

**MODIFICATION REQUEST:
Stage 1 - Vincentia District Centre
Corner of Naval College Road and the Wool
Road, Vincentia**

MP 06_0025 MOD 5

**Modifications to the design of the Vincentia
District Town Centre**



**Director-General's
Environmental Assessment Report
Section 75W of the
Environmental Planning and Assessment Act 1979**

September 2013

Cover Photograph: Plan of the Vincentia Town Centre (source: Scott Carver Pty Ltd)

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EXECUTIVE SUMMARY

This is a request to modify the project approval for a transitional Part 3A project known as the Vincentia District Centre in the Shoalhaven local government area. Key modifications to the project approval relate to changes to staging of the project, changes to circulation and access, modifications to gross floor areas and associated building changes.

The site is listed in Schedule 3 of the *State Environmental Planning Policy (Major Development) 2005* (the MD SEPP) as a State Significant Site. Part 29 of Schedule 3 refers to the Vincentia Coastal Village and sets out the planning provisions which apply to development within the site. The approved concept plan sets out the proposed uses and the modification request is consistent with these.

The Environmental Assessment report was publically exhibited from 27 February 2013 until 29 March 2013 for a period of 31 days. The department received 21 submissions during the exhibition of the EA, including 8 submissions from public authorities and 13 submissions from the general public and special interest groups. Public submissions included 5 in support, 3 objections and 5 making comments or recommendations.

The department considers the key environmental assessment issues for the modification to be:

- the revised staging;
- urban design and built form; and
- traffic, access and parking.

In response to the issues raised, the proponent provided a Response to Submissions (RtS) and a revised modification proposal. The RtS and revised proposal were made publicly available on the department's website and referred to relevant government agencies and council.

The department has assessed the modification request on its merits and considers the modification is reasonable for the following reasons:

- the revised modification proposal will not result in any significant changes to the principal purpose and or intensity of the Vincentia Town Centre development as approved;
- the modification does not change the original assessment as to the site's suitability for this development to establish a town centre in this location;
- while the design and shape of the town centre would change, the overall development and its key features remain the same as that approved;
- the modified proposal can be constructed and operated to ensure an acceptable level of amenity for the community with appropriate connections to surrounding uses and to the external road network;
- the modified proposal remains consistent with the overall design intent established through the design excellence process and is considered to be a positive outcome; and
- the department is satisfied that the environmental risks including noise, traffic and other impacts associated with the revised modification can be adequately managed through the proposed management measures and the existing and modified conditions of approval.

It is therefore recommended the application be approved subject to modified and additional conditions and an amended Statement of Commitments.

The application is being referred to the PAC for determination as the proponent, Fabcot Pty Ltd, has submitted a political donations disclosure statement in respect of the original project application and in respect of the current modification request.

1. BACKGROUND

1.1 The Site

The site (refer **Figure 1**) is located on the northern corner of the intersection of Naval College Road and The Wool Road, Vincentia. It is within the Shoalhaven Local Government Area.

The site is bounded by Jervis Bay National Park and wetlands to the north, The Wool Road to the south east and Naval College Road to the south west. Vincentia township is located 2 kilometers north-east of the site. The site has been cleared for development.



Figure 1 – Site Location (source: Environmental Assessment prepared by TPG planning dated November 2012).

1.2 Previous Approvals

State Significant Site

On 14 November 2008 the Vincentia Coastal Village, including the District Centre, was listed in Schedule 3 Part 29 of the *State Environmental Planning Policy (Major Development) 2005* (the MD SEPP) as a State Significant Site.

Concept Plan – Vincentia Coastal Village

On 25 January 2007, the then Minister for Planning approved a Concept Plan for a 604 lot residential subdivision, adaptable housing and a district town centre (the Centre) in three stages known as Vincentia Coastal Village (MP 06_0060). The Centre, comprising 32,000m², was approved subject to a Design Excellence Competition (including a jury panel) pursuant to term A4 in Schedule 2 of the approved concept plan. The Design Excellence Competition was won by Rice Daubney.

The concept plan has been modified on 13 occasions. Generally the changes relate to the subdivision layout, lot yields, development controls applying to the site and infrastructure requirements.

The approved concept plan (as modified) for the Vincentia Coastal Village is shown in **Figure 2**.

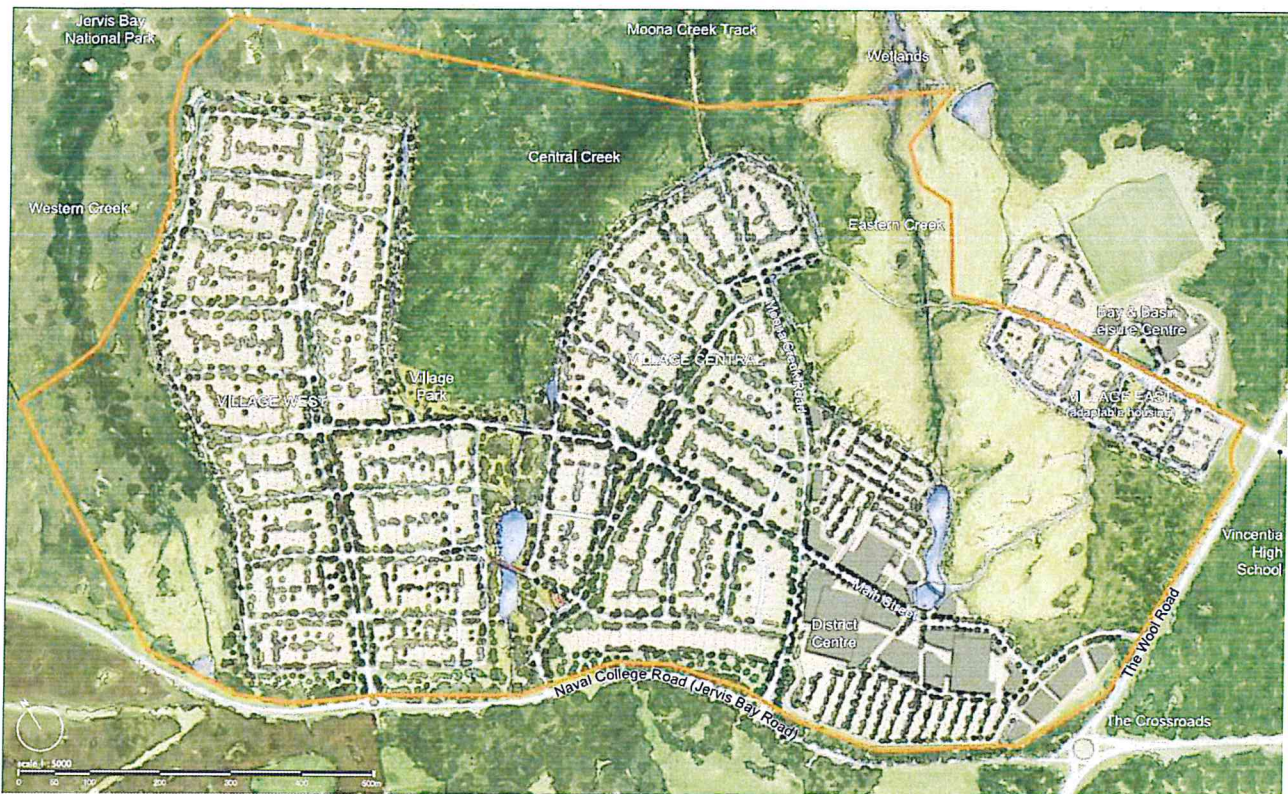


Figure 2 – Approved Concept Plan layout (source: Environmental Assessment, February 2006).

Project Approval – District Town Centre

On 7 January 2009, the then Minister for Planning granted project approval (MP06_0025) for the Rice Daubney design for Stage 1 of the Centre with 14,000 m² of floor area comprising 10,000 m² of retail space and 4,000 m² of commercial/community space (including a library).

The project approval has been modified on four occasions under delegation from the Minister:

- **MOD 1** was approved on 10 April 2009, which deleted two conditions relating to the construction of a pedestrian underpass beneath Naval College Road.
- **MOD 2** was approved on 15 March 2011, which modified the project approval to include a second stage, creating a larger Stage 1 (approximately 22,600 m²) and a smaller Stage 2 (approximately 9,400m²) with a total gross floor area (GFA) for the Centre of 32,000m², to reconfigure the car parking layout, and bring forward upgrade works to surrounding roads.
- **MOD 3** was approved on 8 August 2011, which included increasing the number of stages to 3 (known as 1a, 1b and 2); enclosing the walkways within the Centre (except for the Arbour Walk) resulting in the increase of 5,000m² GFA to 37,000m²; amending the car parking layout and number of spaces; and rationalising the Centre's design and amendments to the external material finishes.
- **MOD 4** was approved on 30 March 2012, which increased the Moona Creek Road setback, reduced retail tenancy sizes, mall widths and building footprints, reconfigured the loading dock, amended materials and finishes and brought forward construction of the car park to Stage 1A.

Clause 19 of the SSS listing in Schedule 3 Part 29 of the MD SEPP limited the total gross floor area of the Centre to 32,000m². Prior to the determination of MOD3, the PAC recommended that the Minister make an Order under section 75R (3A) of the *Environmental Planning & Assessment Act 1979* (the Act) and amend the MD SEPP to increase the maximum floor area for the Centre

from 32,000 m² to 37,000 m² to allow the modification to be approved. It is noted that the concept plan limitation of 32,000m² was not subsequently modified. The Order was made by the PAC as delegate for the Minister for Planning and Infrastructure on 3 August 2011.

2. PROPOSED MODIFICATION

2.1 Modification Description

The proposed modification seeks approval to convert the north-south pedestrian access (Arbour Walk) into a street (Arbour Street), relocate the loading dock and retail tenancies, amend the Boardwalk Link design, reduce the building footprint and net lettable area, revise the staging and reconfigure the primary circulation driveway.

On 8 June 2013, as a result of issues raised in submissions, the proponent submitted a revised modification proposal. Key changes included the following:

- reinstatement of tenancies fronting Moona Creek Road and provision of associated parking;
- increased setbacks between the pad sites and Naval College Road;
- the Boardwalk link changed from a footpath to an open landscaped swale arrangement;
- reconfiguration of the primary circulation driveway through the creation of a new 'Skiff Way' and access road along the perimeter of the southern car park;
- Arbour Way pedestrianised in Stage 3 to allow for interconnectivity between retail zones;
- Relocation of the bus stop from Moona Creek Road to within the development adjacent to the Boardwalk link and library; and
- further definition of the extent of landscaping.

The department's assessment has been undertaken on this final proposal. The modifications are detailed in **Table 1** below and illustrated in **Figures 3 and 4**.

Table 1: Project approval modification summary

Aspect	Description
<i>Revised staging</i>	The approved project is to be constructed in 3 stages known as 1A, 1B and 2. Modification 5 proposes 3 stages known as Stage 1, 2 and 3. Stage 1 to include major supermarket tenants (Woolworths & Aldi), Stage 2 to include DDS (Big W) and Stage 3 to include bulky goods retail.
<i>Reconfiguration and revised staging of construction of major tenants (Woolworths, Aldi & Big W)</i>	Modification 5 relocates the Big W and associated specialty shops from the north-west to the north-east of the Centre with construction now in Stage 2; and, relocates the major supermarkets (Woolworths and Aldi) to the north-west of the Centre with construction now in Stage 1. Supermarket 3 is proposed to be deleted.
<i>Commercial pad sites incorporated into Stage 1</i>	Modification 5 proposes to enable the inclusion of two new pad sites in Stage 1 within the north-west car park for use as a petrol station and fast food restaurant
<i>Amendments to GFA</i>	Modification 5 amends the arcade width and adjusts the mall configuration which lowers total GFA (31,958m ²) to below that approved (33,700m ²).
<i>New Arbour Way in Stage 1 catering to vehicular/pedestrian traffic</i>	The approved Arbour Walk provides pedestrian entry to the site from the main street (Moona Creek Road). Modification 5 proposes a new street catering for both vehicular and pedestrian entry to the Centre, known as Arbour Way.
<i>Arbour Way becomes Arbour Walk in Stage 3</i>	Modification 5 proposes Arbour Way to become pedestrianised and known as Arbour Walk in Stage 3 to allow for interconnectivity between retail zones.
<i>Signage</i>	Modification 5 introduces a 'gateway column forest' element at the Junction of Arbour Walk and Moona Creek Road to promote the entry position.

Aspect	Description
<i>Loading docks consolidated to a single area</i>	The approved project provides for 4 separate loading docks to accompany the separate locations of supermarkets and DDS. Modification 5 consolidates all loading docks into a single location, serviced directly from the roundabout connection on Moona Creek Road.
<i>Screening of loading dock</i>	Modification 5 proposes new façade materials including walls and natural surfaces / unfinished materials to screen the new consolidated loading dock
<i>Building level increased to R.L. 13.0m</i>	The approved project has a finished floor level of RL 12.5. Modification 5 proposes to raise the finished floor level to R.L.13.0 to level the difference between the base floor level of the main mall to Arbour Street and Moona Creek Road.
<i>New Circulation Road</i>	Modification 5 proposes improvements to the circulation network by integrating the approved north west car park, Arbour Way and a new road known as Skiff Way.
<i>Retail uses on Moona Creek Road</i>	Modification 5 proposes to delete the bus stop on Moona Creek Road and replace with two new specialty retail sites facing Moona Creek Road on the northern side of supermarket 1 (Woolworths) and associated angle parking
<i>Revised car parking layout and bus stop location</i>	Modification 5 proposes a revised car parking layout that includes a new southern carpark between Stages 1 & 2 in the north and the Stage 3 bulky goods retail precinct in the south. The southern carpark includes the relocated bus stop.
<i>Library position and timing of construction amended</i>	The approved project locates a library adjacent to the pond within the final development stage. Modification 5 proposes to locate the library adjacent to the Village Green space within Stage 2 of the development.
<i>Landscaping along Moona Creek Road</i>	Modification 5 incorporates enhanced landscape treatment along the setback edge to Moona Creek Road.

The modification request (including a political donations declaration statement) is provided at **Appendix B**.

2.1 Modification Justification

Following the approval of the design under 06_0025 MOD4, the tendering process revealed the approved development in its initial staging would not be feasible due to construction costs. Furthermore, there is a high likelihood that both the planned discount department store and the additional retail specialty stores would trade poorly which is likely to negatively impact on the Centre, and stigmatise it for the longer term. Therefore, the proponent seeks to make the Centre more cost efficient in its initial stages by revising the design and staging.

Essentially, the key changes mean that the supermarkets and related convenience shopping elements are to be provided first and the discount department store and other specialty stores are to be provided in subsequent stages.

3. STATUTORY CONTEXT

3.1 Continuing Operation of Part 3A to Modify the Project Approval

In accordance with Clause 3 of Schedule 6A of the Environmental Planning and Assessment Act 1979 (EP&A Act), Section 75W of the EP&A Act as in force immediately before its repeal on 1 October 2011 and as modified by Schedule 6, continues to apply to transitional Part 3A projects.

Consequently, this report has been prepared in accordance with the requirements of Part 3A and associated regulations, and the Minister (or his delegate) may approve or disapprove the modification of the project under Section 75W of the EP&A Act.

3.2 Modification of the Minister's Approval

Project approval for MP 06_0025 was granted under Section 75J of the EP&A Act. Section 75W of the EP&A Act provides for the modification of the Minister's approval.

Pursuant to Section 75W (2) of the EP&A Act, the proponent may request the Minister to modify approval of a project. Any request is to be lodged with the Director-General. A copy of the proponent's modification request is included at **Appendix B**.

Section 75W (3) of the EP&A Act provides that the Director-General may notify the proponent of environmental assessment requirements (DGRs) with respect to the proposed modification. Following an assessment of the modification request, it was considered that DGRs are not required.

Under Section 75W (4) of the EP&A Act, the Minister may modify the approval (with or without conditions) or disapprove the modification. The following report describes the department's assessment of the requested modification and supporting documentation as provided by the proponent. It is recommended the proposed modification request be approved subject to conditions.

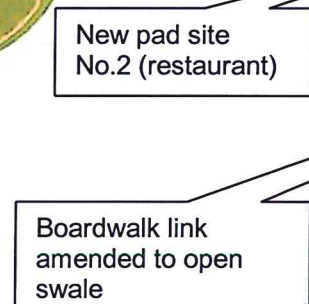
3.4 Delegation

Under the Minister's delegation of 14 September 2011, the Planning Assessment Commission (PAC) may determine the application as the proponent has submitted a disclosure statement reporting political donations.



Figure 3: Approved Centre Layout – Stages 1A, 1B and 2 (as modified by 06_0025 MOD4)

Proposed Modified Centre Layout – Stages 1, 2 and 3 (06_0025 MOD5)



New pad site No.1 (petrol)

New retail tenancies and angle parking

Two supermarkets constructed in Stage 1

Arbour Way for vehicle and pedestrian traffic

TEMPORARY REVEGETATED LANDSCAPE REFER LANDSCAPE ARCHITECTS DRAWINGS

WETLAND RL 8.0

NEW CIRCULATION ROAD

RELOCATED BUS STOP

EXISTING MAVAL COLLEGE ROAD

PAD SITE 1 PETROL 1700sqm

157 spaces

PAD SITE 2 RESTAURANT 3000sqm

12 spaces

14 spaces

SUPERMARKET 1

SUPERMARKET 2

ARCADE 1

DOCK

LOADING AREA

VILLAGE GREEN PARK

ROAD RL 7.5

WATER RL 6.5

WETLAND RL 8.0

EXISTING ROUNDABOUT

EXISTING THE WOOD ROAD

BBL ACCESS ROAD TO REMAIN

FUTURE DEVELOPMENT SITE

FUTURE DEVELOPMENT SITE

Proposed Modified Layout – Stage 1 Plan (06_0025 MOD5)

4. CONSULTATION AND SUBMISSIONS

Under Section 75X (2) (f) of the EP&A Act, the Director-General is required to make the modification request publicly available. Accordingly, the department:

- publicly exhibited the modification from 27 February 2013 until 29 March 2013 (31 days) on the Department's website, at the Department's Information Centre, Shoalhaven City Council Administration Office and at the Shoalhaven City Council Library;
- advertised the public exhibition in the Nowra South Coast Register and Nowra Shoalhaven Newspaper on 27 February 2013; and
- notified surrounding landholders and relevant State and local government authorities in writing.

A total of 13 submissions were received from the general public including 5 in support, 3 objections and 5 comment / recommendation submissions, in response to exhibition of the modification.

The department also received 8 agency submissions from public authorities including: Shoalhaven City Council, the Office of Environment and Heritage, Department of Primary Industries (Jervis Bay Marine Park and Office of Water), the Commonwealth Department of Sustainability, Environment, Water, Population & Communities (SEWPaC), Roads and Maritime Service, NSW Education and Communities, Shoalhaven Police and, Endeavour Energy.

A summary of the issues raised in submissions is provided below:

4.1 Shoalhaven City Council

Council raised a number of concerns with the modification as originally proposed:

- the outcomes of the original design competition and concepts have been compromised;
- location of the two pad sites on Naval College Road (NCR) fragments the town centre and creates the potential for further ribbon development along NCR;
- the concept of a town centre main street is lost with the orientation of the main buildings away from Moona Creek Road, reducing the sense of "arrival" at a town centre;
- further detail is required regarding the proposed landscaping for existing cleared areas of the site;
- potential lack of consistency with car parking requirements for Stage 1 and Stage 2;
- deletion of commitments to undertake road works to the street network around the development;
- inadequate consideration of pedestrian safety from outside the development;
- inadequate information regarding the stormwater concept layout; and
- inadequate of traffic reports to enable proper assessment of potential traffic impacts.

In response to these issues, the Proponent submitted a revised modification proposal which incorporated urban design amendments (as described in **Section 2.1** of this report) and a scope of road works to facilitate council support for the scheme. Council advised it now supports the proposed modifications subject to conditions. The department has provided detailed consideration of the concerns raised by council outlined in **Section 5.1** (Urban Design) and **Section 5.2** (Traffic, Access and Parking).

4.2 Office of Environment and Heritage (OEH)

The OEH originally raised the following concerns with the modification as originally proposed:

- environmental damage caused by clearing of the commercially zoned area; and
- the deletion of the proponent's commitment to rehabilitate the existing access road to the Shoalhaven City Council's Bay and Basin Leisure Centre (BBLC).

After reviewing the updated Statement of Commitments (SoC) submitted with the revised modification proposal, the OEH advised that it now supports the proposed modifications and updated SoC.

4.3 Jervis Bay Marine Parks Authority (JBMP Authority) (Department of Primary Industries)

The JBMP Authority advised that the Vincentia Town Centre site drains via the SEPP 14 wetlands into the Moona Moona Creek (zoned 'sanctuary') within the Jervis Bay Marine Park. Therefore achieving best practice water and water quality management outcomes is essential so that the town centre development does not impact on marine biodiversity and ecological values of the Marine Park.

These matters have been addressed in the modified conditions and updated SoC.

4.4 NSW Office of Water (Department of Primary Industries)

The NSW Office of Water provided the following comments:

- SoC Item 13 should be amended to include a design option for an open channel; and,
- SoC Item 15 should be amended to undertake further detailed design of the top up arrangements for the on line pond including adequate management of blue green algae and aquatic weeds and, water balance details (including need for alternative options) to ensure rain tanks are adequate during dry periods to top up pond.

These matters have now been addressed in the updated SoC.

4.5 Commonwealth Department of Sustainability, Environment, Water, Population & Communities (SEWPaC)

SEWPaC advised that the existing access road which dissects the environment zone, on this part of the site owned by Woolworths, is an important habitat corridor for the endangered Eastern Bristlebird.

In response to the proponent's proposed scope of road works agreed to by council, SEWPaC provided the following comments:

- the proponent's commitment to construct the new BBLC road access and rehabilitation of the existing access road during Stage 1 is sufficient to satisfy the requirements of Condition 2.42 – *Environmental Zone Rehabilitation Works* corresponding to Condition (3h) of the Commonwealth approval; and
- the need for traffic calming measures to mitigate potential impacts on the endangered birds crossing the Wool Road from the Bayswood Environmental Zone needs consideration.

4.6 Roads and Maritime Services (RMS)

RMS advises that no updated analysis of pedestrian movements across Naval College Road, in the location of the signalised crossing, had been carried out. On this basis, RMS recommended that the mid-block traffic signals be required as a condition of Stage 1 of the development.

4.7 NSW Education & Communities

The NSW Education and Communities do not object to the proposed modification. Notwithstanding, raise concern in relation to impact to the Vincentia High School entrance as a result of the new shopping centre complex.

4.8 Other Authorities

The NSW Rural Fire Service, Endeavour Energy, Shoalhaven Police, NSW State Emergency Service, NSW Trade & Investment Sydney Water and Endeavour Energy did not raise any concerns in relation to the proposed modifications.

4.9 Public Submissions

Thirteen submissions were received from the general public including 6 in support, 3 in objection and 4 submissions made comments / recommendations. The key issues raised in objections (including from the Vincentia Ratepayers and Residents Association) are summarised below:

- the urban design of Modification 4 and 5 negates the approved Vincentia District Centre place making design strategy (Rice Daubney);
- the modification fails to satisfy the design excellence criteria listed in Part A4 Schedule 2 of the approved concept plan;
- the proposed modification is starkly different to the high standard of architectural design of the original Rice Daubney submission considered by the jury panel;
- the original design was progressive in the use of natural ventilation and sunlight, the proposed modification seeks to enclose and air-condition the entire public and retail space;
- the quality and amenity of the public domain has been significantly diminished;
- contrary to the "not visible" requirement, the proposed car parking, service station and fast food restaurant is designed in a manner to be highly visible from adjacent roads;
- the design proposes an inappropriate character of development (shopping centre not town centre);
- the previous concept of a food hall and alfresco eating area connecting to the Village Green has been replaced by a drive-through fast food restaurant adjacent to Naval College Road. This narrows the variety of food available to the community and diminishes the role of the VDC as a community hub and meeting place;
- the plan for a fast food restaurant instead of a food hall also introduces a precedent that will impact on the health and well-being of children from adjacent schools;
- loss of bush concept;
- the proposal will result in traffic impacts (including pedestrian / cycle safety and connection), with a reduction in road infrastructure but the same traffic generation;
- any road works should be undertaken as part of Stage 1;
- the proponent has overstated population growth and retail expenditure impact to justify the revised staging;
- the library has been reduced in area and will be the only remaining community facility; and
- the design process did not include bus operators.

Other issues raised in a small number of submissions include:

- inadequate disabled parking;
- local native plants should be used to screen the car park and rooflines of buildings;
- any marketing signs for the centre should be below roofline height to break up the visual presence of the building
- any neon/ illuminated centre signs should be switched off between 10pm and 6pm to prevent glare;
- rainwater recycling off roofline and drains should be implemented;
- grey water recycling from waste water outlets should be integrated into the design;
- there should be a footpath, pedestrian crossing and a 60km speed limit along Naval College Road; and
- Stockland's right to modify Concept Plan Approval (MP06_0060 & MP06_0058) to ensure consistency with MOD 5 approval.

Letters of support raise the need to construct the Vincentia Town Centre as soon as possible to supply the local community and tourists with a much needed shopping facility and employment opportunities.

A copy of the submissions is provided at **Appendix C**. The department has considered the issues raised in submissions in its assessment of the proposed modification.

5. ASSESSMENT

The department considers that the key assessment issues for the proposed modification to be:

- revised staging
- urban design and built form;
- traffic, access and parking; and
- other issues.

5.1 Revised Staging

The approved project (as modified under MOD4), was to provide a DDS (Big W), two supermarkets (Woolworths with associated liquor and Aldi), a range of specialty retail stores (including mini/major retail outlets), commercial gross floor areas, Centre management and amenities as part of the first stages of development (Stage 1A and Stage 1B). Stage 2 was approved to include a third supermarket, mini/major specialty shops and commercial gross floor areas.

The revised proposal includes the delivery of only two supermarkets and associated convenience retail (bakery, butcher, chemist, etc) in the first stage. The DDS and other associated specialty retail shops will now be delivered in Stage 2 and a bulky goods precinct in Stage 3. Essentially the changes will delay the construction of the DDS and associated specialty retail to Stage 2. In brief, Stage 1 as now proposed will provide the two supermarkets and approximately half of the previously planned mini-majors and specialty store floorspace. Once Stage 2 of the project is completed, the combined Stages 1 and 2 would then be equivalent to the previously proposed centre which was planned to be delivered as one stage.

The overall gross floor areas (GFAs) for each stage have been modified to accommodate the revised layout and staging. A summary of the changes for the major tenants are summarised in **Table 2** below.

Table 2: Summary of the change in GFA for major tenants

Major Tenant	Approved GFA (MOD4)	Proposed GFA (MOD5)	+/-
Woolworths	3,894m ²	4,187m ²	+ 293m ²
Aldi (incl trolley bay)	1,075m ²	1,396m ²	+ 321m ²
DDS (Big W)	7,457m ²	7,780m ²	+ 323m ²
Total	12,426 m ²	13,363 m ²	+937m ²

The delivery of an independently functioning shopping Centre rather than a district centre providing a range of uses, including commercial uses in Stage 1 raised particular concern amongst the community. The proponent was therefore required to further justify this approach.

The proponent advised that since the original project was approval, there has been a deterioration in retail trade (market) conditions and a lower rate of population growth in the area. Staged delivery of the Centre allows for increased flexibility in construction timing, ensuring the Centre is financially viable and suitable for the intended users. The proponent has also confirmed that the specialty retail uses on the northern side of the Woolworths supermarket may also be leased to commercial tenants such as a medical centre.

Department's Consideration

The department notes that while the staging has been revised, the overall retail gross floor areas and range of uses are not significantly different to the Centre as approved. Notwithstanding that Stage 1 is able to function independently of the remaining proposed stages, the department acknowledges the revised modification proposal retains its capacity to support a district centre

development consistent with its emerging major town status identified in the South Coast Regional Strategy for the following reasons:

- Stage 1 of the Centre still includes a range of uses including retail and commercial uses;
- the modified Stage 1 Centre is much more likely to be fully let and trade vibrantly, resulting in a greater net community benefit for the Vincentia community;
- the department considers that the key design principles of the original design intent for a town Centre development have been retained; and
- the Centre responds to the need for stronger links between the site and surrounding land uses and to external street networks through well-defined and appropriately located and timed footpath, cycle and road infrastructure upgrades compared with that approved.

It is noted that the proponent advised that the retail tenancies facing Moona Creek Road may also be used for commercial tenancies, however, the plans submitted for approval do not reflect this in the range of uses across the Centre. To ensure that there is still potential for the provision of commercial uses in Stage 1, a condition of approval amends the plan to allow these tenancies to be let as retail or commercial uses.

Having regard to the above, the department supports the revised staging to expedite delivery and operation of the Centre envisaged by the concept and project approvals and, in line with adequate market demand from population growth. Accordingly, the department recommends that Condition 1.1 Schedule 2 – *Development Description* of MP06_0025 be amended to incorporate the revised staging.

5.2 Urban Design and Built Form

The proposed modification as originally submitted raised a number of concerns by the department and council in relation to urban design and built form, including a lack of consistency with the original Rice Daubney design and fundamental design principles. As a result, council requested that the department facilitate an independent urban design peer review of the modification proposal.

The department subsequently engaged an internal urban design expert within the department's Centres and Urban Renewal Team to review the proposal. The review was undertaken having regard for the design outcomes required as part of the original design excellence competition. A number of recommendations were made to improve the design and to ensure consistency with the original design principles of the approved Rice Daubney design.

In response to these recommendations and the issues raised by council, the Proponent submitted amended plans, including a Design Summary (prepared by Scott Carver Architects) to address these matters. A summary of the response to each issue is provided in **Table 3** below.

Department's Consideration

The department and council are supportive of the revised design approach, subject to some minor matters to be addressed through the recommended conditions of approval. These relate to additional gateway signage, improvement of general traffic circulation and pedestrian safety issues.

In relation to the gateway sign, council suggests that further consideration should be given to a gateway treatment sign/display at the intersection of MCR and NCR near the service station site, similar in treatment to the timber screening proposals adjacent to the loading dock that will provide an attractive town centre entrance statement. The department agrees with the suggestion and has included a condition of approval requires the details of this gateway element be submitted to council for approval.

Table 3: Summary of the Proponent's response to urban design issues

Urban Design Issue	Proponent's Design Response
<i>The proposal should be redesigned so that hard stand car parks are separate to circulation routes. These circulation routes should be designed to have the potential to become public streets and be part of a legible future street network.</i>	A street type feel is created throughout and adjoining the development, including a clear circulation route for vehicles through re-alignment of the internal roads and hard stand car park areas, provision of parallel parking and footpaths
<i>The street network should also be redesigned so that it integrates with existing street networks adjoining the site. Internal circulation should link into existing intersections as well as to the approved signalised pedestrian intersection that will serve the proposed school on the other side of Jervis Bay/Naval College Road.</i>	The new circulation driveway has been formalised as Skiff Way and Arbour Way in Stage 1, connecting to and integrating with the existing street network, particularly identifying two clear connections with Moona Creek Road in the north and a single connection through to The Wool Road in the south. Clearly defined internal circulation paths for pedestrians, including a link to the proposed school.
<i>Hard stand car parking should be setback off circulation routes to provide space for a verge and footpath to potential future streets.</i>	Both the western and southern hard stand car parking areas have been located off circulation routes with clearly defined pedestrian paths throughout the Centre.
<i>Buildings should not be built across circulation routes that could become public streets in the future.</i>	No buildings are constructed over circulation routes.
<i>Locate built form so that it addresses street frontages, providing active frontages to the main street and address to other streets.</i>	Moona Creek Road activated by inclusion of two retail shops, on street angle parking and architectural form to create a sense of arrival and place for the town centre. Retail tenancies located along the new 'Skiff Way' creating an active frontage to this new internal street (refer Figure 5).
<i>The future design of buildings on the pad sites on the corner of Moona Creek Road and Jervis Bay/Naval College Road should ensure they address the street frontages with glazed portions, signage and building design features.</i>	The design of the commercial areas on these two pad sites will be subject to submission of separate development applications to council.
<i>The loading dock should be relocated to reduce conflicts with pedestrians entering the town centre via Arbour Walk.</i>	Arbour Way embellished through wide pedestrian paths improving pedestrian safety (refer Figure 6 and 7)
<i>Locate loading docks so that they are not visible from Jervis Bay/Naval College Road, Moona Creek Road or environmental lands.</i>	A high degree of architectural design and landscape features have been incorporated into the development including feature screens to prominent corners of site (loading dock) and mounted landscape screens to the walls of Arbour Way (Figure 8)
<i>Provide landscape buffers to car parks so that they are not visible from Jervis Bay/Naval College Road, Moona Creek Road or environmental lands.</i>	The setback to Naval College Road is increased to provide a landscaped buffer to the future commercial sites from Naval College Road removing impression of strip retail and queuing concerns. Landscape details of swale treatment, cycle paths, footpath routes across car park, perimeter planting have been provided and designed in response to topography and development of the site

On balance, the department considers that the amendments to the revised design present a workable scheme to develop a high quality town centre that does not compromise the general siting and layout of the project, as approved and would remain consistent with the key design outcomes as required by the design excellence competition.



Figure 5: Corner of Moona Creek Road and Skiff Way



Figure 6: Arbour Way pedestrian pathway (Stage 1)



Figure 7: Arbour Way pedestrian/road link (Stage 1)

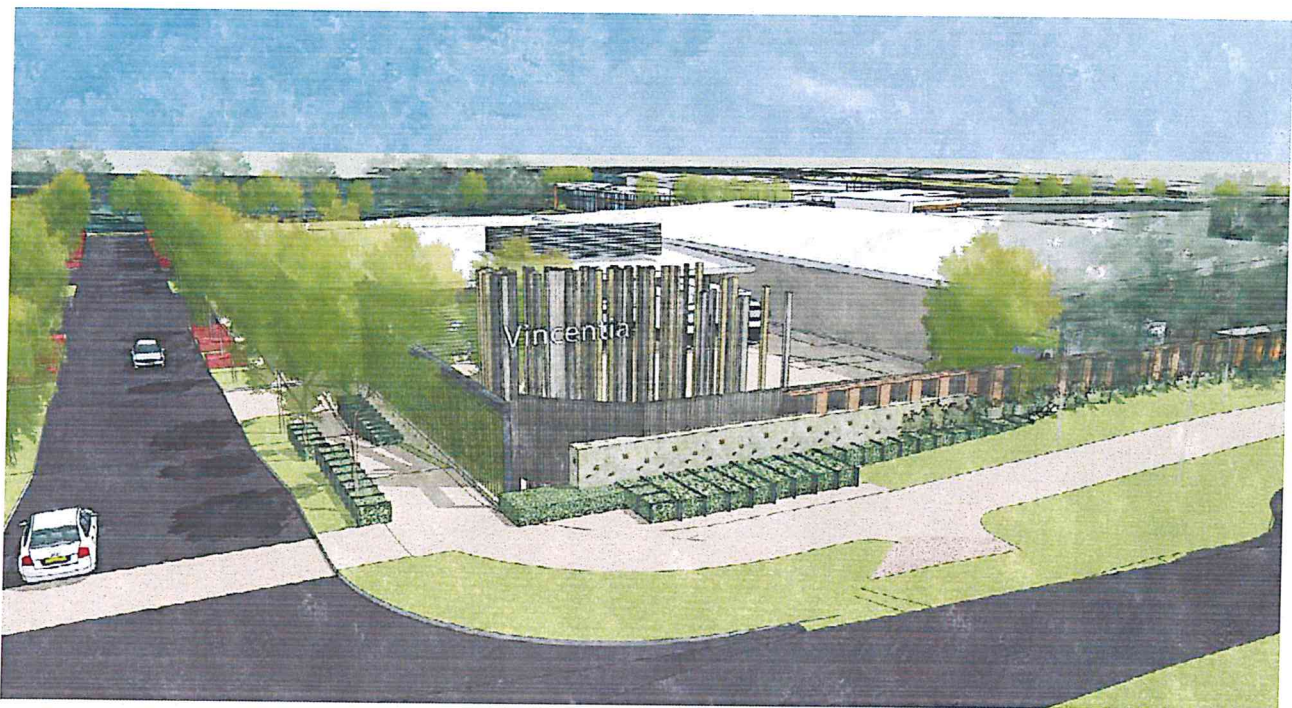


Figure 8: Screening of loading dock using landscaping and gateway architectural feature

5.3 Traffic, Access and Parking

As part of the approved project, the proponent had committed to undertaking a series of road upgrade works on the adjoining road network in Stage 1, including:

- upgrades to Moona Creek Road (MCR) and Naval College Road (NCR) (also known as Jervis Bay Road);
- upgrade to the MCR / NCR roundabout;
- upgrade to The Wool Road / Naval College Road roundabout; and
- a new access road to the Bay and Basin Leisure Centre (BBLC).

As part of the modification request, the proponent prepared traffic and parking assessments in relation to Stage 1 and Stage 2 of the Centre to take into account the proposed changes to the car parking configuration and traffic network management. The studies concluded that:

- the parking provision for the shopping centre is considered appropriate and complies with the requirements of council's DCP 18;
- servicing and access arrangements and parking layout are considered satisfactory;
- with Stage 1 traffic in place the adjoining road network and the site accesses would operate satisfactorily or better in the Thursday afternoon and Saturday midday peak period; and
- with Stage 2 traffic in place the roundabout controlled intersection of The Wool Road and Naval College Road would require upgrading to two circulation lanes with two approach and two departure lanes on all legs except the southern leg;
- the upgrades (apart from the construction of Moona Creek Road) to surrounding road network identified in previous studies are not required to accommodate traffic from the shopping centre.

As outlined above, the modification request did not include any of the formerly required road works as part of Stage 1 and did not include any upgrade works to NCR, The Wool Road and access to the BBLC. The department, council and the community raised concerns regarding the adequacy of the existing road network to accommodate traffic generated by the new Centre. Also, council noted that the original Statement of Commitments relating to the road upgrades was adopted on the basis that section 94 contributions would not be levied on the development in lieu of the road works being undertaken by the proponent. Therefore, the omission of the road works was not supported.

An independent traffic consultant (Aurecon) was engaged by the department to review the traffic and parking assessments. A number of issues were raised relating to modelling, assessment methodology, traffic volumes, provisions for pedestrians and cyclists, accessibility and disabled parking.

In response, and following discussions between the proponent and council, the proponent agreed to a series of road upgrades timed to coincide with construction of Stage 1 and 2 of the Centre as follows:

Stage 1:

1. Construct MCR to incorporate on grade parking;
2. Construct MCR / NCR roundabout;
3. Upgrade of NCR from 2 to 4 lanes and to include the future signalised crossing;
4. Proposed upgrade of The Wool Road / NCR roundabout;
5. Proposed upgrade of the new BBLC access road; and
6. Rehabilitation of the existing BBLC Access Road.

Stage 2:

1. Proposed Left in / Left out access onto the Wool Road; and
2. No proposed road works to The Wool Road.

Aurecon was subsequently asked to review and tailor its advice to the scope of agreed road upgrades.

Department's Consideration

The traffic consultant identified a number of issues with the proposed road works and access arrangements, including:

- a range of design matters to be addressed at the detailed design stage for the road works, intersections and loading docks;
- details of the leg / movement with the highest average delay to determine the level of service (LoS) of roundabout and priority intersections, in accordance with the RMS Guide to Traffic Generating Developments to confirm intersection performance not accounted for in the CBH&K reports for Stage 1 and 2;
- background traffic growth rates have been underestimated;

- the need for crash data analysis (last 5 years) to identify traffic safety issues on roads adjacent to the proposed site (including Naval College Road and The Wool Road) which require address so that the proposed development does not exacerbate them;
- clarification on the provision of adequate areas for safe and efficient loading and unloading of goods for the tenancies on Moona Creek Road; and
- no provision for or consultation with local bus, community bus or tourist coach operators.

The department considers that as the detailed design for the road upgrades and intersection designs will require review and approval by council and/or the Local Traffic Committee, it is not necessary to require the proponent to address these matters in detail at this stage or to be overly prescriptive in the conditions of approval. Accordingly, the department recommends that the relevant conditions for roads be incorporated into the approval requiring the detailed design plans be submitted for approval by council prior to the issue of the relevant Construction Certificate.

In relation to the construction of MCR and the MCR / NCR roundabout, upgrade of NCR and The Wool Road roundabout and BBLC Access Road design, appropriate conditions are also recommended to ensure the necessary design and construction details are approved prior to construction.

While Aurecon considers that background traffic growth rates have been underestimated, council has not raised any concerns in this regard. Therefore, the department is satisfied that the traffic growth rates used are adequate for this modification application.

The department concurs with the traffic consultant's advice that, in the absence of the test results to adequately report on intersection performance and to identify and address traffic safety issues on adjacent roads, it is prudent that conditions be included as part of the modification to ensure the above concerns are appropriately and fully considered and managed prior to commencement of construction for the centre.

Upon review of the scope of road works, council has advised it is now satisfied with the proposed staging of upgrades to the surrounding road network subject to some minor matters to be addressed through conditions of approval.

A condition of approval has also been recommended to require the proponent to consult with bus and coach operators to ensure adequate provision is made for their operations associated with the Centre. With regards to the loading for the retail tenancies on Moona Creek Road, the department is satisfied that this can be provided by allowing and providing for safe use of the loading docks for the Stage 1 supermarket and specialty stores.

On balance, the department is satisfied that the proposed road upgrades and intersection arrangements have been adequately addressed by the recommended conditions of approval.

5.4 Other issues

A number of other issues were raised during the assessment relating to management of the environmental zone, water quality, ecology, application of safer by design principles, landscaping, pedestrian and cycle access and disabled parking. These matters have been appropriately addressed through the recommended conditions of approval and/or through the proponent's revised Statement of Commitments.

6. CONCLUSION

The department has assessed the modification request on its merits and considers the modification is reasonable for the following reasons:

- the revised modification proposal will not result in any significant changes to the principal purpose and or intensity of the Vincentia Town Centre development as approved and or modified;
- the modification does not change the original assessment as to the site's suitability for this development to establish a town centre at this location;

- while the design and shape of the town centre would change, the overall development and its key features remain the same as that approved and as previously modified;
- the amendments to the layout of the proposal represent an improvement to the appearance and function of the Vincentia Town Centre compared with that publicly exhibited;
- the modified proposal can be constructed and operated to ensure that an acceptable level of amenity is maintained for the community with appropriate connections to surrounding uses and to the external road network;
- the modified proposal remains consistent with the overall design intent established through the design excellence process and is considered to be a positive outcome; and
- the department is satisfied that the environmental risks including need for rehabilitation, water quantity, quality measures, noise, traffic and other impacts of the revised modification can be adequately managed through the proposed management measures and the existing and modified conditions of approval.

It is therefore recommended that the application be approved subject to modified conditions and amended Statement of Commitments.

7. RECOMMENDATION

It is **RECOMMENDED** that the Planning Assessment Commission, as delegate for the Minister for Planning and Infrastructure:

- Consider** the findings and recommendations of this report;
- Approve** the modification request under delegated authority, subject to conditions; and
- Sign** the attached Instrument at **Appendix A**.

Endorsed by Sally Munk
A/Team Leader
Industry, Social Projects & Key Sites


Heather Warton
Director
Industry, Social Projects and Key Sites

 26.9.13
Chris Wilson
Executive Director
Development Assessment Systems and Approvals

APPENDIX A RECOMMENDED MODIFYING INSTRUMENT