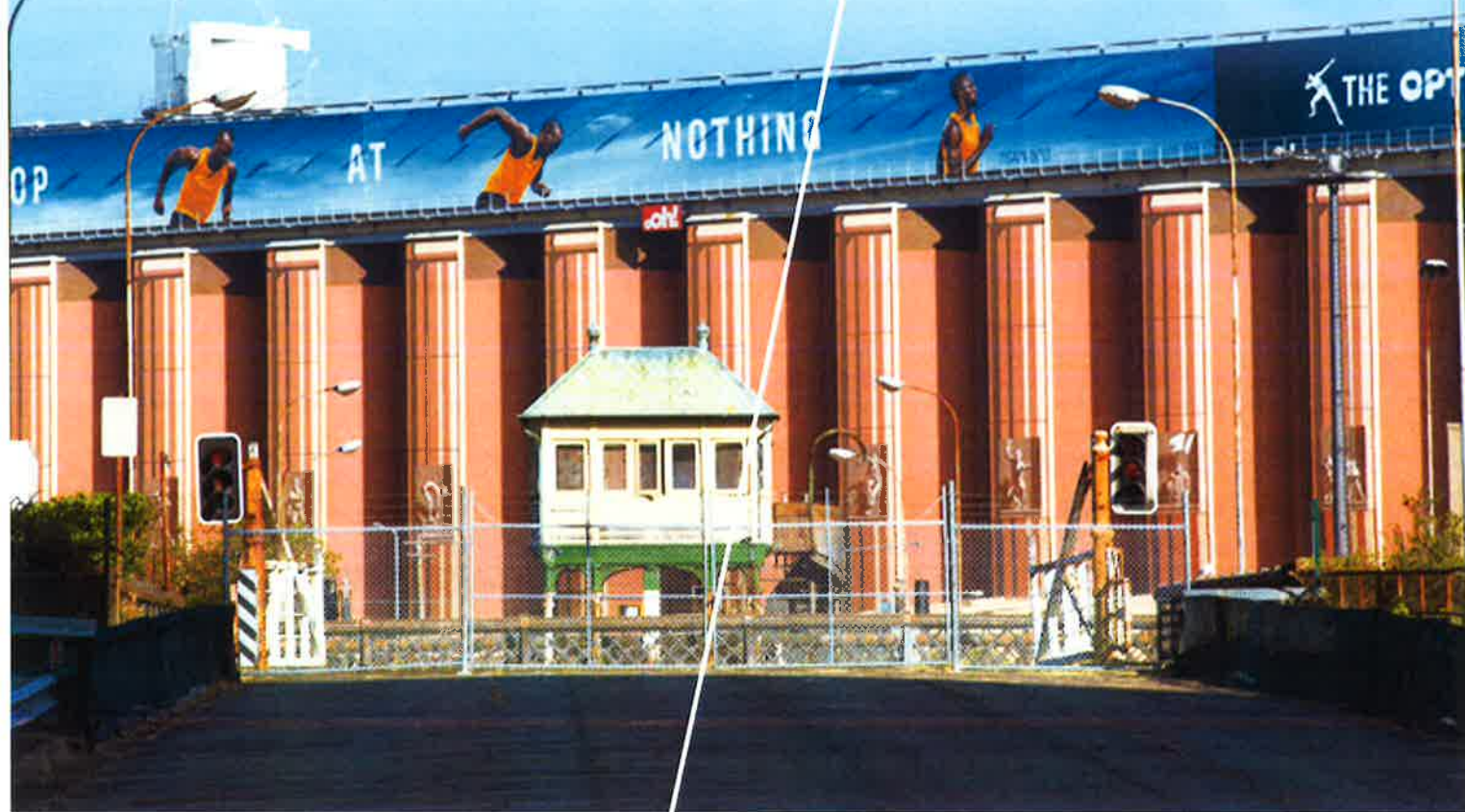




Glebe Island Silos Structural Strengthening Works

Development Application
Assessment
(DA 9985)



September 2019

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Cover photo

Glebe Island Silos (Source: New South Wales Government)

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Glossary

Abbreviation	Definition
Applicant	Cement Australia Pty Ltd
BCA	Building Code of Australia
CIV	Capital Investment Value
Consent	Development Consent
Council	Inner West Council
DA	Development Application
Department	Department of Planning, Industry and Environment
EPA	Environment Protection Authority
EP&A Act	<i>Environmental Planning and Assessment Act 1979</i>
EP&A Regulation	<i>Environmental Planning and Assessment Regulation 2000</i>
EPBC Act	<i>Environment Protection and Biodiversity Conservation Act 1999</i>
EPI	Environmental Planning Instrument
EPL	Environment Protection Licence
ESD	Ecologically Sustainable Development
GSC	Greater Sydney Commission
HIS	Heritage Impact Statement
LEP	Local Environmental Plan
LGA	Local Government Area
Minister	Minister for Planning and Public Spaces
OEH	Office of Environment and Heritage
POEO Act	<i>Protection of the Environment Operations Act 1997</i>
RMS	Roads and Maritime Services
RTS	Response to Submissions
Secretary	Secretary of the Department of Planning, Industry and Environment
SEE	Statement of Environmental Effects
SEPP	State Environmental Planning Policy
SHC SEPP	<i>State Regional Environmental Plan (Sydney Harbour Catchment) 2005</i>
SRD SEPP	<i>State Environmental Planning Policy (State and Regional Development) 2011</i>
SREP 26	<i>State Regional Environmental Plan No.26 – City West</i>
SSD	State Significant Development
SSP SEPP	<i>State Environmental Planning Policy (State Significant Precincts) 2005</i>



Executive Summary

Cement Australia Pty Ltd (the Applicant) seeks development consent for the structural strengthening works of the Glebe Island Silos (DA 9985) at Lot 12 Sommerville Road, Rozelle, in the Inner West local government area.

The proposed development involves the structural strengthening works to 12 of the 16 silos operated by the Applicant including additional concrete footings and the concrete reinforcing of silo walls. The structural strengthening works are proposed to be undertaken over the course of 18 months.

The Glebe Island Silos were constructed in the 1970's as a grain storage terminal and in 1994 part of the silo complex was modified to accommodate the storage of cement. The Port Authority of New South Wales is the registered owner of the site and is currently leased and operated by the Applicant. The operations of the site include the shipment of concrete material into White Bay which is transferred by conveyer from the vessel to the storage silos. Cement is subsequently unloaded from the silos into tanker trucks for distribution across the Sydney Metropolitan area.

Engagement

The Department of Planning, Industry and Environment (the Department) publicly exhibited the development application (DA) and accompanying Statement of Environmental Effects (SEE), notified the surrounding landowners, Inner West Council (Council) and relevant State government authorities.

Five submissions were received during the exhibition period being from Council and State government authorities. Of the five submissions received, none objected however Council provided comment.

The Applicant provided a Response to Submissions Report (RTS) on 31 July 2019 addressing the submissions made including information requested by the Department.

Assessment

The Department has assessed the SEE, the submissions and the RTS and concludes the assessment issues include heritage impacts, visual impacts and car parking.

Summary

The Departments considers the proposed strengthening works to the Glebe Island Silos are suitable for enabling the ongoing use of the site as a shipping facility for the bulk storage of cement material. The Department considers potential environmental impacts of the development to be minor and can be managed and mitigated by the Plan of Management and the recommended conditions of consent.

The Department concludes the development would not result in any adverse environmental impacts and therefore recommends development consent be granted, subject to conditions.



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1. Introduction

1.1 Background

This report provides an assessment of a development application (DA 9985) lodged by Ethos Urban Pty Ltd on behalf of Cement Australia Pty Ltd (the Applicant) under Part 4 of the *Environmental Planning and Assessment Act 1979* (EP&A Act). The application seeks consent for structural strengthening works to 12 of the existing storage silos of the Glebe Island Silos at Sommerville Road, Rozelle.

A request was made by the Applicant to the Department of Planning, Industry and Environment (the Department) on 10 April 2019 to consider the proposed silo structural strengthening works as non-designated development under Part 2, Schedule 3 of the *Environmental Planning and Assessment Regulation 2000* (EP&A Regulation). On 30 May 2019, the Director, Industry Assessments advised the Applicant that the proposed development is considered to be non-designated development in accordance with Part 2, Schedule 3 of the EP&A Regulation.

1.2 The Site

The Glebe Island Silos are located at Lot 12 Sommerville Road, Rozelle on Glebe Island between White Bay and Rozelle Bay within the Inner West Council local government area (LGA) (**Figure 1**). The Glebe Island Silos consist of 30 silos owned by the Port Authority of NSW, the Applicant leases and operates 16 of the silos legally described as Lot 12 DP 1170710. The site is approximately 3,740 square metres (m²) in size and is irregularly shaped.



Figure 1 | Local Context Map

The site is identified as being within the Bays Area State significant precinct under the Precincts SEPP which consists mainly of industrial and shipping related facilities. To the south of the site are marina and boating facilities along the Rozelle Bay wharf frontage and the Anzac Bridge to the south-west. To the east of the site is the White Bay Power Station along with light and general industrial development. Adjacent to White Bay, to the north of the site, consists of a barge wharf and medium density residential development. Further north-east, along White Bay, is the White Bay Cruise Terminal.

1.3 Approval History

The previous approvals and other relevant applications for the site include:

D.A.350/91

On 16 October 1991, the then Leichardt Municipal Council granted development consent for the operation of a bulk cement terminal utilising 16 of the existing 30 silos on Glebe Island with a maximum annual throughput of cement of 500,000 tpa.

D.A.350/91 has been modified on two separate occasions. Modification 1 (MOD 1) was approved by the then Director, Urban Assessments as delegate of the Minister for Planning on 4 March 2002 which modified the existing conditions of consent. Modification 2 (MOD 2) was approved by the Sydney Harbour Foreshore Authority through delegated planning powers from the then Minister for Infrastructure, Planning and Natural Resources on 9 September 2003 for the amendments to the site plan, truck stationing and material handling systems.

MP 05_0060

On 29 June 2006, the then Minister for Planning approved MP 05_0060 for silo strengthening works of four of the Glebe Island silos pursuant to the now repealed Part 3A of the EP&A Act, including:

- the construction of new concrete footings within the perimeter of the four silos
- the construction of new columns within the base of the four silos
- the removal of six windows
- the construction of new internal concrete wall lining.



2. Project

2.1 Description of the Development

The Applicant proposes the structural strengthening works of 12 silos at Lot 12 Sommerville Road, Rozelle consisting of:

- internal reinforced concrete silo linings to the bottom of the silos
- new concrete foundations and columns
- new sections of reinforced concrete perimeter walls under the silos
- temporary relocation and refurbishment of offices, amenities room, store room and equipment room.

The proposed silo structural strengthening works will be effectively a continuation of the structural strengthening works undertaken for the four most eastern silos previously approved under MP 05_0060. The main components of the proposed silo structural strengthening works are summarised in **Table 1** and identified in **Figure 2**, **Figure 3** and **Figure 4**.

Table 1 | Main Components of the Development

Aspect	Description
Concrete foundations	<ul style="list-style-type: none">• 24 new rectangular concrete foundations.
Perimeter wall reinforced	<ul style="list-style-type: none">• concrete reinforcement to perimeter walls of 12 silos• removal of 18 external windows to facilitate concrete reinforcement.
Relocation of offices and amenities	<ul style="list-style-type: none">• relocation of office to temporary demountable office adjacent the silos• relocation of amenities room to temporary demountable building adjacent the silos• relocation of equipment laydown area adjacent the silos to the north-west.
Car parking	<ul style="list-style-type: none">• 10 temporary car parking spaces provided to the eastern side of the site to accommodate temporary offices and amenities.

2.2 Physical Layout and Design

The Glebe Island Silos consists of 30 storage silos aligned in two rows of 16 at the height of 32 metres (m). The Applicant leases and operates the 16 westerly silos of the site in which the first 12 silos are the subject of this application. Foundational support is provided underneath the silos including four concrete columns supporting each silo (64 columns in total) with an additional 45 concrete columns providing structural support between silos.

The modification works will include the provision of two additional rectangular concrete support footings underneath the 12 silos and internal concrete wall enforcement to the silos.

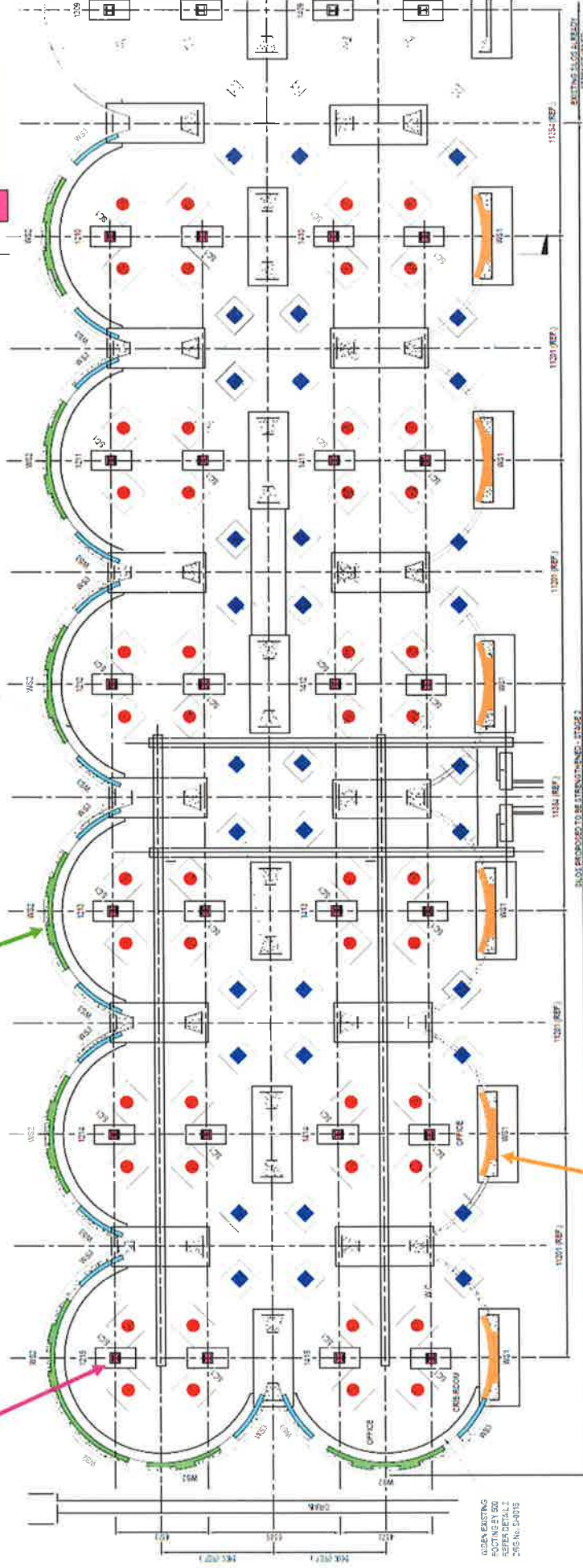
LEGEND:

- INSTALL 5 LAYERS OF CARBON FRP WRAP TO CIRCULAR COLUMN IN ACCORDANCE WITH NOTES ON DRG NO. S-0003 & 0004
- INSTALL 2 LAYERS OF CARBON FRP WRAP TO COLUMN IN ACCORDANCE WITH NOTES ON DRG NO. S-0003 & 0002
- WS1 REMOVE EXISTING WINDOWS AND INSTALL NEW WALL STRENGTHENING AS PER DETAILS ON DRG NO. S-0014 & 0015
- WS2 REMOVE EXISTING WINDOWS INSTALL NEW WALL STRENGTHENING AS PER DETAILS ON DRG NO. S-0014 & 0015
- WS3 INSTALL NEW WALL STRENGTHENING AS PER DETAILS ON DRG NO. S-0014 & 0015
- SC1 INSTALL NEW CONCRETE COLUMNS PER DETAILS ON DRG NO. S-0015

WIDEN EXISTING FOOTING BY 500
REFER DETAIL 2 ON DRG NO. S-0015

New Concrete Wall Reinforcement

New Concrete Column



SILO STRENGTHENING PLAN
1:100

Figure 2 | Silo Strengthening Plan

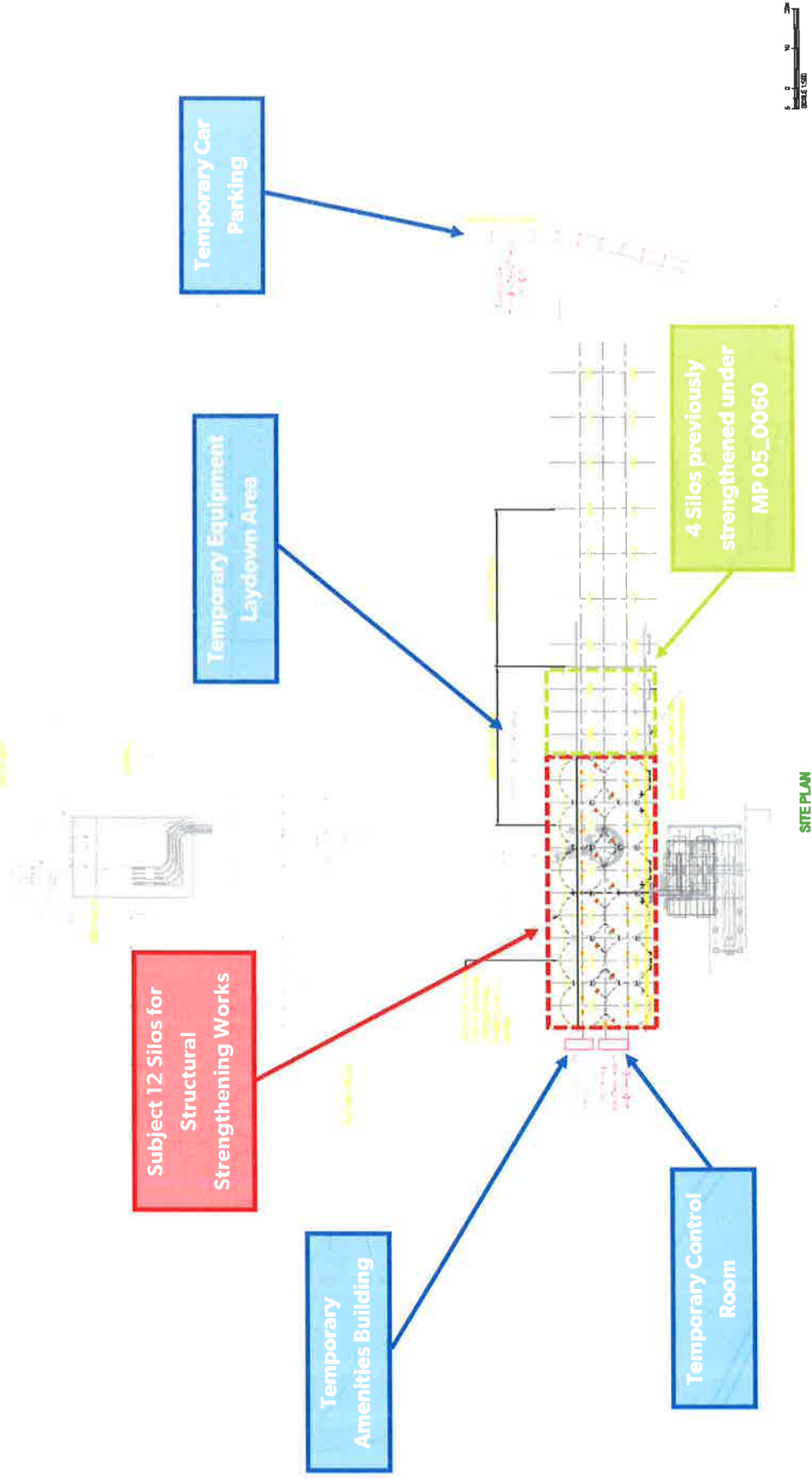


Figure 3 | Site Plan

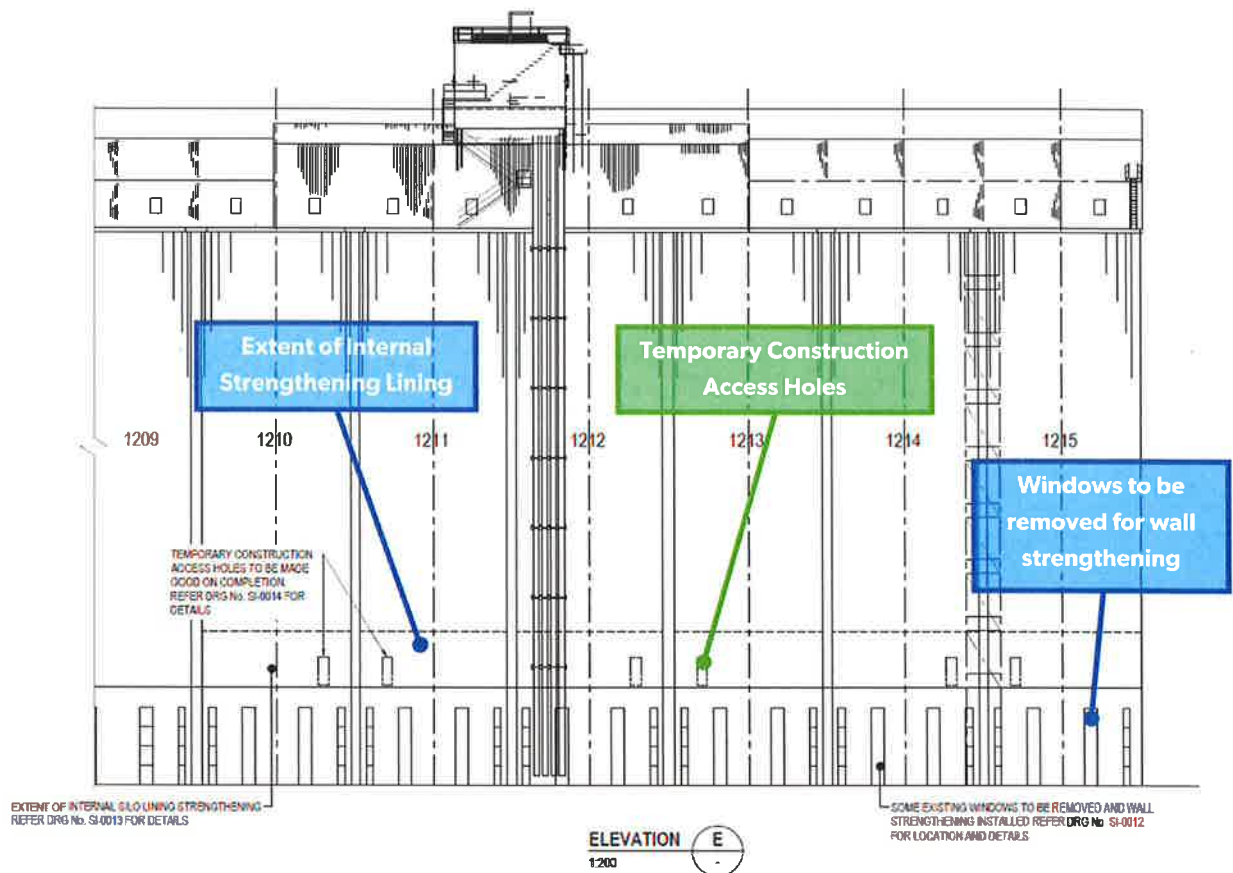


Figure 4 | Silo Elevation

2.3 Timing

The structural strengthening works are proposed to be undertaken over a period of 18 months. Construction works will be undertaken periodically during periods of low product demand.

Standard construction hours in accordance with the NSW Interim Construction Noise Guideline are proposed to be implemented as follows:

- Monday to Friday 7 am to 6 pm
- Saturday 8 am to 1 pm
- No work on Sundays or public holidays.



3. Strategic Context

3.1 Greater Sydney Regional Plan

The vision of the *Greater Sydney Region Plan 2018, A Metropolis of Three Cities* falls within the integrated planning framework for Sydney (see **Figure 5**) and seeks to meet the needs of a growing and changing population by transforming Greater Sydney into a metropolis of three cities – the Western Parkland City, the Central River City and the Eastern Harbour City. It brings new thinking to land use and transport patterns to boost Greater Sydney’s liveability, productivity and sustainability by spreading the benefits of growth.

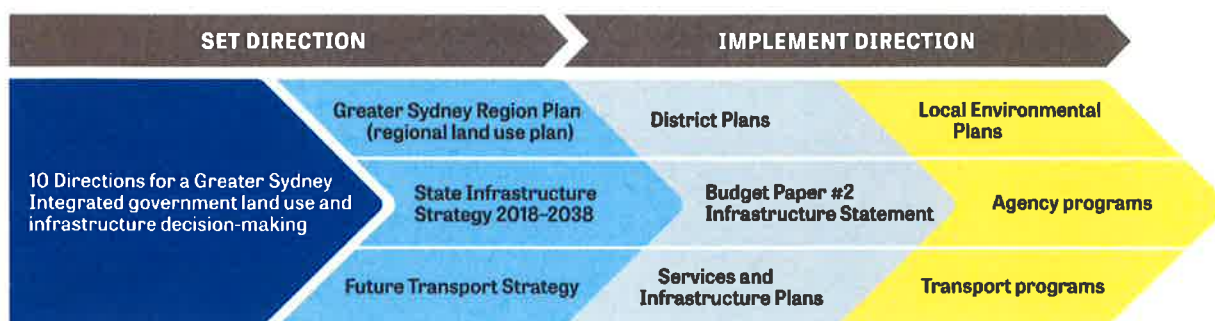


Figure 5 | Integrated Planning for Greater Sydney

The Inner West Council is located within the Eastern Harbour City. The proposed development supports the directions and objectives of the Plan, in particular Objective 16 which encourages freight and logistics networks to be competitive and efficient by improving the efficiencies in the storage and supply of cementitious materials in Sydney’s east.

3.2 Eastern City District Plan

The Greater Sydney Commission’s (GSC) role is to coordinate and align planning to shape the future of Metropolitan Sydney. The GSC has prepared District Plans to inform local council and planning and influence the decisions of State agencies. The aim of the District Plans is to connect local planning with the longer-term metropolitan planning for Greater Sydney.

The Eastern City District covers the Inner West LGA. The DA is consistent with the Eastern City District Plan as it is consistent with priority E12 which is to retain and manage industrial and urban services land. Furthermore, the plan identifies the Bays Precinct as an industrial and urban services precinct that is to be retained.



4. Statutory Context

4.1 Part 4 Development

The development is located at Glebe Island in the Sydney Harbour Port and Related Employment Lands and has a capital investment value of less than \$10 million that is carried out by a person other than a public authority in accordance with the State Environmental Planning Policy (State Significant Precincts) 2005 (SSP SEPP).

In addition, the development is not considered to be designated development in accordance with Part 2, Schedule 3 of the Environmental Planning and Assessment Regulation 2000 (EP&A Regulation).

Accordingly, the proposal does not meet the criteria for State significant development as outlined in schedule 6, clause 4 of the SSP SEPP, and is subsequently classified as a Part 4 development under the *Environmental Planning and Assessment Act 1979* (EP&A Act).

4.2 Consent Authority

In accordance with clause 4 of Schedule 5 of the SSP SEPP, the Minister for Planning & Public Spaces is the consent authority for the application. The development is on land identified as Glebe Island in the Sydney Harbour Port and Related Employment Lands Map with a capital investment value (CIV) of less than \$10 million and is carried out by a person other than a public authority.

In accordance with the Minister's delegation of 11 October 2017, the Director, Industry Assessments, may determine this application as:

- the relevant Council has not made an objection
- there are less than 25 public submissions in the nature of objection
- a political disclosure statement has not been made.

4.3 Permissibility

The site is identified as being located within the Port and Employment zone under Sydney Regional Environmental Plan No.26 – City West.

A use is only permissible within this zone if the consent authority is satisfied a proposed use is consistent with at least one of the following zone objectives:

- to facilitate the continuation of commercial port uses
- to allow a range of commercial port facilities
- to encourage development on Glebe Island and land adjoining White Bay which requires close proximity to the port
- to encourage a mix of land uses which generate employment opportunities, particularly in relation to port and maritime uses
- to allow a mix of uses which generate employment opportunities in the White Bay Power Station site
- to provide for the ongoing rail access to the port and related activities
- to provide pedestrian and cyclist links with surrounding public access networks
- to encourage port-related uses which optimise use of existing rail facilities
- to provide road and rail access to port activities.

The Department is satisfied the proposed structural strengthening works is consistent with the zone objectives as it facilitates the ongoing commercial port use of the site. The Department therefore considers the development to be permissible with consent in the Port and Employment zone.

4.4 Consideration under Section 4.15 of the EP&A Act

Section 4.15 of the EP&A Act sets out matters to be considered by a consent authority when determining a development application. The Department's consideration of these matters is set out in **Section 5** and **Appendix C**. In summary, the Department is satisfied the proposed development is consistent with the requirements of section 4.15 of the EP&A Act.

4.5 Environmental Planning Instruments

Under section 4.15(1)(a)(i) and (ii) of the EP&A Act, the consent authority is required to consider any environmental planning instrument (EPI) or proposed instrument that is of relevance to the development the subject of the DA. The following EPIs apply to the proposed development:

- State Environmental Planning Policy (State Significant Precincts) 2005 (SSP SEPP)
- Sydney Regional Environmental Plan No.26 – City West (SREP 26)
- Sydney Regional Environmental Plan (Sydney Harbour Catchment) 2005 (SHC SREP)
- State Environmental Planning Policy (Coastal Management) 2018
- Rozelle and Blackwattle Bays Maritime Precincts Master Plan.

A detailed consideration of the provisions of all EPIs that apply to the development is provided in **Appendix G**. The Department is satisfied the development generally complies with the relevant provisions of these EPIs.

4.6 Objects of the EP&A Act

In accordance with the EP&A Act, the Department has considered the proposal with regard to the relevant objects of the EP&A Act (**Table 2**) and conclude it is satisfactory.

Table 2 | Consideration of the Objects of the EP&A Act

Objects of the EP&A Act	Consideration
(a) <i>to promote the social and economic welfare of the community and a better environment by the proper management, development and conservation of the State's natural and other resources</i>	<ul style="list-style-type: none"> • the DA would improve the operational efficiency of the site and continue to facilitate infrastructure and development within Sydney.
(b) <i>to facilitate ecologically sustainable development by integrating relevant economic, environmental and social considerations in decision-making about environmental planning and assessment</i>	<ul style="list-style-type: none"> • the Department has considered the encouragement of ecologically sustainable development (ESD) in its assessment of the proposal (see Section 6). The Department is satisfied the proposal can be carried out in a manner that is consistent with the principles of ESD.
(c) <i>to promote the orderly and economic use and development of land</i>	<ul style="list-style-type: none"> • the strengthening works to the Glebe Island Silos will ensure the continued use of the development as a cement storage and distribution facility therefore promoting the economic use of land.
(e) <i>to protect the environment, including the conservation of threatened and other species of native animals and plants, ecological communities and their habitats</i>	<ul style="list-style-type: none"> • no biodiversity issues have been identified in the Department's assessment in Section 6 of this report. Furthermore, the Department's assessment demonstrates that, with the implementation of recommended conditions of consent, the impacts of the development can be mitigated and/ or managed

to ensure an acceptable level of environmental performance.

- | | |
|---|--|
| (f) <i>to promote the sustainable management of built and cultural heritage</i> | • the development will improve the structural integrity of an item of heritage significance. The Department is satisfied the proposal promotes the management of built heritage. |
| (g) <i>to promote good design and amenity of the built environment</i> | • the development will not alter the existing industrial character of Glebe Island. |
| (h) <i>to promote the proper construction and maintenance of buildings, including the protection of the health and safety of their occupants</i> | • the development will improve the structural integrity of the Glebe Island Silos through strengthening works. The Department is satisfied the proposal promotes the proper maintenance of building. |
| (i) <i>to promote the sharing of the responsibility for environmental planning and assessment between the different levels of government in the State</i> | • the Department has assessed the development in consultation with, and giving due consideration to, the technical expertise and comments provided by other Government authorities. This is consistent with the object of sharing the responsibility for environmental planning between the different levels of government in the State. |
| (j) <i>to provide increased opportunity for community participation in environmental planning and assessment</i> | • the application was exhibited in accordance with Schedule 1 Clause 7 of the EP&A Act to provide public involvement and participation in the environmental planning and assessment of this application. |

4.7 Ecologically Sustainable Development

The EP&A Act adopts the definition of ESD found in the *Protection of the Environment Administration Act 1991*. Section 6(2) of that Act states that ESD requires the effective integration of economic and environmental considerations in decision-making processes and that ESD can be achieved through the implementation of:

- (a) *the precautionary principle*
- (b) *inter-generational equity*
- (c) *conservation of biological diversity and ecological integrity*
- (d) *improved valuation, pricing and incentive mechanisms.*

The potential environmental impacts of the development have been assessed and, where potential impacts have been identified, mitigation measures and environmental safeguards have been recommended.

In particular, the development promotes the longevity of the Glebe Island Silos as an iconic part of Sydney's industrial fabric and allows for the continuous use of the site to facilitate the growth of Sydney for future generations.

As such, the Department considers that the development would not adversely impact on the environment and is consistent with the objectives of the EP&A Act and the principles of ESD.

5. Engagement

5.1 Department's Engagement

In accordance with Schedule 1 of Clause 7 of the EP&A Act and the EP&A Regulation, the Department publicly exhibited the development application and accompanying SEE from **Tuesday 11 June 2019** until **Tuesday 25 June 2019**. During the exhibition period, the Department:

- made it publicly available on the Department's website
- notified landowners in the vicinity of the site about the exhibition period by letter
- notified and invited comment from relevant State government authorities and Inner West Council by letter
- advertised the exhibition in the Inner West Courier.

5.2 Summary of Submissions

During the exhibition period, a total of five submissions were received, including four from government agencies and one from Council. No submissions from special interest groups or the general public were received. Of the five submissions received, none objected to the development. A copy of each submission is included in **Appendix C**.

Council did not object to the modification but raised concern regarding the increased heavy vehicle movements in the area.

EPA did not object to the modification and provided no comment as the modification will not affect the site's existing Environment Protection Licence (EPL) under the *Protection of the Environment Operations Act 1997* (POEO Act).

OEH (now EES) did not object to the modification but requested photographic archival recording to be undertaken prior to the commencement of works.

RMS did not object to the modification and provided no comment.

TfNSW did not object to the modification and provided no comment.

The Department additionally sought additional information from the Applicant, regarding the relocation of car parking to accommodate temporary office and amenities buildings.

5.3 Response to Submissions

On 31 July 2019, the Applicant provided a Response to Submissions (RTS) report which included an updated Statement of Environmental Effects (SEE) and Site Plan identifying car parking provisions for staff and construction contractors.

Council reviewed the RTS and provided no further comments.

6. Assessment

The Department has considered the SEE, the issues raised in the submissions, the Applicant's RTS and the previous assessment undertaken by the Department for silo strengthening works under MP 05_0060 in its assessment of the development. The issues considered for assessment have been addressed by the Department in **Table 3**.

Table 3 | Assessment of issues

Issue	Findings	Recommended Condition
Heritage	<ul style="list-style-type: none"> The proposed structural strengthening works may impact upon the heritage fabric of the Glebe Island Silos being a listed item under the NSW State agency heritage register and local SREP 26 register. The structural strengthening works includes the strengthening of the internal wall of the silos which will result in the removal of existing aluminium framed windows from the lower façade of the silos. The Applicant provided a Heritage Impact Statement (HIS) prepared by Weir Phillips Heritage as an appendix of the SEE. The HIS identified the works will have a minor and negligible impact on the heritage significance of the site. Furthermore, the HIS notes the site retains historic fabric of the site as a bulk storage facility. The HIS also states that proposed columns will be square in contrast to existing cylindrical columns and footings to distinguish the original structure of the silos. Of the five submissions received, only OEH provided comment regarding heritage, requesting a photographic archival recording of the site prior to and after the commencement of works. The Department notes that strengthening works have already been undertaken to four silos under MP 05_0060 which consisted of the same structural strengthening works as what is proposed under this subject DA. The Department considers the majority of strengthening works are undertaken internally and below the Grecian column façade of the silos limiting the impact of the works on the heritage fabric and character. The Department's assessment concludes the strengthening works will have a minor impact on the integrity of the Glebe Island Silos heritage elements. The Department recommends a condition be imposed requiring a photographic archival recording of the silos prior to commencement of works and after the completion of works. 	<ul style="list-style-type: none"> Condition to be imposed requiring a photographic archival recording of the silos prior to commencement of works.

Visual Impacts	<ul style="list-style-type: none"> • As abovementioned, the strengthening works includes the deletion of external windows to facilitate concrete wall reinforcement. • The SEE stipulates the strengthening works will have a minimal impact on the existing appearance of the site. • No comments were raised in regard to visual impacts in the five submissions received. • The silo wall reinforcement works will be undertaken at ground level and below the Grecian column façade of the silos. The works will have limited views from public places and is considered by the Department to have a negligible visual impact. • Furthermore, the works are considered to be consistent with the existing industrial character of the Glebe Island locality. • The Department's assessment concludes the strengthening works will have a negligible impact on the visual character of the site. 	N/A
Construction Impacts	<ul style="list-style-type: none"> • The construction works associated with the structural strengthening of the silos may have noise and air quality impacts on the locality due to dust and construction noise generation. • The proposed construction activities will be undertaken internally beneath the silos and enclosed by existing concrete silo walls. • Minimal dust emissions will be generated from the strengthening works as no excavation or earthworks are proposed to be undertaken. Construction activities generally consists of concrete pouring for silo support footings and concrete wall enforcement. • No comments were raised in the submissions regarding construction impacts. • The Department notes the strengthening works are to be undertaken internally and have minimal exposure of noise and dust impacts upon the industrial locality. • Furthermore, strengthening works previously approved and undertaken on four of the silos were considered to have a minimal impact on the locality in the Department's assessment of MP 05_0060. • The Department's assessment concludes the construction activities associated with the strengthening works will have a negligible impact on the locality. • The Department recommends a condition requiring the Applicant to prepare and implement a Construction Environmental Management Plan (CEMP) and impose standard conditions regarding construction noise management and dust minimisation measures. 	<ul style="list-style-type: none"> • Condition to be imposed requiring the Applicant to prepare and implement a CEMP to be submitted to the Department. • Standard conditions to be imposed regarding construction noise management and dust minimisation measures.

Car Parking

- The modification requires the temporary relocation of parking provisions to accommodate the temporary placement of the amenities and office buildings to the south west of the silos.
- The proposed temporary amenities and site office on existing visitor and staff car parking requires the relocation of car parking provisions on site.
- No comments were raised in the submissions regarding car parking. However, the Department requested the proposed car parking relocation be identified on an updated site plan and addressed in an RTS.
- The Applicant provided an RTS which included an amended SEE and Site Plan identifying the provision of 10 car parking spaces on the eastern side of the site along Sommerville Road for staff and construction workers.
- The Department has reviewed the temporary car parking allocation for staff and construction workers and considers the provision of parking to be adequate.
- The Department's assessment concludes the proposed temporary car parking provides adequate parking provision for the strengthening works.
- Incorporate Site Plan identifying parking provisions into development consent.

7. *Evaluation*

The Department has assessed the proposed DA and SEE and considered the submissions provided by Council, government agencies and the general public. The Department has also considered the objectives and matters for consideration under section 4.15 of the EP&A Act. The Department considers the DA is acceptable on the basis that:

- the proposal would result in minimal environmental impacts
- the proposal would facilitate the continued storage of cement material
- the Glebe Islands Silos would retain its heritage character
- satisfactory mitigation measures would be put in place to manage potential impacts.

Overall, the Department is satisfied the impacts from the proposed DA are minor in nature and will improve the structural integrity of the Glebe Island Silos as a bulk storage facility.



8. Recommendation

It is recommended Director, Industry Assessments, as delegate of the Minister for Planning and Public Spaces:

- **considers** the findings and recommendations of this report
- **accepts and adopts** all of the findings and recommendations in this report as the reasons for making the decision to grant consent to the application
- **agrees** with the key reasons for approval listed in the notice of decision
- **grants consent** for the application in respect of DA 9985, subject to the conditions in the attached development consent
- **signs** the attached development consent and recommended conditions of consent (see **Appendix G**).

Recommended by:

 17/9/19

Shaun Williams

Planning Officer
Industry Assessments

Recommended by:

 17/9/19

Joanna Bakopanos

Team Leader
Industry Assessments



9. Determination

The recommendation is: **Adopted by:**

C. Ritchie

Chris Ritchie

Director

Industry Assessments

26/9/19.



Appendices

Appendix A – List of Documents

The following supporting documents and supporting information to this assessment report can be found on the Department of Planning and Environment's website as follows:

1. Statement of Environmental Effects, prepared by Ethos Urban Pty Ltd, dated 30 April 2019 – http://www.majorprojects.planning.nsw.gov.au/index.pl?action=view_job&job_id=9985
2. Heritage Impact Statement, prepared by Weir Phillips Heritage Pty Ltd, dated January 2019 – http://www.majorprojects.planning.nsw.gov.au/index.pl?action=view_job&job_id=9985

Appendix B – Considerations under section 4.15

Section 4.15 of the EP&A Act requires the consent authority, when determining a development application, must take into consideration the following matters:

Table 4 | Section 4.15 matters for consideration

Issue	Consideration
(a) the provisions of: <ul style="list-style-type: none"> i. any environmental planning instrument, and ii. any proposed instrument that is or has been the subject of public consultation under this Act and that has been notified to the consent authority (unless the Planning Secretary has notified the consent authority that the making of the proposed instrument has been deferred indefinitely or has not been approved), and iii. any development control plan, and iiia. any planning agreement that has been entered into under section 7.4, or any draft planning agreement that a developer has offered to enter into under section 7.4, and iv. the regulations 	<ul style="list-style-type: none"> • detailed consideration of the provisions of all environmental planning instruments (including draft instruments subject to public consultation under this Act) that apply to the proposed development is provided in Appendix C of this report. • No proposed instrument applicable to the development application. • No development control plan is applicable to the development application. • No planning agreements have been entered under section 7.4. • The Department has undertaken its assessment of the proposed development in accordance with all relevant matters as prescribed by the regulations, the findings of which are contained within this report.
(b) the likely impacts of that development, including environmental impacts on both the natural and built environments, and social and economic impacts in the locality,	<ul style="list-style-type: none"> • The Department has considered the likely impacts of the development in detail in Section 5 of this report. The Department concludes the environmental impacts will be minor and can be appropriately managed through the recommended conditions of consent.
(c) the suitability of the site for the development,	<ul style="list-style-type: none"> • The development is to undertake structural strengthening works to the existing cement storage silos, being a permissible form of development with consent in the Port and Employment zone under Sydney Regional Environmental Plan No.26 – City West.
(d) any submissions made in accordance with this Act or the regulations,	<ul style="list-style-type: none"> • All matters raised in submissions have been summarized in Section 4 of this report and have been considered as part of the assessment of the proposed development in Section 5 of this report.
(e) the public interest	<ul style="list-style-type: none"> • The development would facilitate the continued employment of operational staff and generate employment for the structural strengthening works. • The environmental impacts of the development are considered to be low and appropriately managed by the recommended conditions. In addition, the Department has considered that no submissions from the general public were made on the development.

Appendix C – Consideration of Environmental Planning Instruments

To satisfy the requirements of Section 4.15(1) of the EP&A Act, the following EPIs, DCP and guidelines were considered as part of the assessment of this proposal:

- State Environmental Planning Policy (State Significant Precincts) 2005 (SSP SEPP)
- Sydney Regional Environmental Plan No.26 – City West (SREP 26)
- Sydney Regional Environmental Plan (Sydney Harbour Catchment) 2005 (SHC SREP)
- State Environmental Planning Policy (Coastal Management) 2018.

State Environmental Planning Policy (State Significant Precincts) 2005 (SSP SEPP)

The State Environmental Planning Policy (State Significant Precincts) 2005 (SSP SEPP) seeks to facilitate the development, redevelopment or protection of important urban, coastal and regional sites of economic, environmental or social significance to the State (State Significant Precincts) for the benefit of the State.

Under clause 4, Schedule 6 of the SSP SEPP, the proposed development is within the area identified as Glebe Island on the Sydney Harbour Port and Related Employment Lands Map, has a capital investment value (CIV) of less than \$10 million and is carried out by a person other than a public authority. Therefore, in accordance with the SSP SEPP, the Minister for Planning is the consent authority for the application.

Sydney Regional Environmental Plan No.26 – City West (SREP 26)

Sydney Regional Environmental Plan No.26 – City West (SREP 26) provides planning principles for development within the area identified as City West. The site is located within the Bays Precinct part of the City West, and the relevant provisions of the SREP 26 have been considered in **Table 5**.

Table 5 | SREP 26 consideration

SREP 26 Criteria	Department Comment
Part 1 Introduction	
Cl. 2 Area covered by this plan	<ul style="list-style-type: none">• The site is located on land shown on Map 1• The site is not located on land to which that Sydney Local Environmental Plan 2012 applies.
<ul style="list-style-type: none">• This plan applies to the land shown on Map 1 as the City West Area.• This plan does not apply to land to which the Sydney Local Environmental Plan 2012 applies.	
Cl. 3 Precincts	<ul style="list-style-type: none">• The site is located within the "Bays Precinct".
<ul style="list-style-type: none">• The City West area incorporates for precincts	
Cl. 4 Aims of the Plan	<ul style="list-style-type: none">• The proposed silo structural strengthening works is considered to be consistent with the aims of this Plan.
<ul style="list-style-type: none">• This plan aims to establish planning principles and controls and promote the orderly and economic use and development of land.	

Part 2 City West

CI. 11 Planning principles of regional significance for City West

- The operation, concentration and rationalization of commercial shipping facilities is to be supported to meet the changing needs of Sydney Harbour as a commercial port.
- The items and areas of heritage significance in City West are to be conserved and enhanced.
- The proposed silo structural strengthening works are to facilitate the ongoing use of the silos as a shipping facility for the bulk storage of cement to meet the cement demands of Sydney Harbour as a commercial port.
- The strengthening works to the heritage listed silos will have a minor impact and contributes to the enhancement of the silos for its adaptation as cement storage.

Part 3 Precincts

Division 3 Planning principles for precincts

CI. 15 Planning principles of regional significance for precincts

- Provides a set of planning principles for land within the Bays Precinct.
- The development facilitates the ongoing use of the silos as a shipping facility for the bulk storage of cement and is considered to be consistent with the planning principles for the Bays Precinct.

Division 4 Zoning

CI. 16 How land is zoned

- The site is identified as being within the Port and Employment zone.

CI. 20C Port and Employment Zone

- Only uses which the consent authority is satisfied are generally consistent with one or more of the zone objectives are permissible within this zone.
- The objectives of this zone are:
 - to facilitate the continuation of commercial port uses, and
 - to allow a range of commercial port facilities, and
 - to encourage development on Glebe Island and land adjoining White Bay which requires close proximity to the port, and
 - to encourage a mix of land uses which generate employment opportunities, particularly in relation to port and maritime uses, and
 - to allow a mix of uses which generate employment opportunities in the White Bay Power Station site, and
 - to provide for the ongoing rail access to the port and related activities, and
 - to provide pedestrian and cyclist links with surrounding public access networks, and
 - to encourage port-related uses which optimize use of existing rail facilities, and
 - to provide road and rail access to port activities.
- The proposed strengthening works retains the existing use of the Glebe Island Silos as a shipping facility for the bulk storage of cement.
- The development is consistent with the objectives of the zone as it facilitates the continuation of a commercial port us.

Division 5 Building height and floor space controls

Cl. 24 Application of urban design planning principles

- The consent authority must be satisfied that the building will be consistent with the urban design planning principles for the Precinct as detailed in clause
- The development is considered to be consistent with the existing urban industrial character of the area and strengthening works undertaken previously to four of the silos.

Division 6 Heritage conservation

Cl. 29 General considerations

- Development of or including a heritage item, in the vicinity of a heritage item, or within a conservation area, must be compatible with the conservation of the heritage significance of the item or the character of the conservation area.
- The strengthening works are considered to be compatible with the conservation of the item as it provides a minimal impact on the heritage character and is consistent with previous strengthening works undertaken on the item.

Cl. 30 Duty of consent authority

- Before granting consent to any such development, the consent authority must consider:
 - the heritage significance of the heritage item or conservation area, and
 - the impact that the proposed development will have on the heritage significance of the heritage item and its setting or the conservation area, and
 - the measures proposed to conserve the heritage significance of the heritage item and its setting or the conservation area, and
 - whether any archaeological site or potential archaeological site would be adversely affected.
- The Department has considered the heritage significance of the item and the impacts of the development in its assessment in **Section 6** of the assessment report.

Cl. 31 Conservation management plans and heritage impact statements

- The consent authority must decline to grant consent for development relating to a heritage item or conservation area unless it has taken into consideration a conservation management plan or heritage impact statement which includes an assessment of the matters listed in clause 30.
- The Applicant has provided a Heritage Impact Statement (HIS) prepared by Weir Phillips Heritage as an appendix of the Statement of Environmental Effects (SEE).

Division 8 Master Plans

Cl. 40 Requirement for and use of Master Plans

- The consent authority must consider the relevant Master Plan.
- The proposed development is considered to be consistent with the Rozelle and Blackwattle Bays Maritime Precincts Master Plan.

Division 9 Miscellaneous provisions

Cl. 49 Land decontamination

- The consent authority must consider whether there's a risk to health and whether remediation is required.
- No remediation required as part of this DA.

Cl. 52 Views of other bodies about development in Precincts

- The consent authority must, where it considers it appropriate, seek the views of the Inner West Council, the City West Development Corporation, the Sydney Port Corporation, the Office of Marine Administration, the Maritime Authority of NSW, the Rail Access Corporation, the State Rail Authority, the Freight Rail Corporation and the Director-General of the Department of Transport.
- The Department has consulted with the Inner West Council as outlined in **Section 5** of this report.

Sydney Regional Environmental Plan (Sydney Harbour Catchment) 2005

Sydney Regional Environmental Plan (Sydney Harbour Catchment) 2005 (SHC SREP) provides planning principles for development within the Sydney Harbour catchment. The site is located within the Sydney Harbour Catchment area, and the relevant provisions of the SHC SREP have been considered in **Table 6**.

Table 6 | SHC SREP consideration

Assessment Criteria	Comments
Part 1 Preliminary	
Cl. 2 Aims of the Plan	This clause sets out the aims with respect to the Sydney Harbour Catchment and established the principles for the purpose of enabling these aims to be achieved. The development is consistent with the aims of this plan as it will not impede on the catchment, foreshore and waterways. In addition, the improvements to the silo will contribute to the prosperity of a working harbour.
Cl. 3 Land to which plan applies	Within the Sydney Harbour Catchment, particular provisions of this plan apply to the Foreshores and Waterways Area. The site is located within the Foreshores and Waterways Area as identified in the zoning map.
Part 2 Planning Principles	
Cl. 13 Sydney Harbour Catchment	Provides a set of planning principles for land within the Sydney Harbour Catchment. The development is consistent with the planning principles for the Sydney Harbour Catchment as it will not impact the natural environment and assets including, hydrological, ecological and geomorphological processes and water quality.
Cl. 14 Foreshores and Waterways Area	Provides a set of planning principles for land within the Foreshores and Waterways Area. The development is consistent with the planning principles for the Foreshores and Waterways Area as it will have a minimal impact on the natural assets and unique environmental qualities of Sydney Harbour.

Cl. 15 Heritage conservation	Provides a set of planning principles for heritage conservation.	The Development is considered to have a minimal impact on the site and conserves the heritage significance and fabric of the Glebe Island silos.
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Part 3 Foreshores and Waterways Area

Division 1 Development Control

Cl. 16 Zones indicated on Zoning Map	Land is zoned in accordance with the zoning map.	The site is on land adjacent to the waterway zoned W1 – Maritime Waters.
Cl. 17 Zoning objectives	<p>The objectives of the W1 – Maritime Waters Zone are as follows:</p> <ul style="list-style-type: none"> to give preference to and protect waters required for the effective and efficient movement of commercial shipping, public water transport and maritime industrial operations generally to allow development only where it is demonstrated that it is compatible with, and will not adversely affect the effective and efficient movement of, commercial shipping, public water transport and maritime industry operations to promote equitable use of the waterway, including use by passive recreation craft. 	The site is located wholly on land and will not affect the movement of commercial shipping, public water transport and maritime industry operations.

Division 2 Matters for consideration

Cl. 20 General	The matters referred to in Division 3 must be considered by the consent authority.	The Department has considered the relevant matters below.
Cl. 21 Biodiversity, ecology & environmental protection	The consent authority must take into consideration the matters list in the clause in relation to biodiversity, ecology and environmental protection.	The development relates to structural strengthening works internal to the existing building footprint and would not have any adverse impact on the biodiversity, ecology or the environmental of the direct locality.
Cl. 22 Public access to, and use of, foreshores and waterways	The consent authority must take into consideration the matters listed in this clause in relation to public access to, and use of, the foreshores and waterways.	The development is undertaken on private property and will not impede upon public access or the use of the foreshores and waterways.
Cl. 23 Maintenance of a working harbour	The consent authority must take into consideration the matters listed in relation to the maintenance of a working harbour.	The development is considered to be consistent with the maintenance of the working harbour as the proposed strengthening works will enable the existing silos to bulk store cement material.

Cl. 24 Interrelationship of waterway and foreshore uses	The consent authority must take into consideration the matters listed in this clause in relation to the interrelationship of waterway and foreshore uses.	The proposed works will enable the continued use of the foreshore and waterway related uses.
Cl. 25 Foreshore and waterways scenic quality	The consent authority must take into consideration the matters listed in relation the maintenance, protection and enhancement of the scenic quality of foreshores and waterways.	The proposed works are contained within the Glebe Island Silos site and are not considered to impact on the scenic qualities of the foreshore and waterways.
Cl. 26 Maintenance protection and enhancement of views	The consent authority must take into consideration the matters listed in relation to the maintenance, protection and enhancement of views.	The development is considered to maintain the existing views to Sydney Harbour and has minimal adverse impacts on views and vistas.

Division 4 Miscellaneous

Cl. 59 Development in vicinity of heritage items	The consent authority must assess the impact of the proposed development on the heritage significance of heritage items within the vicinity of the development.	The Department has assessed the heritage impacts of the development in Section 6 of this report. The development is considered to have minimal impacts on the heritage significance of heritage items.
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State Environmental Planning Policy (Coastal Management) 2018

The Coastal Management SEPP gives effect to the objectives of the *Coastal Management Act 2016* from a land use planning perspective. It defines four coastal management areas and specifies assessment criteria tailored for each coastal management area. The consent authority must apply these criteria when assessing proposals for development that fall within one or more of the mapped areas.

The Coastal SEPP identifies the site as being located within the Coastal environment area and Coastal use area. Land within these areas are subject to clause 13 and 14, however as the site is located on land within the Foreshores and Waterways Area of the Sydney Regional Environmental Plan (Sydney Harbour Catchment) 2005, clauses 13 and 14 of the Coastal SEPP do not apply.

Rozelle and Blackwattle Bays Maritime Precincts Master Plan 2004

SREP 26 identifies the Bays Precinct as a working waterfront for port and other maritime purposes and requires the preparation of a master plan for the precinct. The Rozelle and Blackwattle Bays Maritime Precincts Master Plan (Master Plan) was prepared by the Department on behalf of the Road & Maritimes Service (RMS) (the then Waterways Authority) and sets the program and principles for the rejuvenation of the maritime precinct. The Master Plan provides land use guidelines and urban design principles within the Bays Precinct includes site specific urban design controls encompassing building heights, setbacks, site coverage, access, landscaping and public domain requirements. The Department has considered the requirements of the Master Plan in the assessment of the proposal and concluded the proposed development would not affect the Marina's compliance with the Master Plan.

The proposal is generally consistent with the principles, objectives and provisions contained within the Rozelle and Blackwattle Bays Maritime Precincts Master Plan. The proposed structural strengthening works will facilitate the ongoing use of the site as a shipping facility without obstructing any views or vistas.

Appendix D – Submissions

A copy of the Submissions received by the Department can be found on the Department's website, at the following link:

http://www.majorprojects.planning.nsw.gov.au/index.pl?action=view_job&job_id=9985

Appendix E – Submissions Report

A copy of the Applicants Response to Submissions report can be found at the Department's website, at the following link:

http://www.majorprojects.planning.nsw.gov.au/index.pl?action=view_job&job_id=9985

Appendix G – Recommended Instrument of Consent

A copy of the Instrument of Consent can be found on the Department's website, at the following link:

http://www.majorprojects.planning.nsw.gov.au/index.pl?action=view_job&job_id=9985