

29 November, 2011

MAJOR PROJECTS ASSESSMENT
DEPARTMENT OF PLANNING & INFRASTRUCTURE
GPO BOX 39
SYDNEY NSW 2001

Dear Sir/Madam,

**MP 11_0086 - PROPOSED MATERIALS RECYCLING FACILITY PROJECT
AT 2 ALBERT STREET, ST PETERS**

Reference is made to the above-described application under Part 3A of the Environmental Planning and Assessment Act 1979 (EP&A Act) to construct and operate a materials recycling facility at 2 Albert Street, St Peters.

Marrickville Council objects to the proposal and raises significant concerns with the impact such a facility would have on the St Peters locality.

Council officers have reviewed the Environmental Assessment Report prepared by Nexus Environmental Planning Pty Ltd and provide the following comments:

Suitability of the Site for the Proposed Use

The subject site is not considered to be a suitable location for a potentially offensive industry. While it is noted that the site has previously been used for the stockpiling and grading of sandstone and road base materials, those approvals were granted over 20 years ago and lapsed more than 10 years ago and the area has changed significantly in that time.

The subject site is located in close proximity to the Barwon Park Triangle which is the area bounded by Barwon Park Road to the east, Campbell Street to the south, and the Princes Highway to the west. The Barwon Park Triangle used to be zoned General Industrial and part of the triangle formed part of the Roads and Traffic Authorities Arterial Road Reservation but the area was rezoned to Residential 'C' with the gazettal of Marrickville Local Environmental Plan (Amendment No 14) on 5 September 2003 and is now zoned R1 – General Residential and B4 – Mixed Use under Marrickville Local Environmental Plan 2011.

Under the new zoning provisions and planning controls the area is being redeveloped to contain both mixed use and residential development. Evidence of this redevelopment can be seen by a number of new mixed use and medium / high density residential developments that have been erected on the Princes Highway, Crown Street and Barwon Park Road. It is also noted that a recent approval has been granted to erect a three part four storey residential flat building containing 23 dwellings on the corner of Barwon Park Road and Campbell Street and this property is only 75 metres from the entrance of the proposed facility.

It is also noted that under Marrickville Local Environmental Plan 2011 the land to the north west of the subject site that is bounded by the Princes Highway, Campbell Street and May Street has been rezoned from General Industrial (MLEP 2001) to B4 – Mixed Use, B5 – Business Development, B6 – Enterprise Corridor, B7 – Business Park and R1 – General Residential and the new planning controls encourage mixed use and medium / high density residential developments in this area. The rezoning of this area for mixed use and medium / high density residential development is aimed at achieving the housing target set for the Marrickville Local Government Area.

It is considered that a potentially offensive industry is an inappropriate use for a site which is located in such close proximity to residential areas and areas where Council is endeavouring to encourage new mixed use and medium / high density residential developments.

In the Environmental Assessment Report it is pointed out that Concrete Recyclers currently operate in three sites in the Sydney metropolitan area, being Camellia, Ingleside and Kurnell. All of these sites are isolated and well separated from residential areas, which is an appropriate location for a potentially offensive industry.

If any activity was to be approved on the subject site Marrickville Council contends that it would be more appropriate to allow the removal of the existing sandstone stockpile to be processed at one of the existing recycling facilities in Camellia, Ingleside or Kurnell.

The current proposal seeks consent to crush and separate the existing sandstone material and blend the crushed sandstone with other crushed material that is imported to the site, with this activity to occur directly adjacent to low density residential development and within 75 metres of high density residential development.

For the above reasons the site is not considered suitable for the proposed use.

Noise and Amenity Impacts

It is considered that the proposed use is likely to have an unacceptable impact on the amenity of the Barwon Park Triangle and the surrounding area which has been rezoned for mixed use and medium / high density residential developments.

The impact that the proposed development will have on the existing and future residential development to be erected in the Barwon Park Triangle is given little or no consideration in the Noise Impact Assessment Report prepared by Wilkinson Murray Pty Ltd. The report makes only passing reference to the residential redevelopment occurring in this area commenting that any new residential building that is erected would need to be noise attenuated to meet the internal noise levels stipulated in AS2021, thereby minimising noise impacts when window and doors are closed. The report also assumes that *“it would be expected that new residents moving into this area would not be likely to be highly sensitive to noise given the existing arrangements”*. It is considered that the report fails to adequately consider the impact that the proposed use will have on this area.

Concern is also raised with the location of the three (3) noise loggers that form the basis of the noise assessment. Two of the loggers were located just to the north of the subject site with one logger located at 13 Campbell Road (Location A). The only logger located to the north west of the site was located near a *“small pocket of dwellings, across the north western leg of Albert Street (Location B)”*. The Noise Impact Assessment Report then proclaims *“it is important to note that both the abovementioned pockets of dwellings are located on land zoned by the relevant Council’s for future arterial road purposes i.e. not on land zoned residential”*. It is considered that a noise logger should have been positioned on the property located on the corner of Campbell Street and Barwon Park Road as this is the nearest residential property to the north west being approximately 75 metres from the entrance to the subject site (as opposed to the logger that was used at Location B which is approximately 130 metres from the entrance to the subject site). Furthermore, this property forms part of the Barwon Park Triangle; is zoned residential (R1 – General Residential); and as pointed out above, a three part four storey residential flat building containing 23 dwellings has been approved on this site. This site and indeed the properties located in this section of the Barwon Park Triangle are likely to be most heavily affected by noise emanating from the operations on the site given they are directly in line with the driveway entrance to the property and will not be protected by noise barrier stockpiles such as those proposed on the northern and north western sides of the site.

Despite the above, it is noted that the noise modelling acknowledges that the use will exceed industry standards for noise impacts and makes recommendations for noise management and mitigation. The proposed measures require strict operational procedures that are unlikely to be followed and the use will likely result in unacceptable noise impacts for nearby residents.

For the reasons outlined above, the proposed use is considered to be completely inappropriate for the area and Marrickville Council contends that approval of such a use would result in significant and unacceptable noise and amenity impacts for the existing and future residents of this area.

Despite the above, should the Department of Planning and Infrastructure be of a mind to support the proposed activity any consent granted should include a condition for noise testing at appropriate locations to be carried out throughout the operation of the facility and where increased noise impacts are evident all operations on the site must cease until the consent authority is satisfied that the use can be carried out in accordance with the project criteria established in the Noise Impact Assessment Report prepared by Wilkinson Murray Pty Ltd.

Air Quality Impact

Similar to the above, given the exposed nature of the site, coupled with the sensitive land uses that surround the site, Marrickville Council contends that approval of such a use will result in unacceptable impacts on air quality in the surrounding area.

Furthermore, the dust mitigation measures recommended in the Air Quality Assessment Report prepared by Wilkinson Murray Pty Ltd are very general (such as *“disturb only minimum area”* and *“use water sprays to minimise dust lift off”*) and are not considered to be specific enough for a proposal that involves the crushing and separating of sandstone and its blending with imported material on an elevated site that is such close proximity to residential development.

Visual Impact

The Environmental Assessment Report prepared by Nexus Environmental Planning Pty Ltd makes no mention of the visual impact the proposal will have on properties in the Barwon Park Triangle. The Environmental Assessment Report only considers the outlook from the north east and from the west (which the author has incorrectly reported as being the Pacific Highway as opposed to the Princes Highway).

It is considered that the proposed development will impact greatly on the visual outlook from the development that have been constructed and that are approved to be constructed in the Barwon Park Triangle.

Time Limited Consent

The application seeks to approval for the continuation of the operation of the sandstone recycling facility upon the completion of the processing of the existing sandstone stockpile. Marrickville Council contends that should the Department of Planning and Infrastructure be of a mind to support the proposed activity any consent must be time limited to allow the impacts to be reassessed particularly giving the evolving nature of the surrounding area which is being redeveloped with mixed use and medium / high density residential developments.

The continuation of the operation of the site as a sandstone recycling facility is a completely unreasonable proposal at this stage and should not be contemplated in the assessment of the subject application. Furthermore, the applicant's proposal suggests that it would take 5 or more years to process the existing sandstone stockpile. Given the length of time it would take to process the existing stockpile Marrickville Council contends that even the processing of the existing stockpile should not be supported holistically and that any consent granted be limited to a shorter time frame (12-24 months) to allow a review of the impact that this potentially offensive industry is having on the residential amenity of this evolving area.

Hours of Operation

Given the subject site is located in close proximity to sensitive land uses, should the Department of Planning and Infrastructure be of a mind to support the proposed activity, the hours of operation must be restricted to protect the residential amenity of the surrounding area which is clearly in the process of change.

The hours of operation proposed by the applicant are excessive and would result in significant and unacceptable impact on the residential amenity of the surrounding area. Again Marrickville Council highlights that the proposed use is incompatible with the surrounding area, but if the use was approved all operations (including truck movements) should be restricted to between the hours of 7.00am and 5.00pm Monday to Friday with no operation on Saturdays, Sundays or Public Holidays.

Any contemplation of hours outside the above-described core hours must be on a short term trial basis (no longer than 6 months).

Traffic and Access

Marrickville Council's Development Engineer notes that the following matters that were raised in Councils previous correspondence dated 1 July 2011 have not been addressed in the Traffic Study submitted with the subject application:

- The study should assess the sight distance at the intersection of Campbell Street/Campbell Road with Albert Street/Barwon Park Road and propose improvements.
- The study should detail the size, type and frequency of trucks accessing the site and demonstrate (with the use of turning circles) the suitability or otherwise of the existing access.
- The proposed truck routes should be amended as the proposed "truck route out" (Figure 5B) is incorrect as left turn out manoeuvres at Campbell Street are not permitted by vehicles greater than 8m (Assuming trucks are greater than 8m in length).

Conclusion

For the reasons outlined above Marrickville Council strongly objects to the proposal to construct and operate a materials recycling facility at 2 Albert Street, St Peters. Should the Department of Planning and Infrastructure support such a potentially offensive industry in such close proximity of medium and high density mixed use and residential development Marrickville Council requests that the issues raised above be given strong consideration in the assessment of the subject application.

Should you have further enquiries please contact Jamie Erken on 9335 2251.

Yours sincerely

Judy Clark
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