WARNERVALE **Town Centre Civic Precinct**

ENVIRONMENTAL ASSESSMENT Major Project Application 10_0195 Proponent: Fabcot Pty Ltd







TOWN PLANNING AND URBAN DESIGN









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PROJECT MANAGER





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CIV - Capital Investment Value EA - Environmental Assessment DoPI - Department of Planning and Infrastructure DGEARs - Director-General's Environmental Assessment Requirements RTA - Roads and Traffic Authority SEPP - State Environmental Planning Policy SSS - State Significant Site SSS study - State Significant Site study WTC - Warnervale Town Centre WTCDCP - Warnervale Town Centre Development Control Plan



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Abbreviations

Overview

This Environmental Assessment (EA) report has been prepared on behalf of Fabcot Pty Ltd (Fabcot) being the proponent for Major Project Application No. 10 0195 (Project Application) and the owner of all land in Lot 521 in DP 594725 located at the corner of Nikko Road and Hakone Road, Warnervale (subject site).

The purpose of this EA is to provide details of the Project Application and an assessment against all the relevant planning and environmental considerations. This EA includes a number of technical investigations associated with the subject site to assist in evaluating the benefits of the Project Application while at the same time managing its impacts.

Background

The following is a summary of the legislative background for the Project Application.

On the 7 November 2008, all of the parcels of land which form the Warnervale Town Centre (WTC), were declared a State Significant Site (SSS) with the gazettal of an amendment to State Environmental Planning Policy (Major Development) 2005 (Major Development SEPP) by inclusion of Part 16 "Warnervale Town Centre" in Schedule 3.

To enable the proposed development the subject of this Project Application to be considered for the purposes of Section 75E of the Environmental Planning and Assessment Act, 1979 (EP&A Act), Clause 6 of Part 16 "Warnervale Town Centre" in Schedule 3 of the *Major Development SEPP* must be triggered. Clause 6 of Part 16 "Warnervale Town Centre" in Schedule 3 of the Major Development SEPP states:

Development for the purposes of retail premises within the Warnervale Town Centre that has a capital investment value of more than \$20 million and a floor space area of more than 5,000 square metres.

Part 16 "Warnervale Town Centre" does not specifically define "retail premises", however the interpretation at Clause 2 references the Standard Instrument (Local Environmental Plans) Order 2006 which at the Dictionary includes a definition for "retail premises" as follows:

"Retail premises" means a building or place used for the purpose of selling items by retail, or hiring or displaying items for the purpose of selling them or hiring them out, whether the items are goods or materials (or whether also sold by wholesale), and includes any of the following:

- (a) bulky goods premises,
- (b) cellar door premises,
- (c) food and drink premises.
- garden centres. (d)
- hardware and building supplies, (e) (f) kiosks.
- (g) landscaping material supplies,
- (h) markets,
- (i) plant nurseries,
- (j) roadside stalls,
- (k) rural supplies,
- (I) shops,
- (m) timber vards.

(n) vehicle sales or hire premises, but does not include highway service centres, service stations, industrial retail outlets or restricted premises.

Note. Retail premises are a type of commercial premises—see the definition of that term in this Dictionary.

The proposed development is considered to be consistent with the definition of a "retail premises" as defined above, (a full description of the proposed development follows on page ii, under the heading "Description of the Proposed Development". The proponent has obtained a QS Certificate which can be found at *Appendix D*, which demonstrates the Capital Investment Value (CIV) is greater than \$20 million. The proposed development has a floor space area of more than 5,000 square metres, and therefore is consistent with the provisions of Clause 6 of Part 16 "Warnervale Town Centre" in Schedule 3 of the Major Development SEPP and can be considered as a Project Application.

An assessment of the proposed development against the provisions of Part 16 in Schedule 3 of the *Major Development SEPP* can be found at Section 1.3 of this EA and a compliance table can be found at **Appendix M**.

On 4 November 2010, an opinion was formed that the proposed development was of a kind which met the criteria for a Project Application to be declared under Part 3A of the EP&A Act.



Executive Summary



On 1 December 2010 the Department of Planning (now known as the Department of Planning and Infrastructure - DoPI) issued the Director-General's Environmental Assessment Requirements (DGEARs) for the Project Application. A copy of the opinion and DGEARs can be found at **Appendix A**.

As such, the proposed development is submitted as a Project Application for the purposes of Section 75E of the EP&A Act.

At the same time as the land was declared a SSS with the gazettal of an amendment to the Major Development SEPP, so too the Warnervale Town Centre Development Control Plan 2008 (WTCDCP) became operational. The WTCDCP was prepared by the former Department of Planning (now known as the Department of Planning and Infrastructure - DoPI) as a guide to assist in the preparation of development proposals within the area declared a SSS for the WTC.

The WTCDCP includes at Clause 2.5 "Town Centre Character Precincts" which has identified five (5) precincts, including: a) Town Centre Civic Precinct, b) Town Centre Northern Precinct, c) Town Centre Western Precinct, d) Residential Northern Precinct, and e) Residential Western, Eastern and Southern Precincts. Figure 2.10 "Town Centre Plan" under the WTCDCP identifies the location of each of these precincts.

The Town Centre Civic Precinct is described under the WTCDCP as follows:

The Town Centre Civic Precinct will be the heart of the Warnervale Town Centre. The focus will be on a well designed main street linking the railway station to the aquatic centre in the hill top park, with wide footpaths promoting outdoor dining.

The heart of the precinct will be the north facing civic square fronted by a public library, community centre, cinemas and shops. The precinct will have high quality, mixed uses and medium density residential buildings addressing local streets and the hill top park.

The civic area will be characterised by street-enclosing buildings forming continuous facades of active building frontages, with awnings for weather protection. The main street will connect to the west with the transport interchange; and with the community facilities and public open space to the east.

While the "Town Centre Civic Precinct" seeks the outcomes indicated in the character statement, the Project Application has been submitted for a "retail premises" and ancillary infrastructure so as to be capable of consideration under Clause 6 of Part 16 "Warnervale Town Centre" in Schedule 3 of the Major Development SEPP.

Throughout this EA the proposed development will be referred to as the retail premises and ancillary infrastructure or the proposed development, within the "Town Centre Civic Precinct" of the WTC.

Where appropriate, this EA will refer to elements of the site's proposed development within the Town Centre Civic Precinct as identified within the WTCDCP, such as "civic square" interchangable with "town square" and "high street" interchangable with "main street".

The proposed development has been assessed against the provisions of the WTCDCP, and where a specific variation is requested, details can be found at Section 1.5 of the EA and the compliance table at **Appendix M**. In addition, all of the various Development Control Plans identified in the DGEARs have been considered and an assessment has been undertaken in the compliance tables which can be found at **Appendix M**.

The Site and Locality in Brief

The subject site is located within the Warnervale Town Centre as created under Part 16 "Warnervale Town Centre" in Schedule 3 of the Major Development SEPP. The site is shown in Figure 1 as follows. The subject site is located in North Wyong, to the east of the Northern Railway Line which runs between Sydney and Newcastle, and is approximately 700m north of Sparks Road. Sparks Road connects to the F3 Freeway which is located some 8 kilometres to the west of the subject site. A detailed description of the site, its local and regional context is at Section 1.1 of this EA. A survey of the site can be found at Appendix C.

Description of Proposed Development

Lot 521 in DP 594725, the subject of this Project Application, is located within the north-west portion of the WTC under the WTCDCP known as the "Town Centre Civic Precinct". The proponent seeks approval for a retail premises and ancillary infrastructure within the first stage of the "Town Centre Civic

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Precinct" of the WTC.

Specifically, this Project Application seeks approval for the following:

- New "Main Street" running east-west which will act as a link between the future railway station to the west of the site to the edge of the "Hill Top Park" at the eastern boundary;
- A "Civic Square";
- Site preparation and bulk earthworks for proposed new roads, infrastructure and buildings;
- Construction of proposed buildings which specifically seeks approval for usage as a retail premises of 21,960 square metres, along with:
 - ancillary commercial uses of 4,730 square metres,
 - bulky goods uses of 1,610 square metres, and
 - leisure-entertainment uses of 5,310 square metres;
- Use and fit-out within the proposed buildings for the purposes of a Big W Discount Department Store, service station and Woolworths Supermarket;
- Car parking for 1,380 spaces;
- Loading dock facilities; and
- Infrastructure measures associated with the provision of road access, water, sewer, communications and energy to the proposed development.

The proposed development has been designed to allow the town centre to develop in various stages responding to the level of infrastructure provided and market conditions. The extent and timing of each stage needs to be flexible and consistent with the provision of public infrastructure such as the Railway Station, Hill Top Park, the wider road network, residential development and market condition.

Methodology

This Project Application has involved input from a range of disciplines including architecture, engineering, traffic, soil and planning.

The key issues and how adverse impacts will be mitigated

This Project Application is submitted to respond to the DGEAR's. This EA

focuses on the environmental issues that required detailed investigation for the design of the Town Centre Civic Precinct within the WTC, including:

- Urban form and design;
- social and economic considerations;
- development;
- development;
- Review of traffic implications;
- Review of civil design issues; and
- Utility impact considerations.

1. Urban Form and Design

The urban form and design of the proposed development has followed the WTCDCP guidelines as closely as possible in terms of the location and positioning of each component, including the location of the main street and town square and foot print of buildings, including the uses within buildings. An extensive analysis and assessment as required by the DGEARs has been undertaken in Section 2.0 of this EA. Details of the design and layout for the proposed development can be found at **Appendix B**.

2. Amenity Impacts on Adjoining Land

Potential impacts on adjoining land have been investigated and assessed as part of the proposed development. The Draft Statement of Commitments provides the proponents response to mitigating a number of the likely impacts of the proposed development, which can be found at **Appendix T**.

3. Transport and Accessibility

Traffic impacts and traffic infrastructure provision has been assessed in light of the existing network and traffic generation estimates applied for the overall



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Impacts associated with the proposed development, including

• Technical investigations including archaeological, ecological, noise and vibration, geotechnical investigations all of which have assisted in determining the suitability of the site for the proposed

• Site investigations to determine the site does not require remediation and is suitable for a retail premises and ancillary

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floor space for the retail premises and ancillary development by Colston Budd Hunt and Kafes who have advised:

As the proposed development will form the first stage of development within Warnervale Town Centre, this transport assessment has considered the effects of the proposed development prior to the area being fully developed with access to the area being a single connection to Sparks Road.

The report by Colston Budd Hunt and Kafes can be found at Appendix P. Parking provision, access and loading provision have all been accommodated in accordance with Wyong Shire Council's requirements. The matters raised by the RTA during the various consultation meetings have been addressed in detail in the report prepared by Colston Budd Hunt and Kafes.

4. Geotechnical Site Suitability

The geotechnical investigations determined that the site is not impacted by groundwater and this would not be a factor during excavation. Further investigations are recommended as part of the structural design for the development associated with earthworks and the preparation of construction certificate drawings. Refer to **Appendix N**. The proposed excavation depth is not likely to result in an impact to any groundwater.

5. Contamination Investigations

As part of the site suitability a number of investigations concerning contamination have been completed which included soil testing. Refer to Appendix H.

6. Stormwater Management

The development is supported by concept design drawings demonstrating that the proposal can provide the necessary stormwater infrastructure system in accordance with Wyong Shire Council's design requirements.

Water quality and quantity can be managed consistent with the performance objectives established in the WTCDCP such that pollutant loads and discharge of water do not cause adverse impacts. Erosion and sediment control is proposed to be managed through the implementation of the erosion and sediment control plan prepared by Mott McDonald. Concept drawings have been prepared by Mott McDonald for drainage and stormwater design and can be found at Appendix G.

7. Construction Impacts

Potential noise sources of the retail premises and ancillary development including mechanical plant noise, on-site traffic noise, and loading activities have been considered and it is requested that these matters be dealt with via the Draft Statement of Commitments.

A range of potential mitigation measures can be further investigated when plant equipment is selected.

A Waste Management and Minimisation Plan (WMP) has been prepared refer to Appendix L, but as the specific tenants for all of the floor space within the proposed development are not yet known the proponent cannot make an assessment of the operational purposes associated with all the development, a more detailed waste management plan will be required to deal with all materials prior to commencement of operations.

Also, as a builder is yet to be appointed, and this will not occur until an approval has been obtained for the proposed development and a tendering process has been completed, matters associated with construction management such as excavation, removal of excavated material, construction access, delivery of materials, traffic management including car parking for construction workers will need to be determined prior to the issue of a Construction Certificate by way of submission of a detailed Construction Management Plan, refer to the condition proposed in the draft Statement of Commitments (refer to Appendix **T**).

8. Utilities and Infrastructure Provision

An Initial Infrastructure Investigation has been completed by Mott McDonald Hughes Trueman which indicates the proposed development can be adequately supported, refer to the report at **Appendix E**.

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Figure 1: Warnervale Town Centre dashed in red, subject site shown in yellow



9. Consultation

All of the authorities and agencies nominated in the DGEARs have been consulted in the preparation of the EA. Refer to Section 1.10 of this report and Appendix U.

10. Social Impact Assessment

A Social Impact Assessment (SIA) has been prepared which indicates the proposed development will have positive impacts in the locality. Refer to Appendix K.

11. Economic Impact Assessment

An Economic Impact Assessment (EIA) has been prepared which indicates the proposed development will have positive impacts in the locality. In addition, an Economic Needs Statement has been prepared. Both of these reports can be found at Appendix F.

13. Other Technical Investigations

As part of the work undertaken by the former Department of Planning associated with the declaration of the State Significant Site (SSS) a study titled "Warnervale Town Centre State Significant Site Study" dated 2008 (SSS Study), this report included a number of investigations including bushfire, archaeological, ecological, noise and vibration among other considerations. A copy of the SSS Study can be found at **Appendix W** and to assist in the consideration of this EA the techincal investigations have been provided as follows: Appendix N - SSS Study Geotechnical Investigations, Appendix O -SSS Study Archaeological Investigations, Appendix P - SSS Study Bushfire Investigations, Appendix Q - SSS Study Noise and Vibration Investigations, and Appendix R - SSS Ecological Investigations.

Director General Requirements

This EA has addressed all of the DGEARs as issued on 1 December 2010. A compliance table which cross references the sections of this EA and various Appendices can be found at **Appendix M** so as to demonstrate that this EA report responds to those requirements.



Executive Summary



Town Centre Civic Precinct - WTC



Chapter 1.0 Environmental Assessment







1.1.1 Purpose of Report & 1.1.2 The Proponent



Figure 2: View of Main Street from the proposed Railway Station looking east

This Environmental Assessment (EA) has been prepared to accompany Major Project Application No. 10 0195 (Project Application) involving a proposed development for a retail premises and ancillary infrastructure on Lot 521 in Deposited Plan No. 594725 (subject site), within the Town Centre Civic Precinct of the Warnervale Town Centre (WTC).

The purpose of this EA is to:

- provide details of the nature of the proposed development; considerations
- posed development; and

- respond to the Director-General's Environmental Assessment Requirements (DGEARs) and managing its impacts.

The proponent of this Project Application is Fabcot Pty Ltd (Fabcot), which is a wholly owned subsidiary of Woolworths Limited (Woolworths).





1.1 INTRODUCTION

- provide an assessment against all the relevant planning and environmental

- provide technical investigations to assist in evaluating the benefits of the pro-



1.1.3 Site Description

1.1.3.1 The Subject Site and Relationship to the WTC

The Warnervale Town Centre (WTC) was declared a State Significant Site (SSS) and gazetted as such on 7 November 2008.

The WTC is shown in Figure 1 (refer to Executive Summary of this EA).

The WTC is located in the "North Wyong" region of the Local Government Area of Wyong Shire Council (WSC) to the east of the F3 Freeway.

The WTC land is approximately 4.5km north east of the Wyong town centre.

The WTC straddles the "Main Northern Railway Line" between Sydney and Newcastle (rail corridor), and incorporates the land bounded by Sparks Road, Hiawatha Road and Hakone Road and an allotment of land on the western side of the rail corridor.

The subject of this Project Application is an allotment that forms part of the area declared as the SSS, being the Town Centre Civic Precinct within the WTC.

The WTC land as declared has an area of approximately 119 ha. The WTC includes some portions of densely vegetated allotments (57.6% being vegetated), and cleared and/or degraded allotments.

The ownership of land within the WTC is shown in Figure 2.

The subject of this Project Application is located at 262 Hakone Road, Warnervale, being at the corner of Nikko Road, and has an area of approximately 9.05 hectares.

Hakone Road is a 'no-through road', with the subject site the last property on the southern side of Hakone Road. The intersection of Hakone Road and Hiawatha Road is some 390m east of the site.



Figure 3: Ownership and Lot Plan





1.1 INTRODUCTION





Figure 4: Entry into the site from Hakone Figure 5: Internal driveway from Hakone Road



Road leading to the centre of the site



Figure 6: View of hard stand area looking east



area looking north west



Figure 7: View of lower level hard stand Figure 8: View east from lower level hard stand



Figure 9: View west towards northern rail line from hard stand area



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

As a result of the pads, this part of the site's topography has been significantly modified with large areas of flat land. The area that comprised of the nursery area is on a flat portion of site which has been excavated out of the hill (see Figure 5). From this high point, the topography falls to the north, south and west, with a slight fall to the east.

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

The series of photographs in Figures 3 to 10 demonstrate the existing features of the subject site.



Figure 10: View of one of the farm dams

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Figure 11: View south down the site



1.1 INTRODUCTION

1.1.3 Site Description

The subject site is largely vacant with a few remnants of its previous uses, including farm dams, entry driveway, part of a building and hard stand areas. The site has been largely cleared of vegetation with the exception being along its western and southern boundaries. There are also a couple of stands of







1.1.3.2 Legal Description

The site has a street address known as 262 Hakone Road, Warnervale. The land can legally be described as Lot 521 in DP 594725. A site survey can be found at Appendix C.

1.1.3.3 Local and Regional Context

The subject site forms part of the WTC which is recognised in the Central Coast Regional Strategy as a "new retail, commercial and community growth centre".

The site in terms of its regional context is located approximately 10 kilometres north of Tuggerah-Wyong, 24 kilometres north of Gosford and 44 kilometres from Newcastle.

Refer to Figure 11 for the regional context of the subject site.

Other localities within close proximity to the site in Warnervale include:

conservation and water management purposes.

Figure 12: Regional Context



1.1 INTRODUCTION

1.1.3 Site Description

• The Wyong Employment Zone (WEZ): located 1km west of the site, the WEZ is located adjacent to the Sydney-Newcastle F3 Freeway at the Sparks Road interchange and totals 744 hectares in size. It is bounded by Porters Creek Wetland to the south, bisected by Sparks Road and bordered by Hue Road to the west. The area includes the existing Warnervale Business Park and Warnervale Aerodrome. Of the 744 hectares of land, approximately 340 hectares are proposed for development, with the remainder identified and zoned for environmental

