

14 December 2018

Department of Planning and Environment  
GPO Box 39  
SYDNEY NSW 2001

**Attention: Nikki Matthews**

Dear Nikki,

**Subject: State Significant Development (SSD 8753) - Concrush Teralba**  
**Lake Macquarie City Council response to Environmental Impact Statement**

Thank you for the opportunity to comment on the Environmental Impact Statement (EIS) for the expansion of the Concrush Resource Recovery Facility, Teralba.

The EIS has been reviewed by Council staff and the following comments are requested to be considered in your determination of the proposal.

#### **Scenic Values**

Given the visual sensitivity of the site's location and proposed works the preparation of a Visual Impact Assessment (VIA) is suggested. The VIA should include consideration of a significant landscape buffer within the site around the east, west and southern boundaries that reflects the sensitivity of the site adjoining Cockle Creek and the landscape character of Lake Macquarie. Council would welcome the opportunity to review any VIA.

#### **Traffic Assessment**

It is noted that traffic coming to and leaving the site from the north via The Weir Road has height constraints due to the nearby rail bridge. In addition it is likely Council will place a 5 tonne load limit on The Weir Road in the near future, and this should be reflected in the traffic assessment.

The only possible route for transporting material to and from the site by heavy vehicle is south via Teralba along Racecourse Road, York Street and Toronto Road. It is essential that the development is conditioned to only use this route.

#### **Acoustic Impact**

Residents at 13 Racecourse Road will be impacted during daytime and night time hours, including the sleep disturbance criteria.

A re-evaluation of the potential loss of amenity to the affected residential premises is recommended, and a stand-alone noise management document is suggested for the proposed operational phase which forms part of the daily operation of the facility.

## **Air Quality**

The air quality impact assessment report states that dust and odour impacts at the nearest sensitive receptors are predicted to comply with the relevant impact assessment criteria. It is suggested that the existing Air Quality Management Plan be updated to include the management and mitigation measures in Table 15 of the report.

## **Erosion and Sediment Control**

The soils on the site are classified as containing Type F/D sediments (fine clays/dispersible clays), and during clearing and earthworks, these soils will be exposed. In accordance with the NSW Blue Book the sediment basin type should match the sediment type exposed during that phase, and it is suggested that the relevant plans be amended to reflect this.

## **Road Design**

Left and right turning lanes off Racecourse Road are recommended due to the number of heavy vehicle movements and evidence of existing road deterioration caused by current operations.

A permanent drainage structure such as a concrete v-drain with drainage pits and associated piping should be constructed for the full frontage of the facility, with the driveway complying with Council standard EGSD 202 – 2 and constructed in concrete.

It is suggested that the proposal be revised to include details for this intersection to be able to properly ascertain the extent of pavement and drainage upgrading required. Council would welcome the opportunity to review any intersection design.

## **Site Contamination**

It is requested that a Construction Site Remedial Action Plan be provided and approved prior to the issue of any Construction Certificate.

## **Sewer Management**

There is no sewer connection point or nearby sewer infrastructure to service the site. An application under the provisions of Section 68 of the Local Government Act 1993 for the installation of a system of sewerage management will be required.

In this regard, a pump-out system will be required due to the limited area available after development of the site.

## **Heritage**

The heritage recommendations contained within the EIS are concurred with and should be applied as conditions of consent.

## **Landscape Design**

A landscape plan does not appear to accompany the EIS should be prepared by a qualified landscape architect. Council would welcome the opportunity to review any revised landscape plan.

## **Building details**

No details have been provided for the proposed maintenance shed and stage 2 weighbridge office / amenities.

Appendix D Building plans do not correlate to any of the identified structures in either stage 1 or 2 with a footprint measurement of 4.4mx14m.

It is suggested that the details of all proposed buildings be provided, and clearly identify their proposed locations. The size of the buildings is particularly relevant to Section 7.11 contributions (see below).

### **Section 7.11 Contributions**

Developer contributions will be applicable however it is unclear what additional Gross Leasable Floor Area will be included as part of the application. It is requested that Council is able to review the building details as requested above.

A Road Haulage levy is also applicable to the subject development and has been based on the following:

- As previously stated, the only possible route for transporting material to and from the site by heavy vehicle is south via Teralba along Racecourse Road, York Street and Toronto Road. It is essential that the development is conditioned to only use this route.
- Should the development seek to use an alternate route the haulage contribution amount will need to be reconsidered.
- Annual payment of \$6,054.90 (subject to indexation).

The following condition is recommended to be included should consent be issued:

### **Section 7.11 Local Infrastructure Contributions and Haulage Contribution**

- a) *This condition is in accordance with the Local Infrastructure Contributions provisions within the Environmental Planning and Assessment Act 1979 and the Lake Macquarie City Council Development Contributions Plan 2016 - Toronto Contributions Catchment. During the life of this development, the person(s) entitled to the benefit of the consent shall pay Council an annual Haulage Contribution of \$6,054.90.*

*The Council shall apply the Haulage Contribution towards the repair, maintenance and upgrade of the Haulage Route. Haulage Route means South via Teralba for a distance of 2.885 kilometres, which consists of Racecourse Road, York Street and Toronto Road Teralba.*

- (b) *From the date this Notice of Determination is made until payment, the Haulage Contribution will be indexed and adjusted at the close of business on the 14 May and 14 November in each year in accordance with indexation provisions within the Contributions Plan. The first date for indexation will occur on the first aforementioned date after the Notice of Determination becomes effective.*
- (c) *The contributions payable will be the amounts last indexed and adjusted in accordance with Clause (b) above. However, if no amount has been indexed and adjusted because the first date for indexation and adjustment has not arrived, the contributions payable shall be those in clause (a) above.*
- (d) *The contributions shall be paid to Council 12 months from the Determination Date, and annually on the Determination Date thereafter.*

***It is the responsibility of the person having the benefit of this development consent to ensure that the Road Haulage monetary contributions have been paid to Council in accordance with the above provisions.***

*Please note that payments made by cheque or electronic transfer - the release of any documentation will be subject to the clearing of those funds.*

*The Haulage Contribution shall be paid to Council either by cash, bank cheque made payable to the Council or by electronic transfer into a bank account, the details of which are to be provided by the Council. The Haulage Contribution is deemed paid when the Council receives the full amount of the Haulage Contribution payable in cash or by unendorsed bank cheque or by the deposit by means of electronic funds transfer of cleared funds into the bank account nominated by the Council.*

*Indexation details are available from Council's Community Planning Department.*

*A copy of the Lake Macquarie City Council Development Contributions Plan 2016 - Toronto Contributions Catchment may be viewed on Council's website, or a copy is available for inspection at the Council's Administrative Building during Council's ordinary office hours at 126-138 Main Road, Speers Point, NSW.*

Thank you again for the opportunity to comment on the SSD for Concrush, Teralba.

Should you require further information, please contact the undersigned on 4921 0399 or by e-mail on [gmathews@lakemac.nsw.gov.au](mailto:gmathews@lakemac.nsw.gov.au).

Yours faithfully



Glen Mathews  
**Development Planner**  
**Development Assessment and Certification**