

Planning and Regulatory. G.Mansfield
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Dear Ms McNicol

**NOTIFICATION OF DEVELOPMENT APPLICATION MAYFIELD WEST
RESOURCE RECOVERY FACILITY (SSD 7698)**

I refer to your letter of 24 October, 2016 advising that Benedict Recycling Pty Ltd has submitted a development application for an increase in the processing capacity of the resource recovery facility located on land, known as 1a McIntosh Drive, Mayfield West and inviting Council to comment on the proposal.

Council officers have reviewed the Environmental Impact Statement (EIS) submitted in support of the application and the following comments are offered for your consideration:

1. Newcastle Local Environmental Plan 2012

The EIS (Pg. 54) identifies general industries, depots and storage premises as uses permissible with consent in the IN1 General Industrial zone under the Newcastle Local Environmental Plan, 2012 (NLEP 2012). The development is characterised as a waste or resource management facility which is a prohibited use in the above zone.

Notwithstanding this, clause 121 of the State Environmental Planning Policy (Infrastructure) 2007 (ISEPP) provides that a waste or resource management facility is a permissible use with consent on the above zone. As provided by section 36 of the *Environmental Planning and Assessment Act, 1979* the provisions of the ISEPP prevail over the NLEP, 2012 in this regard.

2. Traffic and parking

2.1 On site car parking

The existing resource recovery facility was granted development consent (DA2015/0291) by Council subject to a minimum of 25 parking spaces, including 2 spaces for people with a disability, being re-lined marked in the existing car park in the south-east corner of the site.

The current development proposes to provide 19 spaces for employees and visitors in the vicinity of the weighbridge area. Contrary to the terms of the SEARS the application has not been supported by '*detailed plans of the proposed layout of the internal road network and parking on site in accordance with the relevant Australian Standards.*'

Based on the conceptual diagrams of the relocated car parking facilities, concern is raised at the increased potential for conflict between and light and heavy vehicles. It is recommended that the parking spaces be retained in the existing car park.

2.2 Pedestrian network

It is recommended the applicant be required to provide designated pedestrian pathways, clear of vehicle traffic, from the car park to site buildings, office and amenities.

3. Sewage management

Clarification should be sought from the applicant as to whether the subject site is currently connected to the reticulated sewerage system. It being noted that the EIS contains the following conflicting statements:

'Sewerage from the amenities is discharged to the main sewer outside of the south-western corner of the site.' (Pg. 6)

'Sewerage is connected to the sewer system at the site boundary in the future'. (Pg 10)

4. Refuelling

The development involves the relocation an approved above ground fuel tank (approximately 40,000L) to an alternative location on site yet to be determined. It is recommended that the applicant be required to provide a site plan which identifies the alternative location so an informed assessment of this aspect of the development can be made.

5. Hours of operation

As stated in the EIS (Pg35), the development will on limited occasions accept waste from major infrastructure works outside the nominated hours of operation. It is recommended that any consent granted by the Minister for the development includes a specific condition which restricts such activities to no greater than six times per year and only for a period of less than two weeks in length for each occasion. Also, Council is to be notified in writing prior to each of these occasions.

6. Development contribution

Council's adopted Section 94A Development Control Plan, 2009 (Updated May, 2015) applies to the subject site. It is requested that the Department have regard to the levy requirements of the Plan in the assessment of the application.

7. Other Issues

It is noted that environmental aspects of this proposal require careful assessment, particularly in relation to air quality, water quality and acoustic impacts. It is

considered appropriate that the assessment of these issues is undertaken by the technical experts of the State government agency in each respective field.

If you require further clarification of any matter raised in this letter, please contact me on (02) 4974 2767 or gmansfield@ncc.nsw.gov.au .

Yours faithfully

A handwritten signature in black ink, appearing to read 'G Mansfield', written in a cursive style.

Geof Mansfield
PRINCIPAL PLANNER (DEVELOPMENT)