



28 March 2013
Our Ref: 6376B.40DK

The Director-General
Department of Planning and Infrastructure
GPO BOX 39
SYDNEY 2000

Dear Sir

**S75W Modification to Approval for Major Project 06_0205
Vincentia District Centre
Modification No. 5**

DFP has been engaged by Stockland to review the above Section 75W Modification application and prepare this submission.

From our review of the Environmental Assessment (EA), the modification will effectively create a neighbourhood centre as Stage 1 and the centre is envisaged to grow into a subregional centre as the population in the catchment increases. The proposed modification will result in Stage 1 having a gross floor area of 10,282m² compared to the 14,000m² approved under the Project Approval issued on 7 January 2009.

One of the outcomes of the modification is a proposed modification to the need for certain road works due to the reduced traffic demands arising from the revised staging and gross floor area. The application is supported with two traffic assessments prepared by Colston Budd Hunt and Kafes Pty Ltd (CBHK). The report dated November 2012 examines the traffic effects of Stage 1 of the development and the other report dated December 2012 examines the traffic effects of Stage 2 of the development.

In relation to previously approved road upgrades the CBHK has concluded that:

- In stage 1 the adjoining road network and site accesses will operate satisfactorily at peak times (Thursday afternoon and Saturday midday)
- The roundabout at The Wool Road and Naval College Road will require upgrading to 2 circulation lanes with 2 approach and 2 departure lane on all legs (except the southern leg).
- Other road upgrades (except the construction of Moona Creek Road) to the surround road network identified in previous studies is not required for either Stage 1 or Stage 2.

Stockland has no objection to the revised staging of the District Centre and amendment to the need for certain road works and supports the findings of the traffic assessment conducted by CBHK.

As noted above, the CBHK assessment has noted that the other approved road upgrades are not required. We draw to the Department's attention to the relationship between the Project



Approval for the District Centre (MP06_0205) and the Concept Plan/Project Approval for the Vincentia Coastal Village and District Centre. We set out some basic background below:

1. MP 06_0060 is the Concept Plan Approval for the Vincentia Coastal Village and District Centre (VCVDC).
2. MP 06_0058 is the Project Approval for the Vincentia Coastal Village (i.e. residential subdivision component of the Concept Plan approval).
3. MP 06_0205 is the Project Approval for the District Centre (i.e. the shopping centre component of the Concept Plan approval).
4. A suite of road upgrades were approved as part of the Statement of Commitments for MP06_0060 and MP06_0058 (Concept and Project Approvals for the VCVDC). One set of Commitments was approved for both applications.
5. When MP 06_0205 was approved, some of the Commitments from the Concept and Project Approvals for the VCVDC were carried across to Project Approval for the District Centre. This resulted in all three approvals containing similarly worded Commitments, including Commitments relating to road upgrades.

Commitment No. 48b of MP06_0060 and MP06_0058 is a 'catch all' commitment and requires the full suite of road works (including works in Naval College Road and The Wool Road) to be completed prior to the occupation of Stage 1 of the District Centre. The Modification proposes deletion of some of the proposed road works. If the modification is approved, then the responsibility for the road upgrades will remain on MP06_0060 and MP06_0058. If the Department's assessment concludes that Modification No. 5 should be approved, then MP06_0060 and MP06_0058 should also be modified to be consistent with MP06_0205.

The proposed Modification to MP06_0205 involves changes to the conditions and commitments relating to the road upgrades. We also note that if Modification No.5 is approved, then the Concept and Project Approvals for the VCVDC will retain un-modified versions of the same conditions or commitments. Some examples are provided below:

- Condition 2.16 of MP06_0205 requires approved road upgrades to Naval College Road to be constructed prior to Stage 1A of the District Centre at the proponent's full cost. The EA for Modification No. 5 proposes that widening of Naval College Road and The Wool Road is not required for the traffic demands of Stage 1 or Stage 2 of the District Centre. However, Commitment No. 57 of MP06_0060 and MP06_0058 requires Stockland to upgrade Naval College Road between The Wool Road and Access C to 4 lanes, prior to the occupation of Stage 1 of the District Centre. Therefore there is a potential inconsistency between the two approvals if Modification No. 5 is approved.
- Commitment 27a of MP06_0205 relating to design and construction of Access C prior to occupation of Stage 1 of the District Centre is proposed to be deleted. This commitment is also contained in the approved Statement of Commitments for the MP06_0060 and MP06_0058 (Commitment No.55).
- Commitment 27b of MP06_0205 relating to design and upgrade of Naval College Road between Access C and B is proposed to be deleted. This commitment is also contained in the approved Statement of Commitments for the MP06_0060 and MP06_0058 (Commitment No.58a).

The works in Commitments No 27a and 27b might be partly complete and not of concern from an implementation point of view. However, they illustrate the potential discrepancy that can arise between the two approvals if Modification No. 5 is approved without a subsequent modification to MP06_0060 and MP06_0058.



We are aware that the Department cannot simply modify an approval without an application being made. However, it would seem appropriate that any modification to MP06_0060 and MP06_0058 not be prepared until Modification No. 5 has been assessed and determined.

A full review of the Approval instruments would be required to determine what amendments would be necessary to MP06_0060 and MP06_0058 to remain consistent with the outcome of the assessment and determination of Modification No. 5 to MP06_0205.

Stockland therefore reserves its right to make a further modification to MP06_0060 and MP06_0058 to ensure that it is consistent with the determination of Modification No. 5.

Should you wish to discuss this submission please do not hesitate to contact David Kettle at DFP on 9980 6933.

Yours faithfully

DON FOX PLANNING PTY LTD

A handwritten signature in black ink, appearing to read 'D. Kettle', written over a horizontal line.

**DAVID KETTLE
DIRECTOR**

dkettle@donfoxplanning.com.au

Reviewed

A handwritten signature in black ink, appearing to read 'D. Kettle', written over a horizontal line.