

20 November 2012

Our Ref : 2012/362801
File No: R/2012/15
Your Ref: MP 11_0086

Mr Chris Ritchie
Manager – Industry
Major Projects Assessment
GPO Box 39
SYDNEY NSW 2001

Attention: Deana Burn
Email: deana.burn@planning.nsw.gov.au

Dear Chris

RE: MATERIALS RECYCLING FACILITY, ST PETERS – MP11_0086

I refer to your correspondence advising of the exhibition of the project application for a materials recycling facility to process sandstone on the site at 2 Albert Street, St Peters (also known as 1 Woodley Street). It is understood that the Major Project Application seeks consent to construct and operate a materials recycling facility on the site, and involves the following:

- processing of an existing stockpile of sandstone on the site;
- processing up to 150,000 tonnes of sandstone waste per annum; and
- blending the crushed sandstone with concrete and asphalt demolition waste to generate a product suitable for use in civil projects.

Given the timeframe provided for comment, the matter was not able to be referred to the Council's Planning Development & Transport Committee to obtain their feedback. The following information has been formulated by City staff for the consideration of the Department in its determination of the application.

No objection is raised to the proposed use by the City; however, the following issues are highlighted for consideration as part of the Departments assessment of the application.

(1) Tree Removal

The site has been inspected by the City's Tree Management Officer, who has advised that there are 15 existing large Gum trees (*Eucalyptus* spp.) located along the northern boundary of the site. At present, a fence extends along the northern boundary, and this effectively excludes these trees from the main sandstone stock pile.

Any consent issued should require the retention of the 15 mature trees to provide screening and amenity to residential properties to the north of the site. Draft conditions have been included at Attachment A relating to tree protection.

No objection is raised to the removal of the remainder of the vegetation from the sandstone stockpile, as inspection of the site and a review of the submitted documentation has revealed that the majority of this vegetation is noxious Weeds or small trees which are not protected by the City's Tree Preservation Order.

(2) Stormwater Management

It is understood from a review of the documentation submitted that two retention basins are proposed to manage stormwater runoff from the site. An overflow spillway and sediment fence is to be provided for each basin in the event of an extraordinary flood event.

A review of the documentation by the City's Development Engineer has concluded that insufficient information was submitted with the application to demonstrate where the emergency spillway would exit the site, as well as the design parameters adopted to safely convey this overflow using the existing road carriageway system and taking into account the velocity depth ratio.

The Department should request further assessment and quantification on the emergency overflow from the site to confirm that there are no flooding implications downstream due to inadequate pipe capacity, blockage in the existing system or trappings in existing low point/s in Holland Street. Where considered necessary by the Department, consultation should occur with the Council's City Infrastructure Unit regarding the design and documentation of the recent Holland Street drainage upgrade works.

(3) Acoustic Amenity

The appropriateness and necessity of commencing truck loading operations at 6.00am on weekdays is questioned considering that the site adjoins residential properties to the north.

While noise and amenity impacts associated with the development have been addressed in the Environmental Assessment and adopted within the Statement of Commitments, it is noted that works and vehicle arrivals prior to 6.00am do have the potential to cause sleep disturbance and require the implementation of mitigation measures to ensure compliance with acoustic criteria.

It is recommended that the Department consider the practicality and ability to enforce the mitigation measures outlined in the acoustic assessment and Statement of Commitments to ensure that any commencement of operations prior to 7.00am does not adversely impact on residential amenity of adjacent uses.

(4) Option of time limitation on use

It is considered that insufficient information has been submitted with the proposal to indicate whether any indicative time frame is proposed for the use of the site as a recycling facility.

Whilst industrial uses are permissible with the current and draft planning controls pursuant to both the South Sydney LEP 1998 and the Draft Sydney LEP 2011, the

inner city context, proximity to residential properties and potential amenity impacts should be considered in any assessment.

(5) Environmental Protection Licence

The recycling facility at St Peters is classified as Schedule 1 use under the *Protection of the Environment Operations Act 1997*, and as such, an Environmental Protection Licence is required to be obtained from Office of the Environment and Heritage (OEH).

As the appropriate regulatory authority for the subject site is the OEH, no environmental or health assessment or draft conditions have been recommended by the City. Advice should be sought from the OEH as to their requirements for the Environmental Assessment which will be required to be prepared by the proponent as part of the licence process.

The City thanks you for the opportunity to provide input at this stage of the proposal. It is requested that any amendments made to the proposal be provided to the City for review before determination by the Department.

Should you require further information, please contact Nicola Reeve, Senior Planner, on 9265 9961 or by email at nreeve@cityofsydney.nsw.gov.au.

Yours sincerely,



Graham Jahn AM
Director
City Planning | Development | Transport

Attachment A – Draft Conditions

ATTACHMENT A – RECOMMENDED CONDITIONS TO BE IMPOSED ON ANY CONSENT GRANTED:

(1) TREE PROTECTION DURING CONSTRUCTION

- (a) The stand of 15 Eucalypt trees located along the northern boundary must be retained and protected for the entire construction phase;
- (b) The existing (colorbond) fence located along the North Boundary shall be retained in *situ*. This will ensure stand of approximately 15 Eucalypt trees (northern boundary) are protected during construction works;
- (c) Stockpiling, storage or mixing of materials, washing of equipment, vehicle parking, disposal of liquids, machinery repairs and refuelling, disposal of building materials such as cement slurry, siting of offices or sheds and the lighting of fires, must not occur within 4 metres of the trunk of the 15 Eucalypt trees located along the Northern Boundary;
- (d) Excavation must not occur within 4 metres of the trunks of the 15 Eucalypt trees located along the Northern Boundary. If excavation is proposed within this zone, the contractor must engage a qualified Arborist (minimum AQF level 5) to supervise the works. All works within this zone shall be undertaken in accordance with all directions given by the Site Arborist.

(2) SERVICES

- (a) Any trenching works for services / hydraulics / drainage etc. must not be undertaken within 4 metres of the trunks of the 15 Eucalypt trees located along the Northern Boundary.
- (b) Alternative installation methods for services, such as directional boring/drilling, or redirection of services shall be employed where large woody roots greater than 40mm diameter are encountered during the installation of any services adjacent to the trees located along the Northern Boundary.

(3) TREE PRUNING

The consent from Council must be obtained prior to the undertaking of any tree pruning works, including tree roots greater than 40mm in diameter. Only minor pruning works will be approved by Council.

(4) STREET TREE PRUNING AND REMOVAL

- (a) No street trees are approved for removal. All street trees surrounding the site must be retained unless written consent is obtained from Council.
- (b) The consent from Council must be obtained prior to the undertaking of any street tree pruning works including tree roots greater than 40mm diameter. Only minor pruning works will be approved by Council.

(5) VEHICLE FOOTWAY CROSSING

- (a) A separate application is to be made to, and approved by, Council for the construction of any proposed vehicle footway crossing or for the removal of any existing crossing and replacement of the footpath formation where any such crossings are no longer required.
- (b) All disused or redundant vehicle crossings and laybacks must be removed and footway and kerb reinstated in accordance with Council's standards, to suit the adjacent finished footway and edge treatment materials, levels and details, or as otherwise directed by Council officers. All construction and replacement works are to be completed in accordance with the approved plans prior to the issue of an Occupation Certificate.
- (c) Note: In all cases the construction materials should reinforce the priority of pedestrian movement over that of the crossing vehicle.

(6) FOOTPATH DAMAGE BANK GUARANTEE

- (a) A Footpath Damage Bank Guarantee calculated on the total lineal metres of the public frontage (151 linear metres concrete/asphalt material) of site frontages must be lodged with Council in accordance with the City of Sydney's adopted Schedule of Fees and Charges. The Footpath Damage Bank Guarantee must be submitted as an unconditional bank guarantee in favour of Council as security for repairing any damage to the public domain in the vicinity of the site.
- (b) The guarantee must be lodged with Council prior to issue of a Construction Certificate.
- (c) The Bank Guarantee will be retained in full until the final Occupation Certificate has been issued and any rectification works to the footway and Public Domain are completed to Council's satisfaction. On satisfying the above requirements 90% of the total securities will be released, with the remaining 10% to be retained for the duration of the 12 months Defect Liability Period.

(7) PHOTOGRAPHIC RECORD / DILAPIDATION REPORT - PUBLIC DOMAIN

- (a) Prior to an approval **for demolition or** (excavation) being granted a Construction Certificate being issued, whichever is earlier, a photographic recording of the public domain site frontages is to be prepared and submitted to Council's satisfaction.
- (b) The recording must include clear images of the footpath, nature strip, kerb and gutter, driveway crossovers and laybacks, kerb ramps, road carriageway, street trees and plantings, parking restriction and traffic signs, and all other existing infrastructure along the street

- (c) The form of the recording is to be as follows:-
- (i) A PDF format report containing all images at a scale that clearly demonstrates the existing site conditions;
 - (ii) Each image is to be labelled to identify the elements depicted, the direction that the image is viewed towards, and include the name of the relevant street frontage;
 - (iii) Each image is to be numbered and cross referenced to a site location plan;
 - (iv) A summary report, prepared by a suitable qualified professional, must be submitted in conjunction with the images detailing the project description, identifying any apparent existing defects, detailing the date and authorship of the photographic record, the method of documentation and limitations of the photographic record;
 - (v) Include written confirmation, issued with the authority of both the applicant and the photographer that the City of Sydney is granted a perpetual non-exclusive license to make use of the copyright in all images supplied, including the right to make copies available to third parties as though they were Council images. The signatures of both the applicant and the photographer must be included.

(8) STORMWATER AND DRAINAGE - MAJOR DEVELOPMENT

Stormwater re-use is encouraged.

Proposed outlets to kerb and gutter in Holland Street as documented is not approved

- (a) Prior to commencing any work, details of the proposed stormwater disposal and drainage from the development in accordance with Council's standard requirements and details of the provision and maintenance of overland flow paths must be submitted to and approved by Council. All approved underground connection details for the disposal of stormwater and drainage are to be implemented in the development.
- (b) Any proposed connection to the Council's underground drainage system will require the owner to enter into a Deed of Agreement with the Council and obtain registration on Title of a Positive Covenant prior to Construction Certificate being issued and prior to the commencement of any work within the public way.
- (c) There is insufficient information in the documents to demonstrate to Council where the emergency spillway would exit the site and the design parameters adopted to safely convey this spillway for all stages of the project using the existing road carriageway system taking into account the requirements for velocity depth ratio.

- (d) Further discussions are to be undertaken with City's Infrastructure unit, who has been involved in the design and documentation of Holland Street drainage upgrade works.
- (e) The stormwater discharge from the site to comply with ANZECC water quality guidelines
- (f) An "Application for Approval of Stormwater Drainage Connections" must be submitted to Council with the appropriate fee at the time of lodgement of the proposal for connection of stormwater to the Council's drainage system in Holland Street.
- (g) A Positive Covenant must be registered on the title for all drainage systems involving underground connections to ensure maintenance of the approved connection

(9) ASSOCIATED ROADWAY COSTS

All costs associated with the construction of any new road works including kerb and gutter, road pavement, drainage system and footway shall be borne by the developer. The new road works must be designed and constructed in accordance with the City's "Development Specification for Civil Works Design and Construction".

(10) COST OF SIGNPOSTING

All costs associated with signposting for any kerbside parking restrictions and traffic management measures associated with the development shall be borne by the developer.

(11) SIGNS AT EGRESS

The following signs must be provided and maintained within the site at the point(s) of vehicular egress:

- (a) Compelling drivers to stop before proceeding onto the public way
- (b) Compelling drivers to "Give Way to Pedestrians" before crossing the footway; or compelling drivers to "Give Way to Pedestrians and Bicycles" before crossing a footway on an existing or identified shared path route.

(12) TRAFFIC WORKS

Any proposals for alterations to the public road, involving traffic and parking arrangements, must be designed in accordance with RTA Technical Directives and must be referred to and agreed to by the Sydney Traffic Committee prior to any work commencing on site.

(13) LOADING WITHIN SITE

All loading and unloading operations associated with servicing the site must be carried out within the confines of the site, at all times and must not obstruct other properties/units or the public way.

(14) VEHICLES ACCESS

The site must be configured to allow all vehicles to be driven onto and off the site in a forward direction.

(15) TRUCK ROUTES

Truck routes to and from the site must use the State and Regional road network. The use of Euston Road between Campbell Road and Sydney Park Road, or Burrows Road between Campbell Street and Huntley Street is prohibited.