



PCU040390

With Compliments

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Ref: MPO6_0060 + MPO6_0058
MOD 13

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Department of Planning
Received

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SHOALHAVEN CITY COUNCIL

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

ENVIRONMENTAL ASSESSMENT SUBMISSION

**MAJOR PROJECT APPLICATION MP 06_0060
Modification No 13**

PROPERTY: The land within the Vincentia Coastal Village and Vincentia District Centre

PROPOSAL: Proposed Modification No 13 to the Concept and project Approval (MP 06_0066 and MP 06_0058) to replace the pedestrian / cycleway underpass at Naval College Road with a mid-block signalised pedestrian crossing.

APPLICANT: Don Fox Planning for Stockland Developments Pty Ltd

OWNER: Stockland Developments Pty Ltd

DEPARTMENT OF PLANNING REFERENCE: MP 06_0060 and 06_0058 - Mod 13

COUNCIL REFERENCE: SF 9786-10 and 3A08/1006

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1.0 Introduction

Modification No 13 (MOD 13) lodged with the Department of Planning and Infrastructure (DPI) proposes to amend Statement of Commitment No 59. (SoC 59) which states:-

Stockland will design and construct the Naval College Road pedestrian/cycleway underpass with a 50% contribution from Council as a Section 94 offset in accordance with Appendix B of the Don Fox Planning Report: Review of Developer Contributions and Associated Works Proposed Residential and Commercial Development Vincentia District Centre, February 2006 and as modified in October 2006 as part of the Preferred Project Report.

It is proposed to amend this Commitment 59 to replace the pedestrian/cycleway underpass with a mid-block signalised pedestrian crossing. The modified Statement

of Commitment is proposed to read as follows (underlined text is replacement wording):

Stockland will design and construct the Naval College Road mid-block signalised pedestrian crossing with a 50% contribution from Council as Section 94 offset in accordance with Appendix B of the Don Fox Planning Report: Review of Developer Contributions and Associated Works Proposed Residential and Commercial Development Vincentia District Centre, February 2006 and as modified in October 2006 as part of the Preferred Project Report.

Since the Concept and project approval was issued in January 2007 there have been a number of modifications to the residential approvals. The Project approval for the Vincentia District Centre approved on 7 January 2012 has also received a number of modification approvals, the latest being MOD 4. It is noted that a further modification (MOD 5) has been lodged with DPI and is currently on public exhibition.

Council's submission is based on the concept and projects approvals up to MOD 12 (residential) and MOD 4 (commercial) development.

DPI is advised that there is no S94 contribution plan that provides for a contribution as stated in SoC 59.

The purpose of the underpass relates to providing pedestrian safety from the western sides of Naval College Road and The Wool Road and in particular an approved Anglican Schools Corporation (ASC) school (Consent - DA 06/1619) that has commenced. The school Consent contains a similar approval condition relating to provision of an underpass.

There has been an agreement between Stockland and ASC for the shared funding of the underpass. Council has not accepted that it make a "50% contribution as a Section 94 offset" and has the understanding from a previous agreement for funding being 50% Stockland and 50% ASC school.

Council requests a further amendment to SoC 59 in Modification 13:

Remove the words "*with a 50% contribution from Council as Section 94 offset....*" and insert "*with a percentage contribution from the Anglican Schools Corporation as agreed between Stockland and the Anglican Schools Corporation....*"

Subject to the determination of the MOD 13, it is appropriate there be a subsequent amendment (Section 96 to Consent DA06/1619) application to Council by the ASC.

The proposal in MOD 13 was canvassed by Stockland and the District Centre ownership (Woolworths) earlier in 2012 during road design submissions to Council for the Vincentia District Centre (VDC) (MP 06_0205) and works on Naval College Road as part of the Vincentia Coastal Village (VCV) approvals.

The comments provided to Stockland in mid 2012 by Council and RMS have been incorporated into the MOD 13 application documents.

2.0 Pedestrian Safety Issues

The concerns for pedestrian safety relies on appropriate pathways and desire lines for pedestrians moving from the western and south-west sides of Naval College Road and The Wool Road.

Council provided written comments to Stockland, Woolworths and RMS (email dated 23 May 2012) following consideration of the proposal, including review of drawing no 1250/PO that has been submitted as part of MOD 13. The comments in May 2012 are consistent for the MOD 13 proposal:

Drawing 1250/PO shows a dotted line (blue) to represent a pedestrian desire line through school land, and entering the shopping centre car park and proceeding through the car park to the entry to the shops.

Council considers the drawing and proposal to be inappropriate and suggests a better option, for the following reasons:

- (i) There is a pedestrian pathway system in The Wool Road and in proposed other works that will operate independent of the school site and the desire lines should not appear to have pedestrians using the school as a “short-cut” as this is not a practical consideration.
- (ii) School pedestrians leaving the school site onto Naval College Road can and will be directed to any point determined by gate and pathway locations, given the projected traffic volumes at full occupancy of the VCV and VDC the location of the mid block crossing must optimise sight distance and queue storage between the roundabouts. The current proposal is located closer to The Wool Road and around a curve therefore does not optimise sight distance or queue storage.
- (iii) There is no development on the school land currently so there are no physical constraints that would prevent a mid-block crossing being located further to the north.
- (iv) Council’s preferred entry point to the District Centre site is via the proposed shared pathway on the north side of Naval College Road parallel to the boundary and entering the car park area along the designated “boardwalk” that leads directly to the shop entry without traversing any of the car parking spaces. Creating the “desire line” can be managed by appropriate pathway links and directional signage from the final crossing point to the boardwalk.
- (v) The proponent has submitted drawing 4006/P3 that shows a general arrangement of pathways on both sides of Naval College Road so a pedestrian desire line can be controlled to utilise the proposed pathway system both from the school land and into the shopping centre car park.
- (vi) Council’s preferred entry point to the shops would see the mid block signals located approx 50m further to north (immediately adjacent, southern side of the proposed future detention basin on the school land). Council believes this location will significantly improve sight distance and queue storage between the roundabouts and provide for a more direct pedestrian connection into the centre via the proposed pedestrian boardwalk.

- (vii) In this regard, if the location of the mid-block crossing were moved to align further to the north as described above, four additional benefits are achieved. **Firstly**, being closer to the inside of the bend there is considerably more sight distances available in both directions, **secondly**, an optimum pedestrian desire line is achieved as described above, **thirdly** significantly improved queue storage is provided between the signals and the adjacent roundabouts, and **fourthly**, significantly improved sight distance is provided to "back of queue". Council considers this is achieved not at a cost imposition but rather as a desired and improved safety outcome.

The additional the comments in support of Council's position are:-

- (a) The ASC school stage 2 approval (DA 06/1619) provides for a signalised pedestrian crossing on The Wool Road west of the main roundabout. Pedestrians will seek to use that crossing and the proposed mid-block MOD 13 crossing to access the District Centre, so pedestrian desire lines should be considered external of the school.
- (b) The pedestrian pathway system on both sides of Naval College Road as part of road design plans from Stockland can be utilised for pedestrian shared use.(Drawing 4006/P3)
- (c) With respect of point (vi) above it is important to note that all of these issues are significant. The applicant has sought reference to AUSTROADS minimum sight distance criteria (167m on drawing 1250/P0) on approach to the mid-block signals as the **only criteria** for locating the facility and this is considered inappropriate. Council considers all criteria should be considered.

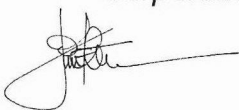
3.0 Conclusion

Council does not object in principal, however DPI is requested to consider the further amendments concerning the specific location for the mid-block signals.

As indicated in the RMS letters there is a process for assessing applications for the Works Authorisation Deed (WAD) by RMS. There are a number of signalised intersections and pedestrian crossings associated with the Concept and Project Approvals that are also subject to the WAD process at a future time. These relate to works on The Wool Road as part of the District centre Project approvals and The Wool Road for the ASC school development.

Council requests a further amendment to Modification 13 of SoC 59:

Remove the words "*with a 50% contribution from Council as Section 94 offset....*" and insert "*with a percentage contribution from the Anglican Schools Corporation as agreed between Stockland and the Anglican Schools Corporation....*"



T Fletcher

Director, Development and Environmental Services

20 December 2012