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## JOINT REGIONAL PLANNING PANEL

### SUPPLEMENTARY REPORT



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<b>Development Application No.</b>	➤ D/2012/295
<b>Address</b>	➤ 230 Balmain Road; 27 Derbyshire Road; 240 Balmain Road (also known as Leichhardt Bus Depot)
<b>Description of Development</b>	➤ Re-configuration of parking to provide for an additional 81 buses and 62 car parking spaces at the Leichhardt Bus Depot.
<b>Date of Receipt</b>	➤ 19 June 2012
<b>Value of Works</b>	➤ N/A
<b>Applicant's Details</b>	➤ State Transit Authority Mary Macken/Sydney Buses Level 1, 219 Cleveland St STRAWBERRY HILLS NSW 2012
<b>Owner's Details</b>	➤ State Transit Authority Of NSW PO BOX 2557 STRAWBERRY HILLS NSW 2012
<b>Notification Dates</b>	➤ 27 June 2012 to 12 July 2012 ➤ 12th July 2012 to 10th August 2012
<b>Number of Submissions</b>	➤ 45 in opposition
<b>Building Classification</b>	➤ Class 5 and Class 7(a)
<b>Integrated Development</b>	➤ No

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<b>Main Issues</b>	➤ Parking ➤ Traffic ➤ Building Code of Australia Compliance
<b>Recommendation</b>	➤ Obtain the approval of the Minister to refuse the application

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## **1. PURPOSE OF REPORT**

This report has been prepared in response to the amended plans which were received by Council on 28 February 2013 in relation to D/2012/295, which seeks an expansion to the operations at the Leichhardt Bus Depot. The amended plans provide an additional 41 car parking spaces and amendments to the layout of the bus parking. The amended proposal now entails:

- Increase bus parking capacity from 200 to 281 (an increase of 81).
- Increase car parking capacity from 125 to 187 spaces (132 at basement level and 55 at the bus parking level; 15 of the parking spaces at the bus parking level may only be used during daytime hours after the first buses have left for the morning and before the last buses have returned for the evening). Note that the seven (7) additional car parking spaces at the basement level have already been provided and are currently functional.
- The provision of 38 motorbike parking space and increased bicycle parking capacity; the majority of both the motorbike parking and bicycle parking has already been provided.
- Increase in the number of employees such that:
  - Total staff increase from 465 to 557 (an increase of 92)
  - Daytime shift staff to increase from 252 to 328 (an increase of 76)
  - Bus drivers to increase from 190 to 266 (an increase of 76).

## **2. REPORT**

The proposal that was considered by Council and referred to the Joint Regional Planning Panel (JRPP) had sought consent for the following:

- Increase bus parking capacity from 200 to 281 (an increase of 81).
- Increase car parking capacity from 125 to 146 spaces (132 at basement level and 14 at the bus parking level; the latter of which may only be used during daytime hours after the first buses have left for the morning and before the last buses have returned for the evening). Note that the seven (7) additional car parking spaces at the basement level have already been provided and are currently functional.
- The provision of 38 motorbike parking space and increased bicycle parking capacity; the majority of both the motorbike parking and bicycle parking has already been provided.
- An increase in the number of employees such that:
  - Total staff increase from 465 to 557 (an increase of 92)
  - Daytime shift staff to increase from 252 to 328 (an increase of 76)
  - Bus drivers to increase from 190 to 266 (an increase of 76).

It was recommended by Council staff that the proposal be referred to the Joint Regional Planning Panel (JRPP) with a recommendation for refusal. On 4 December 2012, Council unanimously resolved to refer the application to the regional panel with a recommendation for refusal, and for the inclusion of

additional reasons for refusal, beyond those in the recommendation made by Council staff. The reasons for refusal are reproduced below:

1. *The proposal is inconsistent with Clauses 12, 20, 27, 28 and 29 of the Leichhardt Local Environmental Plan 2000, as well as Clause 33.1 of the Leichhardt Planning Scheme Ordinance 1979, as the impact on car parking in surrounding residential area is detrimental to the amenity of those surrounding residential properties and other users of the area pursuant to Section 79C (1)(a)(i) of the Environmental Planning and Assessment Act 1979.*
2. *The proposal fails to comply with the provisions of the Leichhardt Development Control Plan 2000, pursuant to Section 79C (1)(a)(iii) of the Environmental Planning and Assessment Act 1979 as follows:*
  - (a) *Part A8.0 & Part C1.2 – As the proposal is unable to accommodate the increased parking requirements and will result in an additional 40 vehicles being parked on nearby streets.*
3. *Insufficient information has been provided to demonstrate that the following elements achieve compliance with the requirements of the Building Code of Australia.*
  - *Access to the required exits are to be maintained and are not obstructed in accordance with D1.4 and D1.6.*
  - *The number of required exits remain compliant with D1.2.*
  - *Access to services and equipment such as fire hydrants and fire hose reels remain compliant with the requirements of Part E1.*
  - *The proposed location and number of the disabled parking spaces maintains compliance with the required circulation space and ceiling height requirements of D3.5 and AS2890.6.*
4. *Given the adverse impacts the proposal would have on the residential amenity of adjoining properties, the subject site is not considered suitable to accommodate the proposed development in its current form, pursuant to Section 79C (1)(c) of the Environmental Planning and Assessment Act 1979.*
5. *The proposal is not considered to be in the public interest, pursuant to Section 79C (1)(e) of the Environmental Planning and Assessment Act 1979.*
6. *Further reasons for refusal raised by Councillors:*
  - *Unacceptable acoustic impacts*
  - *Unacceptable traffic impacts*
  - *Impacts on users of Pioneer Park*
  - *Speeding impacts on William Street.*
  - *Safety impacts on William and Henry Street.*

The amended plans seek to amend the proposal to provide an additional 41 car parking spaces. The additional parking spaces are provided as follows:

- 35 spaces provided in a previously unused semi-circular hardstand area in the north-west corner of the site.
- 5 spaces provided in an area currently marked as a truck turning area, which is accessible from Balmain Road.
- 1 additional car parking space at the bus parking level adjacent to the other 14 proposed spaces; which may only be used during daytime hours after the first buses have left for the morning and before the last buses have returned for the evening.

The amended plans also detail changes to the layout of the bus parking. The plans previously considered by Council and provided within the Assessment Report showed 256 marked bus parking spaces and indicated that an additional 25 bus parking spaces would be provided in the maintenance bays. The amended plans indicate the following changes to the bus parking spaces:

- Two additional bus parking spaces in the central stacked bus parking area. One additional space is provided in the third aisle from the south, and the other in the fifth aisle from the south.
- One additional perimeter bus parking space adjacent to the southwestern corner of the central stacked bus parking area.
- Removal of three bus parking spaces from the maintenance area.

The proposed 35 car parking spaces (spaces 1 to 35) within the semi-circle area of the hardstand area are considered to be satisfactory in regards to manoeuvrability; however the additional 5 spaces (spaces 36 to 40) are located within the linemarked truck turning area accessible off Balmain Road, and the proposed location of these 5 spaces may result in unsatisfactory and unsafe manoeuvring of trucks in this area. Further information would be required for Council to adequately assess the suitability of these 5 spaces, which would include a swept path analysis within the truck turning area.

A further concern is raised regarding the conflict between vehicles entering and exiting the car spaces in the semi-circular parking area via the bus parking area, and buses entering and exiting the parking area. These aisles will need to be used by both buses and trucks. Additional information, such as a parking plan of management, is required to accurately assess this arrangement. However, the following concerns are raised with any potential management plan for these parking spaces:

- If the applicant were to require that the 35 spaces in the semi-circular area are the first to be filled in the morning so as to cause minimal conflict with any buses leaving the site, there is likely to be conflict with buses later in the day when those vehicles leave the site.
- If the applicant were to seek to restrict these parking spaces only to certain employees, then consideration must be given as to whether this would adequately alleviate the loss of available on-street parking caused by the proposal. For instance, if it were restricted to those employees that arrive at the site earlier in the day, then these parking spaces may be underutilised in the afternoon and the evening, which could impact on the availability of on-street parking in surrounding streets.

The proposed car parking spaces would also need to be considered in conjunction with the changes to the bus parking layout (in particular the changes to the marked stacked bus parking). Swept path analysis would be required for this purpose.

Given the concerns raised above, it is not considered that the proposed amendments have satisfactorily addressed the reasons for refusal.

The supplementary documentation submitted with the amended plans argued that the lack of parking for users of Pioneers Memorial Park should not be a reason for refusal, as the park provides no on-site parking, and the lack of parking is influenced not only by the presence of the bus depot, but also by the presence of a variety of other competing uses within the vicinity of the park.

The lack of sufficient onsite parking associated with the original proposal is considered to create significant adverse impacts on on-street parking availability within the vicinity of the site, both for residents and users of Pioneers Park. Given that Pioneers Park is a public park, it relies on public parking within the surrounding streets. Should the shortfall of parking be provided onsite, then it is considered that the impact on of the proposal on users of Pioneer Park would not remain as a reason for refusal. However, as outlined above, insufficient information has been provided to demonstrate that the proposed amendments have satisfactorily addressed the reasons for refusal.

The applicant has provided no further information in relation to the other reasons for refusal, including the information required to demonstrate compliance with the Building Code of Australia, and any information to address the reasons for refusal imposed at the Council meeting, including acoustic impacts, traffic impacts, speeding impacts and the safety impacts on William Street and Henry Street.

### **3. CONCLUSION**

The amended proposal has been assessed in accordance with Section 79C(1) of the Environmental Planning and Assessment Act 1979 and all relevant instruments and policies. Despite the provision of the additional car parking, the proposal is still considered to be unsatisfactory given the concerns relating to the management of vehicular movements on the site. Additionally, the amended proposal has not satisfactorily addressed the other reasons for refusal, including insufficient information to demonstrate compliance with the Building Code of Australia, and the reasons for refusal imposed at the Council meeting, including acoustic impacts, traffic impacts, speeding impacts and the safety impacts on William Street and Henry Street. Accordingly, the application is recommended for refusal.

#### **4. RECOMMENDATION**

That pursuant to s80 of the Environmental Planning and Assessment Act 1979 Development Application No. D/2012/295 for the re-configuration of parking to provide for an additional 81 buses and 62 car parking spaces at the Leichhardt Bus Depot be refused for the following reasons:

1. The proposal is inconsistent with Clauses 12, 20, 27, 28 and 29 of the Leichhardt Local Environmental Plan 2000, as well as Clause 33.1 of the Leichhardt Planning Scheme Ordinance 1979, as it has not been demonstrated that the proposal will not create adverse impacts on car parking availability in the surrounding residential area, or that the application will not be detrimental to the amenity of those surrounding residential properties and other users of the area in regards to car parking pursuant to Section 79C (1)(a)(i) of the Environmental Planning and Assessment Act 1979.
2. The proposal fails to comply with the provisions of the Leichhardt Development Control Plan 2000, pursuant to Section 79C (1)(a)(iii) of the Environmental Planning and Assessment Act 1979 as follows:
  - (a) Part A8.0 & Part C1.2 – As it has not been demonstrated that the additional car parking demand generated by the proposal is able to be accommodated safely or adequately on the site, nor has it been demonstrated that access to these parking spaces will be functional or practical such that they can be used as intended. Thus, the application has not demonstrated that the proposed additional parking spaces would not create significant adverse impacts on the availability of on-street parking in the vicinity of the site.
3. Insufficient information has been provided to demonstrate that the following elements achieve compliance with the requirements of the Building Code of Australia.
  - Access to the required exits are to be maintained and are not obstructed in accordance with D1.4 and D1.6.
  - The number of required exits remain compliant with D1.2.
  - Access to services and equipment such as fire hydrants and fire hose reels remain compliant with the requirements of Part E1.
  - The proposed location and number of the disabled parking spaces maintains compliance with the required circulation space and ceiling height requirements of D3.5 and AS2890.6.
4. Given the adverse impacts the proposal would have on the residential amenity of adjoining properties, the subject site is not considered suitable to accommodate the proposed development in its current form, pursuant to Section 79C (1)(c) of the Environmental Planning and Assessment Act 1979.

5. The proposal is not considered to be in the public interest, pursuant to Section 79C (1)(e) of the Environmental Planning and Assessment Act 1979.
6. Further reasons for refusal raised by Councillors:
  - Unacceptable acoustic impacts
  - Unacceptable traffic impacts
  - Impacts on users of Pioneer Park
  - Speeding impacts on William Street.
  - Safety impacts on William and Henry Street.

