



**THE CEO
CENTRAL COAST COUNCIL
49 MANN ST
GOSFORD 2250.**

**DA 59244/2020 Proposed Warehouse and Distribution Centre No 83 Gindurra Rd
Somersby**

This submission has been prepared as an objection to the above DA on behalf of my clients who own the adjoining land in Debenham Rd and are seeking to have the application rejected on a number of important and significant grounds. To make it very clear my clients wish to object to the above DA.

My clients own the land that adjoins the site on the opposite side of Debenham Rd, Somersby and are in the process of developing their dream home on a peaceful and tranquil part of the Central Coast. They purchased this property given its natural beauty and views across Brisbane water, and have designed a home which fits into and is in harmony with the environment and ensures that the visibility and intrusion is negligible if at all.

The proposed development on the adjoining lands is questionable as the following submission outlines but more importantly on the basis for which it is being made. The application states that the proposed development is a proposed warehouse and distribution centre, however conflicting consultants' reports have identified the real use as a waste Management and recycling facility to be operated by the Bingo group of companies. In the latest report from Todoroski Air Sciences into the Kariong sand and soils air quality assessment the following is noted: -

Whilst two similar nearby facilities are identified to have potential to add to cumulative impacts, only one is considered, and not by direct modelling. The proposed Bingo Facility across the road from the proposed site is noted in the AQIA to be fully enclosed, to represent best practice, and thus have minimal scope for any cumulative impacts. However, this highlights that

PM ANDERSON CONSULTING

17 Currawong Road,
Wamberal NSW 2260

M 0407 330 884

E paul@pmandersonconsulting.com.au

ABN 56 830 143 696

the proposed development is not fully enclosed and is therefore not consistent with current industry best practice (as claimed throughout the AQIA). If it is the case as stated in the AQIA that an additional best practice facility across the road does not add any significant level of dust, it follows that the proposal must have much higher impacts than a best practice facility.

The emissions from the proposed Bingo Facility are not calculated or factored into the assessment as they are not available in the public domain. This will lead to underestimated cumulative impacts, especially at Receptor 1 and also the unassessed likely future receptor at Lot 3 239 Debenham Rd East.

This submission reflects the concerns held generally in the community that the application is in fact not for a warehouse and distribution facility at all but in reality, an underhanded way of getting a waste management and recycling facility constructed with little or no public input. After all why would the applicant go to the expense and hassle of undertaking an emissions and impact report or dust analysis on a warehouse and distribution centre unless there was to be some other underlying issue at play? This is compounded by the fact that the same site is the subject of a state significant development application (SSD-9265) (<https://www.planningportal.nsw.gov.au/major-projects/project/10361>) for a resource recovery facility. Maybe this application could be withdrawn prior to the passing of the current application to remove community concerns and fears. At least the application should provide some additional details and clarity around the types of materials to be stored and delivered to and from the facility rather than a carte blanche approval to store any form of material on site be it inert or hazardous of nature without community knowledge. Can council please demand the applicant to clarify the application and deny the use as a waste management and recycling facility.

The proposed building on 83 Gindurra rd is of such bulk and scale that it will have an adverse impact to all the adjoining lands for residential purposes. A large warehouse style building in this location to a maximum height of 23.7m is considered to be excessive and an overdevelopment of a warehouse facility. While development of Somersby industrial park has been a long-supported project of Council and successive governments, a building of this magnitude is considered to be out of the character of this location and better suited to the more densely developed areas within the industrial park, west of the Freeway. Its size and magnitude is such that all of the native vegetation on the site will be destroyed removing the soft buffer between the industrial and other uses adjoining. The overall height is such that it will be the largest and most dominating structure on the ridge and will have an adverse impact to the scenic values and ideals as Council has sought to protect with the zoning of the adjoining lands under the current Gosford LEP 2014. Any assessment of this proposal needs to take into account the fact that it is located on the severe edge of the industrial land in what can better be described as a rural residentially natured environment.

The wholesale clearing of the land (2.62Ha) will significantly impact the vegetation on site being primarily, Red Bloodwood of the scribbly gum heathy woodland community and the Heath-leaved Banksia of the Coral fern wet heath community. Significantly the development

will also destroy nearly 2000m² of the endangered ecological community of the Coastal Upland Swamp which has been listed under the BC Act and the EPBA Act. When reviewing the DA it can be seen that there is also a removal of the specific habitat for the Eastern Pygmy Possum and numerous other bird species that use the area and its numerous hollows and live trees as breeding and resting spaces given its location adjacent to the M1 freeway and the minimal amounts of remnant native vegetation that exists on adjoining properties and of course the barrier to the lands at the west of the site being the freeway itself. It would appear most unfair that the burden of maintaining this vegetation is left to the adjoining properties who would all wish to enjoy the uplifted value and potential of further development and rezoning of their lands. As Council is aware the majority of the Somersby areas has been cleared of vegetation given the predominant industrial use. The concept of biodiversity credits being created off site nearby is questioned, and again would seem unfair to expect or to increase the demand of maintaining and embellishing these vegetation communities on to the adjoining landholdings and predominantly nonindustrial land uses.

My clients are concerned with the design of the building in addition to the height described above. The location of the 7 loading bays and associated heavy vehicle access from and on the Debenham road frontage is of concern to the quiet and undisturbed enjoyment of the land owned by my clients. Not only will this be a source of noise and interruption by the constant arrival and departure of heavy vehicles in a quiet no through road, the dramatic increase in vehicle movements in this section of road is of concern. In addition, the manoeuvring and reversal of heavy vehicles into these spots, although complying with the Australia Standards will also be the source of noise and interruption, especially given that the application seeks to enjoy 24/7 usage. The concept of light vehicle accessing the site from this location, however, does not raise the same concerns, other than the increase of the traffic on a cul-de-sac roadway. Maybe some consideration should be provided to redesigning the building so that the manoeuvring occurs on the site adjacent to and adjoining other industrial uses where the impacts and impacts would be of much lesser standard or created so as to enable heavy vehicles including B-doubles to circulate around the entire site in a forward motion to reduce the noise and lighting impacts to the adjoining non industrial sites. The current proposal places all 3 access points on a small section of Debenham road adjacent to my client's land and within close proximity (100m) of a recently approved substantial dwelling house (recently approved by Council). Not only does this reduce the amenity of my Clients home, it also has adverse impacts with noise, vibration and conflicting traffic in a very small section of road, which in its current and proposed state is unsuitable for the movement of vehicles as proposed. Concern is raised as to the safety of combining the light and heavy traffic on Debenham rd. The increase in traffic numbers can only be described as extreme, on what is becoming an extremely busy access road for the northern section of the Somersby Industrial Park. The proponents own traffic report illustrates that site distances are such in this location are below 69m. Given that the site is proposed for B-Double access and light vehicles this raises concerns as to conflicts with vehicles and the potentially dangerous situation for the roadway in this location. The intersection of Debenham Rd and Gindurra rd is a T intersection. General convention is to the straight traffic to have right of way, however in this location the turning traffic is granted right of way by virtue that the road is not fully constructed and is a proposed cul-de-sac. This is seen as a concern given the speed of traffic and the use of this access as a 'rat race' to gain access to west Gosford rather than the travel back to the central coast highway and Kariong and the habit of the frequent drivers to

“blindly” take the right of way. This associated with the lack of sight distance is seen as a safety concern and illustrates the inappropriate use of Debenham road as the access point and manoeuvring areas for the heavy vehicles. Debenham Rd to the east of the site has not been upgraded to take heavy vehicles nor have the intersections with Arcadia rd been upgraded for use to gain access to the Kangoo rd and the Central Coast highway. It is envisaged that heavy vehicles will want to take this route, especially if they are to further access areas of the coast from Umina to The Entrance. The bottom section of Debenham rd to Dwyer Rd is unsuitable for heavy vehicle and signposted as such making the importance of all other roads being upgraded of more importance. The following concerns are raised with the SECA Solution traffic report provided with the application (full report attached); -

Queuing of vehicles on the road network.

No detail on service times or length of stays for vehicles or the internal capacity of the site to cater for vehicles has been provided. Also, in a peak hour there will actually be a vehicle arriving every 3 minutes (21 vtp) so the report has not addressed peak hour traffic from a queuing perspective and the queue lengths could be predicted using queuing theory to determine if there is enough queuing area on the site such that queuing trucks will not impede traffic on Gindurra Road. The report does not prove there is enough queuing space on-site.

The traffic data and modelling used for the traffic assessment is 5 years old.

For an important development like this current traffic data should be used.

Given the amount and type of traffic generated by this development I would have thought Council and TfNSW should be requiring that updated traffic counts be used in this assessment.

Rural Residential Areas

The measures that attempt stop vehicles heading through the rural residential area to the east are insufficient. The only suggestion is signposting at the access. A new load limit signs and enforcement should occur to the east of the site and the development should ensure all heavy vehicle drivers using the site are aware of and sign off on a driver code of conduct for the development as an absolute minimum along with the provision of traffic counters and clarifiers to ensure compliance for a minimum of 24mths.

Cumulative Impact

The application has failed to take into account the cumulative impact of adjoining and proposed developments of the development of Somersby industrial area in general.

The application as made and the Statement of environmental effects submitted appear to be very light and non-comittal on the impact of the development with respect to noise and light spill. Given that this area is on the edge of the industrial park and abounded on 1 side by rural residential and residential style properties, it is considered that this will need to be seriously addressed and considered by the Council. Given that the proposal is for a 24hr operation and warehousing and logistic is a noisy operation by virtue of the materials handling techniques, heavy vehicles, loading and unloading operations and work health and safety provisions with reversing vehicles and the like that excessive and negatively impacting noise will be emitted from the property affecting and impacting on the quiet enjoyment of these residential and rural residential properties and occupiers. Given that the development proposes a 24hr operation, it can be expected that significant flood and open space lighting will be required. This is likely to cause a spill of light that will impact he locality, the M1 freeway and also the dark night skies of the area.

With the above issues remaining unresolved with the application in its current form with uncertainty over the final use and the community concerns and confusions that remain with respect to the currently under consideration/assessment on foot State Significant Development Application on the same site, the unresolved impacts caused by the proposed traffic management and facilitation issues, the environmental impacts to native vegetation and flora and the surrounding rural residential population and the adverse impacts to the many homes and families that occupy these rural residential properties with noise, vibration, light spill and visual impacts that the application be denied in its current form and refused.

Kind Regards,

Yours faithfully,

Paul Anderson
Director

Attachment – Assessment of Traffic Report, Intersect Traffic

Ref: 20/152

22nd September 2020

Coastal Design Link

203 Terrigal Drive

TERRIGAL NSW 2260

Attention: - Rod Wall

Dear Rod,

RE: Traffic Impact Assessment Review – Kariong Sand and Soil Supplies Development and Light Industrial Subdivision Development – 90 and 83 Gindurra Road, Somersby

As requested by Mr. Roger Kennard I have reviewed the two Seca Solution traffic impact reports for these separate developments and raise the following concerns regarding the reports.

1. Queuing of vehicles on the road network. In the Kariong Sand and Soil report there is a general statement that vehicles will arrive once every 5 minutes therefore two queuing spaces should be enough, but they do not prove it. No detail on service times or length of stays for vehicles or the internal capacity of the site to cater for vehicles has been provided. Also in a peak hour there will actually be a vehicle arriving every 3 minutes (21 vtph) so the report has not addressed peak hour traffic from a queuing perspective and the queue lengths could be predicted using queuing theory to determine if there is enough queuing area on the site such that queuing trucks will not impede traffic on Gindurra Road. Therefore I am of the opinion the report does not prove there is enough queuing space on-site.

2. The traffic data used for the traffic assessment is 5 years old. For an important development like this current traffic data should be used. Whilst it is understood undertaking traffic counts in June and July this year would have resulted in reduced traffic volumes due to the impacts of COVID 19 and the requirement to isolate as much as possible. However traffic volumes are now considered to be close enough to pre COVID volumes for traffic counting to recommence. Given the amount and type of traffic generated by this development I would have thought Council and TfNSW should be requiring that updated traffic counts be used in this assessment.

3. I am not sure that the measures to stop vehicles heading through the rural residential area to the east is sufficient. At the moment they are only suggesting signposting at the access. I think new load limit signs and enforcement should occur to the east of the site and the development should ensure all heavy vehicle drivers using the site are aware of and sign off on a driver code of conduct for the development.

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4. Both traffic impact reports do not appear to have considered the cumulative impacts of other development in the area, not the least being the cumulative impacts of traffic from the other development. Whilst they consider the impacts of their own traffic generation at least one of the reports should consider the impacts of the combined traffic from both developments. This has not been done and given the same consultant was used for each report it would have been easy for this to be done.

5. It is noted that the Sidra modelling was done for 2017 traffic, yet the report

was dated July 2020. It is my opinion that the modelling should have been undertaken for 2020 conditions including the cumulative impacts of both developments. While this is unlikely to have a major impact on the operation of the Wiseman's Ferry Road / Gindurra Road roundabout it may not be the case with the Central Coast Highway / Wiseman's Ferry Road traffic signals where an overall LoS C already exists.

6. Further it is usual to undertake traffic impact assessments over a horizon period of 10 years and as such Sidra modelling of at least the Central Coast Highway / Wiseman's Ferry Road traffic signals for the 2030 traffic conditions including the development traffic from both developments should have been undertaken as part of the traffic assessments for both developments.

Should you require further information or clarification please do not hesitate to contact me on 0423 324 188.

Yours sincerely

Jeff Garry

Director

Intersect Traffic