along the route of the easement is to be retained and no structure, landscaping or land rehabilitation is to take place within the boundaries of the existing or modified easement without prior approval of Shoalhaven Water's Director.

10. An Easement for Water Supply shall be created over the existing water main where it traverses private lands. Shoalhaven Water shall provide details of easement for water supply requirements upon submission of a plan by the applicant.
11. An easement for services shall be created over the water service line (which serves Council's sewage pumping station) where it traverses private lands. Currently located adjacent to the Bay & Basin Leisure Centre. Shoalhaven Water shall provide details of easement for services requirements upon submission of a plan by the applicant.
12. Detailed plans are to be submitted showing proposed floor areas as part of any application for a Certificate of Compliance under the Water Management Act 2000.

It should be noted that this Development will have considerable impact on Shoalhaven Water's infrastructure and it is extremely important that full consultation is undertaken and that the following process be fully addressed.

## **12.1 Section 94 Contributions**

Section 94 contributions are required for both the residential and commercial components of the original Concept approval. These were agreed between Stockland and Council during the 2006/07 period. There have been no payments to Council for the commercial components at this time.

The schedule in the following table is based on correspondence between Stockland and Council, which is summarised in the Statement of Commitments. The amounts

are stated in accordance with Council's Contribution Plan, are in 2006/07 dollars and are indexed annually and payable at the time specified in the conditions of the original conditions.

The "quantity of 1483" in the table is the equivalent tenements calculated from the floor space that was the subject of monetary contributions. Should the quantity be varied or staged, contributions can be adjusted on a pro-rata basis.

The schedule is provided to assist the Department and Fabcot.

Schedule for Commercial components (2006/2007 dollars):

S94 project		Rate	Quantity	Sub-total
01FIRE0009	City-wide Fire Control/SES	\$29.77	1483	\$44,148.91
03FIRE0007	Huskisson/Vincentia Bushfire Control ( Amendment 29)	\$92.57	1483	\$137,281.31
03ROAD0021	St Georges Basin –Construct By-pass (Amendment 29)	\$47.75	1483	\$70,813.25
CWMGM T 001	Project Management costs	\$182.77	1	\$182.77
	Sub Total of contributions			\$252,426.24

## 12.0 Proposed Statement of Commitments

The EAR-Mod 2 Section 7 proposes amendments to the previously approved Statement of Commitments. These are identified as being related to the revised description, the intersection D to the Wool Road and the access road to the BBLC (access E). The Council's submission includes specific issues in relation to the latter two matters.

The access road to the BBLC (access E) remains an unresolved issue based on the need for additional environmental approvals to achieve the required access. The closure of the existing road reserve requires Council giving consent under the Roads Act 1993 once the new access road reserve is approved. An agreement between Council and the proponent is being considered. Fabcot are seeking the Department to resolve the new access matter as part of Modification 2, and Council will support Fabcot's application to DECCW and the Commonwealth Department of Environment to achieve approvals for a new road reserve on their land.

The EAR-Mod 2 requires construction of Access D, upgrades to The Wool Road and intersections and arrangements for the access to the BBLC (Access E) before the occupation of Stage 1. Council supports this view. The distance required between the new intersections and the existing BBLC access are unsatisfactory hence the current approval requirements. Council considers this issue should be addressed and resolved at this time.

## 13.0 Conclusion

The Council's submission outlines issues that are of concern. Additional clarification or information can be provided to assist the Department's considerations. Where additional information is provided, Council would appreciate having an opportunity to make further comment.

**Tim Fletcher**  
**Director,**  
**Development and Environmental Services Group**

**6 September 2010**

## Proposed Modification No 2

*In summary, Modification 2 involves the following changes:*

- \* Approval for Stage 1 and Stage 2;*
- \* Revised staging to provide for approximate 22,600 sqm of retail/commercial space in Stage 1 and the balance of the approved space in Stage 2;*
- \* Stage 1 to include a Big W Discount Department Store (DDS), Woolworths supermarket, Aldi supermarket, Dick Smiths, a mini major, approximately 60 specialty stores along with approximately 1,100 sqm of commercial space;*
- \* Stage 2 to include a third supermarket, specialty shops and library; and*
- \* Access to Stage 1 will be via the Moona Creek Rd entrance and via Wool Road.*

*The original Stage 1 approval did not include for the design and construction of intersection 'D' at Wool Rd which was not required based upon the staging at that time. Due to revised staging concept drawing approval is now sought for both.*

*\* It is proposed to construct Stage 1 now for trading by early November 2011 with Stage 2 to follow when economically viable.*

*Therefore, Modification 2 seeks approval for:*

- (a) site preparation works (including earthworks and vegetation clearing) with Stage 1 and Stage 2,*
- (b) Stage 1 approximately 22,600m<sup>2</sup> of floor area, comprising 20,300m<sup>2</sup> of retail space including Big W DDS, two supermarkets (Woolworths with associated liquor and Aldi), Dick Smiths, specialty retail outlets inclusive of kiosks and mini-major retail outlet and 1,300m<sup>2</sup> of commercial space (capable of being utilised in as a temporary a library or other community space), centre management and amenities, and Stage 2 approximately 9,400m<sup>2</sup> of floor area, comprising 7,600m<sup>2</sup> of retail space (including a supermarket, specialty retail outlets inclusive of kiosks and mini-major retail outlet) and 1,800m<sup>2</sup> of community space and amenities) being a total floor area for the centre of 32,000m<sup>2</sup>;*
- (c) fit out and occupation of the Big W DDS, Woolworths supermarket and associated liquor, Aldi supermarket and Dick Smiths,*
- (d) roads and access/public domain works within the Vincentia District Centre (including Moona Creek Road, Wool Road, external road works, footpaths and open space areas),*
- (e) Stage 1 - 55 car parking spaces in Moona Creek Road, 1,025 car parking spaces, including 773 permanent parking spaces located in the southern parking area and 197 temporary parking spaces within the northern parking area, and loading docks for the Big W DDS, Woolworths supermarket, Aldi supermarket and specialty shops and trolley storage, Stage 2 – 289 car parking spaces being formalised in the northern car parking area in lieu of the temporary parking spaces and an additional 243 parking spaces in the southern parking area raising the total parking on-site in the completed centre to 1,360 car parking spaces, and loading docks for supermarket 3 and trolley storage,*
- (f) provision of infrastructure for water, sewerage, electricity and telecommunications,*
- (g) water sensitive urban design, and*
- (h) associated works and road works.*

*Modification 2 of the VDC Project Application relates to the same developable footprint approved as part of the Concept Plan approved for the site.*

## APPENDIX 2

### Council Report and resolution - 24 August 2010



**SHOALHAVEN CITY COUNCIL**  
**ENVIRONMENTAL ASSESSMENT SUBMISSION TO THE NSW DEPARTMENT**  
**OF PLANNING**  
**PART 3A, ENVIRONMENTAL PLANNING & ASSESSMENT ACT, 1979**

**PREFERRED PROJECT REPORT – COUNCIL SUBMISSION**

**MAJOR PROJECT APPLICATION MP 06\_0205**  
**Modification No 2**

**PROPERTY:** The land within the Vincentia District Centre (VDC) being part of the Concept approval MP06\_0060 approved 25 January 2007.

**PROPOSAL:** Proposed MP06\_0205 VDC Stage 1 - Modification No 2 being modification to the VDC Stage 1 approval by delivery of the VDC is two stages with Stage 1 now being approx 22,600m<sup>2</sup> and the future Stage 2, being approx 9400m<sup>2</sup> floor area, and associated arrangements; and the delivery of various off-site works before occupation of the VDC Stage 1.

**APPLICANT:** Fabcot Pty Ltd

**OWNER:** Vincentia Nominees Pty Ltd

**DEPARTMENT OF PLANNING REFERENCE:** MP06\_0205 (Mod 2)

**COUNCIL REFERENCE:** 3A08/1006

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**TABLE OF CONTENTS**

- 1.0 Summary
- 2.0 Councils Response to PPR
- 3.0 Proposed temporary access (Stage 1A and Stage 1B) from The Wool Road
- 4.0 Preliminary Concept plans for both Naval College Road and The Wool Road
  - 4.1 Naval College Road – Roundabout and northern access to Seagrass Avenue
  - 4.2 Naval College Road / The Wool Road – intersection work, roundabout and underpass
  - 4.3 The Wool Road – Access D
  - 4.4 The Wool Road – BBLC/ Vincentia High School Access E
  - 4.5 New access road to BBLC
- 5.0 Moona Creek Road traffic and road designs
- 6.0 Proposed Statement of Commitments (SoC)
- 7.0 Proponent's proposed draft amendments to Approval Conditions
- 8.0 Conclusion

Appendix 1 – Council's Option 4 – Revised Stage 1A for The Wool Road

## 1.0 Summary

Council provided an interim submission based on the proponent's Environmental Assessment Report (EAR). This detailed the issues the Council considered needed addressing. The significant issue and arrangements relating to the existing public road providing access to the Bay and Basin Leisure Centre (BBLC) precinct and proposed Access E on The Wool Road have not been resolved at this time.

The proponent has submitted a Preferred Project Report (PPR) that seeks to address submissions made to the Department of Planning (DoP) following the public exhibition period. The proponent also has submitted a proposal for temporary access arrangements and a two stage mechanism of works for The Wool Road. The purpose of the two stage approach is to seek approvals so the Vincentia District Centre (VDC) Stage 1 development can proceed and the unresolved access issues determined at a later time.

Council's PPR submission includes responses to a number of issues. In respect of the proposed staged temporary arrangements on The Wool Road, Council does not support the proponent's Option 3. Council considers Option 3 is unsatisfactory in dealing with traffic safety due to the proximity of the two intersections and that the temporary BBLC access arrangements require removal of vegetation not previously canvassed with environmental agencies. It is also considered that the financial investment for the work at the existing BBLC access is significant for what is expected to be short term need.

Council recommends a further Option 4 be considered. This option involves maximising the works in Stage 1A for an effective solution and minimising the later works required in Stage 1B and unlike the applicants proposed Option 3, Council's Option 4 is consistent with ultimate works required which is in all parties and the public's interest.

Council considers a meeting between the parties to discuss Option 4 be considered before the DoP determination would be productive.

Council's PPR submission again raises issues about Moona Creek Road because of concerns expressed in the EAR submission and that the Roads and Traffic Authority (RTA) has not been included in the process to date regarding detailed requirements. The RTA must approve a number of the proposed facilities including design for the roundabouts and traffic signals. Early engagement with the RTA will avoid delays later and Council is prepared to facilitate this process.

The processes and regulatory role of the Shoalhaven Traffic Committee (STC) and their approval and adoption at a Council meeting should also be considered. The statement by Masson Wilson Twiney (MWT) in the VDC Stage 1 - EAR Appendix E report of 3 October 2008 "*The design will need to be certified as being compliant with traffic regulations for the Construction Certificate and this does not necessarily have to involve the Local Traffic Committee but involving a Local Traffic Committee in fine design detail is by no means normal*" is incorrect. The subsequent Halcrow and Cardno responses must take into account the approval processes, roles and responsibilities of Council and RTA roles as respective roads authorities for the public road works under the *Roads Act 1993*.



There are impacts for the Vincentia Coastal Village (VCV) residential development that adjoins the VDC development in respect of likely noise impacts and these are identified in Council's submission.

## **2.0 Council's response to the PPR items**

Council's submission addresses the issues in the same numbering order in the proponent's PPR and proponent's Response to Submissions Report.

### *2.1 Drawing Information*

The proponent's PPR refers to Council's statement in its EAR submission that the preliminary concept drawings are "not approved by Council" and states that Fabcot are seeking actual approval of the drawings as part of the determination. The proponent's PPR refers to the preliminary road and drainage plans. This matter has also been referred to in Section 1 above.

The reason for the Council's statement is that the drawings are titled as "Preliminary" and are not ones that are prepared as "For Construction" drawings. There will be an approval process for the latter detailed plans for road works based on amending details that are now included in Council's PPR submission, possible RTA requirements and STC regulatory requirements and the consultant's fieldwork for the final designs.

Council is concerned that the use of the term "approval" by the proponent implies that the preliminary drawing cannot or should not be amended by later design requirements. Council considers it appropriate that the preliminary drawings be acknowledged as providing conceptual information only however, they should not then be claimed as approved for the Construction Certificate (CC) stage.

A case in point relates to the works necessary in Moona Creek Road where Council as the roads authority is advising the proponent of design amendments within the Council's road reserve. These are again detailed below in Section 5 of this submission to assist the proponent preparing the design plans.

### *2.2 Staging Plan (Stage 4 of VDC Stage 1 – now Stage 3 of VDC Stage 1 MOD2)*

The Mod 2 application includes a change to the configuration and indicated future uses of what was Stage 4 on the VDC Stage 1 approval. The proponent indicates that the DoP suggests the original "bulky goods" description should remain due to a related "archaeological reference". Council considers the DoP should make a determination on the basis of the current modification and if that may involve archaeological matters, they should be addressed before the determination of the application as the original Stage 4 intention and development area is changed by the current modification application.

Council has noted that the original VDC Stage 1 approval included Stage 4 – "future bulky goods retailing precinct" and details would be expected when Stage 4 was being planned based on market needs at the time. Modification No 2 shows the Stage 4 area now proposed as Stage 3 and to have two future development sites which appear similar to pads for "typical fast food

outlets". The footprint for the modified location of the new Stage 3 is also less than the original Stage 4 area since VDC car parking and the access road from Access D is within the original Stage 4 area.

New Stage 3 will be subject of a later modification application. Council does not object to a new Stage 3 in principle subject to further assessment but requests the DoP incorporate appropriate amendments to approval conditions so that the new Stage 3 receives assessment at the time the proponent finalises the market needs for the VDC Stage 2. Similarly, the new Stage 3 area so the overall car parking and traffic considerations can be dealt with, including an assessment for the provision of a second ingress lane as identified in Section 4.3 of Council's submission.

### *2.3 Access Road to Bay and Basin Leisure Centre*

The location of the intersection E has been determined by the original concept approval. The off-take to provide a new access to the BBLC north of the existing The Wool Road reserve is a matter that is still to be resolved. As such, work to design and gain approvals from Council and RTA for the signalised intersection E are not affected.

The PPR proposes a two stage upgrade for The Wool Road with Stage 1A being temporary measures for lane marking between the roundabout, Access D and the existing BBLC access public road. Stage 1B completes The Wool Road upgrade eastwards to include Access E and the additional lanes.

Council's detailed assessment of the proposals in the PPR is included in Sections 3 and 4 of Council's PPR submission. Council recommends a further amendment of The Wool Road works before determination and this is called Option 4.

### *2.4 Library*

The Council's EAR submission in regard to the potential library space in Stage 2 has not changed.

### *2.5 Car parking and Delivery Vehicle Movements*

#### *2.5.1-Upgrade to Moona Creek Road*

The Council's response is detailed in Section 5, below

#### *2.5.2-Car Parking Numbers and layout*

Council's DCP 18 sets out the requirements relating to car parking. The proponent's PPR Appendix B states the required numbers are to be provided in accordance with the DCP. The proponent considers the on-street car parking in Moona Creek Road should be included whereas the DCP does not include on-street provisions. Should the DoP accept the proponent's argument and includes these, the final number of on-street spaces will be determined at CC stage for the works within the Council's road reserve of Moona Creek Road, taking into account that approval process and the agreed angle car parking.

The proponent states the car park layout will comply with the Australian Standard AS2890 and the proponent's PPR response is accepted.

#### *2.5.3-Provision for long vehicles*

This issue is included in Section 7 below, relating to draft condition 2.24. Council's EAR submission clause 5.2 (c) raised this issue and Council again requests the DoP require the long vehicle spaces being designed and permanently located and signposted in the Stage 1 permanent car park. The temporary arrangements proposed by the proponent are not acceptable.

#### *2.5.4-Configuration of Aggregate Car Parking during Stage2*

The proponent's PPR response is accepted.

#### *2.5.5 –Loading Bays and Delivery Vehicles*

The proponent's PPR and Appendix B have not addressed Council's concerns. The proponent suggests the adequacy of service vehicles manoeuvring can be "checked" before the issue of a CC and that "extensive checks have been conducted by Halcrow".

The Council's concerns can be satisfied if the proponent submits the evidence of the vehicle swept paths leading to and within the loading bays. This is not onerous as Halcrow has stated they have the evidence and Council would appreciate the information being supplied before determination.

The Council's submission in clause 4.3 below, addresses issues for the southern loading bay and amendments required to the left turn in at Access D to enable large delivery vehicles to enter the internal roadway.

#### *2.6 Acoustic Controls*

The proponent's PPR responses are considered inadequate in respect to issues raised below; Council considers that additional information or clarification is required. Also, the noise assessment should identify mitigation measures for noise emissions between 10pm and 7am rather than rely on imposing restrictions for the operation of loading docks that Council believes are unrealistic. The following comments are provided:

##### *2.6.1 Hours of Operation*

The PPR seeks to deal with potential noise impacts for surrounding residents from the operation of the loading docks. There is a statement that the trading and use of the loading docks will be controlled by the VDC management and that deliveries will not be allowed between 10pm and 7am the following day. The SoC 46 is included in the Modification 2 documents.

Council's concerns expressed in its EAR submission remain. The SoC 46 should be expanded to require Fabcot to include restrictions in subsequent lease agreements with all tenants particularly the DDS and Supermarkets where Council's experience is that deliveries to rural and regional stores by major suppliers is determined by supplier schedules. The requested amendment will minimise future enforcement controls the DoP may need to undertake. The alternative is to address these issues at this stage as this may

be less restrictive upon Fabcot and the principle VDC tenants into the future should extended hours not be agreed by the DoP due to noise issues.

Council's Environmental Services Manager has provided the following comments:

*"The noise impact assessments state that there will no night time noise emissions between the hours of 10pm and 7am that have the potential to cause sleep disturbance. This statement is based on the assumption that Fabcot will not allow the supermarkets or the DDS to operate their loading docks during these hours (SoC 46).*

*Council knows from existing supermarket developments in Nowra and the Bi-Lo supermarket at Vincentia that truck deliveries do occur within these overnight hours and are increased during peak holiday periods. Council knows that the City's population reaches up to 300,000 during peak holiday periods or more than a 300% increase and therefore retailers both big and small within this development will require increased deliveries during 10pm to 7am. There is a realistic expectation that extended trading hours is an increasing normal expectation in the holiday peak times and Bi-Lo Vincentia does trade 24 hours in these times.*

*This restriction if not complied with presents difficulties for Council with limited resources to regulate and enforce. If evidence from surrounding residents within the VCV and Naval College Road indicates that the restriction is not being complied either on operation hours or noise, the DoP will need to consider enforcement for non-compliance with conditions and Council may choose to issue noise control notices under the Protection of the Environment Operations Act or other legal action to enforce the conditions of consent.*

*It is considered an unrealistic assumption that the restriction (SoC 46) can be complied with and is able to be enforced for practical purposes. The noise impact assessments acknowledge that light vehicles will enter the development between 10pm and 7am and there will be some heavy vehicles entering the northern car park during these hours. The impact on receivers within VCV and Naval College Road for these vehicles does not appear to be adequately addressed in the noise reports. The impact of heavy vehicles during these hours on receivers has not been considered at all. It is also an unrealistic expectation that small and big retail operators will not need to obtain deliveries during these time periods, particularly during peak holiday periods and as the Bay & Basin's population increases."*

#### **2.6.2 Noise Assessment – Heggies 17 June 2010.**

Earlier acoustic reports include the potential impacts for existing dwellings that are located on Naval College Road in the vicinity of Moona Creek Road. In Heggies 17 June 2010 report Table 10 has a reference to noise levels for "existing receiver 1" however the report does not identify that location or mitigation requirements, if any.

The noise impact assessment should be updated to include impact assessment on these receivers during all hours of operation of the district town centre including the hours between 10pm and 7am where potential sleep disturbance could occur from light and heavy vehicles as well as the use of loading docks as discussed above.

#### *2.6.3 Noise mitigation –VCV by Stockland – SoC 46a*

Council requests the DoP review the proponent's Revised Statement of Commitments (SoC) – October 2010, SoC 46a in its reference to receiver points 1-12 attached to Heggies Pty Ltd report No. 10 3015-R2 dated 1 October 2008. This plan included 12 lots based on the residential layout approved at that time. There have been subsequent subdivision modifications and the plan in the Heggies Report No 10-3015-R3 Revision 1 dated 17 June 2010 correctly identifies the approved residential layout on the plan and the 4 receivers (lots) that acoustic treatment is recommended as a Section 88B Restriction.

The 4 identified receiver lots are Lots 208, 209, 218 and 219 and these have been registered in DP1141763 and Section 88B Restriction No 17 incorporates the intention of the Heggies report of 31 January 2008 that was part of the relevant EAR. A lapped paling fence has been erected on the northern side of Moona Creek Road and is also included as a Section 88B Restriction No 12 in DP1141763 to meet a requirement of an "acoustic fence", although the qualities of the fence for acoustic mitigation does not appear to be included in previous Heggies reports.

#### *2.7 Landscaping*

The proponent's PPR and Site Image response – letter of 16 September 2010 is noted. In respect of the materials for the bike track shown on the landscape report (Clouston Associates plan – NS1097 – LA05 and LA06 Issue E), Council recommends these paths be low maintenance coloured concrete rather than decomposed granite to minimise future maintenance within the centre. This is based on Council's maintenance experiences where decomposed granite is in use in moderate to high use areas.

The design plans for and construction of the shared pedestrian / bicycle paths within the existing and future public road system is to be approved by Council.

#### *2.8 Stormwater and WSUD Facilities*

The statement about the concept plans being informative but not approved, is to confirm Council's view to the applicant. As identified in the PPR response, detailed plans will be prepared and submitted for approval at CC stage. The Cardno response in Appendix D is accepted.

#### *2.9 Traffic, Access, Roads and Works in The Wool Road*

These matters are addressed in detail in Sections 2, 3 and 4 in Council's PPR submission.

The Halcrow letter of 17 September 2010 (PPR Appendix B) seeks consent approval to the application details while recognising that differences between

Council and the proponent's traffic study and implications for final designs can be considered when detailed design plans are determined.

Traffic projections for the development have been under consideration from about 2005, Council has used the proponent's calculations before and has provided later available traffic count information to them throughout the assessment processes. Council has used the proponent's traffic volumes to resolve differences and to aid Council's assessment. Council has applied a sensitivity analysis because of the known high fluctuations in the Shoalhaven with holiday population and traffic increases. The RTA Guidelines for Traffic Generating Development require robust analysis and assessment and Council considers this must be beyond that applicable to metropolitan shopping centres that do not experience peak holiday growth as experienced in the Shoalhaven at Nowra and expected at the VDC.

The consequences of the assessment and required detail is critical because the separation distances between the main roundabout and Access D which at approximately 110m is far less than the expected 200m separation in urban situations. Reaching solutions for traffic issues is complicated by the reduced separation distances provide from the original Concept and Project approvals.

There is a statement that "Council has not taken into account the expected population projection decreases" and suggests there will be decreases. The statement is based on "a Council officer's verbal agreement" which is not quoted in its entirety as it was also indicating that as a consequence Council would be required to consider achieving dwelling yields within existing urban areas if greenfield sites were more restricted. A statement in the terms quoted by the proponent should not be acceptable to the DoP without quantitative evidence. Population projections are inherently fluid with both DoP and Council's projections varying at times, however they are the best assessments available based on census and other data. The long term population may be affected by a reduction in greenfield subdivision but is offset by potential increased densities and infill in existing areas over time in accordance with the South Coast Strategy.

#### *2.10 Pedestrian Pathways*

Council's submission seeks the provision of a 2.0m wide shared footpath along the northern side of The Wool Road to connect the pathways leading into the VDC and the BBLC precinct. The proponent's PPR relies on their consultant's statement "such an outcome would be desirable but not essential". Council requests the DoP include the requirement as the pathway will provide a safe path of travel for persons moving between the two centres and will avoid the need for pedestrians to cross The Wool Road an unnecessary number of times.

#### *2.11 Water and Sewer*

The Council's previous EAR submission applies.

The applicant must make application for Certificate of Compliance under Section 305 of the *Water Management Act 2000* upon receiving operational consent for the development. The applicant must resubmit their application

for review and determination where the applicant has made application to amend the approved development. A Certificate of Compliance must be obtained from Shoalhaven Water prior to the issue of an Occupation Certificate

#### 2.12 Section 94

Council's EAR submission included details concerning the S94 contributions that would be applied for the VDC with an indexed base from a 2006/7 period. The SoC No 43 incorporates their commitment to the payment of contributions.

Because of the modification and stages and ultimate assessable floor space for each stage varies, Council requests the proponent seek the appropriate calculation applicable prior to the issue of the CC for each stage of the VDC.

### 3.0 Proposed temporary access (Stage 1A and Stage 1B) from The Wool Road

This matter is a key proposal of the proponent due to the concerns about delays in resolving the access requirements for the BBLC and the opportunity for the VDC development to proceed.

Council appreciates the proponent's and stakeholder's desire to complete approvals and proceed with construction of the VDC with temporary Stage 1A proposals for works in The Wool Road, pending resolution of the BBLC access. The timeframe for this resolution is unknown and all parties have an interest in a solution within the expected construction and occupation of the VDC. However, **Council is not prepared to support the proponent's Option 3 as submitted.**

Council recommends an additional Option 4 be considered by the proponent as an amendment to the modification that will see completion of maximum work within the Wool Road as Stage 1A and provision of minimal temporary arrangements and work as part of Stage 1B. The continued use of the existing BBLC access road as a one-way route until the ultimate new BBLC access can be resolved. All the ultimate work within Stage 1A and 1B will be achieved ultimately and will be incorporated in to the SoC. Option 4 is explained in detail below and a plan representing Option 4 is attached as Appendix 1

To assist the Department's understanding of the advantages of Option 4, the following comments have been provided from Council's Traffic Unit and are shown in italics to assist Cardno in the preparations of detailed design plans:

#### *Applicant's staged approach to works on The Wool Road, and Council's suggested Option 4.*

*The applicant's staged approach in Option No 3 to works on The Wool Road is not acceptable. As the time frame between Stage 1A and Stage 1B is not known, based on Council's traffic assessment the impact from Stage 1A on the roundabout (Naval College Road / The Wool Road) is not acceptable.*

*Based on the designs submitted the applicant's proposal would also require a significant investment in the temporary access. It is also evident from the plans*

*submitted that the temporary access could not be contained within the available road reserve and will require vegetation removal to achieve the proposal outside the existing road reserve and that is not consistent with the ultimate arrangements. That is unlikely to be acceptable to environmental agencies due to the existing environmental constraints around the existing BBLC access road intersection with The Wool Road. Any vegetation removal in the sensitive environmental zone should be contained to areas of ultimate works only.*

***Council traffic unit considers that a fourth option must be considered, that is;***

- *for all access (from east and west) to be provided at the existing point of access to the Bay & Basin Leisure Centre (BBLC) for entry to the BBLC only*
- *for separate right turn bays to be provided into the BBLC access and Access D respectively, the total length of which should be equivalent to the ultimate length of right turn bay for Access D (165m inc diverge taper)*
- *the existing access road to the BBLC to be made one way (entry) in only*
- *all other works to be constructed in The Wool Road road reserve as per the ultimate works required, including both sets traffic signals, and this includes all works in the road reserve at the High school / BBLC access*
- *a new one way exit be constructed to link the BBLC car park to the new intersection at Vincentia High School (access E) to Council satisfaction, similar to the applicants proposed ultimate access arrangements to BBLC, however exit only will result in less impacts on the car park until the final new access road is designed.*

*Based on discussions with all agencies on 21 September 2010 it is understood that an access to BBLC will be permitted from The Wool Road at Access E (includes Vincentia HS access) but the extent of internal vegetation removal to achieve a link through to the existing BBLC access road was not accepted in the absence of a modified master plan that showed reduced development footprint in the BBLC precinct.*

*On that basis an "interim" exit only strategy for Access E will allow the full works along The Wool Road to be provided with the only change from ultimate being;*

- *The ultimate right turn lane into Access D will be divided into two right turn bays (one into Access D, one into BBLC access), and*
- *Temporary water filled barriers or similar will be required to block the turning lanes into the BBLC from Access E on The Wool Road*
- *Temporary sign posting and marking arrangements to clearly sign post and mark the interim arrangements including temporary one way access / egress arrangements to BBLC*

*When ultimate arrangements are determined for the BBLC the Council's Option No 4 would then require;*

- *Closure of the median at the BBLC access and provision of full length right turn bay to access D*
- *Closure of BBLC access and rehabilitation of existing access road*
- *All works to achieve ultimate access arrangements to BBLC in accordance with the access arrangements determined*



*Council's Option 4 substantially reduces the amount of interim works required on the BBLC site including at the access on The Wool Road and in the car park which is preferred prior to the ultimate arrangements being determined, and unlike the applicants proposed Option 3, Council's Option 4 is consistent with ultimate works required which is in all parties interests.*

#### **4.0 Preliminary concept plans for both The Wool Road and Naval College Road**

There are considerable upgrades to be carried out in The Wool Road as part of works required by Fabcot. There are also required works within Naval College Road and the main roundabout and for Moona Creek Road that are part of the original concept approvals and subsequent approvals issued to Stockland. It is considered important that these be coordinated.

In Council's EAR submission, the concept plans of Cardno were accepted as concepts only and Council advised that these were not at a stage where approvals could be issued. The proponent's PPR response is requesting Council's comments so there can be revised detailed plans leading to approvals. The comments do not include RTA comments and it is recommended that the RTA be party to commenting on the plans at this stage to avoid delays and Council is prepared to facilitate discussions with the RTA. This is the practice when Council is dealing with Part 4 development applications.

Council's Traffic Unit has provided detailed comments for sections of work to assist Cardno prepare design plans for approval and these are included below, in italics:

##### **4.1 Naval College Road –Roundabout and northern access to Seagrass Avenue. (Access A)**

While this section of work is the responsibility of Stockland the detail below, is provided to assist Cardno and the integrated construction management of the works surrounding the overall development for commercial and residential components from works referred to as Access A to Access E.

The Access A intersection is the subject of Vincentia Coastal Village (VCV) Project Approval Modification 9 of the residential development and Council has made a submission objecting to a deferral of the construction of the required roundabout. The Council's Traffic Unit comments will assist the preparation of the design plans for approval:

##### ***Cardno Plans 3001-3014 (Roundabout - Bayswood northern access "Seagrass Avenue"- Access A) – (Council file reference SF9786R-05)***

*Council have previously made comments about the subject roundabout design. Of those comments, the issues that remain outstanding include:*

- *Increase roundabout inscribed circle from R14.5m to R16m. This is an important issue, the current roundabout is R14.5. There are non-mountable roundabouts on Council's roads that are R14.5 and the increased maintenance associated with*

*impacts by heavy vehicles is not acceptable. This is an old standard and Council requires the roundabout to be built to minimum R16m.*

- *SISD to be demonstrated for the approach to Naval College Road from the Bayswood access; this may require vegetation clearance. To achieve SISD all existing vegetation must be cleared within the road reserve (to the road reserve boundary) for a minimum distance of 120m either side of the new intersection.*

*Based on the new plans submitted Cardno Plans 3001-3014 which now also include a detailed signs / markings plan, the following additional comments are now also made to be addressed;*

- *On the southern leg of the intersection (access to Bayside Landscaping) replace the proposed Stop sign with the standard roundabout regulatory sign (R1-3A) and associated TB hold line.*
- *All regulatory and warning signage on Naval College Road approaches are to be "B" size.*
- *The splitters islands on Naval College Road approaches are to be increased in size to reduce approach / departure lanes to maximum 5m width.*
- *At the west end of the works, edge line marking is to match existing edge line marking by smooth transition over a distance of approximately 30m (both directions.)*
- *At the west end of the works, the edge line marking is to effect continuation of the existing 3.3m lane width (eastbound direction) until a point approximately opposite the commencement of K&G, beyond which the edge line marking shall taper over 30m straight line transition to lip of gutter.*
- *At the west end of the works, pavement construction must be for the full cross section of Naval College Road, construction in one lane will not be accepted for any part of the works.*
- *Warning signage on Naval College Road approaches must be of modified G1-207 standard including W2-7B symbol and "Sea Grass Avenue" specification in the bottom panel.*
- *Street name signage at the intersection is accepted as shown in principle however the specification G5-101 appears to be incorrect. The G5-1 series relates to standard street name signs where as the standard to be applied in this instance should be consistent with the new RTA street name sign standard. This will be specified when the Shoalhaven Traffic Committee consider the plans.*
- *At the east end of the works, the shoulders proposed are not in accordance with standards. 3m shoulders (2m seal) are required to be provided along the full extent of Naval College Road on both sides of the road.*

*As most of the amendments above are minor in nature the Cardno Plans 3001-3014 may be referred in the first instance to the STC so further advice can be provided to Cardno.*

*The RTA is required to concur with the roundabout design and associated works, being a prescribed traffic control device, and in any case all regulatory signs / lines are required to be adopted by the STC. Referral to the STC will also initiate a design review by the RTA.*

#### **4.2 Naval College Road / The Wool Road intersection works, roundabout and underpass.**

##### ***Cardno Plan 1101. Rev P1 (The Wool Road / Naval College Road intersection - crossroads roundabout and pedestrian underpass)***

- In terms of safer by design standards; the length of the proposed underpass is twice as long as the existing underpass on south side of The Wool Road, accordingly it stands to reason that it should be twice as wide to ensure the same amount of light transmission through the tunnel to increase user safety and discourage anti social behaviour.*
- The underpass grade is to comply with ASI428 in all respects including provision of landings in conjunction with flatter grades than currently shown.*
- Suitable fencing is to be provided on both sides of the ramp down and up to protect from drop off (fencing to be agreed by Council). Where the tunnel passes under Naval College Road on both sides of the ramps the fence shall return to Naval College Road over length of no less than 15m and include straight return parallel to Naval College Road on both sides of the ramps, being no closer than 300mm from kerb returns.*
- RTA standard pedestrian fencing to be provided along all medians.*
- Extend the median on The Wool Road (east of Naval College Road) along the full length of The Wool Road (full length of works zone) leaving only gaps at Access D and the Access E.*
- The high entry angle left turn slip lanes provided on south east and north west corners of the roundabout must both be amended to ensure movements into the lanes, through the lanes, and out of these lanes into Naval College Road can accommodate the swept path of a long rigid bus 5-15kph including swept path and overhang requirements. Amendments appear to have been made in this regard however the movement west>north from The Wool Road into Naval College Road has not been addressed.*
- In regards to The Wool Road east of the roundabout; commence left turn slip lane (for access D) immediately downstream of roundabout departure (ie commence adjacent splitter island) with diverge taper no greater than 23m, as part of package of works required to assist mitigate the adverse impacts of access D.*
- Once changes are made the plans shall be resubmitted for Council approval. A detailed signs / lines plan shall also be submitted at that time and referral will then be made to RTA and to STC for approval. The comments of RTA and STC will need to be addressed prior to issue of construction approval.*

#### **4.3 The Wool Road –Access D**

##### ***Cardno Plans 1202.Rev P0 and 1203.Rev.P0 (The Wool Road access D)***

- Extend the left turn slip lane (for left turns from The Wool Road into access D) back to commence immediately downstream of roundabout departure (ie commence adjacent splitter island) with diverge taper no greater than 23m, as part of package of works required to assist mitigate the adverse impacts of access D.*
- In regards to the width of right turn bay on The Wool Road – increase this to be minimum 3.2m width.*
- Council Traffic Unit is satisfied that a 2<sup>nd</sup> right turn lane can be provided on The Wool Road in the future as is expected will be required to alleviate adverse impacts of access D on The Wool Road including containing queuing to the east of the cross*

roads roundabout (additional right turn lane can be provided by future encroachment into median) however design needs to show how a 2<sup>nd</sup> right turn lane can be accommodated on access D. This is still outstanding. The 2<sup>nd</sup> northbound lane in access D would be required to merge over minimum 125m distance from The Wool Road (including 59m merge taper).

The location of any proposed VDC Pylon signage should be clear of the area for a future 2<sup>nd</sup> entry lane.

- The reports of TPG and Halcrow note the use of Access D by trucks. The left turn into Access D from The Wool Road cannot accommodate the swept path of a large rigid truck without impact on the median. The applicant is to specify the largest design vehicle to use Access D and ensure design of all movements into / out of access D can accommodate the swept paths and overhang of design vehicle. This should be stated when plans amended and resubmitted to Traffic Unit for assessment.  
The VDC Stage 1 plan requires all delivery trucks using the southern loading docks to enter and exit off The Wool Road at Access D and the left turn must be satisfactory for this purpose.
- No shared path links are shown connecting the existing shared pathway to the traffic signal crossing locations.
- No kerb and gutter details shown. Continuous K&G is to be provided along The Wool Road for the full length of works.
- No pram ramps shown.
- RTA standard pedestrian fence is required along all medians.
- A painted median is not accepted at any stage. A physical median is to be provided along the full extent of works on The Wool Road with the only gaps allowed being at Access D and Access E, and in the interim at the BBLC access (which will be closed in at Stage 1B once final details of ultimate BBLC access confirmed).
- No chainages are shown and these are required to determine the proposed length of auxiliary lanes where lanes overlap drawings.
- From Traffic Unit assessment of impacts of the development on access D, including sensitivity analysis; it is Traffic Unit opinion that the proposed auxiliary lanes must include the following minimum lengths and these must be reflected on the design drawings;
  - Right turn lane from The Wool Road into access D; 90m storage requirement plus 75m deceleration lane requirement (includes 23m taper); therefore the initial single right turn bay needs to be a total 165m length (includes 23m taper).
  - Left turn lane from The Wool Road into access D; 90m storage requirement plus 75m deceleration lane requirement (includes 23m taper); therefore the left turn bay would need to be a total 165m length (includes 23m taper). There is not 165m between access D and Naval College Road; accordingly the left turn lane needs to commence immediately east of the roundabout (adjacent splitter island as described above) and the high entry angle left turn slip lane into access D is to be extended further into access D to effect 165m minimum length of separate left turn lane prior to the merge on to access D.
  - Dual right turn lanes are required in access D for a total length of 75m; thereafter diverge length of 59m. The left turn from access D to The Wool Road is to commence from the diverge zone so efficiency of the left turn is not impacted by the queue on access D back from The Wool Road.

### ***General Comment regarding future upgrade required at The Wool Road / Access D***

- *Whilst it is considered that additional turn lanes into access D from the Wool Road will ultimately be required; there is no problems in principle with the applicant providing only a single right turn lane bay on The Wool Road for the right turn into access D initially (on the basis that the design must be amended as described above to demonstrate that an additional right turn lane can be provided on The Wool Road in the future without augmentation of the intersection layout as well as being able to be accommodated on access D); however,*
- *Any approvals need to consider an appropriate planning mechanism to lock in the funding responsibility on the applicant for upgrading of the access D to provide the additional turn lanes into access D as is expected will be required in future; if and as required at the discretion of the roads authority responsible for the traffic signals (currently RTA).*

*Council requests the DoP seek a SoC that will provide that the cost of design and construction for a future additional right turn lane at Access D for the roadway into the VDC will be the responsibility of the proponent.*

### **4.4 The Wool Road access BBLC/Vincentia High School intersection**

#### ***Cardno Plan 1204. RevP0 (The Wool Road access BBLC/VHS)***

- *Kerb returns for all movements into / out of the high school and BBLC access are to be amended to accommodate swept paths of 14.5m rigid buses at 0-5 kph as minimum requirement this will require widening of access lanes and may require modification of medians. Of particular concern is the left turn into the school from The Wool Road and the left turn into BBLC access from The Wool Road. Swept path and overhang requirements are to be addressed.*
- *No kerb and gutter details shown. Continuous K&G is to be provided along The Wool Road for the full length of works.*
- *Pram ramps are to be shown.*
- *RTA standard pedestrian fence is required along all medians.*
- *A painted median is not accepted at any stage. A physical median is to be provided along the full extent of works on The Wool Road with the only gaps allowed being at Access D and Access E, and in the interim at the BBLC access (which will be closed in at Stage 1B once final details of ultimate BBLC access are confirmed).*
- *From Traffic Unit assessment of impacts of the development on the high school and BBLC access, including sensitivity analysis of the combined new intersection; it is Traffic Unit opinion that the proposed auxiliary lanes must include the following minimum lengths and these must be reflected on the design drawings;*
  - *Right turn lane from The Wool Road into the BBLC access; 35m storage requirement plus 75m deceleration lane requirement (includes 23m taper); therefore the right turn bay needs to be a total 110m length (includes 23m taper).*
  - *Left turn lane from The Wool Road into the high school access; 15m storage requirement plus 75m deceleration lane requirement (includes 23m taper); therefore the left turn bay would need to be a total 90m length (includes 23m taper).*
  - *Right turn lane from The Wool Road into the high school access; 30m storage requirement plus 75m deceleration lane requirement (includes*

23m taper); therefore the right turn bay needs to be a total 105m length (includes 23m taper).

- Left turn lane from The Wool Road into the BBLC access; 15m storage requirement plus 75m deceleration lane requirement (includes 23m taper); therefore the left turn bay would need to be a total 90m length (includes 23m taper).
- BBLC approach - dual lane approach is required for the BBLC access for a total length of 55m; thereafter typical diverge length of 59m, or alternative internal arrangements (to be determined).
- High School approach - dual lane approach is required for the high school access for a total length of 40m; thereafter diverge length of 25m. These works are within the school land and there are no current conditions to achieve this, however the work is essential to the school's effective use of the new intersection and Council recommends the DoP involves the Education Department and the Vincentia High School directly at an early stage to provide solutions.

#### ***General comments regarding Access E (BBLC / High school access)***

- Timing of the upgrade of Access E is not just dictated by traffic management at the BBLC and High school. Pedestrian safety is also of concern with primary and high school children crossing The Wool Road to access the BBLC and the VDC that are in conflict with increased traffic from the development. Both sets of traffic signals must be provided at Access D & E) in Stage 1A to address traffic and pedestrian concerns. Council's Option No 4 makes necessary provision for all works on The Wool Road to offset adverse impacts of the new District Centre.
- Early consultation with the Department of Education regarding the upgrade of access E is recommended. There are two options available; one involving land acquisition on south west corner (from TAFE Commission of NSW), the other involving greater internal impacts on Department of Education (High school) land. The latter is likely to be more desirable to avoid substantial impact on parking at the high school.

#### **4.5 New access road for BBLC**

##### ***Cardno Plans 1204.Rev.P0 and 1205.Rev.P0 (BBLC internal access and car park)***

The current plans submitted by Cardno are not acceptable regarding proposed interim and ultimate access arrangements to BBLC. Comments are provided above regarding proposed staging and the need to mitigate internal impacts on BBLC land until the ultimate access arrangements are determined. Council has stated the new access should include a minimum 20m wide road reserve running parallel to the common boundary of the Fabcot land with entry at the point of the existing public road. The issues relating to the internal arrangements associated with the BBLC precinct are the subject of current Council consideration. Design criteria will depend on the outcome of further discussion with government agencies.

#### **5.0 Moona Creek Road traffic and road designs**

In the EAR submission Council expressed concerns about the road and car parking arrangements in Moona Creek Road. The proponent's PPR in clause 2.5 and the

Halcrow responses rely on earlier concept approvals issued to Stockland. This matter is referred to earlier in Section 2 above, in respect to reliance on preliminary plans to justify there being no further amendments to achieve an acceptable "For Construction" plan. All works within Council's road reserve on Moona Creek Road and approvals including amendments will require regulatory consideration and approval by the STC (lines and signs) and potentially the RTA and these are coordinated by Council before CC stage.

Council as the roads authority under the *Roads Act 1993* for Moona Creek Road remains concerned the proponent's preferred option will provide an unacceptable outcome. Council objects to the current design (Moona Moona Creek Road) based on anticipated traffic volumes and pedestrian / parking conflicts.

Council's suggested amendments are minor in nature with an objective of achieving significant safety improvements. Council is calling on the DoP to support Council's submission and request the proponent to make the amendments which are summarised below. The comments are provided to assist the preparation of final design plans that will be submitted to Council for approval.

In respect of the provision of car parking within the Moona Creek road reserve, it is acknowledged that in the proponent's response to the submission for the VDC Stage 1 was based on The MWT Appendix E letter dated 3 October 2008 and Appendix D (Cardno - Preliminary Moona Creek Road Plan no 8016 Rev P0) show 60 degree parking in the road reserve and this was the proponent's proposal that was incorporated into the concept approval. As stated earlier, the final "For Construction" design plans require approval through the STC and Council as roads authority, and the 60 degree parking is not confirmed. Council's submission below, considers that 45 degree parking would be acceptable.

The VDC Modification No 2 plans (Rice Daubney architectural plans) replicate 90 degree parking and the submitted MWT report does not address the Cardno approved preliminary plan. Council as the roads authority will consider these issues at the time of assessing the "For Construction" plans that take into account the Council's requirements.

It is noted that the relevant angle parking layout influences the number of car parking spaces provided on-street. Council's DCP18 does not take account of on-street parking meeting the DCP required on-site parking criteria.

Council's suggested amendments are minor in nature with an objective of achieving significant safety improvements. Council is requesting the Department require the proponent to make the amendments recommended by Council's Traffic Unit which are summarised below:

- *Moona Moona Creek Road (between Naval College Road and the car park access) > two lanes northbound in Moona Moona Creek Road including a single through lane and a single separate right turn bay (right turn lane) for protection of traffic turning into the car park. The applicant advises this has been incorporated, however Council has not seen revised plans.*

- *Moona Moona Creek Road (between Naval College Road and the car park access) > two lanes southbound (exit to Naval College Road). The applicant advises this has been incorporated, however Council has not seen revised plans.*
- *Moona Moona Creek Road (between Naval College Road and the car park access) > median; of minimum 900mm width (include RTA pedestrian fence along full length of median in this section). If no fence is proposed by the applicant a wider median would be required and 2m would be the suggested minimum median width.*
- *Moona Moona Creek Road (intersection with car park access) > design must ensure that all traffic exiting the car park be forced to turn left out only by way of physical traffic island. Traffic Unit consider that it would be unsafe to allow traffic to turn right out at this location. Traffic may turn "in" to the car park from either direction. The applicant has not accepted this and has advised that if traffic is delayed at the access motorists can turn left and go around the roundabout. This is exactly what Council are suggesting however to eliminate the risk of incidents Council require physical works to force traffic to turn left out only. Council does not accept the applicant's assessment. This is not a major works requirement and should be addressed.*
- *Moona Moona Creek Road (between car park access and Halloran Street) > single lanes in each direction; and median; of minimum 2m width with no fence required along this median. The applicant has proposed a 0.8m median and this is inadequate if fencing or alternative provision of pedestrian crossing is required in the future to address safety concerns. A 2m median should be provided and this can be accommodated in the road reserve. This would also present opportunities for land scaping along the median which would improve the appearance and amenity of the area.*
- *Moona Moona Creek Road (intersection with Halloran Street) > non mountable roundabout of inscribed circle R16m suitable for turning large rigid buses around; this will provide satisfactory traffic management and improved pedestrian access. This is not accepted by the applicant. The applicant has suggested that size roundabout would not fit within the road reserve and buses can turn around at the eastern most roundabout. Council accepts that buses can turn around at the eastern most roundabout, however the roundabout is required for safety reasons in Council's view to address pedestrian and traffic conflicts. Council does not accept the applicant's assessment. Council assesses that a non mountable roundabout of inscribed circle R10m can be provided within the available road reserve and this should be addressed by the applicant in the interest of traffic and pedestrian safety.*
- *Moona Moona Creek Road (between Halloran Street and eastern roundabout) > single lanes in each direction; and median; of minimum 2m width. No fence is required along a 2m wide median.*
  - *On street car parking; change 90 degree angled car parking to 45 degree angled car parking. Traffic Unit consider 90 degree angled car parking would not be safe and if any parking is to be provided 45 degree angled parking (nose in) would be more appropriate.*
  - *The applicant has proposed a 0.8m median. This is inadequate if fencing or alternative provision of pedestrian crossing is required in future to address safety concerns. A 2m median should be provided and this can be accommodated in the road reserve. This would also present opportunities for land scaping along the median which would improve the appearance and amenity of the area. Council preference is for 45 degree angled car parking to mitigate traffic impacts on Moona Moona Creek Road. The*
- *Moona Moona Creek Road (at eastern roundabout) > roundabout is accepted; to ensure non-mountable roundabout of inscribed circle R16m to satisfy the requirements for large*



*rigid buses to turn around and semi-trailer access to the eastern component of the development.*

## **6.0 Proposed Statement of Commitments (SoC)**

Council requests amendments to the following draft SoC

**SoC 11 and 30.** These relate to the areas between the VDC footprint and the environmental habitat being rehabilitated within 6 months of the closure of a Council road that traverses part of the area. The closure of the road has not yet been agreed by Council at this point. The restoration timeframe for the scarred areas outside the road reserve could be separated from the SoC that relates to and restoration by Fabcot within the public road reserve should that be closed by Council and transferred to Fabcot in the future.

**SoC 28 – 31.** These relate to the decisions to be made concerning the proponent's Stage 1A and 1B works and the appropriate wording should take account of the outcome of considering Option 4 works proposed in Council's submission.

**SoC 46.** Council seeks additional wording to require fabcot to ensure the restriction of delivery times is included in tenancy agreements particularly for the DDS and Supermarkets. Reasons are included in Section 2 (2.6.1), above.

**SoC 46a.** The reference to a superseded Heggies report is discussed in clause 2.6, above, and the wording of the SoC should be reviewed to identify the appropriate report.

**SoC 50.** The intention is for prospective tenants to satisfy compulsory and suggested ESD initiatives for fitouts of individual tenancies; however the proposed timing for "preparing a Guide within 12 months of the issue of a Construction Certificate (CC) for Stage 1" may be unrealistic in achieving the intention at least for the initial fitouts leading to the opening of the VDC. The likelihood is that Fabcot will be well advanced with construction following the issue of a CC including works involving individual tenancies. The timing for preparation of a Guide to achieve Fabcot's SoC intention could be reviewed and identified to be prepared within a lesser timeframe the Department determines of the issue of a CC.

## **7.0 Proponent's proposed draft amendments to Approval Conditions**

The proponent has submitted proposed amendments to the current Stage 1 approval conditions, and the following are Council's comments. The numbering below, relates to the proposed draft approval condition numbers.

1.1 The condition refers to approval to carry out Stage 1 and in condition while 1.1(a) states it will apply to the earthworks and vegetation clearing for Stage 1 and 2, only.

Council requests the DoP subsequent approval makes clear that future Stage 2 (other than the earthworks in 1.1 (a)) and Stage 3 works require further approval.

1.1 (c) It is considered unnecessary to include after "1720m<sup>2</sup> commercial gross floor area" the bracketed words "capable of being utilised in as a temporary library or other community area". The ultimate use of the commercial area will depend on negotiations with the ownership. If Fabcot intends to make floor space available for Council or community groups by way of a favourable occupation lease and/or non-commercial basis (pepper-corn rent) that should be stated by Fabcot in separate advice to Council and community groups.

1.3 The condition should be limited to the commencement of Stage 1.

2.1(i) The new condition relates to "any part of the Stage 2 works", however except for land clearing referred to in condition 1.1 (a) the approval sought is only for Stage 1 with further approvals for Stage 2 and Stage 3 to be assessed in the future. This should be clarified by the Department. (See also 2.40, below)

2.2 Council supports the condition not permitting construction vehicles to enter via Bayswood Avenue and through the residential street.

The SoC for roads require completion of the intersection at Access C (Naval College Road) and Access D (The Wool Road) before the occupation of VDC Stage 1. Construction Management Plans should include requirements relating to access for construction vehicles including provisions to ensure spoil is not carried onto roads.

2.15 This refers to identifying Cardno plans contained in Appendix C of the PPR and Response to Submissions. As stated in Councils PPR submission, the plans are not acceptable as submitted. The final wording of the draft condition should relate to the final outcome and identification of those relevant Cardno plans.

2.21 (b) Since the VDC Stage 1 northern car park has been redesigned in Modification 2, and PPR statement should be reviewed and clarified to ensure relevance in respect of the directional movements within the car park.

2.24 The condition has been replicated from the VDC Stage 1 approval except the number of long vehicle spaces is increased. Council supports the increased number. However, the suggested location being the "edge of the southern temporary car park" is not supported since the relative location is further from the shopping entrance than was the case in the VDC Stage 1 approval, the timing of the Stage 2 car park is unknown.

Council's EAR submission clause 5.2 (c) raised this issue and Council again requests the Department require that long vehicle spaces be designed, permanently located and signposted in the Stage 1 car park.

2.25 The condition has been replicated from the VDC Stage 1 approval however the location of the temporary southern car park is further away from

the entry to the shopping entrance than was the case in the VDC Stage 1 approval. Council considers that short-term drop off/pick up parking bays should be provided as close as possible to the entrance to the retail areas. The wording of the condition should be amended to enable this.

2.26 The proponent has added words relating to loading bays to require "swept paths to be checked". This is less than the PPR and Halcrow Appendix B statements that state the "check" should be made "before the issue of the CC for Stage 1". The purpose of testing the design using swept vehicle wheel paths is to demonstrate that the loading bays and internal access roads enable the delivery vehicles to operate.

Council requests the DoP add words to the amended condition to require the check to be "prior to the issue of a CC for Stage 1". The same will apply when the Stage 2 approval is required.

2.40 The proponent has added reference to Stage 2; however it is understood from Condition 1.1 the approval is only relating to the Stage 1 approval and the Stage 2 reference should be deleted.

## **8.0 Conclusion**

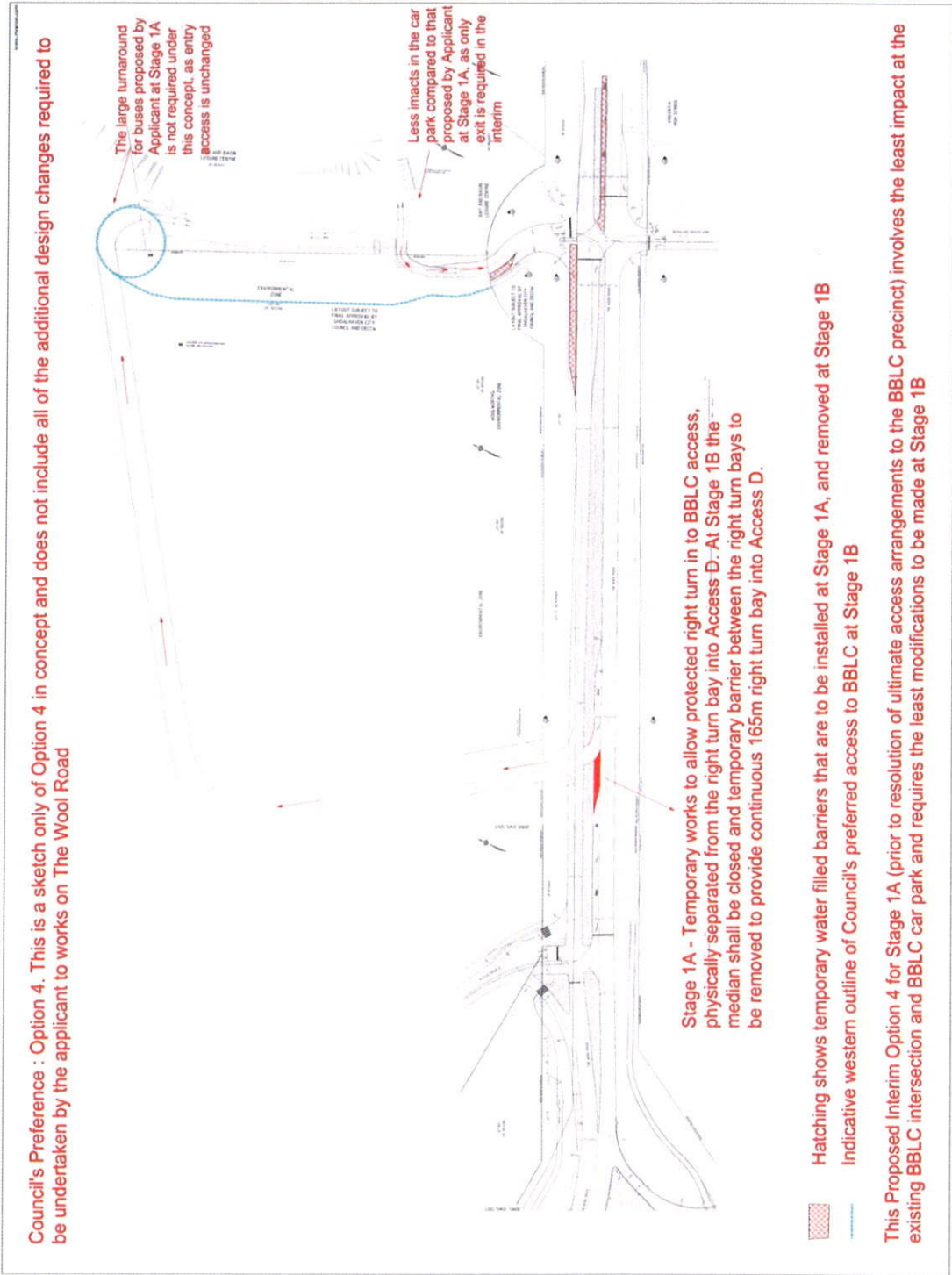
Council is committed to working with the DoP and the proponent to resolve issues arising from the development. The final designs for the new access to the BBLC while unresolved do not prevent Access E and the intersections being constructed in the proponents Stage 1A. As such, Council recommends a further Option 4 be considered and implemented for The Wool Road and establishing a temporary arrangement for the BBLC until all the issues are resolved.

Council requests the DoP to agree to Council facilitating discussions from the RTA and also agrees to further meetings with the proponent to assist resolution of The Wool Road and Access E issues.

Council has resolved at its meeting on 16 November 2010 to make representations to the Premier, the Hon. Kristina Keneally MP, State Member for South Coast, the Hon. Shelley Hancock MP and the Federal Member for Gilmore, the Hon. Joanna Gash MP to assist in the resolution of issues affecting a number of government agencies especially as it relates to impacts for Council on development and access within the BBLC precinct.

**T Fletcher**  
**Director,**  
**Development and Environmental Services Group.**  
**23 November 2010**

APPENDIX 1 - Proposed Option 4





City Administrative Centre  
Bridge Road, Nowra NSW Australia 2541  
Phone: (02) 4429 3111 • Fax: (02) 4422 1816 • DX 5323 Nowra  
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The General Manager, PO Box 42, Nowra NSW Australia 2541



.08/1006-03 (D10/291017)  
hn Britton

20 December 2010

Department of Planning - Major Project Assessments  
Regional Projects Branch  
GPO Box 39  
SYDNEY NSW 2001

Attention: J Phillpot



Dear Sir

**MP06\_0205 – Modification 2**  
**Vincentia District Centre Stage - Provision of Library Space**

I refer to the above application that is the subject of the Department assessment.

Council has forwarded a submission to the Preferred Project Report including those in respect of the positioning of the library space within a future Stage 2. The provision of a library is included in the approval of the Vincentia District Centre Stage 1, issued on 7 January 2009, and Modification 2 would see the Stage 1 not include the library.

Council does have concerns if Stage 2 is not constructed within a reasonable period, considered to be 5 years or by 2014/15. The provision of a library space is seen as a critical community facility and Council requests the Department consider an appropriate condition to ensure that the library space of 1400m<sup>2</sup> be provided by the developer as part of Stage 1 by 2014/15 should Stage 2 not proceed by the year 2014/15.

If you need further information about this matter, please contact John Britton, Development & Environmental Services Group on (02) 4429 3432. Please quote Council's reference 3A08/1006-03.

Yours faithfully

**Tim Fletcher**  
**Director Development & Environmental Services**