

**From:** Andre Vernez  
**Sent:** Tuesday, 5 October 2021 4:47 PM  
**To:** shaun.williams@planning.nsw.gov.au  
**Subject:** Shoalhaven Starches Modification 21 - Modifications to Packing Plant & Other Modification Works - COMMENTS FROM SHOALHAVEN CITY COUNCIL ON REQUEST FOR ADVICE

**Importance:** High

Dear Shaun,

Please find below comments from Shoalhaven City Council on the Request for Advice in relation to Shoalhaven Starches Modification No. 21 (Modifications to Packing Plant & Other Modification Works).

## **MODIFICATION NO. 21**

### **Development Engineering Comments/Requirements:**

#### **1. Roads, Access and Parking**

The proposal results in a rearrangement of car parking on the site. There is no loss in parking numbers onsite. It is suggested that standard conditions for construction standards for an industrial specification pavement are included, consistent with the pre-lodgement advice provided by Council.

No changes to existing access points or works in the road reserve are identified.

It is suggested that clarification is sought to confirm if construction activities are intended to encroach over the public road. If so, a work method statement demonstrating how this will be achieved while minimising traffic disruption, should be provided. Ideally all construction work will take place from within the site.

#### **2. Stormwater Drainage**

The Statement of Environmental Effects indicates that the area subject to this proposed modification was previously addressed in the Mod 16 stormwater plan. The Mod 16 stormwater plan from the Major Projects website has been reviewed and it does not appear to address some of the areas subject to this modification. It is suggested that an additional, more detailed statement or supporting plans to confirm there will be no additional stormwater works required for this modification be provided. If works are required, concept plans should be provided for consideration.

Note that for developments resulting in an increase in impervious areas over 1000sqm, Chapter G2 of Shoalhaven Development Control Plan 2014 (SDCP 2014) requires the submission of a detailed integrated water cycle management strategy (IWCMS) including commentary on OSD and stormwater quality. The submitted plans are not overly clear as to what hardstand area is additional, however it does appear that there will be an increase and this amount should be confirmed. If over 1000sqm in area, an IWCMS should be submitted.

#### **3. The following conditions of consent are recommended.**

##### **Works within the Road Reserve**

Prior to undertaking any works within an existing road reserve, the developer must obtain the consent of Council under *section 138 of the Roads Act, 1993*.

The following details must be submitted to Council as part of the application:

- a) Any civil works design required by this consent.

- b) Evidence of the contractor's Public Liability Insurance to an amount of \$20 million.
- c) Name and contact information of the person responsible for all relevant works.
- d) A Traffic Control Plan prepared, signed and certified by a person holding the appropriate Transport for NSW (TfNSW) accreditation.
- e) Where the Traffic Control Plan requires a reduction of the speed limit, a 'Application for Speed Zone Authorisation' must be obtained from the relevant road authority.

### **Construction Traffic Management Plan**

Prior to the commencement of works, a Construction Traffic Management Plan detailing the proposed method of dealing with construction traffic and parking must be approved by Council.

Details must include, but are not limited to:

- a) Stabilised site construction access location
- b) Proposed haulage routes for delivery of materials to the site
- c) Proposed haulage routes for spoil disposal from the site
- d) Traffic control planning for each of the various phases of construction and/or vehicle movements associated with construction
- e) Parking arrangements for construction employees and contractors
- f) Proposed maintenance of the haulage routes and the name of the person responsible for such maintenance
- g) Loading / unloading areas
- h) Requirements for construction or work zones
- i) Pedestrian and cyclist safety
- j) Speed zone restrictions.

### **Run-off and Erosion Controls**

Prior to the commencement of site works, run-off and erosion controls must be implemented and maintained during construction to prevent soil erosion, water pollution or the discharge of loose sediment on the surrounding land by:

- a) diverting uncontaminated run-off around cleared or disturbed areas.
- b) erecting a silt fence and providing any other necessary sediment control measures that will prevent debris escaping into drainage systems, waterways or adjoining properties.
- c) preventing the tracking of sediment by vehicles onto roads.
- d) stockpiling topsoil, excavated materials, construction and landscaping supplies and debris within the lot.

Note: all implemented measures must not cause water pollution as defined by the Protection of the Environment Operations Act (POEO).

### **Dilapidation Report**

Prior to the commencement of work, the developer must engage a competent person to prepare a dilapidation report in respect of the neighbouring premises and adjacent public infrastructure, including adjacent kerbs, gutters, footpaths (formed or unformed), driveways (formed or unformed), carriageway, reserves and the like to document evidence of any existing damage.

The dilapidation report must consider the impact of any excavation work that extends below the level of the base of the footings of any structure within 0.9 metres of the shared boundary.

Before works commence, a copy of the dilapidation report must be provided to the Certifier and Council. The dilapidation report will be the benchmark for necessary repairs to damage caused during the development works. All repairs must be completed by the developer at the developer's cost.

Not less than seven (7) days before works commence, the developer must notify the owner of any affected property of the intention to carry out approved works. The developer must also furnish the owner with details of the approved work.

However, if the occupier or owner of any neighbouring dwelling does not permit reasonable access for the purposes for the preparation of the dilapidation report, written evidence of the efforts taken to secure access may be submitted to the *Principal Certifier* and the *Principal Certifier* may waive the requirement in relation to the relevant property.

Note: A dilapidation report can comprise of video footage and photos of adjacent public infrastructure and relevant structures on adjoining properties.

### **Existing Infrastructure**

Prior to the issue of a Construction Certificate, all infrastructure, existing and proposed, is to be shown accurately on the engineering plans including longitudinal sections with clearances clearly labelled confirming that the proposed works do not affect any existing infrastructure. Any required alterations to infrastructure will be at the developer's expense.

### **Soil and Water Management Plans (SWMP)**

Prior to the issue of a Construction Certificate, a Soil and Water Management Plan must be prepared by a Professional Engineer, (as defined in the National Construction Code) to the satisfaction of the Certifier.

All implemented measures must:

- a) not cause water pollution as defined by the [Protection of the Environment Operations Act](#) (POEO).
- b) be maintained at all times.
- c) not be decommissioned until at least 70% revegetation cover has been established.

### **Stormwater Drainage Design Standards (Urban)**

Prior to the issue of a Construction Certificate, certified engineering design plans, specifications, and DRAINS model (or approved alternative) must be prepared by a professional engineer, (as defined in the National Construction Code) or surveyor and approved by the Certifier.

The stormwater drainage design must comply with the following:

- a) Major and minor drainage systems in accordance with Council's Engineering Design Specifications - Section D5 - Stormwater Drainage Design and utilising Australian Rainfall and Runoff (ARR, 2019) Guidelines.
- b) The minor and major systems must be designed for a 18.13% AEP and 1% Annual Exceedance Probability (AEP) rainfall events, respectively.
- c) Generally, in accordance with concept stormwater drainage plan (Ref. No.) prepared by (Designer) on (Date).
- d) The existing stormwater drainage system is to be adjusted to suit the new works. In this regard the following is required:
  - i) existing drainage systems through lots draining public roads are to be upgraded where necessary to contain flows in accordance with Council's Engineering Design Specifications - Section D5.04.
  - ii) all relevant calculations are to be noted on the drainage plans to confirm the adequacy of the existing system, or the upgraded design.
- e) Design of stormwater drainage is to include piping, swales and easements to facilitate future development of the site.

### **Car Parking Design Standards**

Prior to the issue of a Construction Certificate, certified engineering design plans and specifications must be prepared by a professional engineer, (as defined in the National Construction Code) or surveyor and approved by the Certifier.

The car parking and access design must comply with the following:

- a) Constructed in accordance with the following:
  - i) with a concrete pavement designed and constructed for a minimum traffic loading of  $1 \times 10^6$  ESA, or,
  - ii) with an asphaltic concrete (AC) flexible pavement designed and constructed for a minimum traffic loading of  $1 \times 10^6$  ESA. Where asphaltic concrete surfaced pavements are likely to be subject to bogie-axle vehicles turning tightly, the asphaltic concrete is to include a rubber base to improve durability and manufacturer's product details.
- b) Bordered in accordance with Council's Standard Drawings by:
  - i) concrete kerbing, except where surface runoff is concentrated, in which case concrete integral kerb and gutter must be constructed.

### **WSUD Devices – Private Property**

Prior to the issue of a Construction Certificate, detailed design of permanent stormwater quality improvement devices must be certified by a professional engineer, (as defined in the National Construction Code) demonstrating the appropriateness of the proposed design for the site in accordance with Council's Engineering Design and Construction Specifications and approved by the Certifier. Specifications can be found on Council's web site.

The drainage design must also not include any uncoated metal (i.e. Copper etc.) surfaces such as roofs, facades and/or downpipes.

### **On-Site Detention**

Prior to the issue of a Construction Certificate, certified engineering design plans and specifications must be prepared by professional engineer, (as defined in the National Construction Code) or surveyor and approved by the Certifier.

The on-site stormwater detention (OSD) design must comply with the requirements of Chapter G2, SDCP 2014 and be designed such that stormwater runoff from the site for design storm events up to and including the 1% AEP does not exceed the pre-developed conditions.

### **Dilapidation Report – Evidence**

Prior to the issue of an Occupation Certificate, the developer must provide the Certifier and Council with evidence that any damage to neighbouring premises or adjacent public infrastructure, not previously identified as existing damage in the Dilapidation Report, has been repaired by the developer to the satisfaction of Council.

### **Works as Executed Plans**

Prior to the issue of an Occupation Certificate, Works as Executed Plans must be prepared by a registered surveyor / professional engineer, (as defined in the National Construction Code) and be submitted to Council and the Certifier demonstrating compliance with the approved design plans.

The Works as Executed dimensions and levels must be shown in red on a copy of the approved Construction Certificate plans and comply with the following requirements:

- a) Council's Development Engineering Construction Specification.
- b) Show compliance with the approved design plans of all road and drainage works
- c) Certify that all storm water pipes, and other services are wholly within an appropriate easement.
- d) Show the extent, depth and final levels of filling.
- e) Show any retaining walls including footings and agricultural drainage lines.
- f) Show the location of all underground service conduits.
- g) Include all deviations from the approved Civil Engineering Plans.

### **Environmental Health Comments/Requirements:**

4. It is noted that the NSW Environment Protection Authority (EPA) is the appropriate regulatory authority for the proposed modifications.

The noise assessment by Harwood Acoustics outlines there will be noise impacts for the proposed modification including the motors and fans associated with new silos at the packing plant, the nitrogen generator and the indirect cooking plant, pumps associated with the fermentation tanks and the new blowers. However, as this is a licenced premises, the EPA are the regulatory authority. Harwood Acoustics has recommended noise design goals derived from Environment Protection Licence 883 noise limits at each receptor location. No updated conditions are required by Council.

The odour assessment by GHD includes dispersion modelling with a predicted marginal increase in odour impacts resulting in an exceedance at residential receptors R2 and R3. It is recommended gas fired boilers are utilised over coal which will be encapsulated in a future modification. As the EPA is the regulatory authority for the site, conditions of consent prepared by the EPA are recommended.

#### **Natural Resources & Floodplain Comments/Requirements:**

5. The development location is within the high hazard flood storage zone with a flood planning level of 6.2m AHD.

This application proposes multiple modifications to an existing approved packing plant site. The proposed development has been assessed as Type C "Commercial / Industrial / Agricultural Buildings / Retail" land use type in accordance with Schedule 1 of Chapter G9 of SDCP 2014. The proposed development complies with the requirements of this chapter.

The flood compliance report assessed the likely flood impacts of the proposed changes compared to the previously approved works. The development area is within a large storage basin and the hydraulic impact assessment results identified that the impacts outside the site were found to be insignificant.

6. The following conditions of consent are recommended.

##### **Flooding – Construction Certificate Requirements within Flood Prone Land**

Prior to the issue of a Construction Certificate, a professional engineer, (as defined in the National Construction Code) must submit to the satisfaction of the Certifier, certification that the following items have been detailed on the construction drawings:

- a) Any proportion of the structure below the Flood Planning Level (FPL) must be built from flood compatible materials.
- b) All electrical installations must be constructed above the FPL or be able to be isolated prior to a flood event.
- c) The location of all hazardous substances are located at or above the 1% Annual Exceedance Probability (AEP) Flood Level.
- d) A flood evacuation plan must be prepared to ensure permanent, fail-safe, maintenance-free measures are incorporated in the development to ensure that the timely, orderly and safe evacuation of people is possible from the area and that it will not add significant cost and disruption to the community or the SES. This plan is to consider for pre-flood event planning the use of Flood Warning Products available from the Bureau of Meteorology.

##### **Flooding – Construction Certificate Structural Soundness Requirements within Flood Prone Land**

Prior to the issue of a Construction Certificate, a professional engineer, (as defined in the National Construction Code) must submit to the satisfaction of the Certifier, certification that the building and associated structure(s):

- a) Can withstand forces of floodwaters including debris and buoyancy forces up to a 1% Annual Exceedance Probability (AEP) flood event.

b) Will not become floating debris during a 1% AEP flood event.

Should you have any questions in relation to the above please give me a call.

Regards,

**Andre Vernez**

**Senior Development Planner**

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