

Director, Strategic Assessment
Department of Planning
GPO Box 39
SYDNEY, NSW 2001

Attention: Dorna Darab

Dear Dorna

COAL AND ALLIED SOUTHERN ESTATES PROPOSAL – GWANDALAN (MP10_0084)

Council Submission on Concept Plan and Rezoning for Residential Development at Gwandalan and Dedication of Land for Conservation Purposes.

I refer to your letter dated 15 November 2010 inviting Wyong Shire Council to prepare a submission regarding the Concept Plan and Rezoning at Gwandalan (MP10_0084) for a residential subdivision (for up to 623 dwellings) and dedication of approximately 205 ha of land for conservation purposes. Council reaffirms its past position that the proposal is inappropriate and should not be supported by the Minister.

Council has previously provided detailed comment and recommended approval conditions for the Concept Plan on 7 March 2008 and 11 November 2008 respectively (see Attachment 1 and 2). Council reiterates that the proposal will have significant impacts on the social and environmental values of the area and that there are a number of issues which require further attention. The key issues previously raised by Council are summarised as follows:

- Central Coast Regional Strategy (CCRS) Sustainability Criteria
- Conservation and Biodiversity, including the Offset Strategy
- Bushfire planning
- Funding for community facilities
- Section 94 Contributions

While some of these issues have been addressed, others have not and Council's concerns therefore remain relevant to this proposal. Please refer to the attachments for the detailed issues raised in previous submissions.

Council is particularly concerned with the timing and resultant significant increase in population and residential density that will occur as a result of the proposal. The Department of Planning's Staging Plan within the Draft North Wyong Shire Structure Plan has applied a 'Long Term' status to the subject site; the current proposal conflicts with the Staging Plan. Council considers that a long term staging approach would be more suitable to such a significant development within the north of the Shire.

In addition, the geographical isolation from the surrounding suburbs raises concerns as to the merit and viability of the proposal, including cumulative impacts.

Consideration should also be given to the implications of the draft Central Coast Regional Conservation Plan (CCRCP) in relation to this proposal. It is premature to consider any rezoning of this site prior to the release of the CCRCP. As mentioned in our response to the Director General's Requirements, in order to adequately address biodiversity impacts, any proposed development footprint should be guided by formalised procedures to determine if the development will achieve a "maintain or improve" outcome (this is likely to mean that the previous residential zones will need to be significantly reduced or modified). As you would be aware, the Department of Environment, Climate Change and Water (DECCW) has recently released the draft Biodiversity Certification Assessment Methodology to guide planning decisions when native vegetation can be permitted to be removed. This tool should be used as a guide to determine which areas should be rezoned as part of this proposal.

Despite Council's view that development of this land at this scale and timing is inappropriate the following additional comments on the current proposal in relation to Traffic and Transport, Engineering and Section 94 requirements are provided:

SUBMISSION COMMENTS

Section 94 Contributions

Council's concerns raised in previous submissions remain relevant to the proposal. A revised index of contributions applicable to the development is provided below:

Category	Code	Rate (per DU)*
Roads	Northern Districts D	\$3,980.86
Shire Wide	Regional Open Space	\$160.75
	Cycleway Network	\$329.77
	Performing Arts Centre/Public Art	\$372.11
	Administration	\$71.42
Open Space	Northern Districts Open Space Local Parks	\$4,194.52
Community Facilities	Northern Districts Community Facilities	\$3,548.04
Administration	Northern Districts Administration	\$494.19
Water	Gwandalan DSP (headworks and distribution)	\$4,119.58
Sewer**	Gwandalan DSP (headworks only)	\$843.89
TOTAL RATE PER LOT		\$18,115.13

* Indexed to November 2010. Indexation occurs quarterly for Section 94, with the next indexation to occur on 1 Feb 2011. Water & sewer charges indexed annually on 1 July.

** Sewer headworks levied only (Headworks cost - operating surplus * 85%). Connection (ie. Distribution costs) to Gwandalan headworks at developer's cost.

Traffic and Transport

Comment

- If Council is not the Certifying Authority it may not accept the roads as public roads, particularly if they do not comply with Council's Development Control Plan (DCP).

General

- The pavement design axle loading for pavements shall be as follows:
 - (a) Kanangra Drive 5×10^6 .
 - (b) Kanangra Drive roundabout 7.5×10^6
 - (c) Bus routes and Summerland Rd East 3×10^6
 - (d) All remaining roads 6×10^5 .
- a. Street lighting shall be in accordance with AS 1158 ensuring all light poles are located outside of any clear zone. No boutique lighting will be permitted.
- The applicant is to provide and maintain a courtesy bus to cater for the Independent Living units for shopping trips etc.

External Issues

- Separate approval from Council as the Roads Authority must be obtained under Section 138 of the *Roads Act 1993*, prior to the issue of any Construction Certificate, for any works within a Council road reserve. For any such works, design plans must be submitted to and approved by Council prior to issue of the Construction Certificate.
- The provision of additional civil works necessary to ensure satisfactory transitions to existing work as a result of work conditioned for the development, at no cost to Council. Design plans are to be approved by Council prior to issue of the Construction Certificate.
- The provision of a Plan of Management for any works for the development that impact on any public roads and public land for the construction phase of the development, prior to the issue of the Construction Certificate. This plan must be certified by a suitably qualified person prior to the issue of the Construction Certificate. All works must be conducted in accordance with this plan. The plan is to include a Traffic Management Plan and/or a Work Method Statement for any works or deliveries that impact the normal travel paths of vehicles, pedestrians or cyclists or where any materials are lifted over public areas.
- The upgrading of the existing Pacific Highway and Kanangra Drive Intersection as determined by the RTA. A deed of Agreement shall be entered into between the Applicant/Developer and the RTA prior to the issue of any Construction Certificate (or as agreed by the RTA) within the site. Design plans are to be approved by Council and the RTA prior to issue of the Construction Certificate.
- All the curves in Kanangra Drive between the Pacific Highway and Summerland Road shall be upgraded and widened as identified in the Wyong Shire Council's "*Northern Districts Contribution Plan*" February 2008
- The construction of a roundabout at the intersection of Kanangra Drive and the main access (Street Type C2) located at the existing crest along Kanangra Drive. The roundabout design is to include the following requirements:

- Designed in accordance with Austroads and RTA's guidelines, including provision of facilities for pedestrians and cyclists (Austroads Part 4B Roundabouts, Part 6A Pedestrian and Cyclist Paths and Part 3 Geometric Design)
 - The roundabout shall be designed to reduce speed on the approach to and through the roundabout to 40km/hr by providing the deflection at the entry/approach from the existing 80km/hr zone.
 - Adequate capacity for projected traffic volumes for its 20 yr design life. Modelling details to be submitted to Council for verification prior to start of the design of the roundabout.
 - Adequate sight distance for vehicles, pedestrians and cyclists approaching and entering the roundabout. This includes adequate sight distance for pedestrians and cyclists entering the roundabout at design crossing points from the footpath.
 - The roundabout geometry shall accommodate vehicular turning paths for all vehicles up to and including 14.5m buses, low level buses and 19.0m articulated vehicles maintaining lane direction/discipline. Turning paths for 12.5m buses are not to mount the annulus.
 - The provision of a Road Safety Audit with approval from Council for any design alterations resulting from the audit.
- The provision of a post construction Road Safety Audit to be reviewed by Council as the Roads Authority for the intersections with Kanangra Drive, and the carrying out of any such alterations identified in the Audit and agreed to by Council.
 - No direct access will be permitted to properties off Kanangra Drive.
 - a. Construction of the new connection road (Summerland Road East) to form the fourth leg of the existing Kanangra Drive/Summerland Road Roundabout. The works shall include kerb and guttering, drainage, etc and extended to connect to the proposed Street Type C1. The intersection with Street Type C1 is to be a continuous curve with appropriate traffic control measures provided to Council's satisfaction to ensure safety for motorists.
 - (a) A minimum 14.0m wide carriageway for the full extent Summerland Road East and the fourth leg of the roundabout to accommodate a bus route, on road cycleway and on street parking.
 - Construction of a pedestrian refuge within Kanangra Drive adjacent to the intersection with Street Type C2. It is to service the bus stops that are to be located on both sides of Kanangra Drive, at the southern end of the development.

Internal Issues

- All parking is to be provided in accordance with Council's DCP 2005 – Part 61.
- The provision of a road reserve minimum width of 28.0 m on Street Type C1 and 31m for Street Type C2 to accommodate a bus route and on road cycleway. They need to have a minimum of 3.0 m wide travelling lanes, 4 m parking lanes (incl on-road cycleway), verges (1.4m for C1 and 2.9m for C2), 2.5 m footpath for cycleway/motorised scooters (setback 600mm from property boundaries) and approved water quality facilities.
- The intersection of Street Type A1 with Summerland Road (East) shall be realigned approximately 40.0 metres easterly to create a 4-way intersection with the adjoining industrial subdivision (DA 583/2005). A roundabout shall be provided at this intersection in accordance with Council's Development Control Plan 2005, Chapter No 67 - *Engineering Requirements for Development*. The roundabout is to cater for buses (including 14.5m) and 19.0m articulated vehicles. Turning paths for 12.5m buses are not to mount the annulus.

- Council's DCP 66 identifies maximum street speeds that are to be achieved. The proposed road layout may need to be modified and/or traffic calming devices/slow points provided throughout the development to ensure the slow speed environment within the development is maintained. This is essential, particularly on approaches to intersections and along long sections of roads with steep gradients. Council requires that facilities be installed so that the driving speeds are physically limited to the speeds identified in the DCP. It is not sufficient to rely on regulatory speed signs.
- All four-way internal intersections treatments need to be to Council's satisfaction. This may entail more than just signs and could include facilities to reduce the through speed of vehicles.
- Car parking within Street Type A3, adjacent to the local shop fronts, shall be provided in accordance with Development Control Plan 2005, Chapter 61 and AS 2890.1.
- All service and delivery vehicles at the Village Green shops are to only use the rear laneway to service the shops. Acoustic protection is to be provided from the loading/service laneway to adjoining residential properties.
- A 10 Kmph "Shared Zone" is to be constructed around the perimeter of the Village Green to ensure safety for pedestrians and motorists. It is to include the necessary traffic calming facilities to ensure speed compliance.
- Street Type D needs to be widened, with splayed corners, to adequately cater for residents entering their properties and service vehicles to the retail area. The carriageway width needs to be increased to 8m.

Pedestrian pathways/cycleways

- The pedestrian paths/cycleways are to be designed in accordance with Wyong Shire Council's "On-road Bicycle and Shared Pathway Strategy" (2010).
- All Footpaths and Shared on-road cyclesways are to be in accordance with Figure A2.5.2 – Pedestrian and cyclepaths, and the relevant Street Type cross-sections. They are to accommodate cyclists and motorised scooters. The proposed 1.2m footpaths are to be widened to 1.5m.
- All footpaths/cycleways are to be provided at no cost to Council. They are to be provided in accordance with Council's Development Control Plan 2005 Chapter No 66 – Subdivision and Chapter No. 67 - *Engineering Requirements for Development*, as follows:
 - (a) 1.5m wide concrete footpaving (one side only) to all roads within the subdivision with connections from the east-west roads to the lake foreshore path; and
 - (b) the lake foreshore path is to be extended to join to the path in Gamban Road;
 - (c) The lake foreshore path is to be designed and constructed in accordance with the relevant Austroads guidelines, to a minimum width of 2.5 metres;
 - (d) An off-road cycleway is required along the most northern Street Type A2 road to connect the Street Type C1 to the foreshore cycleway.
- Paths are to be 100mm thick and reinforced concrete with SL 62 reinforcement. The design plans must be approved by Council prior to issue of the Construction Certificate.
- The location of the cycleway within the public recreation area is to be adjusted to reduce the grade to a more appropriate grade for recreational users. Refer Austroads Part 6A Pedestrian and Cyclist Paths.

- A more robust and cost effective design for the elevated boardwalk / cycleway is required if Council is to take over the whole of life cost of the walk. This revised design is to be approved by Council prior to the issue of a Construction Certificate.
- Boardwalk / cycleway areas within the public recreation area are to be constructed from non combustible (masonry) materials approved by Council with safety railings in accordance Austroads Part 6A Pedestrian and Cyclist Paths.
- The provision of a post construction Road Safety Audit to be reviewed by Council for all the boardwalk / cycleway areas within the public recreation area, with approval from Council, for any alterations resulting from the audit.

Public Transport

- The development is to facilitate/encourage the use of Public Transport to the satisfaction of Transport New South Wales (TNSW) and Council. Adequate and proper bus service facilities, including "U" turn provisions are to be provided. The bus route, through the development, if acceptable to TNSW and bus operator, is to be fully constructed prior to the issue of the Subdivision Certificate.
- The applicant is to make a contribution to TNSW for an extension of the current bus service, to service the proposed development, so that existing services in other parts of Wyong Shire are not reduced as a consequence of this development.
- The applicant is to submit a plan to Council of proposed bus stop locations, after it has held discussions with the bus operator and TNSW, for approval by the Local Traffic Committee.
- Bus stops and bus shelters are to be provided in accordance with the requirements of the Bus Operator, TNSW and Council. All facilities need to be installed in accordance with Disability Discrimination Act (DDA) requirements.
- Footpaths and pedestrian refuges need to be provided to the bus stops to ensure pedestrian safety and encourage the use of public transport.

Engineering

Water Sensitive Urban Design (WSUD), Flooding & Stormwater Management

- Council's Stormwater Management Plan is 11 years old and therefore dated. Consequently, the pollutant removal targets quoted are not in line with current best practice and recommended removal rates.
- The Stormwater Quality Management systems recommended in the report for the development site consist of some acceptable systems & some problematic systems.
 - Longitudinal vegetated swales & possible bioretention swales are recommended for either the central median or footpath areas. Where these are suggested for the central median issues are created such as:
 - Maintenance requirements
 - Safety of road users & maintenance staff
 - Traffic management issues (road closure) for maintenance

- The submitted Geotechnical Report states it is expected to find reactive clays which indicate it is not suitable to provide swales/bioretention swales, unless fully lined as there will be a significant impact on the road subgrade & pavement significantly reducing performance & increasing Council's costs.
- Crossfalls between roads with central swales as opposed to footpath swales will be different.
 - This will cause driver expectation issues
 - Vertical geometry problems at intersections
 - Road safety due to different road drainage systems. e.g Central swales requires flows across roads into the swales rather than being captured at the kerb line or footpath swale.
- Changing of the above will significantly affect:
 - Road reserve widths (& potential lot sizes & layouts) if the remove or relocate swales/bioretention swales
 - If these are changed alternate WSUD treatments will be required. These could affect lot layouts & current proposed stormwater management treatments sizing's & numbers.
- Systems requiring minimal maintenance resourcing are required in lieu of higher maintenance cover facilities, any in lot systems are to have reduced performance functions inbuilt into modelling to reflect reduced maintenance by private owners.
- The most north western road due to the lot layout & topography creates a trapped low point (no emergency relief) from road flooding other than flowing through the proposed lots & houses.

Sewer Servicing

- The sewer servicing proposal suggests 3 sewer pump stations due to the topography of the site. The topographical information submitted indicates that 2 pump stations would be more likely.
 - The suggestion of 3 sewer pump stations may be left over from the initial proposal where development was proposed south of Strangers Gully.
 - Council as the Water Authority will not accept more than 2 sewer pump stations due to significant increased maintenance costs & liabilities.

Traffic & Transportation

- The Director General's Requirements refer to preparing a study in accordance with the RTA's "Guide to Traffic Generating Developments". A significant part of this guide is devoted to road safety. Clause 1.4 "Study Objectives" dot point 3 of the Traffic Study also refers to Road Safety, however, nothing else in any documentation or the road layout indicates that appropriate levels of safety have been applied to the infrastructure for all users (motorists, pedestrians & cyclists) for the roads & road related areas.

A development of this size should have a Road Safety Audit undertaken to identify potential hazards. e.g there should be adequate parking for cars on the side of the road where the shops are. Don't encourage crossing of the road in front of the shops where parking, traffic, etc creates hazards.

- There should be a left turn only from the southern most street into Kanangra Drive to provide:
 - more transport options
 - better circulation within the development
 - minimise impacts on the performance other intersections
 - provide a corridor for servicing reticulation (water supply , electricity, etc)
 - provide a corridor for cycle & pedestrian movement

Staging

- Ensure that the proposed staging of the development provides:
 - appropriate circulation & access for initial & ongoing transport requirements
 - Constructability (minimise impact on adjoining areas/occupants)
 - Servicing (mainly water supply & sewer)

Council requests that any future public exhibition of any proposals associated with this development be undertaken for a minimum of 60 days to allow for sufficient time for the community to have input into the proposal.

Council reiterates that many potentially significant issues are raised by the proposal. However, it is emphasised that Council will co-operate fully with the Department of Planning in the assessment of this proposal. Council welcomes the opportunity to work with the Proponent to achieve a more ecologically sympathetic outcome for the site.

Should you have any questions in relation to this submission, please contact Scott Duncan on (02) 4350 5547 or Rianan Helies on (02) 4350 5523 during normal business hours.

Yours Faithfully,



Paul Bowditch
Manager

PLACE MANAGEMENT