

Planning and Regulatory. G.Mansfield
PB2017/01272
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Response by email: Robert.Byrne@planning.nsw.gov.au

Dear Mr Byrne

**NOTIFICATION OF DEVELOPMENT APPLICATION PORT OF NEWCASTLE P/L
CARGO STORAGE FACILITY MAYFIELD NORTH**

I refer to your email of 12 December, 2016 advising Council that the Port of Newcastle Pty Ltd has submitted a development application (DA 8137) for a cargo storage facility on land known as 109 Selwyn Street Mayfield North and inviting Council to comment on the development.

Council officers have reviewed the Statement of Environmental Effects (SEE) submitted in support of the application and the following comments are offered for your consideration:

1. Street lighting

Selwyn Street was the subject of minor road widening and drainage works in 2009/2010 to facilitate the use of the hardstand area at the Mayfield 4 berth for the Newcastle Port Corporation's (NPC) proposed 'start up facility'. These 'start up facilities' were done in accordance with State Significant Development S99/00601 for 'Stage 1 - The remediation of the Closure Area, including the demolition and removal of structures and the development of a Multi-Purpose Terminal comprising a container terminal and a general cargo handling facility and associated road, rail and wharf infrastructure and dredging of the South Arm of the Hunter River'.

With uncertainty existing at that time about when subsequent development would occur on the on the former BHP site, Council and the NPC agreed that street lighting associated with the new intersection and road upgrade could be deferred until further development occurred on the site. (Refer to the attached copy of Council's letter dated 2 September, 2009 to NPC)

This new proposal represents the first intensification and expanded use of the subject site that proposes vehicular access via Selwyn Street. Accordingly, and in the interest of public safety, it is considered appropriate that the NPC now fulfil the

commitment of the NPC to install the required street lighting to Selwyn Street and the associated intersection with the internal private road.

2. Road safety audit

Selwyn Street remains a narrow two lane/ two way carriageway with limited shoulders and no pedestrian or cycle provisions over most of its length with the road pavement also in various states of decline and dilapidation. It is considered appropriate that the applicant be required to undertake a Road Safety Audit of pavement assessment Selwyn Street to determine if the current road conditions are adequate for the proposed intensification (73,000 additional truck movements per year) or if other works, in addition to the required street lighting, are required to ensure safe and efficient traffic movements along this road. Such assessment should also have regard to the possibility for oversized vehicles to be used for larger pieces of cargo/freight.

3. Traffic Impacts

It is assumed that the Roads and Maritime Services have been consulted with regard to potential impacts on the surrounding classified road network and associated signalised intersections so no further comment is offered regarding off-site traffic impacts.

4. Noise impacts

Operational Noise

The acoustic assessment has demonstrated that the proposed facility can feasibly operate in accordance with *the EPA NSW Industrial Noise Policy* (and associated application notes), the *NSW Road Noise Policy* and *DECCW Assessing Vibration: A Technical Guideline and Cumulative Environmental Noise Management Tool* (developed to meet the condition requirements of the Mayfield Concept Plan).

Following the commencement of operations the facility would also be required to monitor noise in accordance with the MCP Noise Verification Monitoring Plan. It is noted however that the assessment was carried out based on a number of assumptions (which form recommendations within the report) including:

1. The limiting of particular high noise generating activities to daytime hours.
2. Reach stackers, forklifts and lighting towers are designed and operated such that they do not exceed certain maximum sound power levels.
3. The use of residential mufflers or may be required for certain equipment.

Appropriate conditions of consent should be applied to any approval issued to help ensure these recommendations are enforced into the future. These operational requirements should form part of an appropriate Operational Environmental Management Plan for the site and adherence to this management plan is enforced by a condition of consent.

Road Noise

The Project is expected to generate additional traffic of up to 100 heavy vehicles (200 heavy vehicles movements) per day. Traffic impacts are proposed to be mitigated via the MCP Traffic Management Plan and Traffic Monitoring and Review Plan. The acoustic assessment predicted an impact of less than 1 dB as a result of the project which included consideration of the future Stolthaven Mayfield Bulk Terminal. The existing traffic noise levels exceed the recommended traffic noise criteria in accordance with the NSW Road Noise Policy, however the increase in traffic noise as a result of traffic from the project site was considered to not have a noticeable impact on sensitive receivers adjacent to Industrial Drive, Mayfield, and it was considered that it would not be reasonable or feasible to provide noise mitigation measures as the worst case traffic noise increase from the Project site would not be noticeable to nearby receiver locations.

Whilst the acoustic assessment did take into account known future projects nearby when considering road noise it is inevitable that other large projects will also be proposed in future years and general traffic movements on Industrial Drive will increase. This will result in an incremental decrease in the acoustic amenity for residents adjacent to Industrial Drive and this issue needs to be considered from a long term strategic perspective.

It is considered that as residents adjacent to this project are already exposed to road noise in excess of appropriate guidelines, the Department should ensure that all feasible measures to reduce traffic noise impacts are incorporated into this project and effectively enforced via appropriate conditions of consent.

5. Use of mobile cranes

The subject site is located within the nominated 15km radius of protected airspace of RAAF Base Williamtown (and Newcastle Airport). If any of the proposed storage activities involve the use of a mobile crane having an overall height of 30m above ground level the prior written approval of the Air Base Command Post of RAAF Base Williamtown will be required in accordance with the Department of Defence document titled '*Operation of Cranes and Tall Structures in the vicinity of Newcastle Airport*' (2013). A copy of the document, including the standard reporting form, can be downloaded from the Building and Planning portal of Council's website as www.newcastle.nsw.gov.au.

It is recommended an appropriate condition which addresses this matter be imposed on any consent granted by the Minister.

If you have any questions in relation any of the matters raised in this submission, please contact me by email at gmansfield@ncc.nsw.gov.au or telephone 02 4974 2767.

Yours faithfully



Geof Mansfield
PRINCIPAL PLANNER (DEVELOPMENT)