



CUMBERLAND
CITY COUNCIL

Ref: OA2021/0010
DPIE Ref: SSD-19425495

25 October 2022

NSW Department of Planning and Environment
Locked Bag 5022
PARRAMATTA NSW 2124

Attention: Shaun Williams

Dear Sir,

Subject: Request for Comments - State Significant Development (SSD)
Application No: SSD-19425495
Property: 132-144 Warren Road SMITHFIELD NSW 2164
Lot 2 DP 1230452
Proposal: Use of an existing warehouse (operating 24 hours 7 days a week) to receive up to 150,000 tonnes per annum of domestic and commercial recyclable materials and sort these materials into categories (ferrous metals, non-ferrous metals, glass, plastics, paper and cardboard, and residual) for transportation to dedicated reprocessing facilities.

Reference is made to the Department of Planning and Environment referral in relation to the above application for the proposed waste and resource management facility. The following comments are provided for the submitted with the application.

1. As per Council's submission on 9 June 2021 in response to the SEARS Scoping Report, Council would like to draw attention to the provisions of Chapter 11 of State Environmental Planning Policy (Biodiversity and Conservation) 2021 that apply, as the site is identified as flood liable. The following comments are provided for the flooding matters and Council is not satisfied with the measures proposed.
 - a. The proposed floor levels do not comply with the Cumberland Council's Flood Risk Management Policy (CFRMP). The proposed use and the loading cannot be supported within 1% AEP flooding. In accordance with CFRMP, the land uses will cause pollution to the waterways during the flooding, which are considered as critical uses. It appears, the existing building is not suitable for the proposed use without modifying the floor levels to comply with the flood level controls that would have been stipulated by the flood advice letter obtained from the Council.
 - b. Proposed option 1 and option 2 are not acceptable. Permanent/temporary flood barriers are not supported. Floor levels shall be modified to comply with Council's flood advice letter and Cumberland Council's Flood Risk Management Policy.
 - c. Pre-development and post-development modelling are required as part of any modifications to the existing levels. The predevelopment model appears to be incorrect. The model shall use the existing floor levels in the modelling to ensure there is no adverse impact on the adjoining sites or flood levels due to the proposed development.

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- d. Based on the survey levels, the depth of the water exceeds the 300mm in the car parking area and it is not safe for vehicles. Following plans shall be submitted for further assessment:
 - Design plan showing all the existing/proposed surface levels including carparking surface, weighbridge, any loading areas outside the building.
2. The following comments are provided for the stormwater management matters and Council is not satisfied with the measures proposed.
 - a. Proposed stormwater works extends outside the subject development site. Stormwater easement is required for any works outside the subject site. No details provided with the subject application.
 - b. The Council's stormwater pipe along the western boundary appears to be incorrect. Exact location of the Council's pipe within the subject site shall be located by service search and annotated on the plans. Service search details shall be submitted. Any modification to Council's pipe drainage system shall be discussed with Council's Stormwater Engineer.
 - c. It appears proposed stormwater works will have adverse impact on the adjoining sites. Flood report shall clearly show that there is no increase in the flood levels due to the proposed stormwater works. The report shall consider the small storm events also.
 - d. The stormwater works conflicts with the existing easements. In this regard, appropriate approvals shall be required for the proposed works. Detail service search shall be submitted to ensure proposed stormwater design does not conflict with any existing services within the easements.
 - e. Dealings of the easements within the site shall be submitted.
3. The following comments are provided for the traffic and parking matters and Council is not satisfied with the measures proposed.
 - a. The number of vehicular accesses shall be limited to improve the pedestrian safety. In this regard, proposed carpark access shall be provided through the existing eastern driveway.
 - b. The left turn truck entry and exit use multiple lanes. In this regard, entry/exit arrangements shall be submitted to and approved by Transport for NSW.
 - c. Gate 1 and Gate 2 driveway widths are not adequate for the simultaneous entry/exit of the trucks. In this regard, single entry/exit driveway option shall be considered.
 - d. The proposed design to modify the existing driveway shall be discussed with Council's Engineering Section.
4. Council has no objection with the proposed use of the existing premises as a resource recovery facility provided that no storage of goods will occur outside the confine of the building. Further to that the proposed use as office premises shall be ancillary to the industrial use and cover no more than 20% of the gross floor area of the industrial building.
5. Noise Impact Assessment prepared by Koikas Acoustics Pty Ltd (ref: 4595R20210825Im132-144WarrenRdSmithfield_DAv3) dated 23 June 2022 requires that some mitigation measures to be undertaken as there are exceedances to the project noise trigger levels. Council has no objection to the content of the report provided that the recommendations are adopted. It is necessary that the acoustic report is referred to the NSW EPA for assessment and comment.
6. The Environmental Impact Statement prepared by MRA Consulting Group (Job No: 1012397 Rev 0.6) dated 19 August 2022 has outlined in Section 9.7 an assessment on Hazards and Risks in accordance with the requirements of the State Environmental Planning Policy (Resilience and Hazards) 2021. Council would recommend that all liquids as outlined on the dangerous goods manifest should be stored with bunded controls to minimise any spills on site.

7. An air quality assessment prepared by Northstar Air Quality Pty Ltd (Report Ref: 21.1140.FR1V5) dated 12 August 202 has included mitigation measures as part of the Proposal operation and the control efficiencies afforded have been presented in Table 9. The company shall implement and maintain an Air Quality Management Plan (AQMP), including procedures for the recording, evaluation and actioning of complaints arising from the proposed activities. Council would recommend that those mitigation measures are undertaken and imposed accordingly. It is also recommended that the report is to be referred to NSW EPA for assessment and comment.
8. In terms of the proposed tree removal, it is recommended that all trees that are to remain as part of the proposed upgrade of this site are appropriately protected as per AS4970 – 2009 Protection of trees on development. During construction or any time during the development, any pruning works should be carried out to AS4373 – 2007 Pruning of amenity trees. Any landscape plan for the site should be prepared by a minimum AQF5 landscape architect and all hard and soft landscape works carried out by minimum AQF3 qualified landscapers.

Should you have any further enquiries please do not hesitate to contact Olivia Yana on 8757 9544 in relation to this matter.

Yours faithfully,



Olivia Yana
Executive Planner