

JC:FC

Your ref: MP 10_0042 & MP06_0199
Our ref: 10/X001 & 06/X014

5 November 2010

Major Projects Assessment
Department of Planning
GPO BOX 39
SYDNEY NSW 2001

Attention: Anna Bradley

Dear Madam

**RE: ALDI WAREHOUSE PROJECT AND REVISED SUBDIVISION LAYOUT
SUBMISSION MP 10_0042**

Council has reviewed the submitted Environmental Assessment. Councils Environmental Protection section – **“Compliance Services Unit” (CSU) provides the following additional information as part of Council submission and** requests that the following also be taken into consideration when assessing the proposed Aldi warehouse and distribution centre and modification of the subdivision:

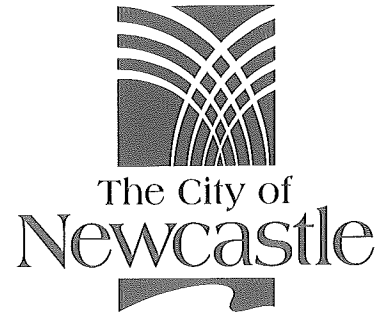
The CSU has reviewed the following documents

- Environmental Assessment, ADW Johnson Pty Ltd, 13 September 2010.
- Noise Impact Assessment, Environmental Resources Management Australia, August 2010
- Air Quality Assessment, Environmental Resources Management Australia, August 2010

General Comments

Noise

The proposed construction of the Aldi Foods facility has the potential to generate adverse noise impacts for nearby residential dwellings located on the western side of Weakleys Drive. The Noise Impact Assessment conducted by Environmental Resources Management dated August 2010 identified potential noise impacts associated with the construction and operation of the proposed development and associated traffic noise generated by vehicles. The Noise Impact Assessment has demonstrated the noise generated by the construction and operation of the proposed development is compliant with criteria outlined in the Department of Environment Climate Change and Water (DECCW's) *'Industrial Noise Policy'* (EPA 2000) and *'Interim Construction Noise Guidelines'* (2009). Noise resulting from traffic generation associated with the site were identified to comply with the relevant DECCW *'Environmental Criteria for Road Traffic Noise'* criteria for all periods, with levels not anticipated to increase above 2 dB(A) in comparison to existing levels.



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Council also recommends that a noise validation monitoring assessment (attended) is conducted at the nearest potentially affected three receivers with a Noise Management Plan prepared and submitted to the NSW Department of Planning prior to construction.

Air Quality

The Air Quality Impact Assessment prepared by Environmental Resources Management dated August 2010 notes the proposed development has the potential to generate dust emissions in areas surrounding the site during construction, which is attributed to construction, traffic and excavation works. The assessment describes the potential air quality impacts associated with construction and operation as minimal, which can be effectively managed through mitigation and monitoring measures. Council recommends the proposed mitigation and monitoring measures are implemented and a Dust Management Plan is submitted to the NSW Department of Planning prior to construction.

Contamination

A Phase 1 Environmental Site Assessment prepared by Parsons Brikenhorff Pty Ltd dated 2007 noted the site was found to be contaminated from dumped material such as building rubble, rubbish and car bodies. Remediation works are required to be conducted as part of the 90 lot subdivision work in accordance with the Phase 1 Environmental Site Assessment. The land will therefore be suitable, in terms of contamination, prior to the construction of the warehouse and distribution centre. Provided remediation is undertaken during the subdivision works the land will be suitable for the proposed development in accordance with the provisions of *SEPP No. 55 – Remediation of Land*.

Vegetation

Threatened Species Conservation Act 1995

The Ecological Reports by Ecohub Pty Ltd Ecological Consultants prepared in 2007, for the 90 lot subdivision; identified that the site of the proposed development is currently vegetated with Lower Hunter Spotted Gum – Ironbark Forest. A community listed as an Endangered Ecological Community in accordance with *Threatened Species Conservation Act 1995*. The site will be cleared of all existing vegetation and endemic native tree and grass species proposed to be used as replacement planting along the boundary of the site. Featured exotic and native combination planting will occur around the car park and office building. The Ecohub report (2007) indicated that the removal of the Ironbark Forest community would not compromise the integrity of the broader connected habitat to the extent that species, populations or communities would be placed at risk. This was justified on the poor health of the ecosystem located at the site compared with ecosystems at the local level, in conjunction with the intrusion of exotic species and disturbance by prior clearing activities. The integration of other conservation initiatives' with those proposed on the subject site is expected to result in a large, diverse, well connected network of habitats that will support local species, population and communities. The vegetation will be removed during the subdivision of the area and assessment of the impacts was conducted as a part of this application.

Construction Impacts

Environmental issues associated with the construction of the proposed warehouse and distribution facility may be addressed in the Construction Environmental Management Plan (CEMP). Environmental issues that will be required to be managed throughout the construction stage include

- Noise
- Vibration
- Sediment and Erosion
- Dust

The management of these issues should be outlined in the CEMP and can be addressed by appropriate consent conditions.

Council's Compliance Services Unit" (CSU) requests the following Conditions be added to any consent

- The use and occupation of the premises including all plant and equipment installed thereon, not giving rise to any "offensive noise", as defined under the Protection of the Environment Operations Act, 1997, as amended.

Note: Should Council consider that offensive noise has emanated from the premises, the owner/occupier of the premises will be required to submit an acoustic consultant's report recommending appropriate acoustic measures necessary to ensure future compliance with this condition and will be required to implement such measures within a nominated period. Furthermore, written certification from the said consultant confirming that the recommended acoustic measures have been satisfactorily implemented will be required to be submitted to Council before the expiration of the nominated period.

Reason: To ensure that appropriate noise control measures are implemented if required.

- Any proposed mechanical ventilation and/or air conditioning systems, or other mechanical services, being operated in a manner which does not give rise to "offensive noise", as defined under the Protection of the Environment Operations Act, 1997, as amended.

Reason: To ensure compliance with the provisions of the Protection of the Environment Operations Act, 1997, as amended.

- There being no interference with the amenity of the neighbourhood by reason of the emission of any "offensive noise", vibration, smell, fumes, smoke, vapour, steam, soot, ash or dust, or otherwise as a result of the proposed development.

Reason: To prevent environmental pollution, to ensure observance of appropriate public health standards and to protect the existing amenity of the neighbourhood.

- Any liquid wastes from the premises, other than stormwater being discharged to the sewers of the Hunter Water Corporation in accordance with that authority's requirements.

Reason: To prevent environmental pollution and to ensure observance of appropriate public health standards.

- Safe storage and handling information cards for hazardous materials being prominently displayed near any hazardous or offensive chemical which may be stored on or within the premises.

Reason: To assist in the safe storage and handling of hazardous materials in the public interest.

- A current hard copy inventory of the contents of the proposed flammable liquids store being kept in an appropriate secure area (e.g. office).

Reason: To assist staff and emergency services personnel in the event of accident or emergency.

- Proposed parking areas, service bays, truck docks, driveways, vehicular ramps and turning areas being maintained clear of obstruction and being used exclusively for purposes of car parking, loading and unloading, and vehicle access, respectively. Under no circumstances are such areas to be used for the storage of goods or waste materials.

Reason: To ensure the proposed/required parking, loading/unloading facilities and associated driveways are able to function efficiently for their intended purpose and are not otherwise used in a manner which detracts from the overall appearance of the development.

- All goods storage and industrial activity being confined to within the building, within areas designated for such purposes on the submitted plans or otherwise provided in accordance with the conditions of this consent.

Reason: To confirm the terms of consent and to ensure that storage and industrial activity is confined within a properly constructed building thereby minimising any adverse environmental impact.

- Any proposed floodlighting of the premises being so positioned, directed and shielded as to not interfere with traffic safety or detract from the amenity of the adjacent premises.

Reason: To ensure that the proposal does not interfere with traffic safety and to protect the existing amenity of the neighbourhood.

- No goods or advertising signs being displayed or allowed to stand on the public footpath or street.

Reason: To avoid interference with pedestrian traffic flow and to protect the visual amenity of the neighbourhood.

- Adequate facilities being provided in an appropriately screened location within the premises for the separate storage of recyclable and non-recyclable material, and arrangements being made for regular removal and disposal of same.

Reason: To prevent environmental pollution and reduce the amount of waste being disposed to landfill.

- Construction/demolition work that generates noise that is audible at residential premises being restricted to the following times:

Monday to Friday, 7:00 am to 6:00 pm;
Saturday, 8:00 am to 1:00 pm;

With no noise from construction/demolition work to be generated on Sundays or Public Holidays.

Reason: To prevent 'offensive noise' from construction/demolition sites in order to safeguard the amenity of the neighbourhood

- No construction/demolition work being undertaken on a Public Holiday or on a Saturday or Sunday adjacent to a Public Holiday

Reason: To safeguard the amenity of the neighbourhood.

- Any excavated material to be removed from the site being assessed, classified, transported and disposed of in accordance with the Department of Environment and Climate Change's (DECC) '*Waste Classification Guidelines Part 1: Classifying Waste*'.

Reason: To prevent environmental pollution and to ensure observance of appropriate health standards.

- Any fill material imported into the site being Virgin Excavated Natural Material or material subject to a Resource Recovery Exemption that is permitted to be used as a fill material, in accordance with the provisions of the *Protection of the Environment Operations Act 1997* and the *Protection of the Environment (Waste) Regulation 2005*.
- Any fill material subject to a Resource Recovery Exemption received at the site must be accompanied by documentation demonstrating that material's compliance with the conditions of the exemption, and this documentation must be provided to Council officers or the Principal Certifying Authority on request.

Reason: To ensure that any imported fill is of an acceptable standard for environmental protection purposes.

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- Appropriate erosion protection and soil stabilisation measures being designed and implemented during site works in accordance with the requirements of the *Managing Urban Stormwater: Soils and Construction 4th Edition - Vol. 1* (the "Blue Book") published by Landcom, 2004.

Reason: To control soil erosion and prevent sedimentation of surrounding lands.

If you require any further information please contact James Cross on 49742769



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