



## **STATEMENT OF ENVIRONMENTAL EFFECTS**

### **STAGE 2 ALTERATIONS AND ADDITIONS TO STOCKLAND WETHERILL PARK SHOPPING CENTRE AT NO'S 561 – 583 POLDING STREET, WETHERILL PARK**

Prepared for  
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# 1. INTRODUCTION

## 1.1 Overview

This Statement of Environmental Effects (“SEE”) has been prepared to accompany a Development Application (“DA”) lodged pursuant to Section 78A of the *Environmental Planning and Assessment Act 1979* (“EP&A Act”) for Stage 2 alterations and additions to the existing Stockland Wetherill Park Shopping Centre (“the site”).

The proposed development comprises a Stage 2 expansion of the existing shopping centre in association with the Stage 1 expansion approved in October 2011. In this regard, Stockland received development consent from the Sydney West Joint Regional Planning Panel on 6 October 2011 for a \$72 million expansion of the north-western corner of the shopping centre. The Notice of Determination to the DA (DA 1253.1/2010) dated 24 October 2011 describes the approved expansion as follows:-

*“Alterations and additions to Stockland Wetherill Park Shopping Centre comprising an additional 11,955m<sup>2</sup> of gross leasable floor area which incorporates 58 additional retail shops, new gymnasium, relocation of existing medical centre, refurbishment of cinema foyer, and associated basement level, grade level and deck car parking.”*

The Stage 2 drawings incorporate the Stage 1 approved expansion as is proposed to be modified by a Section 96 application currently being considered by Council. The Stage 1 development will have a gross leasable floor area of 11,039m<sup>2</sup> following the determination of the Section 96 Modification because the modification reduces the approved retail floorspace by 916m<sup>2</sup>.

The proposed development provides a further expansion of the shopping centre on the southern side of the approved development. The additional retail gross leasable floor area is 5,664m<sup>2</sup>, bringing the total additional retail floorspace for Stages 1 and 2 to 16,703m<sup>2</sup> and a total overall gross leaseable floor area of 62,493m<sup>2</sup>.

Key outcomes of the proposed development are:-

- Improved retail facilities and a greater range of retail outlets. In this regard, the development will relocate and enhance the existing food court, provide increased specialty store options and new mini-major tenancies for emerging mid-sized operators. These facilities, in combination with the approved expansion, will enable Stockland Wetherill Park to meet the evolving and expanding needs of the public in the shopping centre’s trade area;
- Consistency with the Prairiewood Town Centre Masterplan in terms of activating the north – south spine road through the site and maintaining and improving the east – west pedestrian connection;
- The delivery of an extension which is deliberately distinct from the existing centre and the approved extension so that a more contemporary wing is created in the centre of the site;

- Improved pedestrian safety around the crossing on the western side of the centre to the Liverpool to Parramatta Transitway Station. This is achieved by weather protection, improved lighting and transparent walls around the entry/exit;
- Improved vehicular access via rationalisation of the existing driveway entrances within the central car park, greater circulation within numerous car parking levels; and greater way finding with dynamic car parking signage; and
- The generation of approximately 117 direct jobs during construction and 227 direct jobs on operation.

The proposal has been formulated in the light of all relevant planning controls and is the product of a lengthy and extensive period of consultation with key stakeholders. This SEE finds that the proposed alterations and additions will not result in any significant adverse environmental impacts, and will be a positive addition to the urban fabric of the Prairiewood Town Centre through quality design, increased range of activities and increased employment.

## 1.2 Relevant Planning History

This DA forms a suite of four approvals that collectively enable the Stockland Wetherill Park Shopping to expand to provide improved facilities. The three complimentary approvals are:-

1. DA 90231/2011, approved on 21 December 2011, comprising the demolition of the existing Shell Service Station along Polding Street to ready the site for future development;
2. Roads Act Approval No. 1252.1/2010, approved on 15 November 2011, comprising the construction of a stormwater diversion system around the approved and proposed development to ready the site for future development; and
3. DA 1253.1/2010, approved on 6 October 2011, comprising an expansion to the shopping centre containing one storey for retail uses with an area of 11,955m<sup>2</sup> with basement car parking and two roof top car parking levels. However, we note that there is a current Section 96 Modification being considered by Council which proposes to alter the approved layout to a minor extent.

This DA relies upon the abovementioned approvals. For instance, the stormwater diversion works are necessary to relocate the existing stormwater mains around the land to which this DA relates and the shopping centre expansion DA and service station demolition DA tie into the proposed development in terms of setting the relevant ground level, having integrated vehicle access, having integrated pedestrian access and having contiguous retail layout.

## 1.3 Research and Consultation

The proposed development is the result of extensive qualitative and quantitative research of Stockland's customers and stakeholders over many years.

Fairfield Council has been consulted on 21 June 2012 and 4 July 2012. Feedback from these meetings has been incorporated into the proposed development where possible.

## **1.4 Purpose of this SEE**

The purpose of this SEE is to:-

- describe the land to which the DA relates;
- describe the characteristics of the surrounding locality;
- define the statutory planning framework within which the DA is to be assessed and determined;
- describe the form of the proposed development; and
- assess the proposed development in light of all the relevant heads of consideration listed under Section 79C of the *Environmental Planning and Assessment Act, 1979* ("EP&A Act").

## **1.5 Supporting Documentation**

Design drawings, incorporating architectural plans and a landscape plan are found in Appendices 2 and 3.

Relevant technical reports are provided from Appendix 4. They include investigations of the subject land and details of the proposal and its impacts (e.g. traffic, noise, ESD, BCA compliance and construction management).

## **2. THE SITE**

### **2.1 Location**

Stockland Wetherill Park is located along the southern side of Polding Street some 5.5km to the west of the Fairfield Town Centre and 30km from the Sydney CBD.

The site is bounded by Polding Street to the north, Restwell Road to the south, predominantly Prairiewood High School (but also land owned by the NSW Department of Housing) to the east and the Liverpool to Parramatta Transitway to the west.

Stockland Wetherill Park is the only existing commercial land use within the Prairiewood Town Centre. Other uses within the Prairiewood Town Centre include a medical centre, library, child care centre, early childhood centre, school, hospital, playing fields, soccer club and leisure centre.

### **2.2 Real Property Description and Area**

The land to which this DA relates comprises:-

- Lot 102 in Deposited Plan 1034345; and
- Lot 1 in Deposited Plan 867772.

The site area is 121,894m<sup>2</sup>. It has a northern frontage to Polding Street of approximately 305m, a southern frontage to Restwell Road of approximately 280m, an eastern boundary to Prairiewood Public School and residential dwellings of approximately 420m, and a western boundary to the Liverpool to Parramatta Transitway of approximately 415m.

### **2.3 Description of Current Use and Improvements**

Stockland Wetherill Park is a stand-alone sub-regional shopping centre that was opened in 1983 and accommodates a vast range of retail, food and service uses. The shopping centre is arranged generally in a “C” shape around an internal, at grade, car parking area.

The shopping centre presently has two supermarkets, two discount department stores, approximately 140 specialty stores, a medical centre and a cinema. The existing gross leasable area (GLA) is 46,495m<sup>2</sup>. This includes all retailers, the cinemas, storage areas, standalone buildings and Fairfield Council’s community facilities. The existing GLA of retail space is 38,973m<sup>2</sup>.

The bulk of the GLA of the centre is located within the main shopping centre building which is a single storey structure accessed from five directions around the site. The main building has four major tenants, two mini-majors, a food court and an emerging pedestrian colonnade containing restaurants and cafes out to Polding Street. Adjacent to the main building at its north-eastern corner (and connected by awnings) is a two storey structure containing a Hoyts cinema with undercroft car parking.

There are a large number of separate buildings within the shopping centre site, comprising:-



- The following along the Polding Street frontage from west to east:- (a) a McDonalds restaurant, (b) a combined sports store and Subway restaurant, (c) a Commonwealth Bank and other small tenancies, (d) a Shell Service Station, (e) a Kmart Tyre and Auto workshop (d) a KFC restaurant, and (g) an Italian restaurant;
- a medical centre at the north eastern corner of the shopping centre building;
- an early childhood centre, child care centre, branch library and community centre operated by Fairfield City Council along the eastern boundary of the site – all contained within two separate buildings; and
- a Beaurepairs tyre and automotive workshop and separate Love Car Wash toward the south-eastern corner of the site.

DA 1253.1/2010 granted approval to the demolition of the medical centre. DA 90231/2011 granted approval to the demolition of the service station and tyre/auto workshop.

No building demolition is necessary for this DA. Only very minor demolition of existing awnings around the area of the proposed development is necessary.

## **2.4 Access, Parking and Transport**

### **2.4.1 Pedestrian Access**

Pedestrian access from Polding Street and Restwell Road is via footpaths with crossings alongside the car parking areas of the site. There is a defined network of footpaths within the site, each containing flat or raised crossings as the situation dictates.

Pedestrian access from the Liverpool to Parramatta Transitway (T-Way) Station is via a crossing at the western side of the shopping centre. The Prairiewood T-Way Station is directly adjacent to the shopping centre entry. The entry is about midway along the western elevation of the centre, therefore highly accessible for shoppers and for students and staff of the high school to the east.

### **2.4.2 Car Parking and Vehicular Access**

Vehicular access is overwhelmingly from the eastern driveway that runs between Polding Street and Restwell Road. This is the circulation spine that feeds into numerous car parking areas across more than half the site. The driveway meets both Polding Street and Restwell Road at signal controlled T-intersections. The approval to DA 1253.1/2010 provides for the rationalisation of the existing multiple east – west internal driveways onto the north - south spine road.

A signalised access at the north-eastern corner of the site adjacent to McDonalds provides access to about 44 car parking spaces.

A driveway at the south-western corner of the site gives access to informal parking around loading docks and a number of staff car parking spaces at the north-western corner of the site.

There are approximately 1,944 existing at grade and basement car parking spaces within the site. The majority of these (1,265) are at grade around the centre, with 637 in the central car park west of the entry driveway and the remaining around the community facilities, eastern boundary, western servicing driveway and northern standalone buildings.

There are 679 spaces in a basement car park below the southern end of the shopping centre (below Franklins, Woolworths and Target). Due to the topography of the site, the basement becomes an open undercroft closer towards Restwell Road.

The approval to the Stage 1 expansion (DA 1253.1/2010) provides for:-

- the rationalisation of a number of the existing multiple east – west internal driveways onto the north - south spine road; and
- an additional 468 car parking spaces, comprising a basement car park below the approved retail expansion and below the open air car park to the south, alterations to the open air car park to the south, parking within the area previously occupied by the service station along Polding Street and two additional car parking levels above the approved retail expansion.

#### **2.4.3 Traffic Generation**

With the exception of the service station along Polding Street, traffic survey data in the Traffic and Parking Report (**Appendix 4**) reveals that the existing shopping centre generates between 2,700 and 3,000 vehicle trips per hour during peak usage (i.e. Thursday afternoons and midday on Saturdays). The surveyed locations were each of the Polding Street signalised intersections and the Restwell Road loading dock access.

Modelling of the performance of the intersections around the site finds that each intersection is operating at a good-to-satisfactory “level of service”, which is a measure of average vehicle delay.

#### **2.4.4 Parking Demand**

Parking surveys undertaken for the Traffic and Parking Report reveal that peak parking demand in the busiest trading hours of the centre was between 83% and 87% of available spaces, leaving 200 spaces unoccupied and therefore considered as a surplus.

The turnover of car parking spaces is very frequent due to 1 hour, 3 hour and 4 hour time limitations. The 3 and 4 hour time limited spaces are patrolled by Fairfield Council to prevent all day parking associated with the transitway. Prior to patrols of the car park, around 95% (i.e. effectively the full capacity) of car parking spaces were occupied at peak times. This has since reduced to less than 90%.

#### **2.4.5 Servicing**

Loading and unloading of major tenancies is from the southern and western facades of the shopping centre and accessed from Restwell Road. Target, Woolworths and Franklins each have a loading dock around the south of the site. Big W has a loading dock along the western edge. Specialty stores use smaller loading docks along the western facade.

The proposed development has no impact on the existing servicing arrangements to the south and west of the site. The proposed mini-majors, food tenancies and specialty tenancies will use the smaller western loading docks.

#### **2.4.6 Public Transport**

Public transport to the centre has been greatly enhanced by the construction and opening of the Liverpool to Parramatta Transitway in 2003. The T-Way provides a connection to the site to and from train and bus interchanges at Parramatta and Liverpool stations, as well as 34 other stops along the route. The “Prairiewood” T-Way station is immediately alongside the western entry to the shopping centre. Buses going to Liverpool mid-week commence at 5:30am and cease at 12:30am the next day, with extra services until 1:30am on Friday and Saturday nights. Mid-week buses to Parramatta commence at 4:30am and cease at 12:40am, with extra services until 1:40am on Friday and Saturday nights. Weekend bus services commence one hour later than midweek.

Bicycles, taxis and private vehicles are not permitted to use the T-Way. However, there are pedestrian and bicycle paths along the length of the T-Way that are separated from the T-Way carriageway.

Buses also operate along Polding Street in an east – west orientation. There is a bus stop immediately to the north of the site out front of the existing pedestrian colonnade of the centre. That bus stop is for Westbus services 808 and 817 which provide access to and from Fairfield and Liverpool and Fairfield and Cabramatta respectively.

For the Fairfield/Liverpool route (i.e. bound for Liverpool), midweek services start at 6:00am and continue until 9:30pm. Weekend services start at 7:30am and 8:30am on Saturdays and Sundays respectively and cease at 8:30pm and 7:30pm respectively. Services bound for Fairfield (i.e. at the stop on the north side of Polding Street) start marginally earlier and finish about an hour earlier.

For the Fairfield/Cabramatta route services to Fairfield begin midweek at 4:40am and cease at 8:40pm. Services to Cabramatta commence midweek at 5:40am and cease at 9:35pm. Weekend services are between 2 and 4 hours shorter.

There is a taxi stand along Polding Street adjacent to the bus stop.

The proposed development will facilitate longer trading hours for restaurants and entertainment uses and therefore provide greater passive surveillance and security at the site, including bus stops and internal circulation areas, as well as the T-Way.

## **2.5 Topography**

The site falls from north to south quite substantially but over a long distance. There is approximately 8 metres vertical difference in level between the northern and southern ends of the site.

The Survey Plans in **Appendix 1** identify existing contour levels and spot levels.

However, the consent to the Stage 1 expansion granted approval to demolish the existing car parking within the land affected by this DA, excavate the soils to form a basement car park

and provide a revised (flat) ground level for at-grade car parking. The revised ground level of the affected area is the base for the proposed retail expansion.

## **2.6 Vegetation**

Except for a handful of planted trees around the northern, north-eastern and eastern boundaries, the site is void of significant vegetation. There are occasional planted garden beds at the ends of car parking rows or around loading areas.

The Survey Plans in **Appendix 1** identify tree locations, height and width.

## **2.7 Geotechnical Conditions and Site Suitability**

### **2.7.1 Geotechnical Conditions**

The proposed development relies upon the approval granted to the Stage 1 expansion for excavation of soils for the formation of basement car parking.

To ascertain the subsurface conditions and make recommendations for construction techniques, Jeffery and Katauskas prepared a Geotechnical Report for the Stage 1 expansion DA. The Report presented the results of thirty boreholes drilled between 6m and 10.36m below ground and tested for strength, moisture content, pH, bearing ratio and linear shrinkage.

The subsurface conditions were generally found to be concrete or asphalt pavements to a depth of 0.18m – 0.2m, then fill materials generally to 0.6m to 2.4m, then clayey natural soils, then shale or sandstone bedrock starting at depths between 1.9m to 4.55m.

Groundwater observations were made during the borehole drilling. Eight boreholes were observed for variable lengths of time. Two were observed 14 days after drilling and groundwater was evident at 3m below the surface. As such, some seepage during excavation may occur and would be controlled by conventional pump and sump methods or other gravity drainage system.

As the proposed development relies upon the Stage 1 consent for excavation and the creation of a revised ground level, geotechnical matters have already proven to be manageable and are not directly relevant to this DA.

### **2.7.2 Soil and Groundwater Contamination**

Environmental Investigation Services prepared a Preliminary Environmental Site Assessment for the Stage 1 expansion DA providing results of soil sampling. The consultants reviewed the historical ownership and uses of the site, potential sources of contamination on site and nearby, the geological conditions of the site and results from soil testing. In particular soil samples were tested for a wide range of organic and inorganic contaminants and compared to current safe exposure criteria.

The Preliminary Environmental Site Assessment found that the concentration of contaminants in soils and groundwater across the site did not exceed the adopted health based assessment criteria. The potential for significant contamination issues is therefore

relatively low. As such, the site area, excluding the service station site, is suitable to accommodate the proposed development.

### **2.7.3 Acid Sulphate Soils**

The Preliminary Environmental Assessment also tested for acid sulphate risk. The consultants found that the risk of acid sulphate soil occurrence is very low because the site is not located in an area that has been mapped for acid sulphate soils, the regional geology is not conducive to acid sulphate soils and the elevation of the site (being at RL 35m AHD compared to prone land being RL 5m AHD or below) is atypical of acid sulphate soil conditions.

## **2.8 Stormwater Infrastructure**

Stormwater flows are currently managed in two ways:-

1. A Council stormwater pipe 1650mm in diameter that conveys water from a large catchment to the north of the site. The alignment of the pipe starts adjacent to the Polding Street bus stop, travels below the existing cinema building, below the central car park and then follows the Polding Street/Restwell Road driveway before terminating at the boundary with Restwell Road; and
2. Overland flow that generally follows the path of the abovementioned stormwater pipe but also runs along the western side of the site.

Primarily using Fairfield Council's Flood Study 2004, but also using survey data, stormwater asset information and topographical mapping, the project engineers modelled the existing formal and informal stormwater behaviour for the approved Stage 1 development.

The proposed development has been designed having regard to the approved stormwater design, with appropriate freeboard provided above modelled flood levels for the proposed expansion.

The proposed development:-

- Relies upon the Stage 1 expansion DA for establishing the levels of the north – south driveway and adjacent ground floor level and therefore does not change the stormwater drainage or flood risk compared to the Stage 1 development; and
- Relies upon DA 90231/2011 to realign the stormwater pipe and redirect the existing overland flow paths.

The Stormwater Report in Appendix 5 states as follows in relation to flooding and stormwater impacts of the proposed development:-

*“In our opinion, the Stage 2 proposed works require no additional flood or storm assessment as it is within the Stage 1 development envelope and outside the flood affected portions of the site.”*

## **2.9 Existing Utility Services**

The existing utility services have been investigated for locations and capacity. They can be augmented and intensified where required to suit the proposed development.

## **3. SURROUNDING ENVIRONMENT**

### **3.1 Overview**

The surrounding environment contains a vast mix of land uses and building forms. Stockland Wetherill Park is the only existing retail facility in the Prairiewood Town Centre, and is surrounded by residential development to the north, open space and leisure related uses to the south, education and public housing the east and a transport corridor to the west. A location plan is included in **Figure 1**.

The mixed use character of the surrounding area can be seen in the aerial photographs contained in **Figures 2 and 3** and also represented by the existing zoning map in **Figure 4**.

Given that the proposed works are towards the north-eastern corner of the site, a great deal of emphasis is provided below on the adjacent uses to the north and east.

### **3.2 To the North**

Immediately north of the site is Polding Street containing a series of “S” lanes providing access to three driveways to Stockland Wetherill Park and turning lanes into Conrad Street toward the north-western corner of the site. Excellent vehicular access is provided from Polding Street, which when combined with Restwell Road gives excellent circulation around the site.

North of Polding Street is a residential catchment between Stockland Wetherill Park and the Wetherill Park Industrial Estate. The most affected dwellings to the north associated with the proposed development are three dwellings at No’s 9 – 13 Housman Street. One of these houses has a commercial usage toward the street.

Further north is the Wetherill Park Industrial Estate spanning from Cowpasture Road to the west to the Cumberland Highway to the east. There are more than a thousand manufacturing, distribution and storage premises in the industrial area.

### **3.3 To the South**

To the south of the site, in order from the T-Way to Prairie Vale Road are the Calabria Sportsground (used for soccer and other sports), a former dwelling used by the Calabria Community Club as a clubhouse, the Prairiewood Youth and Community Centre and an administrative office and training facility used by the Spastic Centre. Further south is the Prairiewood Leisure Centre containing an indoor pool.

There is a signalised intersection where the southern accessway from Stockland Wetherill Park meets Restwell Road.

Fairfield City Council and the Calabrian Club are currently in the process of rezoning, reclassifying and formalising a site-specific development control plan for the Club’s land and Fairfield Council’s surplus open space. The revised planning documents would allow the land to be used for mixed use purposes containing buildings up to 8 storeys in height with residential apartments and small scale office and retail facilities.

### **3.4 To the East**

Over 70% of the eastern boundary is shared with Prairiewood High School. The remaining 30% is shared with housing owned and managed by the NSW Department of Housing. The High School has a pedestrian path half way along the eastern boundary of the site, allowing students to access the T-Way station through the centre via a series of crossings and via the internal malls. As a consequence of the connection, many students of the school use the facilities of the shopping centre. The connection is almost totally covered with an awning structure through the car park. There is no such pedestrian access to the houses at the north-eastern corner of the site. As a result, the houses exist relatively independent of the surrounding uses.

Further to the east is Fairfield Hospital, following by the Bossley Park Golf Course and Fairfield Showgrounds.

### **3.5 To the West**

West of the site is the Liverpool to Parramatta Bus Transitway which is directly accessible from the middle of the shopping centre. Details regarding the operation of the T-Way are included in Section 2.3.3 above. Further west are low density dwellings stretching for over 2km before the tenure becomes rural residential lots after Cowpasture Road.



## 4. THE PROPOSAL

### 4.1 Overview

Development consent is sought for Stage 2 alterations and additions to the existing Stockland Wetherill Park Shopping Centre to add 5,664m<sup>2</sup> of gross leasable area for commercial premises and business premises.

Stockland's architects have provided the following architectural design statement to describe the origins of the proposed development, the relationship between the approved Stage 1 expansion and the Stage 2 expansion and the notable aspects of the proposed development:-

*"The design intent of this proposed expansion hopes to grow naturally from the principles articulated in the Stage 1 development application.*

*For reference, the relevant extract is reproduced below:*

#### **4.3.1 Design Principles**

*In order to help facilitate the realisation of the Prairiewood Town Centre Masterplan, Stockland has adopted the guiding principles of the Masterplan to inform the design of the proposed expansion.*

*The primary planning initiatives related to the site occupied by Stockland Wetherill Park are the creation of a north-south road connecting Polding Street and Restwell Road, and an east-west pedestrian path ultimately connecting the T-way station to Fairfield Hospital.*

*The edges of the proposed expansion have been designed to meet and define the alignment of these two important axes, and the perimeter of the proposal has been designed to be active wherever possible.*

*The proposed buildings have been designed as a series of separate yet contiguous forms incorporating the existing Hoyts cinema structure.*

*This approach seeks to extend and improve the pedestrian lane between the older and more traditional centre and the proposed addition. The decision to maintain and add to the network of open pedestrian spaces will enable a more environmentally efficient mechanical design and simplify the requirements for fire egress generally.*

*Because the existing loading facilities within the centre are close to operational capacity, the proposal includes a new shared loading area. In order to preserve the uninterrupted vehicular and pedestrian links from the centre to Polding Street, this new loading facility is accessed directly from Polding Street. This shared servicing area has been set well back from, and below the level of Polding Street. To protect the visual amenity along the street the loading facility will be screened by a dense wall of landscaping.*

*Rather than applying a repetitious architectural treatment to all parts of the proposal, the redevelopment has been treated as a series of four discreet yet connected external precincts. The varying visual character of these places are derived from the relationship between the façade of each building and the adjacent open space.*

*The first precinct is the existing north-south 'road' connecting Polding Street and Restwell Road. The northern part of this existing precinct will be intensified in urban*

*character with a combination of formal street planting and continuous active buildings built to the footpath 'boundary' along the western edge.*

*The second precinct is the continuous sequence of colonnaded spaces running east-west along the southern edge of the proposed building. This will provide the first part of the pedestrian path which ultimately links the Prairiewood T-Way station with Fairfield Hospital. The pedestrian-dominant character of the space results from the formally framed and contained linear colonnade.*

*The third precinct is comprised of the open laneways running north-south from Polding Street into the centre. These open air pedestrian lanes will form the heart of the leisure and entertainment offer at the centre. With at-grade car parking at each end and the cinemas in the middle, this vibrant precinct is defined by the collection of new, existing and refurbished buildings along its length.*

*The fourth precinct is Polding Street itself. This existing precinct will be directly addressed by the proposed redevelopment to assist in the definition of this important urban space. The internal north-south 'road' and pedestrian lane both terminate on Polding Street and the legibility of these connections will be augmented by the use of landscaping and new building elements. As noted elsewhere, the new shared service facility located between the two circulation paths will be visually screened with dense landscaping.*

*The choice of architectural treatment for the new built from elements has been informed by a desire to create a legible urban character appropriate for each precinct. At the same time, a palette of contemporary materials and finishes will be used to assemble the various functional elements such as awnings, screens and shopfronts.*

*As part of the proposal:-*

- *The ease of vehicle access, the convenience of car parking, the pedestrian through-site link from the adjacent high school and existing servicing arrangements are not adversely affected;*
- *The attractiveness of the centre will be vastly improved, with the introduction of a greater range of lifestyle offerings to complement the existing entertainment and leisure activities at the north-eastern corner of the centre;*
- *An existing pedestrian colonnade from the centre of the site to Polding Street will receive further emphasis. This will assist it in further becoming a restaurant precinct and therefore an area that is open for extended hours;*
- *The existing medical centre, which is not currently laid out well because it is housed within a former restaurant, will be relocated to a purpose built facility in the centre of the Polding Street frontage;*
- *Access to the cinemas is significantly improved;*
- *An additional 58 shops (approximately) are added to the existing centre;*
- *Additional parking is created to satisfy the needs of the expanded centre;*
- *There is a focus on convenience and safety in the expansion, particularly with connections to existing basement car parking, pedestrian desire lines and mitigating real and perceived threats of crime; and*
- *The underlying significant demand for additional floor space in the locality will be met in the short term and escape expenditure outside of the Fairfield LGA will be partly captured;*

*As can be seen from the architectural plans and illustrations, this proposed addition to Stockland Wetherill Park slots neatly into the planning framework established by the previous Development Approval.*

*In terms of the four precincts previously identified, this proposal effectively completes the composition of the first three.*

*The first precinct is the existing north-south 'road' connecting Polding Street and Restwell Road. This proposal has been set out to complete and continue the built edge on the western side of the road. The scale and civic character of this edge seeks to encapsulate and convey the aspirations of the Prarieewood Town Centre Masterplan.*

*The proposed façade treatment serves to clearly define the simple planar nature of the western wall of built form. The pedestrian and vehicular access points are readily identifiable using design elements derived from traditional street based buildings. Where possible, the street level façade has been functionally or visually activated by a combination of retail shopfronts and merchandising windows.*

*The significant divergence between retail floor levels and footpath floor levels as demanded by overland flood path engineering considerations has precluded the ability to locate direct pedestrian access along this western edge.*

*The stylistic character of this proposal is derived from the same dimensional grid as the previous approval whilst displaying a more contemporary look of its own. This character is carried around all three visible facades.*

*The second precinct is the continuous sequence of spaces running east-west through the centre which form part of the pedestrian link between the T-Way and the Hospital. This proposal forms the southern edge of the link and reinforces the urban character of the resultant space. The activation of the link is enhanced by the relocation of the food court to the same southern edge. Large sections of open-able glazed wall panels are proposed for this façade to allow the food court seating to spill out into the link space.*

*The third precinct is comprised of the open laneways running north-south from Polding Street into the centre. This proposal forms the eastern edge to the southern end of the laneway. The retail shopfronts and adjacent pedestrian paths are protected beneath a wide colonnade of similar dimensions to the adjacent building. The proposed addition is the final piece in completing the Town Centre composition commence in the previous approval."*

## **4.2 Proposed Works**

### **4.2.1 Preface**

The proposed development is to take place upon the new ground level to be established by the approved Stage 1 expansion. In this regard, the Stage 1 DA granted consent for the demolition of the existing at-grade car park on the land to which this DA relates, the excavation of the land for the formation of basement car parking and the formation of a new ground floor level for at-grade car parking. This DA displaces the approved at-grade car parking level for a further ground floor retail expansion. It relocates the approved car parking, plus an amount of additional parking to cater for the additional retail floor space, to two-and-a-half car parking levels above the proposed ground floor.

The DA drawings reflect the approved Stage 1 expansion, as is proposed to be modified by a current Section 96 modification being considered by Council. For example, the Ground Floor Demolition Plan identifies the approved car parking layout from Stage 1 rather than the existing car parking layout.

#### **4.2.2 Description of Works**

The proposed development comprises the following elements:-

- (i) A ground floor extension to the shopping centre filling in the void formed by the existing shopping centre and the approved northerly Stage 1 expansion;
- (ii) Removal of the existing food court tenancies (now relocated within the proposed expansion) to provide two new mini-major tenancies and two specialty stores;
- (iii) New entry statement at the south-eastern corner of the extension;
- (iv) Improvements to the existing pedestrian access to/from the Transitway to the west;
- (v) Two-and-a-half convenient aboveground levels of new car parking above the proposed centre extension;
- (vi) Upgrading / modification of the existing western loading dock waste facilities to accommodate the new expanded food court;
- (vii) New landscaping along the eastern frontage of the proposed expansion; and
- (viii) Use and fitout of the new tenancies.

#### **4.2.3 Proposed Retail Expansion**

The proposed retail expansion provides approximately 13 new retail tenancies and 13 new food and beverage tenancies. It relocates the functions of the existing food court presently along the western edge of the shopping centre to the heart of the centre.

Along the northern edge of the Stage 2 expansion is the preservation and improvement of the existing east – west pedestrian path. The path will be improved by the formation of a new open colonnade with active northerly shopfronts and southerly food and beverage outlets with outdoor seating, fresh air and natural light and optional weather protection below the southern edge of the Stage 1 expansion.

An artist's perspective of the proposed east – west pedestrian link is included in the DA Drawings.

The new food court is to be provided with a significant increase in the existing provision of seating (both indoor and outdoor) and a number of new kiosk tenancies. Large sections of open-able glazed wall panels are proposed along the northern edge of the food court to allow seating to spill out into the pedestrian colonnade in good weather, and the space to be enclosed in adverse weather.

The floor level of the Stage 2 expansion will be 400mm lower than the Stage 1 expansion due to the topography of the site and the need to step the floor levels down progressively between the Stage 1 level and the existing southern wing of the centre. The internal gradient change will be managed by stairs and ramps which will become features of the development.

The floor level of the shops of the eastern side of the Stage 2 expansion will be between 550mm and 950mm higher than the adjacent footpath and road level due to the flood affectation of the north – south driveway and the resultant need to provide adequate freeboard from the worst-case flood level. Although the eastern edge does not provide direct pedestrian access into the shops, visual activation of the edge is provided through retail shopfronts and windows/bays for display and merchandising. Stockland will ensure that the north – south spine road is activated in its tenant selection process, as the success of the Stage 2 expansion is highly linked to the appearance of the development from the north – south road.

A clearly identifiable pedestrian entry is provided at the south-eastern corner of the expansion. The entry will be defined by a feature statement comprising an overheight vertical projection, ground floor awning and lawn, paver and garden bed landscaping. The coversheet to the DA drawings provides an artist's perspective of the eastern edge of the expansion.

In pre-lodgement discussions, Council Officers suggested that the car park screening on the eastern façade of the proposed expansion could incorporate some form of public art. Stockland will continue to review the opportunities for public art with local artists and Council Officers. However, at this DA design stage, partial height perforated steel screening in a regular pattern is proposed as an appropriate measure.

#### **4.2.4 Landscaping**

A Landscape Concept Plan has been prepared by Stockland Group Design to identify driveway planting around the proposed works (**Appendix 3**). The landscape design is different to the approved landscape plan prepared for the Stage 1 expansion because the north – south spine road will no longer be fronted by car parking but rather an active boulevard of shopfronts. Accordingly, a revised character providing a tree lined pedestrian path is appropriate.

#### **4.2.5 Gross Leasable Area**

The proposed gross leasable area of the extension is 5,664m<sup>2</sup>. This would increase the approved gross leasable retail area of the centre from 50,012m<sup>2</sup> (assuming the current Section 96 is determined) to 55,676m<sup>2</sup>. There is no non-retail floorspace as part of the proposal.

#### **4.2.6 Building Height**

The proposed maximum height of the development is 11.75m.

There are no current height restrictions on the land. The draft Fairfield LEP 2012 proposes to introduce a building height standard of 18m.

#### 4.2.7 Access to the T-Way

The existing westerly entrance/exit to the Transitway continues to be a liability due to the real danger of pedestrian and vehicle conflict, primarily with heavy vehicle involvement, associated with pedestrians crossing a working loading dock service driveway.

The CPTED Report (**Appendix 6**) considers the T-Way access as a crime risk liability because it provides little opportunity for casual surveillance from or into the centre.

Stockland considered the option of closing the western access and having pedestrians use existing or upgraded pathways within the T-Way cutting to traverse in a northerly direction around to the Polding Street entrance to the centre. However, on balance, the maintenance of the T-Way access is a relevant matter for consideration within the Prairiewood Town Centre Masterplan and closing the access would be undesirable to Council and potentially also to Transport for NSW.

The proposed development includes a suite of upgrade works to minimise safety and crime risk. The upgrade works comprise:-

- Shade and weather cover from the western boundary into the shopping centre via an overhead awning designed to improve amenity for pedestrians arriving or departing the site. The awning will also slow pedestrians down because many pedestrians currently run across the crossing in rainy weather, which poses a significant unexpected danger for service vehicles;
- Corridors walls will be transparent along the proposed mini-major tenancies either side of the access, allowing sight into and from the centre to the entry;
- The provision of the CCTV monitoring within the entry corridor and external areas of the centre;
- Existing lighting will be upgraded to provide significant improvement to the existing lighting levels during the day and night.

Risk management techniques will continue to be implemented around the entrance, comprising regular security patrols to minimise anti-social and risk-taking behaviour, and information being displayed near the entrance concerning youth activities as alternatives to loitering around the T-Way, as well as public transport information to assist commuters to way-find and schedule their trip.

No changes are proposed to the opening hours for the T-Way access.

#### 4.2.8 East – West Pedestrian Crossing on the North – South Spine Road

During pre-lodgement discussions, the issue of vehicle volumes using the north – south spine road around the existing (and preserved) east – west pedestrian crossing toward the adjoining High School (and potentially to the Hospital in future) was raised.

In response, the approved Stage 1 and proposed Stage 2 expansions are designed to get drivers to turn into the car parking areas soon after arriving within the site, leaving little traffic at the centre of the north – south spine road. The way in which the Stage 1 and Stage 2 expansions integrate the existing and proposed car parking stratum levels and the proposed dynamic ‘scoreboard’ parking system ensures that cars can get from one parking area to

another with ease and drivers instantly recognise the availability of spaces within the first car parking entrance they arrive to.

#### **4.2.9 Traffic, Parking and Access**

##### Car Parking

The proposed development relocates the approved Stage 1 at-grade car park and incorporates additional parking to cater for the demands of the Stage 2 retail floorspace.

The proposal includes two-and-a-half above-ground car parking levels containing 227 parking spaces.

With a proposed retail gross leasable area of 5,664m<sup>2</sup>, Fairfield Council's car parking rate of 1 space per 25m<sup>2</sup> GLA (as per Chapter 12 of the Fairfield City Wide DCP) generates a requirement for 226 parking spaces. The provision of 227 therefore addresses the DCP requirement. The existing centre also currently operates with a surplus of 200 car parking spaces at peak periods, further alleviating parking demand.

As per the approval to the Stage 1 expansion, the above-ground car parking entrance will be provided with a real-time "scoreboard" dynamic signage system to identify the availability of car parking whilst drivers are using the north – south spine road. The system will assist in avoiding the situation of drivers circulating throughout the car parking levels looking for parking and causing congestion at entries, aisles and exits.

##### Parking Access

The proposed development marginally shifts the approved Stage 1 car parking access from the north – south spine road. It shifts north to cater for the aboveground car parking levels. Access to the basement car parking level below the Stage 2 expansion will come from the Stage 1 basement driveway to the north. It is relevant to note that both the Stage 1 and Stage 2 expansions significantly reduce the existing number of east – west access driveways onto the north – south spine road, which is a significant positive urban design benefit for pedestrian connectivity and retail activation.

##### Pedestrian Access

The proposed development has little impact on the existing internal pedestrian accessways and no impact on approved pedestrian access from the Polding Street frontage. The new car park has been designed to provide suitable pedestrian connections and crossings for access and egress to the shopping centre and between the site and the school to the east.

During construction there will be a Construction Traffic and Pedestrian Management Plan in place to ensure that pedestrian access is maintained, protected and diverted where necessary. This is addressed in the Preliminary Construction Management Plan in **Appendix 9**.

##### Traffic Generation and Intersection Performance

The Traffic and Parking Assessment contained in **Appendix 5** models the proposed traffic generation of the development and the resultant impacts on the existing intersections around the site.

Using the surveyed traffic generation data from on-site measurements, the Traffic and Parking Assessment expects additional traffic generation in the order of 317 vehicles in both directions during the Thursday peak hour and 345 vehicles in the Saturday peak hour. This traffic generation is then modelled into the performance of the surrounding intersections, including the traffic generation of the approved Stage 1 expansion, producing the findings that the road network can operate satisfactorily despite the development traffic. All surrounding intersections will be able to operate with a good-to-satisfactory level of service.

#### Public Transport

The proposed development will maintain the same level of access to the existing bus stops along Polding Street and the Liverpool to Parramatta Transitway.

A taxi set down area is provided by the Stage 1 expansion on the western side of the Polding Street / Restwell Road driveway, along with improved civic space at the Polding Street interface of the site for maximum public transport use and safety.

#### **4.2.10 Construction Management**

Stockland have prepared a Preliminary Construction Management Plan ("CMP") (**Appendix 7**) which will be used in the detailed preparation of a Construction Management Plan by the selected building contractor. The Preliminary CMP sets the broad outcomes desired by the final CMP and the range of issues that the final CMP is required to address to ensure the construction impacts are minimised.

The following plans are to be included in the final CMP:-

1. A Construction Traffic and Pedestrian Management Plan;
2. A Noise and Vibration Management Plan;
3. A Waste Management Plan;
4. A Communications Plan;
5. A Construction Environmental Management Plan;
6. An Emergency Management Plan; and
7. Evacuation Management Plan.

The Traffic and Parking Assessment in **Appendix 4** sets out parameters for a draft Traffic and Pedestrian Construction Management Plan that will enable a detailed Traffic and Pedestrian Management Plan to be prepared by the selected builder before works commence.

Although the precise staging and planning of the development will be resolved by the building contractor, the preliminary CMP provides indicative staging, indicative pre-construction planning activities (such as communication to adjoining owners, dilapidation surveys and implementation of noise and vibration monitoring equipment/practices), project noise management criteria and mitigation techniques and site investigations that may be necessary in relation to geotechnical conditions and services. Generic guidance is provided



regarding the installation of construction infrastructure, materials handling processes, working hours and the like. The appointed builder will need to build upon this guidance in the preparation of the detailed CMP prior to construction.

Details of the impact of construction on car parking will be detailed in the staging plans prepared by the selected building contractor and included in the detailed CMP prior to construction. During the early to middle stages of the development, there will be restricted parking supply. During this time, Stockland will seek to accommodate all staff parking and potentially some customer car parking off site.

Car parking demand will obviously be reduced during stages of construction as shops or other facilities are demolished.

Condition 7 on the Notice of Determination to the Stage 1 expansion requires Stockland to investigate the provision of off-site parking during construction. The condition is replicated below. A similar condition of consent is anticipated on the consent to this DA.

***“7. Construction Management Plan***

*Prior to the issue of a Construction Certificate, a Construction Management Plan shall be prepared and submitted to the Principal Certifying Authority. The CMP shall also include specific details relating to overflow parking during construction of the development, which may occur on the Calabrian Club site located opposite the shopping centre.”*

**4.2.11 Construction Noise Management**

The project acoustic consultants, Renzo Tonin and Associates prepared a Construction Noise and Vibration Management Plan for the Stage 1 expansion which will be used by the selected building contractor in the formation of a detailed Construction Management Plan for the Stage 2 development.

Renzo Tonin assessed the likely excavation and construction noise from the development against the Department of Environment, Climate Change and Water's Interim Construction Noise Guideline (ICNG).

Based on the requirements of the ICNG a summary of each sensitive noise receiver and the project noise management criteria (i.e. the acceptable noise level) for each sensitive receiver was given.

Actual construction plant and equipment to be used during the construction of the development are not yet known. However, typical plant and equipment likely to be used during the construction works were assessed, with the sound power levels based on maximum levels given in Table D2 of Australian Standard 2436 - 1981 "Guide to Noise Control on Construction, Maintenance". The equipment to be used for the Stage 2 expansion is the same as for the Stage 1 expansion.

The estimated noise levels at the nearest affected receivers were calculated based on a 'worst case' scenario where all the construction plant and equipment are operating concurrently, no noise mitigation was assumed and no shielding effects by existing buildings was assumed. Only distance attenuation was factored into the noise impact modelling. In relation to the Stage 2 expansion, the distance attenuation from the area of work means that noise sources will be

further removed from the sensitive noise receivers compared to the Stage 1 expansion and there will be less of an impact.

Results of predicted noise levels at receiver locations for all stages of the work indicate that noise emissions from excavation and construction activities have the potential to exceed the project noise criteria for all receiver locations. Noise mitigation measures are therefore required to minimise noise impact during construction activities to the required levels.

The Noise and Vibration Management Plan recommends a number of noise control measures that will significantly mitigate construction noise emissions to comply with the project noise levels. These include:-

- Screening utilising acoustic barriers such as earth mounds, temporary or permanent noise barriers;
- Acoustic enclosures such as engine casings surrounded by acoustic insulation and plywood;
- Engine silencing using residential class mufflers; and
- Substitution by alternative processes, such as using electrical driver plant in preference to diesel or petrol.

To ensure efficient noise attenuation is achieved using the above methods the Noise and Vibration Management Plan recommends that acoustic engineers work closely with the construction contractors and carry out noise testing of works to ensure the project complies.

Other noise mitigation measures that are commonplace with construction projects and that will be implemented to mitigate noise impact during construction works include:-

- Construction during the noisiest phases should be limited to the DECCW recommended standard hours of 7.00am - 6.00pm Monday to Friday and 8.00am - 1.00pm Saturdays, with no audible work on Sundays or Public Holidays (note the contractor may seek approval to work outside these hours);
- Use of the quietest available plant, which is regularly maintained
- Strategically position plant on site to reduce the emission of noise to the surrounding neighbourhood and to site personnel.
- Avoid any unnecessary noise when carrying out manual operations and when operating plant.
- Any equipment not in use for extended periods should be switched off.
- Good relationships with people living and working in the vicinity of the construction site should be established at the beginning of the works and be maintained throughout the works, as this is of paramount importance.
- Keep stakeholders informed of progress.
- Taking complaints seriously and dealing with them expeditiously. The person selected to liaise with the stakeholders should be adequately trained and experienced in such matters.

#### **4.2.12 Vibration Management**

Both the Geotechnical Report and Construction Noise and Vibration Management Plan prepared for the Stage 1 expansion recommend dilapidation reports be prepared giving advice on the structural condition of adjoining buildings, and vibration monitoring be undertaken during the construction works. The Construction Noise and Vibration Plan sets out the relevant vibration limits and recommended buffer distances from adjacent sites. It recommends:-

- The preparation of dilapidation reports for buildings surrounding the construction site before, during and after the construction works;
- A detailed Vibration Management Plan be prepared;
- Vibration impacts be tested using actual equipment on site prior to the commencement of works to establish the acceptable buffer distances in this instance;
- Vibration impacts be monitored to ensure compliance with the maximum limits when construction activities are closest to the adjoining properties;
- Periodic vibration monitoring be undertaken in sensitive locations and at critical stages of the construction to determine compliance with the vibration limits; and
- Management measures be implemented if vibration is found to be excessive, such as modifying the method of excavation to eliminate large plant.

The recommendations of the Geotechnical Report and Construction Noise and Vibration Management Plan will be adopted for the Stage 2 expansion.

#### **4.2.13 Access for People with Disabilities**

Morris-Goding Accessibility Consulting have reviewed the proposed design for access for people with disabilities. Their report is contained at **Appendix 8**. The relevant areas reviewed are ingress and egress (e.g. ramps, continuous paths of travel), circulation areas (e.g. the presence of lifts, wheelchair accessible malls, appropriate fixtures on stairs, etc), toilets (in terms of numbers and design), car parking, lighting and signage. Recommendations are made which are to be incorporated into the detailed design of the development at the construction certificate phase. At this stage, the Access Report demonstrates that the DA drawings indicate that compliance with the statutory requirements relating to site access, common area access and accessible parking can readily be achieved.

#### **4.2.14 BCA and Fire Safety Compliance**

A BCA Assessment Report has been prepared by McKenzie Group Consulting (see **Appendix 9**). The BCA Assessment identifies areas within the proposed development that comply with the BCA and issues where performance based solutions are required to be undertaken. Performance based solutions are required for issues relating to a continuous travel path around the centre, travel distance to exits in the car parks, travel distances within the existing centre, smoke management and fire resistance levels.

A Fire Engineering Assessment is included in **Appendix 10** to identify the fire engineered methodology required to ensure the development can satisfy the BCA's "Alternative Solution" requirements. A series of recommendations are made by the Fire Engineering Assessment

that are to be carried out in the detailed design phase (i.e. Construction Certificate phase) of the proposal.

#### **4.2.15 Stormwater Works and Erosion and Sediment Controls**

A Stormwater Report has been prepared by Taylor Thomson Whitting to comment on the stormwater inundation and flooding implications of the proposed development (**Appendix 5**). The Report concludes that the development requires no additional flood or storm assessment because the development is within the envelope of the Stage 1 expansion and outside the flood affected portions of the site.

As per the Stage 1 expansion, surface stormwater from pavements associated with the proposed development will be directed through an oil and silt arrestor and gross pollutant trap before being discharged to the Council's trunk drainage system.

Suitable erosion and sediment controls will be implemented during the construction phase of the development to manage the quality of runoff. When implemented, these controls will mitigate pollutants running off the site during the demolition, excavation and construction phases.

#### **4.2.16 ESD Initiatives**

Sustainability initiatives are to be incorporated into the construction and operation phases of the development to:-

- minimise the ecological footprint of the development in terms of energy consumption, use of resources, waste recycling and materials selection; and
- improve the health and comfort of visitors and employees of the centre through natural ventilation, natural light, maintaining public transport access and the selection of materials.

The ESD Report produced for the Stage 1 expansion (**Appendix 11**) is entirely relevant to the proposed development and provides details on the range of principles adopted for the proposed development in relation to reducing mechanical ventilation, controlling artificial light, providing solar protection, providing natural ventilation to car parking, reducing energy usage, maintaining access to public transport and providing alternatives to vehicles. The feasibility of using renewable energies will be analysed at the detailed design phase of the development.

The ESD Report provides an assessment against the voluntary Green Star rating tool for retail developments. The ESD Report targets a 4 star rating.

#### **4.2.17 Construction Waste Management**

The selected building contractor will be required to devise a Waste Management Plan as part of the detailed Construction Management Plan prior to the commencement of works. At this stage it is premature to provide a detailed Waste Management Plan in the absence of specialty advice from a demolition and building contractor regarding advice with respect to construction waste volumes, handling, disposal and recycling. Nevertheless, as a guiding principle, the project target for diversion of excavation and construction wastes away from landfill sites is 80% of all materials.

## 4.3 Proposed Use

### 4.3.1 Fitout and Use of Tenancies

Consent is sought for the use and fitout of the proposed tenancies in accordance with the land uses shown in the DA drawings. In this way Stockland is seeking to save its own and Council's resources with 41 separate shop owners and business owners each lodging separate DAs.

Construction certificates for tenancy fitouts are an appropriate mechanism for the certifying authority to understand the BCA compliance of fitout works.

Should the need arise, food tenancies may be subject to separate DAs.

### 4.3.2 Employment

The development is expected to generate a total of 344 direct jobs during construction (117) and operation (227). When assessed with a multiplier effect (i.e. shop suppliers and construction work suppliers), the total employment generation of the expansion would be approximately 622 positions. Further details are contained in the Economic Impact Assessment in **Appendix 12**.

### 4.3.3 Hours of Operation

The Stage 2 expansion will have trading hours the same as the core trading hours of the centre.

The existing core trading hours of the centre are as follows:-

- Monday, Tuesday, Wednesday and Friday - 9.00am - 5.30pm;
- Thursday - 9.00am - 9.00pm;
- Saturday - 9.00am - 5.00pm; and
- Sunday - 10.00am - 4.00pm.

A late-night management zone will continue to be maintained around the southern mall of the shopping centre to service the Woolworths tenancy (open until midnight on selected nights, otherwise 10pm or 11pm), Franklins tenancy (open until 10pm most nights) and the existing chemist store (open 24 hours). After-hours access to the Stage 2 expansion will be prevented by internal doors and temporary barricades, associated with regular security patrols.

### 4.3.4 Waste Management and Servicing

Operational waste management is addressed in the Waste Management Plan contained in **Appendix 13**. The Operational Waste Management Plan details the existing management measures and the proposed measures for general waste, recyclable waste and cooking waste. It addresses access to the recommended waste management area, projected waste volumes, recommended spatial allocation, management of waste by tenants and collectors and waste minimisation procedures.

The proposed new retail tenancies will be loaded and unloaded from the existing specialty store loading docks along the western elevation of the centre. The waste facilities within the western load dock area will be upgraded / modified to accommodate the new expanded food court.

#### 4.3.5 Operational Noise Management

Operation noise sources associated with the use of the development are:-

- (i) Mechanical plant – such as air conditioning, condensers, exhaust fans and cooling towers;
- (ii) Car parking activities – such as vehicle doors closing, engines starting, vehicles accelerating and vehicles moving within the site; and
- (iii) Road traffic noise – being the increase in background road traffic noise attributable to the expected traffic generation of the proposed new floorspace. This applies to Polding Street due to the presence of residential uses on the northern side of the site.

Each of these issues has been acoustically modelled in an Operational Noise Assessment (see **Appendix 14**) for expected noise impacts on the surrounding sensitive receivers.

All facets of the operation of the development are modelled to comply with the project noise criteria.

Road traffic noise will be insignificant and compliant with the relevant traffic noise criteria.

Noise from car parking activities within the car parking areas and driveways will readily comply with the project noise criteria.

However, given that only assumptions can be made regarding the noise impacts of typical mechanical plant at this stage, the Operational Noise Assessment suggests that noise mitigating measures to achieve compliance with project noise criteria is uncomplicated and can readily be achieved. This is typical of commercial and retail developments.

#### 4.3.6 Crime Prevention Through Environmental Design (CPTED)

A CPTED Report has been prepared by Jo Manion to comment upon the existing perception and occurrence of crime and anti-social behaviour and the means that are adopted or may be adopted to minimise these activities within the proposed development (see **Appendix 6**).

The CPTED Report assess the positive CPTED responses of particular aspects of the development such as pedestrian entries, public toilets, banking, car parking areas, connections to public transport, management and maintenance and construction management techniques. The recommendations coming from this assessment can be included in the detailed design of the development.

The conclusion of the CPTED Report is as follows:-

*“Assessment of the proposal indicates that the design incorporates characteristics that aim to maximise safety in line with accepted CPTED principles.*

*The public interface between the centre and the T-Way station has been an area of weakness. The proposed upgrade of this entry area will contribute to management of antisocial behaviour in the vicinity of the T-Way.”*

## **5. STATUTORY PLANNING CONSIDERATIONS**

### **5.1 Sydney Regional Strategy**

The Sydney Regional Strategy “*City of Cities: A Plan for Sydney’s Future*” provides targets and principles for Sydney’s growth to 2031. The Strategy sets targets for housing and employment in a number of subregions, generally seeking to concentrate growth in centres.

The Department of Planning are currently undertaking a 5 year review of the Regional Strategy and have released a discussion paper entitled “*Metropolitan Strategy Review: Sydney Towards 2036*” which outlines amendments to the recommendations of the 2005 Strategy. Population and employment estimates have been increased since the original Strategy, therefore the Strategy’s targets are likely to be reset. In the case of retail development, the discussion paper sets a benchmark for an additional 4 million square metres of floorspace. This, along with the Department’s release of a Draft Retail Centres Policy in April 2009 calling for an increase in retail floorspace per capita from 2.0sqm per person to 2.4sq.m per person by 2031, represents a significant challenge for accommodating retail developments in concentrated centres.

The proposed development seeks to enlarge the existing centre to maintain the competitiveness of the retail and leisure offer, as well as maintain Prairiewood Town Centres place in the Council’s Retail Hierarchy. In this way, the concentration of private investment in an existing centre that is well serviced and surrounded by supporting town centre uses, is in keeping with the overarching desires of the Sydney Regional Strategy.

### **5.2 Draft West Central Subregional Strategy**

The draft West Central Subregional Strategy forms part of the Sydney Regional Strategy. It was exhibited by the NSW Department of Planning between December 2007 and March 2008. It provides direction to local councils on the investment of public and private investment in existing and emerging centres for the creation of employment and housing. Local councils are directed to plan for employment generating and residential development in the preparation of their comprehensive local environmental plans and other strategic planning policies.

The draft Subregional Strategy places existing commercial and industrial centres into various categories where employment growth and redevelopment is planned to occur. The Prairiewood Town Centre is identified as a “Potential Major Centre”, alongside Cabramatta and Fairfield. Fairfield Council was made aware of the typology envisaged for Prairiewood Town in 2005 when it prepared the Prairiewood Town Centre Masterplan. The Masterplan sets out urban design principles and planning controls for Stockland Wetherill Park and surrounding sites.

As Stockland Wetherill Park is the only existing town centre retail provider, the expansion of the shopping centre will act as a catalyst for other investment in complementary retail, mixed use and residential development in the Town Centre. In this way, the proposed alterations and additions are highly in keeping with intent of the Subregional Strategy. The development concentrates retailing and other activities near public transport, protects and strengthens the role of the Town Centre by seeking to capture escape expenditure to other centres and



satisfies a current demand by the surrounding trade area. It also assists Fairfield Council in satisfying employment targets for the subregion.

## **5.3 State Environmental Planning Policies**

### **5.3.1 State Environmental Planning Policy (Infrastructure) 2007**

State Environmental Planning Policy (Infrastructure) establishes the Roads and Traffic Authority as the traffic management authority to be consulted in relation to development proposals, and ensures it is given the opportunity to make a representation on a development application before the consent authority decides whether to approve a proposal. Schedule 3 of the SEPP identifies forms of development which are required to be subject to varying levels of consultation.

The proposed development is a Schedule 3 development and requires referral to Roads and Maritime Services. The Traffic and Parking Assessment contained in **Appendix 4** contains detailed assessment of the traffic impacts on the local network and the parking implications of the proposal.

### **5.3.2 State Environmental Planning Policy No. 55 – Remediation of Land**

State Environmental Planning Policy No. 55 – Remediation of Land (“SEPP 55”) provides that a consent authority must not consent to the carrying out of development on land unless it has considered whether the land is contaminated. Furthermore, SEPP 55 requires that a consent authority must consider a report specifying the findings of a preliminary investigation of the land concerned, carried out in accordance with the contaminated land planning guidelines before determining an application for consent to carry out development that would involve a change of use on that land.

Environmental Investigation Services prepared a Preliminary Environmental Site Assessment for the Stage 1 expansion which included the land to which this DA relates. The Preliminary ESA contains results of historical site data, geological conditions and soil sampling from boreholes drilled on site.

The Preliminary ESA found that the soils tested complied with the project contamination thresholds, therefore the site is suitable for the proposed development. The soils excavated as part of the proposed development can be disposed of as general waste or virgin excavated natural materials.

## **5.4 Greater Metropolitan Regional Environmental Plan No. 2 – Georges River Catchment**

Greater Metropolitan Regional Environmental Plan No. 2 – Georges River Catchment (“the Georges River REP”) is a deemed SEPP after amendments to the planning system in July 2009. However, the elevation in status from an REP to a deemed SEPP has no relevance in this instance because the REP and Council’s LEP contain no inconsistencies between each other.

## Aims and Objectives

The Georges River REP applies to all land within the Georges River catchment including parts of the Fairfield LGA.

The general aims and objectives of this plan are:

- “(a) to maintain and improve the water quality and river flows of the Georges River and its tributaries and ensure that development is managed in a manner that is in keeping with the national, State, regional and local significance of the Catchment,*
- (b) to protect and enhance the environmental quality of the Catchment for the benefit of all users through the management and use of the resources in the Catchment in an ecologically sustainable manner,*
- (c) to ensure consistency with local environmental plans and also in the delivery of the principles of ecologically sustainable development in the assessment of development within the Catchment where there is potential to impact adversely on groundwater and on the water quality and river flows within the Georges River or its tributaries,*
- (d) to establish a consistent and coordinated approach to environmental planning and assessment for land along the Georges River and its tributaries and to promote integrated catchment management policies and programs in the planning and management of the Catchment,*
- (e) [repealed],*
- (f) to provide a mechanism that assists in achieving the water quality objectives and river flow objectives agreed under the Water Reform Package.”*

The REP is concerned with water quality outcomes, mitigation of flooding impacts and the appropriate use of land so as to prevent adverse water quality impacts.

The proposed development relies upon an approved DA involving the relocation of Council's trunk drainage pipe and augmentation of the existing overland flow path.

A relevant matter for consideration for this DA is whether runoff from the development is treated before being discharged to the Council trunk drainage system. In this regard, stormwater from hardstand areas including the new roof and car parking areas will be subjected to an oil and silt arrestor and gross pollutant trap before being discharged. Suitable erosion and sediment controls will also be implemented during the demolition, excavation and construction phases of the development to manage the quality of runoff.

## **5.5 Fairfield Local Environmental Plan 1994**

### **5.5.1 Objectives and Zone Objectives**

The site is zoned 3(b) District Business Centre where the objectives of the Zone are:-

- "(a) to provide for and encourage the provision of a wide range of goods and services which will contribute to economic and employment growth within the City of Fairfield,*
- (b) to encourage the development of Cabramatta Town Centre as a specialist cultural, retail, tourist and entertainment centre, and*
- (c) to encourage the District Centres located in Prairiewood and Bonnyrigg to provide residents with major food, clothing and small item shopping opportunities."*

The proposed development satisfies the above objectives because it encourages the provision of a wider range of goods and services that contribute to economic and employment growth and provides surrounding residents with improved food, clothing and small item shopping.

### **5.5.2 Permissible Uses**

Any purposes which are not prohibited in the Zone are permitted with consent.

The proposed development includes shops and business premises which are land uses highly consistent with the zone objectives and intent.

### **5.5.3 Relevant LEP Provisions**

#### Flood Liable Land

**Clause 11** relates to flood liable land and states:-

- "(1) The Council must not consent to the erection of a building or the carrying out of a work on flood-liaible land unless the provisions of the Council's Flood Management Policy that relate to the proposed development have been taken into consideration.*
- (2) The Council may refuse consent to an application to carry out any development which in its opinion will:*
  - (a) adversely affect flood behaviour, including the flood peak at any point upstream or downstream of the proposed development and the flow of floodwater on adjoining lands,*
  - (b) increase the flood hazard or flood damage to property,*
  - (c) cause erosion, siltation or destruction of riverbank vegetation in the locality,*
  - (d) affect the water table on any adjoining land,*
  - (e) affect riverbank stability,*
  - (f) affect the safety of the proposed development in time of flood,*
  - (g) restrict the capacity of the floodway,*
  - (h) require the Council, the State Emergency Service or any other Government agency to increase its provision of emergency equipment, personnel, welfare facilities or other resources associated with an evacuation resulting from flooding, or*

- (i) *increase the risk to life and personal safety of emergency services and rescue personnel.*

The site is flood liable due to existing overland flow that results when Council's stormwater infrastructure reaches capacity. Taylor Thompson Whitting provided a flood analysis and hydraulic design for the Stage 1 expansion that addresses the above matters. The flood analysis was contained in a Stormwater Report that accompanied an approved development application for the relocation of Council's trunk stormwater pipe through the site and the diversion of overland flow paths. As the proposed development cannot proceed without those stormwater works being carried out, the site is considered to be acceptable from a flood planning point of view when the stormwater works are carried out. This is confirmed in the Stage 2 Stormwater Report in Appendix 5.

### Urban Services

**Clause 15** states as follows in relation to the availability of services:-

*"The Council must not grant consent to development of land to which this plan applies unless arrangements satisfactory to the Council have been made for the provision of water, sewerage, drainage and electricity services to the land."*

The existing services of the site have been investigated. These services can be readily augmented or intensified where necessary to suit the proposed development.

## **5.6 Fairfield City Wide Development Control Plan**

Fairfield City Wide Development Control Plan ("the DCP") has a number of chapters that apply to the proposed development. These parts, and the relevant provisions thereof, are outlined in the table below, together with our comments.

Chapter and Part	Provision	Comment
<b>Chapter 3 Environmental Site Analysis</b>		
Part 3.1.2 Land Contamination	Information should be provided detailing whether there is evidence to suggest that the site may be contaminated.	A Preliminary Environmental Site Assessment accompanied the Stage 1 expansion, which included the land to which this DA relates. The preliminary ESA found that the site is suitably free from contaminated materials and is suitable for the proposed development.
Part 3.1.6 Trees and Bushland	Council must consider the retention or reintroduction of trees.	The site is sparsely vegetated, with trees and shrubs occasionally occurring at the end of car parking rows or around older buildings. The proposed development includes landscaping suitable to the proposed expansion comprising and a row of avenue trees along the north – south spine road to give a pedestrian

		character to the footpath connection.
Part 3.2 Local Context Analysis	A Local Context Analysis must be lodged with each DA.	A Site Analysis Plan is included in the DA drawings (see <b>Appendix 2</b> ).
<b>Chapter 8 Commercial Development in Local Centres</b>		
Part 8.2 Development Controls	Various controls relating to car parking, signage and awnings.	Car parking is addressed per Chapter 12 of the DCP below.  The DA does not include any signage or street frontage awnings.
<b>Chapter 11 Flood Risk Management</b>		
Schedule 6 contains various engineering controls for development of flood liable land, covering such matters as floor levels, structural soundness, car parking design, evacuation and detailed design.	In consultant with Council, the project engineers have set parameter for freeboard, flood planning events and floor levels relative to overland flow levels.	The Stormwater Report in Appendix 5 demonstrates that the proposed Stage 2 expansion is within the area to be redeveloped by the approved Stage 1 expansion and is not within the flood affected parts of the site.

## 5.7 Draft Planning Instruments and Policies

### 5.7.1 Draft Fairfield Local Environmental Plan 2011

The Draft Fairfield Local Environmental Plan 2011 was exhibited to the public in February and March 2011 and, when gazetted, will repeal the existing Fairfield LEP 1994.

The site is located within the draft B4 Mixed Use Zone where retail premises will be permissible development.

The exhibited version of the draft LEP had a floor space ratio (FSR) control for the site of 0.55:1. The existing development and the approved Stage 1 expansion would not have complied with this standard.

BBC Consulting Planners wrote a submission to the draft LEP arguing that there should be no FSR control applicable to the site because:-

- There is presently no FSR standard applying to the site and the imposition of a FSR standard will stifle redevelopment by creating a new, and finite, constraint to development;

- The site is within the Prairiewood Town Centre which is identified as a sub-regional scale centre with the Council's Retail Centres Policy. The site should be able to grow to achieve and sustain its role within the Fairfield retail hierarchy; and
- The site is within a Potential Major Centre within the draft West Central Subregional Plan and should be able to grow to fulfil its ultimate target and role.
- Limiting the FSR standard does not provide any scope for future expansion.

The draft LEP was reported to Council's Comprehensive LEP Committee on 17 April 2012 and an Ordinary Council meeting on 24 April 2012. It was forwarded to the Department of Planning and Infrastructure for endorsement by the NSW Minister for Planning.

Council adopted as follows in relation to the draft FSR standard for the site:-

*"The maximum FSR shown on the LEP maps for the Stocklands site be increased from 0.55:1 to 0.57:1 to reflect the recent approval for commercial expansion on the site."*

Limiting the FSR standard to 0.57:1 does not provide any scope for future expansion. This DA, for a modest expansion, results in non-compliance with the draft standard. This DA has an additional GFA of approximately 6,200m<sup>2</sup>, which increases the existing and approved GFA to approximately 76,000m<sup>2</sup> and, on a site with an area of 121,894m<sup>2</sup>, results in a FSR of approximately 0.63:1.

In response to the limited FSR standard and at the recommendation of Council Officers, Stockland lodged a Planning Proposal to seek an amendment to the draft LEP to increase the FSR standard. Stockland provided expert economic and planning justification for a proposed FSR increase. The Planning Proposal was assessed by Council Officers and an independent economic consultant who recommended a FSR standard of 0.8:1.

However, despite the fact that an increase to the draft FSR standard of 0.8:1 was endorsed by Council Officers and Council's independent experts, Fairfield Council resolved not to alter the draft FSR standard at its meeting on 24 July 2012.

This DA is therefore lodged in the context of an unreasonable draft FSR standard which is apathetic to the future reasonable expansion of the shopping centre. In circumstances such as the present DA, where the environmental, social, safety, traffic, economic and other impacts of a modest increase in floorspace are demonstrable acceptable, little weight should be given to the draft LEP. The draft LEP is certainly not imminent and certain at this stage and the way in which the Council has imposed the draft FSR limit is prejudicial to the reasonable development potential of the land and contrary to the existing planning controls.

For the reasons specific above, the application of the draft FSR standard is considered unreasonable and unnecessary in the circumstances of this case.

The draft building height limit is 18m. The proposed development would comply with this standard.

### 5.7.2 Draft State Environmental Planning Policy (Competition) 2010

On 2010, the NSW Department of Planning exhibited draft SEPP (Competition) 2010. It proposes to formalise the existing case law regarding the matters for consideration around economic impacts associated with a development application. The timing of any gazettal of the draft SEPP is uncertain and the Department has advised that the draft SEPP is currently not progressing any further. The draft Planning Green Paper is foreshadowing future public policy concerning retail provision, competition and centres policy.

The draft SEPP is not relevant to the proposed development, except for the fact that any submissions citing commercial loss of trade would not be taken into consideration under the draft SEPP because the proposed development demonstrates, through the Economic Impact Assessment in **Appendix 12**, that the proposed does not have an unreasonable impact on other commercial centres.

## 5.8 Prairiewood Town Centre Masterplan

The Prairiewood Town Centre Masterplan was prepared by architectural firm Tim Williams and Associates Pty Ltd in collaboration with Council's City Outcomes Department.

The land to which the Masterplan relates stretches from Polding Street in the north, Smithfield Road in the south, the north-eastern boundary of Fairfield Golf Course in the east and the Liverpool - Parramatta Transitway/Moonlight Road/Deerbush Park in the west.

Stockland Wetherill Park is located in the north-western corner of the Masterplan area.

The Masterplan has been created without any particular timeframe in mind, nor is it subject to review in any specific time period.

### Vision and Purpose

The Vision Statement to the Masterplan states as follows in relation to the role of the Prairiewood Town Centre:-

*"Prairiewood was not conceived as a Town Centre. The relatively ample availability of space has seen the location of a shopping centre and a number of public facilities and institutions over several decades. Little thought was given to the way these facilities would relate to each other or that one day, these facilities would indeed create a centre. The building of the T-way reinforces Prairiewood's status as a centre. The local population will inevitably increase. Measures need to be put in place to accommodate the change that will occur."*

*The Department of Planning have identified Prairiewood as part of a regional network of centres where substantial growth should occur.<sup>1</sup>*

*Prairiewood already has many of the elements necessary for a successful town centre. A set of principles development around how people can live and use the centre will generate guidelines that will transform the Town Centre into a place with its own character and identity.*

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<sup>1</sup> The Department of Planning exhibited the Draft West Central Sub-regional Strategy from December 2007 to March 2008. That document identified Prairiewood Town Centre as a "Potential Major Centre".

*This Town Centre has the potential to be an integrated town centre that is vibrant and used by all parts of the community to meet a wide range of needs and wants and the identification of a future desired character for Prairiewood is the reason for the preparation of this plan. In this regard, the Prairiewood Masterplan aims to provide guidelines that will allow Prairiewood to:-*

- *develop as a vibrant, multi-use town centre;*
- *have a safe and attractive pedestrian environment;*
- *have the services and amenity that a town centre needs;*
- *encourage well designed new residential and commercial areas;*
- *manage the natural watercourses in the area;*
- *enhance the connection between all existing facilities; and*
- *employ safety by design principles in the design of any development."*

The purpose of the Masterplan, together with our emphasis in bold on the relevant parts, is:-

- *"to provide a clear framework for Council against which future rezoning applications, which are required to enable future redevelopment of existing sites, to be considered;*
- ***to provide a framework against which any development application, for a use currently permitted by the zoning, will be assessed;***
- ***to produce a framework for redevelopment of the site including building form, public domain, access provisions, transitway (Tway) land uses and overall Public Design;***
- *to ensure the issues/desires of all the stakeholders are considered so that a viable and equitable town centre is generated;*
- *to provide a clear, concise document which can be adopted by the Council and which directs future development;*
- *to address all aspects of land use, infrastructure, heritage, access, feasibility and consultation processes in support of the proposed plan;*
- ***to provide guidance to developers and authorities on the type, scale and form of development acceptable in the town centre;***
- *to inform developers and authorities on the nature and form of public domain improvements; and*
- *to assist the public in understanding the potential future character of the area and to assist them to comment on rezonings and development applications."*

#### Content of the Masterplan as it relates to Stockland Wetherill Park

Section 1.8 of the Masterplan refers to the consultation with stakeholders to identify Masterplan ideas and suggestions. In relation to Stockland Wetherill Park, the Masterplan, contains the following summary of the author's understanding of Stockland's expectations:-

*"Stocklands advised that they intended to keep the at grade carpark in the short-term and that they envisaged the centre would expand sometime in the near to*



*medium future and that this will see the overall capacity of the site increase. At that stage, basement carparking may be considered.”*

The proposed development is a modest expansion of the existing centre that redevelops part of the at-grade car parking. The proposed development is not considered a long term expansion of the shopping centre because the increased gross leasable retail floorspace is only 5,664m<sup>2</sup>.

### Key Principles

The following table summarises the key principles of the Masterplan to Stockland Wetherill Park. What is evident in the comments below is recognition in the Masterplan that Stockland Wetherill Park has some degree of design autonomy, but the authors of the Masterplan believe the site still needs to be guided by overriding principles for issues such as access, cross-site linkages, street activation and the like.

It is noted that the design principles encouraged for the site are general statements of intent for pedestrian and vehicle access, street activation and retention of existing retail uses. There are also general comments about building scale. There are no “fine grain” principles for building form, such as FSR or building height controls, desired number of storeys or desired building cross-sections.

The Masterplan’s Principle Actions diagram is contained in **Figure 5**. The specific Masterplanning Principles for Stockland Wetherill Park are contained in **Figure 6**.

Section and Page	Issue / Quote	BBC Comment
Introduction to Design Objectives, page 47.	<p><i>“Stocklands will seek to redevelop in accordance with their own requirements.</i></p> <p><i>As there is no DCP for this site, any development applications for the Stocklands site must be assessed against the principles outlined in this plan, as well as any rezoning proposals to ensure any redevelopment is consistent with Council’s future Masterplan for the area.”</i></p>	An assessment against the Principles of the Masterplan is below.
Principles Diagram, page 49.	<p>The Principles Diagram highlights the following design principles for the site:-</p> <ul style="list-style-type: none"> <li>• An east-west pedestrian connection through the site from the public school and Hospital to the Transitway;</li> <li>• A north-south through-site public road formed by the conversion of the existing driveways between Polding Street and Restwell Road;</li> <li>• Active building frontages to the abovementioned new road, to the</li> </ul>	<p>The proposed development maintains the existing east-west pedestrian connection through the site and significantly improves the activation and function of the access.</p> <p>The proposed development maintains the existing north – south driveway connection. The Stage 1 expansion realigns the driveway to be a more straight carriageway, as is desirable under the Masterplan. A Urban Design Report was lodged with the Stage 1 expansion DA which showed the introduction of greater pedestrian infrastructure</p>

	<p>transitway and to the south;</p> <ul style="list-style-type: none"> <li>• New infill buildings within the centre of the site; and</li> <li>• Possible residential mixed use development at the north of the site.</li> </ul>	<p>compared to the current situation. This DA provides superior urban design merit compared to the Stage 1 expansion because the north – south spine road will be further activated by retail shopfronts and displays, while the approved means of pedestrian access and driveway crossovers will be maintained.</p> <p>The proposed development includes active building frontages to the Polding Street driveway, improves the existing transitway access and does not affect the southern elevation of the site.</p> <p>The proposed development comprises an infill building within the centre of the site.</p> <p>The proposed development does not preclude the northern end of the site being used for mixed use purposes in the long term.</p>
Future Uses, page 50.	<p><i>“The Stocklands site will remain the retail core of the town centre. Any proposals to increase the floor space in the next ten years will need to address the findings of Council’s Retail Centres Study.</i></p> <p><i>Beyond the next ten years, the growth potential for retail will need to be re-assessed, but the following two principles identified in the Leyshon Report regarding additional floor space should still be considered. In assessing proposals for development Council should consider:-</i></p> <ul style="list-style-type: none"> <li>• <i>Whether the retail development is located and designed so as to act as a catalyst for the renewal/redevelopment/refurbishment of an existing centre in accordance with this Masterplan, or alternatively, whether permitting the retail development will hamper the redevelopment of other parts of the town centre in accordance with this Masterplan.</i></li> <li>• <i>Whether the location and design of new retail development is appropriate in terms of achieving urban design outcomes in accordance with this Masterplan.”</i></li> </ul>	<p>The proposed development is in keeping with the urban design outcomes for the site. It maintains and improves the existing east – west connectivity and capitalises on the recently approved north – south access improvements.</p> <p>The proposed development is supported by an Economic Impact Assessment prepared by MacroPlan Dimasi that demonstrates the clear underlying demand for greater retail floorspace within the trade area.</p> <p>An assessment of the development against the Council’s Retail Centre Policy is contained in Section 5.8 below.</p>

<p>Future Movement, page 51,  <i>Public Transport.</i></p>	<p><i>“The Masterplan shows a number of pedestrian links. Linkages to Phase 1 (i.e. land to the south of Stockland Wetherill Park) and across the site east/west from the Hospital to the Transitway are critical in ensuring the future centre is integrated and accessible for all parts of the community. The establishment of these links is critical to the sustainable development of the centre.</i></p> <p><i>Stocklands have raised concerns during preliminary consultation regarding the provision of 24hr access through their site to the transitway station. It is acknowledged that this may be an issue in the short term given the existing building.”</i></p>	<p>The proposed development maintains and improves the existing east – west link from the school to the T-way. The school does not permit 24 hour access to the hospital. If the school is redeveloped in accordance with the Masterplan, an access to the hospital can be created. At this stage, such appears unlikely given the lack of existing access.</p>
<p>Future Movement, page 52,  <i>Vehicular Movement.</i></p>	<p><i>“The existing Stockland access points from Restwell Road in the south and Polding Street in the north, effectively form an access road north/south through the Phase 2 area. At this stage, this is not a dedicated road. It is part of the Stockland site. This north/south access link is important for Stockland. Depending on the extent of future development, there may be a need to [give consideration to] improving the effectiveness of this link via design measures or dedicating some land to create a north-south road through the site.”</i></p>	<p>The proposed development is a small expansion of the existing shopping centre that maintains the north – south access corridor.</p> <p>This DA provides superior urban design merit compared to the Stage 1 expansion because the north – south spine road will be further activated by retail shopfronts and displays, while the approved means of pedestrian access and driveway crossovers will be maintained.</p>
<p>Future Built Form, page 52</p>	<p><i>“In terms of scale, Phase 2 contains the future core of the town centre and the scale of development traditionally is higher and denser in core with a transition to a lower height and density as you move further away from the core.</i></p> <p><i>Buildings that let in light, provide interesting views and are not excessive in scale compared to the human scale using the public domain, is the character that Council shall seek to achieve for the core of Prairiewood Town Centre.”</i></p> <p><i>“Active Street Frontages</i></p> <p><i>One particular principle/issue described in the CPTED Principles and which was discussed during the consultation was the principle of active frontages to the street. This was discussed in relation to Stockland who indicated that while they were supportive of activating streets, did not agree that this should result in them providing active frontages to all streets as</i></p>	<p>The Masterplan envisages that the scale of development within the site can be higher and denser than surrounding development, but the Masterplan does not go into detail about the actual bulk and scale it seeks. Rather it sets general criteria in terms of solar access, views, integration with surroundings and ‘human scale’. These matters are addressed by the development.</p> <p>Activation of Restwell Road may be reviewed when these areas of the site are worked on.</p> <p>The existing T-Way access along the western side of the site is to be upgraded as part of the proposed development to maximise safety and minimise crime risk and anti-social behaviour.</p>

	<p><i>the nature of their business and servicing needs made this impractical. The existing Stockland building does not present an active frontage to Restwell Road.</i></p> <p><i>It is acknowledged that in the short term, it would be difficult for Stockland to make changes to their site which would activate Restwell Road, without a significant redevelopment. This request would not be feasible or practical given the investment they only recently put into establishing the existing building.</i></p> <p><i>However, in the longer term, if Stocklands are making long term strategic decisions about their site, it is important that the site begin to develop a relationship with other sites so that it becomes integrated with the future development [town] centre. This will also have potential benefits for Stocklands. In this regard, longer term development should seek to provide an active frontage to Restwell Road and to any development on the existing and adjoining sporting field site as this will be the future public core of the town centre. This would leave the majority of the frontage of the Stocklands site for other service activities necessary for the centre's operation. It will be a much more human and attractive town centre in the future if the frontages in this core area respond to one another rather than just presenting blank facades. In this regard, Council Officers should work with Stocklands to formulate site specific plans for the Stockland site."</i></p>	
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## 5.9 Fairfield Retail and Commercial Centres/Activities Policy

Council's Retail and Commercial Centres/Activities Policy ("the Centres Policy") was adopted in July 2006 prior to the exhibition of the Draft West Central Subregional Strategy. It is based upon a Retail Centres Study by Leyshon Consulting in 2005.

The Centres Policy describes the role and features of existing retail centres within the Fairfield LGA and sets out the expectations and assessment criteria involved in rezonings or development applications.

### Centre Typology / Status

Prairiewood Town Centre (i.e. Stockland Wetherill Park) has a sub-regional centre status within the Centres Policy. This is the highest order status provided in the Centres Policy and also applies to Bonnyrigg, Cabramatta and Fairfield. Its strategic status within the Draft West Central Subregional Strategy is "Potential Major Centre", reflecting the State Governments

desire for consolidating retail development with other forms of development such as mixed uses, increased residential and civic functions.

According to the Centres Policy a sub-regional centre in the Fairfield LGA is characterised by:-

- The provision of retail and commercial services to a sub-regional within Fairfield LGA (usually about 50,000 persons);
- The presence of one (or more) Discount Department Store (DDS) and one (or more) full-line supermarket;
- Their location on major public transport networks;
- Generally containing between 20,000 - 80,000 sq.m of retail floor space together with a wide range of non-retail services including cinemas, community services and office space; and
- Providing for higher order and comparison goods shopping as well as the provision of specialist, professional and personal services serving the sub-region.

#### Evaluation Criteria

The following assessment criteria apply to proposals in sub-regional centres:-

- *That the development proposal will not result in an unacceptable level of impact on the range and services provided in other existing sub-regional centres in Fairfield;*
- *That the development proposal will not result in a reduction in the range of services provided in nearby local centres;*
- *Whether the development proposal will introduce types of retail services likely to reduce escape spending from Fairfield;*
- *Whether the proposal will improve the viability of the sub-regional centre by strengthening key retail functions – for example, the provision of or upgrading of discount department stores and supermarkets;*
- *Whether the development proposal demonstrates that a net community benefit will flow from the proposed expansion of retail floor space.*

Each of the above assessment criteria is addressed by the Economic Impact Assessment in **Appendix 12**. It is clear from this Assessment that the proposal will not result in any unacceptable impact on any other centre, the proposal will reduce escape expenditure from the Fairfield LGA, the proposal will improve the sub-regional centre and the proposal demonstrates a net community benefit.

### Demonstrating Acceptable Economic Impacts

The Policy requires Applicants to demonstrate that there is no unacceptable economic impact when the development involves a floor space of 2,500m<sup>2</sup> or more, among other circumstances.

A detailed economic justification for the development is required in the form of an Economic Impact Statement. There is a detailed list of the matters that an Economic Impact Statement must address.

The Economic Impact Statement in Appendix 12 demonstrates that there will not be unacceptable impact on other centres as a result of the development. The Economic Impact Statement addresses all of the relevant requirements of the Policy.

### Town Centre Strategies, LEP and DCP Controls

The Policy reinforces the need to consider all relevant LEP, DCP and Masterplan controls when development applications are being assessed. These matters are addressed in Sections 5.5 to 5.8 above.

## **5.10 Clause 92 Considerations**

Clause 92 of the Environmental Planning and Assessment Regulation 2000 identifies additional matters that a consent authority must take into consideration in determining a DA. Clause 92 requires a consent authority to have regard to AS 2601-1991: The Demolition of Structures. This Australian Standard will be addressed in the Construction Management Plan for the development and the Applicant invites a condition of consent accordingly.

## 6. ASSESSMENT OF ENVIRONMENTAL EFFECTS

In determining the subject DA, Council is required to consider those relevant matters listed in Section 79C(1) of the Environmental Planning and Assessment Act, 1979. Each of the relevant matters is addressed below.

### 6.1 Section 79C(1)(a) – Statutory Planning Considerations

Section 79C(1)(a) requires the consent authority to take into consideration:-

*“(a) the provisions of:*

- (i) any environmental planning instrument; and*
- (ii) any proposed instrument that is or has been the subject of public consultation under this Act and that has been notified to the consent authority (unless the Director-General has notified the consent authority that the making of the proposed instrument has been deferred indefinitely or has not been approved), and*
- (iii) any development control plan; and*
- (iiia) any planning agreement that has been entered into under section 93F, or any draft planning agreement that a developer has offered to enter into under section 93F, and*
- (iv) the regulations (to the extent that they prescribe matters for the purposes of this paragraph), and*
- (iv) any coastal zone management plan (within the meaning of the Coastal Protection Act 1979)”*

These matters (and others) are addressed in Section 5 of this SEE.

The proposal is consistent with the aims and objectives of the Fairfield LEP, DCP and Prairiewood Town Centre Masterplan. This SEE also demonstrates that the development addresses SEPP 55, the Infrastructure SEPP and the Georges River REP.

The proposed development, in combination with the approved Stage 1 expansion, will consolidate the role of Stockland Wetherill Park as a major sub-regional centre, deliver major job growth, and result in widespread benefits to the surrounding and wider community. It will strengthen the role of Prairiewood as a “Potential Major Town”.

### 6.2 Section 79C(1)(b) - Environmental, Social and Economic Impacts

Section 79C(1)(b) requires the consent authority to consider:-

- “(b) the likely impacts of that development, including environmental impacts on both the natural and built environments, and social and economic impacts in the locality.”*

The relevant matters are addressed below.

### **6.2.1 Impacts on the Natural Environment**

The subject site forms part of a highly urbanised and intensively used area which has been cleared of its original vegetation and developed for retail and commercial purposes since the 1980s. The site is impacted by traffic activity (including heavy vehicle movements) and noise.

Although no natural watercourse traverses the site, there are an existing drainage channel and overland flow path into which stormwater flows from the local catchment. As part of the enabling works for the proposal (which are subject to an approval in late 2011), stormwater flows are to be diverted to the western side of the site or down the access driveway between Polding Street and Restwell Road. These works will have a positive impact on the natural environment.

Soil sampling undertaken for a Preliminary Environmental Site Assessment as part of the Stage 1 expansion found that no elevated concentrations of contamination were found within the land to which this DA relates that exceeded the current criteria. As a safeguard the Preliminary Environmental Site Assessment recommends:-

- that a qualified environmental consultant should assess any unexpected conditions or subsurface facilities that may be inadvertently discovered on site during demolition and excavation;
- that groundwater contamination issues should be further sampled in the northern end of the site if groundwater is encountered during the removal of underground storage tanks for the existing service station.

Excavated materials can be classified either as “General Solid Waste (non-putrescible)” in the case of fill materials or “virgin excavated natural material” in the case of natural soils and bedrock. These can therefore be disposed of to an ordinary receiver such as a materials recycling facility, landscape supplier or quarry as clean filling material without the need for remediation or validation.

The proposal is accompanied by a Sustainability Report which addresses:-

- solar access/control;
- building form and construction;
- heating, cooling and ventilation;
- energy and water usage;
- public transport.

The proposed development also includes new landscaping to soften and screen the north – south vehicle and pedestrian accessway with trees. The landscaping proposals will have a positive aesthetic as well as environmental impact.



## 6.2.2 Impacts on the Built Environment

The proposed expansion will be a high quality addition to the existing centre that maintains the existing pedestrian connections, convenience and relationship of structures to their surroundings. The bulk and scale of the new structures is entirely in keeping with the existing scale of the centre.

Longer building facades have been broken up with articulation, changes in materiality or breaks.

Stockland has deliberately introduced the concept of differentiating the proposed Stage 2 expansion from the existing centre and the Stage 1 expansion by giving the Stage 2 expansion a more modern and active presentation. The proposed development will have a more contemporary look and feel of its own.

## 6.2.3 Social Impacts

The proposal has evolved from a long period of market research and community consultation involving user and non-user surveys, economic research and market profiles, consultation with stakeholders, and community feedback through centre management and customer service.

This consultation strongly identified the need for:-

- improved retail choice;
- improved facilities for young people;
- sustainable development outcomes;
- entertainment, social spaces and integrated access arrangements;
- maintaining the existing convenient community services; and
- maintaining the existing convenience of car parking.

No adverse social impacts will arise in terms of the existing community centre, child care centre or library, where they will continue to be available to community organisations, mothers and school children.

Positive social impacts will arise through the construction of a new, modern addition to the shopping centre. This will act as a catalyst for other investment in the Prairiewood Town Centre, greater job creation, and improved facilities and services for the community in a highly accessible, well-established centre. It will create better social spaces and increase community pride/ownership as a result of a better urban environment.

The proposed development enhances social equity of the community insofar that facilities and services available to all members of the public are to be upgraded and expanded in one of the most accessible locations in the local government area. Additionally, the proposal will better meet the needs and aspirations of the public within the centre's trade area.

The proposal will enhance cultural and community wellbeing in that it will provide an improved built environment, will expand the range of facilities available to the population of the trade area, will provide increased leisure activities, produce a high quality of design both

internally and externally and will minimise adverse environmental impacts on surrounding land uses.

The proposed development will add cohesiveness to the community in that it will create additional community activities and meeting places that are safe, accessible and in a highly accessible location.

The social impacts of the proposal when complete will thus be positive.

#### **6.2.4 Economic Impacts**

The following positive economic impacts will result from the proposal:-

- the creation of employment opportunities in both the construction and operational stages of the development;
- the creation of improved retail facilities with a greater range of retail outlets;
- the capture of existing escape expenditure from the Fairfield LGA; and
- the introduction of commercial facilities which will allow improved social interaction and community cohesion.

An Economic Impact Assessment has been prepared by MacroPlan Dimasi (**Appendix 12**). The Key Findings of that report are as follows:-

*“The proposed Stage 2 DA scheme for Stockland Wetherill Park would involve a relatively minor incremental increase of 4,748 sq.m of retail floorspace, over and above the development already approved for the centre.*

*We consider that this additional floorspace will result in net beneficial outcomes for the residents of the Fairfield LGA and more broadly, the Stockland Wetherill Park trade area. The development will result in:-*

- *Minor trading impacts on the surrounding retail centres network, in particular the network of sub-regional centres;*
- *Enhanced regional competitiveness of the Fairfield LGA retail network by retaining escape expenditure;*
- *Ensuring that the prevailing and future market gap is minimised within the Fairfield LGA;*
- *Increased convenience and amenity for the population of the main trade area, in particular those within the primary sector;*
- *Encouraging in-centre competition and consumer choice;*
- *Ensuring the right type of retail is provided in the right location at the right time to meet the needs of the consumer;*
- *A reduction in vehicle kilometres travelled as people are able to access an increased range of retail options within one location;*

- *A significant contribution to local employment and consequent economic multiplier impacts; and*
- *Achieving local and state Government policies by providing retail and employment facilities in-centre, near public transport and close to residents.*

### 6.2.5 Traffic Impacts

The Traffic and Parking Report in **Appendix 4** assesses the parking, access, servicing and traffic impacts of the proposed development.

The Traffic and Parking Report contains the following conclusion:-

*“The main points relating to the implications of the proposed Stage 2 extensions to the shopping centre are:*

- (i) The proposed parking provision is considered appropriate and complies with the requirements of Fairfield City Wide DCP;*
- (ii) No changes in access arrangements are proposed;*
- (iii) Internal layout and servicing arrangements are considered appropriate;*
- (iv) The site is highly accessible by public transport;*
- (v) Pedestrian access to the centre will be maintained from all frontages to the site;*
- (vi) The surrounding road network can cater for the traffic generated by the proposed alterations and additions.*
- (vii) The preparation of the construction traffic management plan, signage detail, control of pedestrians and control and management of construction vehicles in the vicinity of the site will be the responsibility of the appointed builder.”*

### 6.2.6 Amenity Impacts

#### Construction Impacts

The proposed expansion of the shopping centre are the subject of a preliminary Construction Management Plan a copy of which is provided in **Appendix 7**. Adherence to the preliminary Construction Management Plan (“CMP”), including the preparation of a comprehensive CMP by the selected building contractor will ensure that construction impacts are minimised.

#### Construction Noise Impact

Construction noise is addressed in the Construction Noise and Vibration Management Plan for the Stage 1 expansion. Adopting the worst case scenario where all plant and equipment is operated at the same time, without any noise mitigation and without factoring in any acoustic shielding from existing buildings, the construction noise would be expected to exceed the project noise criteria at each sensitive receptor around the area of works. A raft of mitigative measures are recommended in the Construction Noise and Vibration

Management Plan to achieve compliance with the project noise goals. These measures will be adopted for the Stage 2 expansion.

#### Operational Noise Impact

Expected noise impacts from mechanical plant, car parking activities and road traffic noise have been assessed in the Operational Noise Assessment in **Appendix 14**.

The conclusion of the Operational Noise Assessment is as follows:-

*“Operational noise emissions from the site are expected to comply with the relevant noise criteria based on a traffic assessment report prepared by Colston Budd Hunt and Kafes. In-principal noise control measures have been recommended and should be considered once detailed information is obtained during the detailed design stage of the project.*

*Road traffic noise along Polding Street impacting residences as a result of traffic movements associated with the operation of the proposed Stage 2 development of the shopping centre was also determined to comply with the applicable RNP criteria.”*

#### Vibration Impact

The Stage 1 Construction Noise and Vibration Management Plan provides a series of recommendations to maintain vibration impacts at acceptable levels. Key to this is the establishment of minimum buffer zones for certain types of excavation equipment and constant monitoring during works near the buffer zones to ensure that the established vibration limits are not exceeded. These will need to be installed for the demolition and excavation stages approved by the Stage 1 expansion and will be maintained during the construction of the Stage 2 expansion.

A comprehensive Construction Management Plan will need to be prepared by the selected building contractor and will include a detailed work method statement for controlling vibration impacts within the acceptable limits.

#### Overshadowing Impact

The DA drawings include shadow diagrams showing that overshadowing will not affect any adjoining properties.

#### Privacy Impact

The proposed development is well removed from adjoining properties and not readily within view of residences to the north or east. As such there will be no adverse privacy impacts.

### **6.3 Section 79C(1)(c) - The Suitability of the Site**

Section 79C(1)(c) requires the consent authority to consider:-

*“(c) the suitability of the site for the development.”*

In terms of its location, character, position, topography and accessibility, the site is suitable for the proposed Stage 2 expansion.

#### **6.4 Section 79C(1)(d) - Submissions**

Section 79C(1)(d) requires the consent authority to consider:-

*"(d) any submissions made in accordance with this Act or the regulations."*

Any relevant representations will need to be considered by the consent authority in the determination of the DA.

#### **6.5 Section 79C(1)(e) - Public Interest**

Section 79C(1)(e) requires the consent authority to consider:-

*"(e) the public interest."*

The public interest is best served by the orderly and economic use of land for purposes permissible under the relevant planning regime and predominantly in accordance with the prevailing planning controls. Since the proposed development promotes the orderly and economic use of the site in accordance with the applicable planning controls and is a development without adverse impacts on adjoining properties, the proposal is considered to be in the public interest.

## 7. CONCLUSION

The proposed development comprises Stage 2 alterations and additions to the existing Stockland Wetherill Park Shopping Centre to create an additional 5,664m<sup>2</sup> of gross leasable area in the centre of the site.

The proposed development will satisfy existing customer desires at the centre by adding mini-major tenancies, relocating and improving the food court offer and creating greater specialty stores.

The proposed development is consistent with the objectives and requirements contained within Council's planning instruments and development guidelines and will result in no significant environmental or amenity impacts.

The proposed development is consistent with the State Governments desire for Prairiewood Town Centre to become a Major Centre. It will act as a catalyst for future investment in the Town Centre.

The key outcomes of the proposed development are:-

- Keeping the centre competitive with surrounding retail centres;
- Keeping the retail offer of the shopping centre in line with the contemporary expectations of visitors and shoppers. In this regard, the development will introduce and integrate with predominantly high-quality food and beverage outlets and lifestyle offerings;
- Maintaining the shopping centre's place in the draft West Subregional Strategy whereby Prairiewood is identified as a Potential Major Centre and Stockland Wetherill Park is the only existing retail facility within that centre;
- Maintaining the shopping centre's place in the Council's retail hierarchy as encapsulated in the Council's *Retail and Commercial Centres/Activities Policy 2006*. In this regard, Prairiewood is considered to be a Sub-Regional Centre in the Council's policy and an expansion of the type proposed is in keeping with the characteristics of a sub-regional centre;
- Maintaining the ease of vehicle access, the convenience of car parking, a pedestrian through-site link from the adjacent high school and existing servicing arrangements;
- Meeting the underlying significant demand for additional floorspace in the locality and addressing escape expenditure outside of the Fairfield LGA;
- The creation of an additional 28 shops of a range of sizes and purposes to address feedback from visitors to the centre, particularly young people seeking improved food and lifestyle tenancies;
- Additional parking to satisfy the needs of the expanded centre; and



- Maintaining the existing high standard of convenience and safety in the expansion.

The proposal is both reasonable and appropriate when assessed under the relevant heads of consideration listed in Section 79C(1) of the Environmental Planning and Assessment Act, 1979, and is eminently worthy of favourable consideration by Council.



## FIGURES

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## **APPENDICES**

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## **APPENDIX 1**

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**Reduced copy of Survey Plans, prepared by Whelans**



## **APPENDIX 2**

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**Reduced copy of Architectural Plans, prepared by Stockland**



## **APPENDIX 3**

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**Reduced copy of Landscape Plan, prepared by Stockland**



## **APPENDIX 4**

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**Traffic and Parking Assessment prepared by Colston Budd Hunt  
and Kafes**



## **APPENDIX 5**

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**Stormwater Report, prepared by Taylor Thomson Whitting**



## **APPENDIX 6**

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**Crime Prevention Through Environmental Design Review, prepared  
by Jo Manion**



## **APPENDIX 7**

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**Preliminary Construction Management Plan, prepared by Stockland**





## **APPENDIX 8**

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**Access Report, prepared by Morris-Goding Accessibility Consultants**



## **APPENDIX 9**

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**BCA Report, prepared by McKenzie Group Consulting**



## **APPENDIX 10**

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**Fire Engineering Assessment, prepared by Fire Engineering Professionals**



## **APPENDIX 11**

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**ESD Report, prepared by ARUP**



## **APPENDIX 12**

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**Economic Impact Assessment, prepared by MacroPlan Dimasi**



## **APPENDIX 13**

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**Operational Waste Management Plan, prepared by The Mack Group**



## **APPENDIX 14**

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**Operational Noise Assessment, prepared by Renzo Tonin and Associates**