



Our ref: 09150

21st October 2013

Director Urban Assessments  
NSW Department of Planning and Infrastructure  
GPO Box 39  
SYDNEY NSW 2001

Attention Ms. Natasha Harras

Dear Sir/Madam,

**RE: Major Project Application MP10\_0068 Proposed Retail and Commercial Development of Westfield Shopping Centre Parramatta – Traffic Impacts**

We write in response to the submission of Roads and Maritime Services (RMS), dated 1<sup>st</sup> August 2013 in relation to traffic impacts of the proposed Westfield Parramatta development and road improvements identified by RMS.

The traffic impact assessment and associated traffic modeling submitted with the development application identify and quantify associated traffic impacts as a consequence of the submitted development proposal. The development proposes an additional retail level, an office tower and increased car parking. The traffic impact assessment indicates that the proposal will result in a relatively minor increase in traffic on the road network in the locality. The increase in traffic equates to between 5% and 10% of anticipated short-term traffic growth on this road network.

In addition to road improvements identified by the proponent on Campbell Street, existing traffic congestion and increased traffic as a consequence of the development proposal can be further resolved by road improvement works to 3 intersections along the Great Western Highway 1). O'Connell Street, 2). Marsden Street, 3). Church Street/Parkes Street.

RMS in its submission of 1<sup>st</sup> August 2013 seeks the imposition of consent conditions on the proponent requiring that the identified road improvements, including land acquisition at the Highway intersections of Marsden and Church Streets, are delivered at no cost to RMS. RMS requires that the land acquisitions and road improvements be implemented prior to the issue of an Occupation Certificate for the proposed development. This, in the opinion of the proponent, inequitably transfers the entire cost of road improvements and associated land acquisition to the proponent.



The proponent has acknowledged in the Major Project Application that the proposed development will result in a minor increase in traffic on the road network near the site and has offered to make a reasonable contribution towards the cost of road improvements, commensurate with the proportion of traffic generated by the proposed development.

The proponent's traffic consultant Colston Budd Hunt & Kafes Pty Ltd (CGHK) has reviewed the RMS's submission and provided an explanation of the traffic impacts of the proposed development, arising from the traffic modeling completed for the project. A copy of CBHK's assessment is attached. The key findings of this assessment are summarized as follows:

- The increase in traffic arising from the proposed development with respect to 2016 traffic flows (existing + Westfield + background growth + other developments) is less than 5% for the intersection of Church Street/Great Western Highway/Parkes Street and less than 10% for the intersections of the Great Western Highway, with Marsden Street and O'Connell Street.
- The Parramatta City Council plan for improvements and the additional works identified in the Supplementary Traffic Report, which form the basis of the traffic modeling and recommended works, do not require any land acquisition at this intersection.

In order to address traffic impacts in a reasonable and equitable manner, the proponent concurs with the imposition of a consent condition that seeks a monetary contribution of \$80,000 towards road improvements to fully fund 2 intersection upgrades of the Great Western Highway with Marsden Street and with O'Connell Street. In addition the proponent, as previously acknowledged, agrees to fund 100% of the identified improvements to Campbell Street (intersection with Church Street) directly as a consequence of the proposed development.

The proponent has undertaken a preliminary costing of the identified road improvement works for each intersection, as shown in the table below. The cost estimates do not include land acquisition at the Highway intersections with Marsden Street and Church Street.

Road Improvements – Cost Estimates

INTERSECTION	WORKS REQUIRED	ESTIMATED COSTS
Great Western Highway & O'Connell St.	Removal & application of line marking. Adjusting of signal phasing. Associated traffic control.	\$46,855
Great Western Highway & Marsden St.	Removal & application of line marking. Relocation of signs. Adjusting of signal phasing. Associated traffic control.	\$33,756



Church St. & Campbell St.	Plans and scope to be approved.	Proponent 100%
Great Western Highway & Church St.	Demolition of kerb/pavement. Excavation & road works. Relocation of signs, lights & bus shelter. New traffic signal plus signal phasing adjustment of existing. Relocation of services. Associates traffic control.	\$1,553,430

Excluding the proponent's stated commitment to carry out works and/or fully cover direct consequential works in Campbell Street the total estimated cost of road improvements is some \$1.634 million. With respect to Church Street/Great Western Highway and possibly Marsden Street/Great Western Highway, there is the additional cost of compulsory land acquisition.

The proponent has no influence over the timing or cost of such land acquisition, and the RMS proposal to attribute all or, even part of such compulsory land acquisition costs is contrary to the objectives of the *Environmental Planning and Assessment Act* to provide for the orderly and efficient development of land. The RMS's request relating to land acquisition is in our opinion also at odds with the stated requirements of the *Act* that a consent authority should only "require a reasonable contribution towards recoupment of the cost concerned" and that such costs should be proportional to the impact created by a development, rather than addressing pre-existing deficiencies or demand created by other development.

Where a development proposal results in an impact, such as increased traffic, it is acknowledged that appropriate measures should be applied to mitigate such impact arising from the development. Mitigation measures must however, relate to the development in question and be reasonable in the circumstances, hence the proponent's acknowledgement and commitment to the 100% funding of the Campbell Street works and agreement to make a reasonable contribution towards road improvements to the Great Western Highway.

RMS in requiring that the entire cost of identified road improvements and land acquisition be undertaken at no cost to the RMS, is effectively transferring responsibility to the proponent for upgrading the road network, even though increased traffic associated with the proposed development represents just 5% to 10% of the total anticipated increase in traffic on this road network.



Traffic congestion on the road network has occurred as a result of all development in the Parramatta sub-region and beyond. Development in the Parramatta CBD has not previously been required to fund major improvements to arterial road infrastructure. There is no justification for requiring one development in the Parramatta CBD to fund road improvements designed primarily to address existing inadequacies in that road network. Such an approach is unreasonable and inequitable and should not be supported.

Notwithstanding these observations, as one of two contributions, the proponent is prepared to make a contribution equating to the full estimated cost of road improvements (excluding land acquisition costs) to the three intersections inclusive of O'Connell and Marsden Streets and the already identified and committed Campbell Street. Based on the cost estimates prepared by the proponent, the contribution would be in the order of \$125,000 (circa \$80,000 + circa \$45,000 as a monetary cost estimate of the Campbell Street works).

With respect to the Church Street intersection with the great Western Highway, the proposed land acquisitions to facilitate road widening were identified prior to the Major Project Application being prepared and lodged and are designed to address existing inadequacies in the arterial road network, as well as accommodating future traffic growth. These planned land acquisitions and road widening are independent of the proposed development and will take place irrespective of whether or not the expansion of Westfield Parramatta proceeds.

As far as the proponent is aware, contributions have not been sought towards the nominated land acquisitions and road improvements from other new development in the area. As stated, it is unreasonable, inequitable and possibly in breach of the *Environmental Planning and Assessment Act* to transfer land acquisition costs to the proposed shopping centre expansion under such circumstances.

Given the above and the more usual practice of seeking monetary contributions towards road network improvements, the proponent is agreeable to a further consent condition being imposed which provides for a second reasonable and proportionate monetary contribution towards the identified road improvements, which is in addition to the \$125,000 contribution associated with the other three intersections. Such contribution should be payable upon the issue of the Occupation Certificate.

The calculation of the combined total amount of such road improvement contributions should be based on the proponent meeting 100% of the estimated cost of road improvements at the 3 intersections of O'Connell, Campbell and Marsden Streets (excluding land acquisition and associated road widening) and in addition, a proportion equating to 5% of the Church Street intersection works (\$1.553 million excluding land acquisition), equating to \$77,650. The proponent's costing of the works indicates that on this basis, a total contribution of **\$203,000** (\$125,000 + \$77,650 (being 5% of \$1.553 million)), would be payable.



We wish to enter into discussions with the Department of Planning and Infrastructure with a view to reaching an acceptable agreement regarding a supportable and justifiable monetary contribution towards road improvements, which is both reasonable and derived from fair assumptions resulting from the assessed traffic impact of the proposed development.

Yours faithfully

**Nick Juradowitch**  
**Director**  
**Ingham Planning P/L**

Attachment      Correspondence dated October 2013 prepared by Colston Budd Hunt & Kafes Pty Ltd relating to Major Project Westfield Parramatta