

**EXHIBITION OF STATE SIGNIFICANT DEVELOPMENT APPLICATION
MORDTALE RESOURCE FACILITY - 20 HEARNE STREET MORDTALE
APPLICATION NUMBER: SSD7421**

SUBMISSION OF OBJECTION

I wish to make an objection to the above State Significant Development (SSD) application for the expansion of the current Waste Recourse Facility at 20 Hearne Street Mortdale. The basis of my objection is summarised below.

Non-Conformance with Council's Development Control Plan for Light Industrial Zones

- The extension of the facility's operating hours to 10pm and to 24 hour operations for truck deliveries and pick-ups does not conform with the Council's approved Development Control Plan (DCP) for Light Industrial Zones IN2 (attached).
- Council's DCP supports the Hurstville LEP (2012) and places a restriction on industry operating hours in Light Industrial Zones to between 7am and 7pm (Mon - Sat) to reduce impact on nearby residents.
- While Section 11 of the SEPP (State and Regional Development) 2011 excludes DCP requirements from SSD applications, Section 79C of the EP&A Act 1979 clearly states that the consent authority (the Minister in this case) is to "**take into consideration.....any Development Control Plan...**" in the determination of Development Applications (including SSDs).
- Council's DCP was developed and approved to ensure a balance between supporting industry development and residential amenity. Residences and businesses were purchased based on this Planning policy. This must be respected by the Minister in determination of this SSD Application.
- If the proposal is approved, the Minister will essentially permit one facility to operate 24 hours a day in the Mortdale Light Industrial Zone under one Planning instrument, yet adjoining facilities will be restricted to 7am - 7pm under another Planning instrument. This is unfair on those adjoining industries and make it difficult for Council to enforce operating restrictions when a larger adjoining facility can operate at extended hours.

The proposal expands the facility beyond "light Industrial"

- The proposal
 - increases the capacity of an existing Waste Resource facility 10 fold, from 30,000 to 300,000 tons per annum
 - changes the type of vehicles servicing the facility from over 70% "light vehicles" to 85% "heavy vehicles" and 15% "B-double trucks"
- The purpose of the SEPP (State and Regional Development) 2011, under which this application is made, is a planning instrument that facilitates the development of large scale State Significant Infrastructure. The SEPP stipulates a minimum 100,000 tonnes per annum for a Recourse Transfer Facility for it to be considered SSD.
- This Waste Recourse Facility proposal is 3 times the minimum requirement for a SSD, at 300,000 tonnes per annum. This statistic in its own right shows the proposal to be well beyond what is considered a light industrial facility in a light industrial zone
- It is a major industry proposal, identified in the proponent's EIS to service major industrial construction projects identified in the Plan for Growing Sydney. It is not "light industrial".

Heavy vehicles impact on local residential Streets

- There is a significant increase to the size of vehicles servicing the facility
- Currently over 70% of all vehicles servicing the facility are light / small vehicles (see page 9 traffic impact report attached to the EIS)
- To meet the 10 fold increase in waste volume, the expanded facility will now have 85% of vehicles servicing it being large trucks (see page 25 traffic impact report)
- Not only will vehicles servicing the facility be much larger, they will increase from 204 to 430 movements a day - through local residential streets (7am to 6pm) - this will have an impact on residential streets during the day and a noise impact on Barry Avenue and Anderson Road residents during the night (when trucks are proposed to use Hearne Street only)
- Any approval of this application should, at a minimum, restrict all vehicle approaches to the facility at all times via Boundary Road and Hearne Street (where no residences exist), and restrict vehicles and operation to only 7am to 7pm, to support Council's DCP and reduce impact on residential streets.

Noise impact

- The proposal will expand facility operation to 10pm and allow 24 hour truck movements to the facility load and unload
- The Traffic impact report
 - identifies that there is no existing vehicle movements from the existing facility after 7pm.
 - does not identify the number of trucks that will service the facility after 7pm for the 24 hour operation, other than to say an average 15 additional vehicle movements an hour. Therefore, the Noise Impact Assessment could not have used this in its future noise modeling for the proposal at night.
 - Moving from no vehicles after 7pm to large trucks 24 hours a day must have a noise impact on nearby residents in Barry Avenue and Anderson Road, particularly at night
- The Noise Impact Assessment
 - is unclear if truck movements in Hearne Street or Barry Avenue are modeled in the predicted noise levels, particularly after 7pm. A reference to RMS standards is not sufficient to assess noise impact at night on residences.
 - shows existing background noise very high after 7pm, strange given the stillness in Barry Avenue and surrounding residential streets after this time
 - is unclear whether the noise monitoring reading that was used for existing background night monitoring was from the nearest residential monitor, or averaged over all residential monitors - most of which are some distance away. The noise monitoring graph appendix to the Noise Assessment report refers to R9 which is on Roberts Road - a heavy traffic route
 - includes Airplane noise in existing background noise monitoring, which should be removed from readings at night as it is spasmodic, based on prevailing winds (i.e the flight path is used less than 1 in 6)
 - undertook "attended" existing noise monitoring during the midday period, not at night. Given the high reading, attended monitoring should be undertaken at night.
 - refers to ambient noise being controlled by traffic and neighborhood noise, not industrial. Night-time noise in Barry Avenue and Anderson Road is deathly quiet with minimal cars or neighborhood noise, the assertion heavy trucks in Hearne Street at night, unloading and loading and extended operational hours will not impact on residents is questionable. It must be independently examined.

- Residents of Barry Ave and Anderson Road will find it difficult understand how 24 hour large truck movements, 24 hour loading and unloading and facility operation extension to 10pm could not have an impact on residents, when background noise at night is hardly audible now.
- The short-comings of the noise assessment report will not allow the Minister to make an informed determination. A commitment to Council's agreed DCP hours of operation will.

Consultation retirements set by the Secretary in the SEARS not addressed

- The SEARS issued by the Secretary, Planning and Environment clearly states that
 - ".....you must consult withsurrounding land owners and occupiers that may be affected by the proposal."
- The accompanying EIS identifies potential impacts on surrounding residential properties, yet only consults with adjoining factory land owners, not residential land owners
- Given that
 - the proposal overrides Councils DCP for light industrial (impacting on the agreed planning framework when properties purchased)
 - changes operating hours to 10pm
 - places large trucks through residential streets to access the site
 - increases vehicle movements and size of trucks in residential streets
 - seeks 24 hour truck loading and unloading
 - and affected residents were not included in the consultation process
- then the SEARS consultation requirement should be deemed not to have been met by the Minister.