

Our ref: DA23/1084

The Trustees for Waluya Trust
C/- Urbis Pty Ltd
5 Bridge Street
PYMBLE NSW 2073

Attention: Summer Harrison

15 June 2023

Subject: Response to Submissions

Dear Ms Harrison,

I refer to the above proposed development of a Bus Depot in West Gosford at 1-3 Faunce Street, 7-11 Racecourse Road and 38 and 50 Young Street, West Gosford (DA 23/1084).

The Department, after reviewing the submitted information, the submissions and agency advice, has concerns associated with the development as identified in **Attachment A** that need to be resolved prior to further assessment and determination to demonstrate that the site is suitable for the development. Please provide a response to the issues at **Attachment A** in a consolidated response which also responds to the letter sent by the Department on 25 May 2023.

The Department requests you provide a response by **14 July 2023** via the Planning Portal. If you are unable to provide the requested information within this timeframe, you are required to provide, and commit to, a timeframe detailing the provision of this information. At the date of this letter, 20 days have elapsed in the assessment period.

If you have any questions, please contact Chris Eldred, on 02 8289 6855 or via email at christopher.eldred@planning.nsw.gov.au.

Yours sincerely,

A handwritten signature in blue ink, appearing to read "K T" followed by a long horizontal stroke.

Keiran Thomas

Director – Regional Assessments

as delegate for the Planning Secretary

APPENDIX A

1. Permissibility

The Department notes advice provided in the Statement of Environmental Effects regarding permissibility. However, it is noted that the wording of the note at the beginning of Part 5.3 of State Environmental Planning Policy (Precincts – Regional) 2021 (i.e., *A type of development referred to in the Land Use Table is a reference to that type of development only to the extent it is not regulated by an applicable State environmental planning policy*) was removed from the SEPP prior to the lodgement of the application.

As such, demonstrate the permissibility of the development given the conflicting permissibility under the State Environmental Planning Policy (Precincts – Regional) 2021 and State Environmental Planning Policy (Transport and Infrastructure) 2021.

2. Traffic, Road Works and Vehicle Movements

a. Vehicle Manoeuvrability

The Department notes that the TIA has included turning circles for a number of bus movements within the site. Clarification and/or additional information is required on the following matters:

- turning circles are required that demonstrate buses can safely enter and exit the site from Racecourse Road. The turning circles must demonstrate that buses will not cross onto the wrong side of Racecourse Road when entering or exiting the site and that two-way operation of the bus driveway can be maintained while buses are entering and exiting the site.
- it appears that buses queuing for fuel would block a number of parking spaces and would conflict with identified turning circles. Clarify how this would be managed.
- bus turning circles are required to demonstrate that buses can safely manoeuvre the parking spaces opposite the workshop should a bus be refuelling at the same time.
- bus turning circles are required to demonstrate that the western bowser of the refuelling point can be accessed. Clarify how parking spaces would be managed to allow for the efficient use of the western bowser.
- a number of bus turning circles for general site manoeuvrability currently run through the wash bay. Clarify whether the wash bay would have rubber bunding or humps to contain water spill and if so, whether they would impact on bus manoeuvrability. Additionally, clarify how bus movements can occur should a bus be located in the wash bay.
- provide bus turning circles for the area of the workshop identified as 'chassis wash' to demonstrate how vehicles will access this area of the workshop.
- demonstrate how the efficient movement of buses can be managed on site given a number of bus turning circles conflict with each other.
- provide turning circles for all vehicles associated with the site to demonstrate they can access and manoeuvre on the site, including:
 - o a truck to fill the fuel tanks

- waste collection vehicles
- delivery trucks

b. Vehicle Queuing

The submitted plans identify an automatic gate at the property boundary for the bus entrance. The location of these gates would require buses to queue and wait for the gates to open on the road carriageway. Given the nature of the bus peak periods, it is likely that more than one bus could be waiting outside the gate for it to open.

The Department requires revised plans be submitted that provide a suitable gate setback that would enable a vehicle to be entirely off the carriageway whilst waiting for the gates to open.

Further to this, the Department requires information on management measures proposed to be used to ensure gates can be efficiently operated to prevent or reduce vehicle queueing.

c. Road upgrades

The development proposes to undertake roadworks within the Racecourse Road reserve including removal of a pedestrian crossing and the establishment of two north-bound turning lanes which will likely result in a loss of on-street parking. The application has not addressed the loss of the pedestrian crossing or loss of on-street parking. As these roadworks are required to allow for site access, the Department requests evidence of in-principle support from the Road Authority that the roadworks can take place.

3. Earthworks

The submitted plans identify a landform that differs significantly from the current levels, which would require bulk earthworks to achieve the proposed levels with some areas of cut seemingly exceeding 7m. The submitted application has not substantiated the earthworks required, nor justified why the significant earthworks are required to support the development.

The Department requires:

- a bulk earthworks plan identifying the levels of cut and/or fill proposed for the site
- details of the overall quantum of soil leaving the site
- justification for the extent of earthworks proposed
- details of all proposed retaining walls, including method of construction, details and location of any lateral restraints, taking into consideration any utilities in proximity. Should any lateral restraints extend beyond the lot boundaries, the site area of the application must be expanded and landowners' consent must be provided for the additional land
- details of any earthworks and retaining walls taking place in 'Future Depot Expansion Area'

4. Environmental and Vegetation

In addition to the above points, the Department requires the following to be considered:

- the development should be refined to explore opportunities for vegetation retention, particularly mature vegetation along site boundaries which may aid in screening the development
- where vegetation is proposed to be retained, an assessment of the likelihood of vegetation survival should be outlined given the significant earthworks proposed and the limited width of landscaping strips
- details of treatment of stormwater from the refuelling area and interaction with proposed stormwater network in events up to and including the PMF event. Section 4.3 of the Stormwater Management Report notes that only roof water would be treated prior to disposal
- clarification whether any works (including footings for retaining walls) would intersect water table. If the water table will be impacted, the Department requires an assessment against the NSW Aquifer Interference Policy, and consideration of the impacts of the works.

5. Impacts to existing Sewer

The submitted plans identify a sewer line that traverses the site however, the application does address the impact of the development on the sewer line. The Department requires:

- clarification of who owns the sewer line and whether any easements effect the site
- confirmation on the intention of the sewer, and whether it will be retained, removed or rerouted with particular note to the comments within the Council submission
- details of the interaction of the sewer and the proposed stormwater design

6. State Environmental Planning Policy (Precincts – Regional) 2021

Clause 5.40 Flood Planning was incorrectly identified as Clause 5.41 Floodplain risk management and as such, has not been appropriately considered. The Department requires the application to be considered against requirements of Clause 5.40 of the SEPP.

7. Site Contamination

As recommended by the Preliminary Site Investigation submitted, provide a copy of the Detailed Site Investigation (DSI) undertaken to demonstrate that the site is suitable for the proposed development. If required by the DSI, submit the Remediation Action Plan that would render the site suitable for the proposed development.

8. Future Depot Expansion Area

The architectural plans identify the southern portion of the site as being 'Potential future depot expansion area' however the Statement of Environmental Effects does not address this area. Provide details of how this area will be utilised in the future, impacts of its use (such as traffic generation and access) and how it will be managed in the interim.

9. Streetscape

The proposed finished level of the carpark in the south-western corner (above the OSD) is approx. 3m above the existing site levels and approx. 3.5m above the street level.

The Department considers this to be a significant change to the predominant streetscape character for the area. Provide a visual impact assessment (VIA) of the impact of works on the streetscape. Where the VIA recommends measures to mitigation impacts, architectural and landscaping plans should be updated as required.

10. Site Operations

The Department requests an updated Operational Management Plan that details:

- measures to be implemented to allow for buses to refuel using the western bowser given it is within designated bus parking spaces
- details of how often refuelling trucks would access the site and measures to be implemented when refuelling trucks access the site noting surrounding bus parking spaces may need to be vacant to allow for access and site manoeuvring
- the site management measures to be implemented to allow access to the southernmost row of bus parking be operated
- the site management measures to be implemented noting the various conflicting vehicle movements on the site and the potential that buses may be unable to access the site pending other vehicle movements on the site.

11. Survey Plans

The submitted survey plans were undertaken in 2005. The application should be accompanied by a revised survey that identifies the current site conditions.

12. Council and agency submissions

The Department requires matters within the TfNSW, BCD and Council submissions be addressed.