

31 May 2018

Ground Floor, Suite 01, 20 Chandos Street
St Leonards, NSW, 2065
PO Box 21
St Leonards, NSW, 1590

Carolyn McNally
Secretary
Department of Planning and Environment
GPO Box 39
Sydney NSW 2001

T +61 2 9493 9500
F +61 2 9493 9599
E info@emmconsulting.com.au
www.emmconsulting.com.au

Re: Section 4.55 (1A) modification to SSD 7424 (Smeaton Grange Waste Recycling and Transfer Facility)

Dear Secretary McNally,

1 Introduction

This letter accompanies an application to modify the consent for SSD 7424 dated 22 December 2017 and is a Statement of Environmental Effects (SEE) for the application.

SSD 7424 is for a Waste Recycling and Transfer Facility (the facility) at Lot 319 DP 117230, also known as 52 Anderson Road, Smeaton Grange (the site), as shown in Figure 1.

The proposed modification is to:

- change the 2 m tall solid boundary fence on the south-west boundary to a 3 m chain wire security fence with barbed wire (as exists currently);
- provide a 2 m chain wire fence with barbed wire top on the southern boundary;
- reduce the setback of the palisade fence from the front of the site (the northern boundary) from 10 m to 1 m;
- change the vehicle entrance from a sliding gate to an inward swinging gate; and
- update the driveway dimensions to reflect the swept path analysis requirements as noted in the Response to Submissions for SSD 7424 (RTS), dated 10 January 2017.

The application is made under Section 4.55(1A) of the NSW *Environmental Planning and Assessment Act 1979* (EP&A Act).

This letter has been prepared by EMM Consulting Pty Ltd (EMM) on behalf of the owners of the land, being Roussakis Holdings Pty Ltd (Roussakis Holdings). A letter providing owner's consent for the modification of SSD 7424 has been provided with the application.

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- KEY
- Watercourse
 - Site
 - Cadastral boundary

Site location plan

Smeaton Grange waste transfer station
Environmental impact statement

Figure 1.1



2 Proposed modification

To enable the proposed modification, the following amendments to the Development Consent for SSD 7424 are requested:

- Condition A2 (d): replace '27 April 2017 (Revision F)' with '10 May 2018 (Revision H)';
- Replace layout plans and drawings at Appendix A of the development consent with those attached to this letter at Appendix A;
- Condition B6: replace 'fencing' with 'rear 10 m tall acoustic walls of the shed and bay structures and supporting foundations at the south-west and south boundaries';
- Condition B7: replace 'boundary fencing' with 'external façades of the shed and bay structures'; and
- Condition B8: replace 'boundary fencing' with 'rear 10m acoustic walls of the shed and bay structures and supporting foundations at the south-west and south boundaries'.

3 Justification

3.1 Replace approved drawings

The drawings dated 10 May 2018 (Revision H), attached at Appendix A have been prepared to replace the approved drawings for the facility. The drawings relate to the proposed changes outlined below.

3.2 Maintain style of existing south-western boundary fence

The proposed modification seeks to retain the style of the existing fencing between the site and the Coles site directly to the south-west. The existing plans show that the current 3 m wire security fence being replaced with a 2 m solid fence. Retention of the style of the existing chain wire fence will preserve the security of the Coles site, whilst minimising accessible surfaces for graffiti.

3.3 Replace existing southern palisade fence with chain wire security fence

The proposed modification seeks to add a chain wire security fence on the southern boundary. While there is an existing palisade fence at the boundary, it has been determined that a chain wire security fence would be more appropriate as it would further minimise accessible surfaces for graffiti (ie the wide surfaces of the palisade fence and the rear cladding of the bay walls accessible by standing on top of the palisade fence). A security topping, ie a barbed wire topping (similar to the neighbouring Coles fencing), or looped security wire, would prevent access to the site, as well as deter potential vandals from standing atop the fence.

This change would further clarify the intent of the original proposal to maintain a boundary fence at the southern boundary, which is currently ambiguous.

3.4 Acoustic fencing conditions

Conditions B6, B7 and B8 relate to the design of the acoustic fencing. However, the wording of the conditions could be interpreted as applying to all boundary fencing, including the new proposed boundary fencing. The proposed modification seeks to clarify that the conditions relate to the acoustically beneficial rear walls of the shed and bays at the south and south-west boundaries of the site, as assessed at Appendix F of Environmental Impact Statement for SSD 7424 (EIS), dated 17 June 2016.

The proposed modification also seeks to clarify that supporting foundations may also be constructed before the remainder of the facility is constructed.

The proposed modification does not seek to alter these walls from the approved plans.

3.5 Reduced setback of entrance fencing and gates

The proposed modification seeks to reduce the setback of the entrance fencing and gates from 10 m to 1 m. The material and size of the entrance fencing and gates, approved as a 2.1 m tall black palisade fence, will not change. The form of the gates will be changed from sliding gates to inward swinging gates. The 10 m landscape area is not proposed to be reduced.

This setback is supported by the similar setback of boundary fencing at the neighbouring site at 50 Anderson Road, as well as sites along Bluett Drive to the north-west.

The setback is also supported by the Pre-lodgement advice letter from Camden Council dated 9 December 2015, included at Appendix A of the EIS. This letter states that the front setback shall be 10 m, of which, 5 m is to be utilised for landscaping in accordance with Section D4.5.2 of the Camden Development Control Plan 2011 (DCP 2011).

Item 6 of DCP 2011 Section D4.5.2 specifically states that setbacks refer to 'minimum setbacks to buildings' as opposed to setbacks for fencing. This is further supported by the CLEP 2010 definition of 'setback' which refers to building walls, balconies, carports, etc. Therefore, the definition of setbacks disallows buildings, but not other structures (eg fences).

The reduced setback of the fence will also increase the security around the site. The current landscape design is fully accessible from the street, with obscured views to the landscaped areas. The fence would continue to allow for views into the landscaped areas during the day, while preventing direct access.

3.6 Expanded driveway

The proposed modification seeks to formalise the driveway foreshadowed in Section 3.6.5iv of the Response to Submissions dated 10 January 2017 (RTS). That section stated:

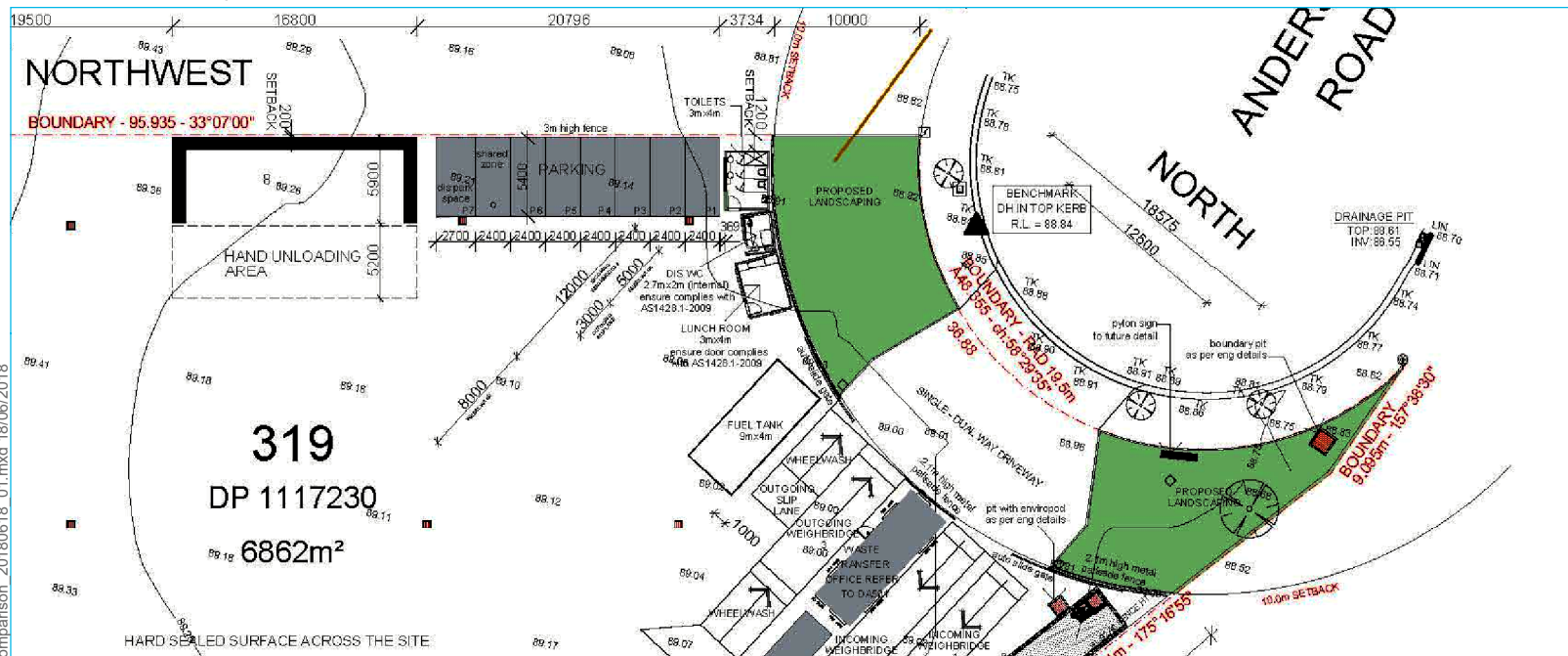
The wider driveway is required to facilitate access as demonstrated in the swept path diagram at Appendix F, described below in Section 3.6.5v.

Should this approach be acceptable, the site plans presented in Appendix C will be updated as part of the construction certificate stage to reflect the increased driveway width.

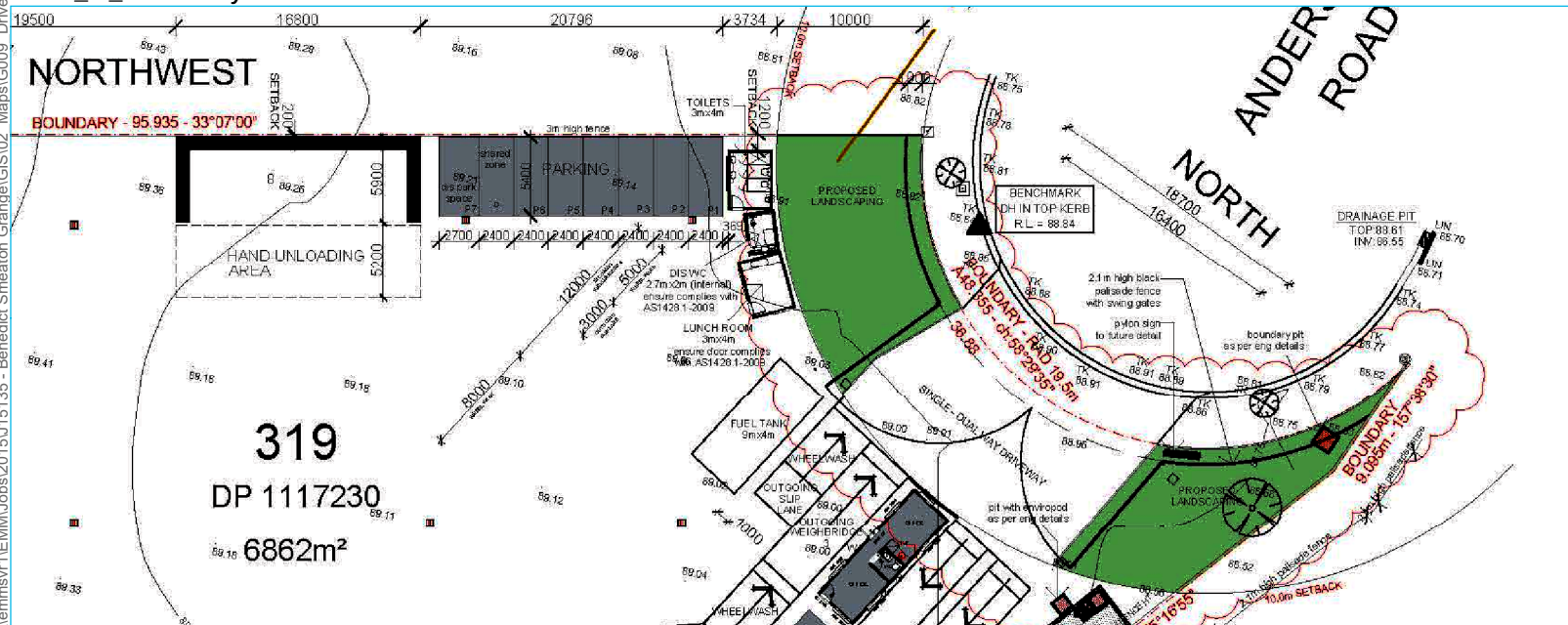
The proposed modification would allow for a driveway wide enough to accommodate the swept paths as described above and shown in shown in RTS Appendix F. A comparison of the driveway configurations is at Figure 2.

It is considered that the current consent approves the concept of a wider driveway, to be finalised as part of the construction certificate process. However, formalisation of the wider driveway through the proposed modification provides context for the detail design of the front boundary fence, to be approved by Council, as required by Condition B61.

Rev_F_Driveway



Rev_H_Driveway



Driveway comparison
(Rev F vs Rev H)

Smeaton Grange waste transfer station
Environmental impact statement

Figure 2



4 Legislative framework

4.1 Environmental Planning and Assessment Act 1979

The proposed modification is to be made under Section 4.55 (1A) of the EP&A Act which states:

(1A) A consent authority may, on application being made by the applicant or any other person entitled to act on a consent granted by the consent authority and subject to and in accordance with the regulations, modify the consent if:

- (a) It is satisfied that the proposed modification is of minimal environmental impact, and
- (b) It is satisfied that the development to which the consent as modified relates is substantially the same development as the development for which the consent was originally granted and before that consent as originally granted was modified (if at all)
- (c) It has notified the application in accordance with:
 - (i) The regulations, if the regulations so require, or
 - (ii) A development control plan, if the consent authority is a council that has made a development control plan that requires the notification or advertising of applications for modification of a development consent, and
- (d) It has considered any submissions made concerning the proposed modification within any period prescribed by the regulations or provided by the development control plan, as the case may be.

Subsections (1), (2) and (5) do not apply to such a modification

The proposed modification are of minimal environmental impact (see Section 6), with the proposed outcome being substantially the same development as the approved development (see Section 6).

4.2 Environmental planning instruments

The site is identified in CLEP 2010 and is zoned IN1 General Industrial. There are no provisions of CLEP 2010 that are relevant to the proposed modification.

While there are a number of State Environmental Planning Policies (SEPPs) that are applicable to the approved land use (see EIS Section 3.3.2), these are not applicable to the proposed modification.

5 Environmental assessment

The proposed modifications do not seek to change the operational nature of the approved use. The proposed modifications only seek to increase the security of the site and formalise the dimensions of a driveway that were considered as part of a swept path analysis undertaken as part of the RTS.

The proposed modifications will impact the appearance of the site, particularly from the north to the front of the site, and from the south to the rear of the site.

A visual assessment of the site was provided at EIS Section 6.9. As discussed in that section, the landscaped area provides the primary screening at the front of the site. As noted above, the landscaped area is not proposed to be changed beyond the minor amendment required to expand the driveway. Further, the form of the fencing at the front of the site, a palisade fence, will allow for views to the landscaped area. As such, the changes to the visual impacts to the front of the site are minimal.

The visual assessment also considered views to the rear of the site. As noted in the visual assessment, a large bund exists to the south of the site, which obscures views into the site. This is best shown in EIS Viewpoint 3, where the top of the existing palisade fence is only visible, approximately 125 m from Chapman Circuit to the south-east.

Other views further to the south are obstructed by screening trees to the rear of the Coles site. As such, any views to the rear perimeter fence would be obstructed, with changes to the visual impacts to the rear of the site being minimal.

Further, the chain wire security fencing would eliminate the potential for graffiti on the boundary fence and reduce access for vandalism and graffiti to the 10 m tall walls, likely improving long term visual impacts from the rear of the site.

The proposed modifications will not result in any change to the operations on the site approved as part of SSD 7424, or the form of the approved buildings. Therefore, the level of environmental impacts associated with the modifications, including the visual impacts discussed above, are considered to be minimal, and substantially the same development as approved.

6 Closing

This letter details the proposed modification to SSD 7424 to modify approved boundary fencing of the site and formalise the dimensions of the approved driveway. The proposed modifications will enhance the security of the site, with minimal environmental impacts. Given these minimal impacts, and no specific requirement for public consultation, it is considered that the Department may provide consent for the modification without further community consultation.

If required, we would be happy to meet with the Department to discuss the proposed modifications at your earliest convenience.

Yours sincerely

Taylor Richardson
Senior Planner
trichardson@emmconsulting.com.au

Appendix A

Site plans (Revision H, 10 May 2018)

PROPOSED WASTE TRANSFER STATION AT 52 ANDERSON ROAD SMEATON GRANGE

DRAWING LIST

000	COVER SHEET	REV H
100	GROUND FLOOR PLAN 1:500	REV H
101	ROOF PLAN 1:500	REV H
200	ELEVATIONS 1 1:250	REV H
201	ELEVATIONS 2 1:250	REV H
500	DETAILS SHEET1 1:250	REV F
501	DETAILS SHEET2 1:100	REV F
502	FRONT FENCE DETAIL	REV G

REFERENCES

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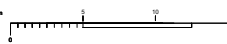
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E	18.08.16	ISSUED FOR GENERAL INFORMATION
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notes

All dimensions and setbacks to be verified prior to commencement
DO NOT SCALE measurements off drawings
Figured dimensions to be used at all times
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W: www.cdarchitects.com.au

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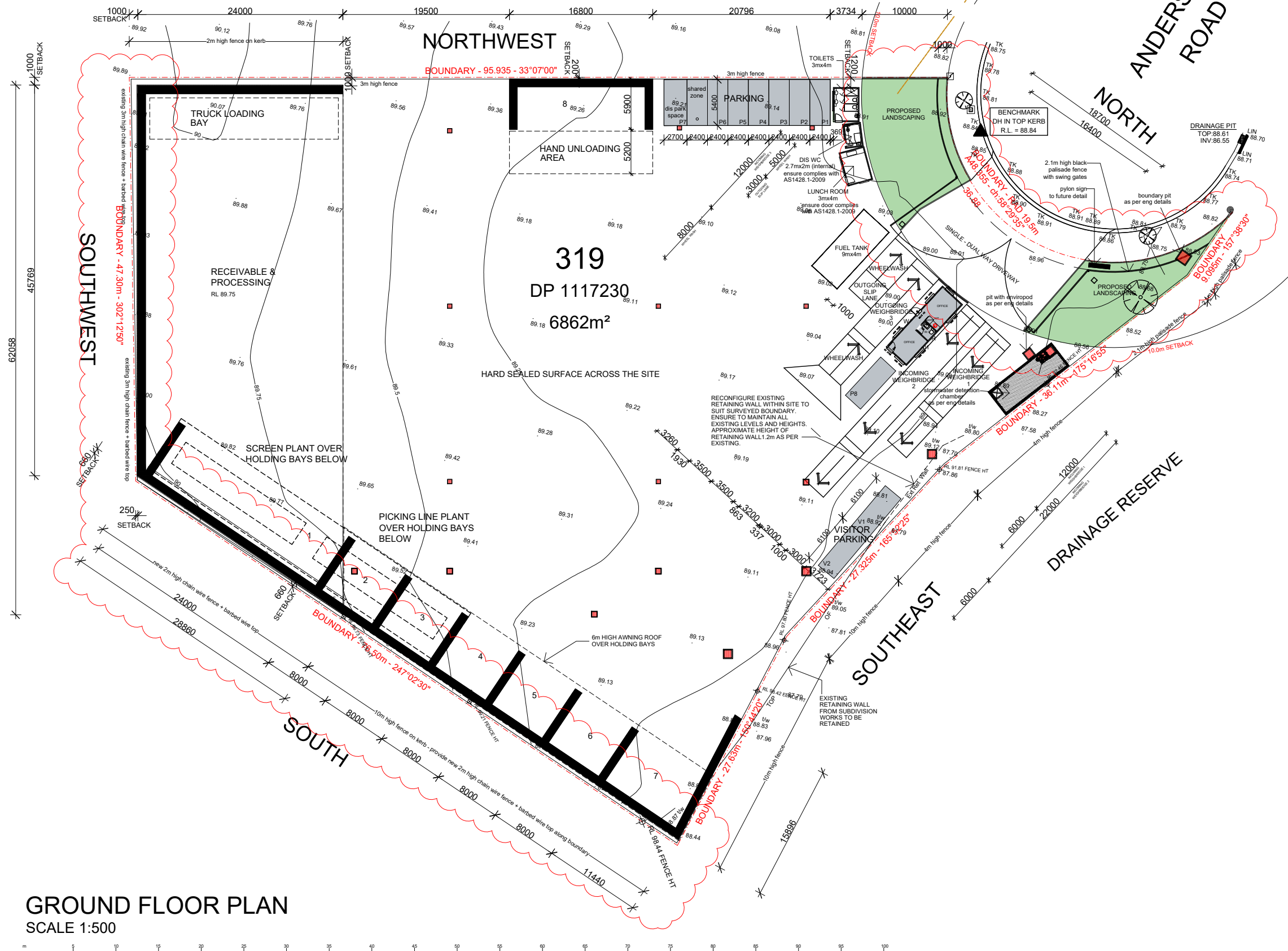
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project
PROPOSED WASTE TRANSFER STATION
52 ANDERSON ROAD
SMEATON GRANGE

drawing title
COVER SHEET

FOR DA APPROVAL		
J15306	DA	000
job no.	drawing no.	rev



GROUND FLOOR PLAN
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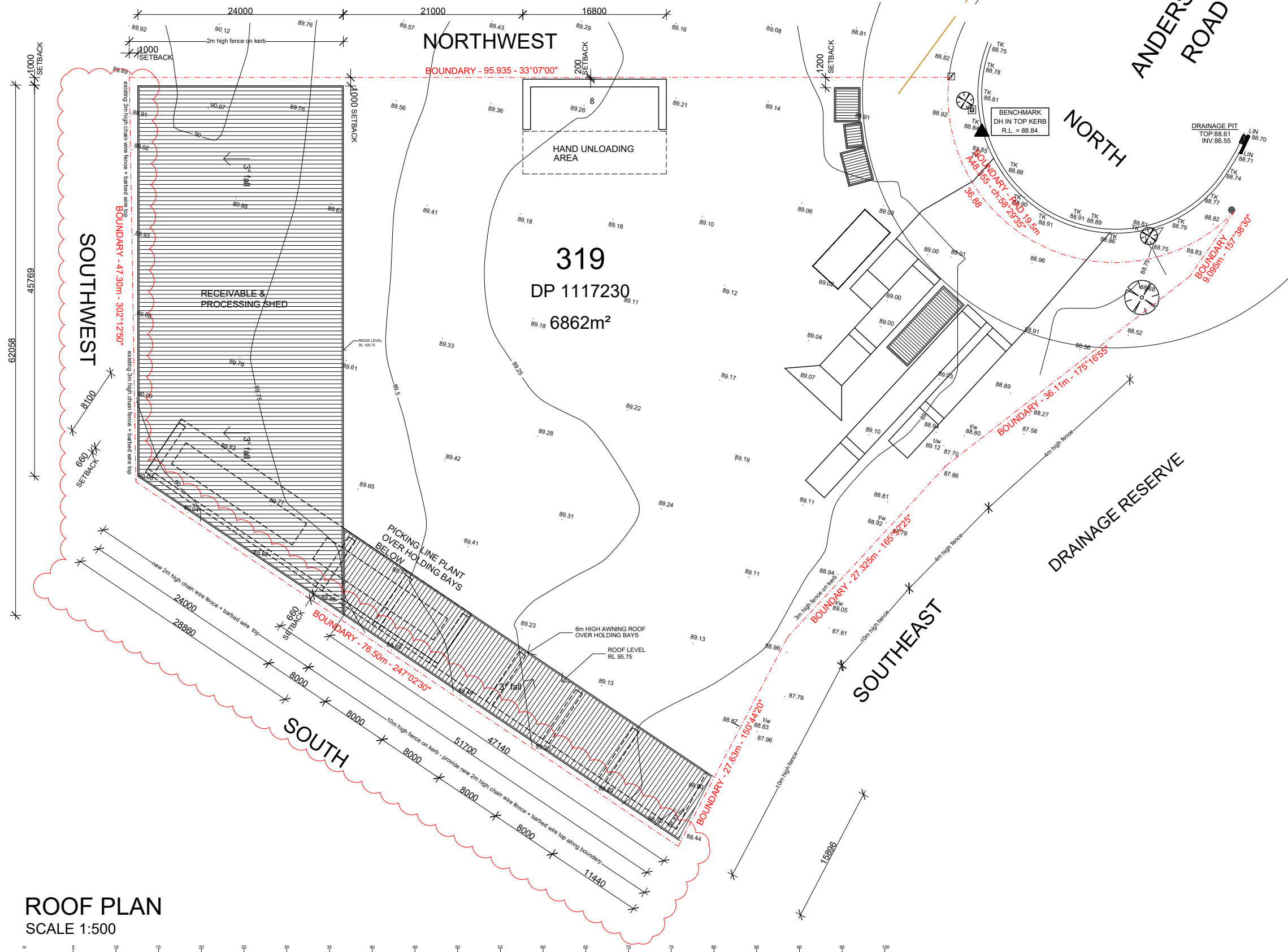
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drawing title
GROUND FLOOR PLAN

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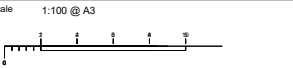
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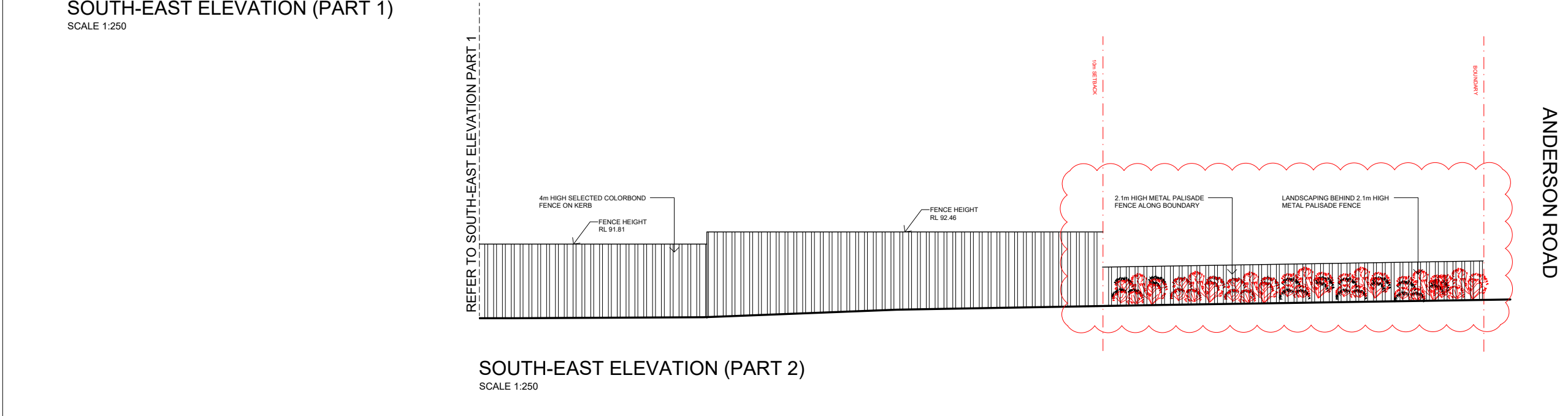
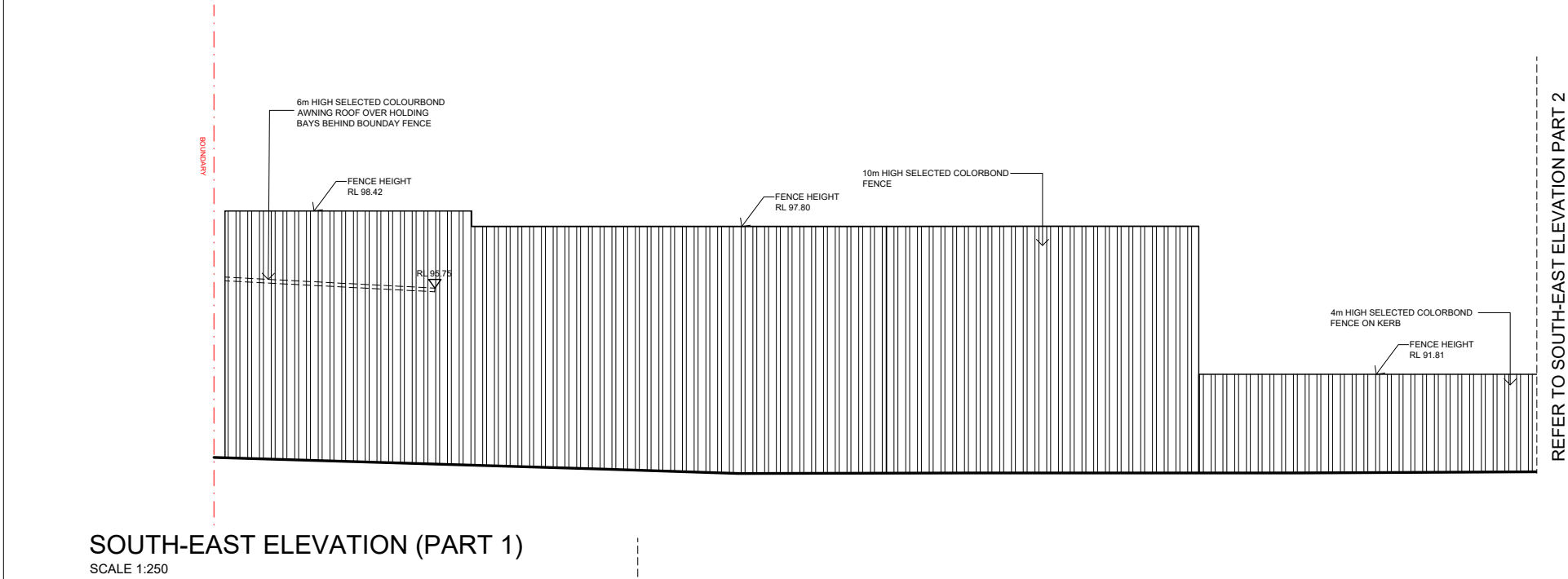
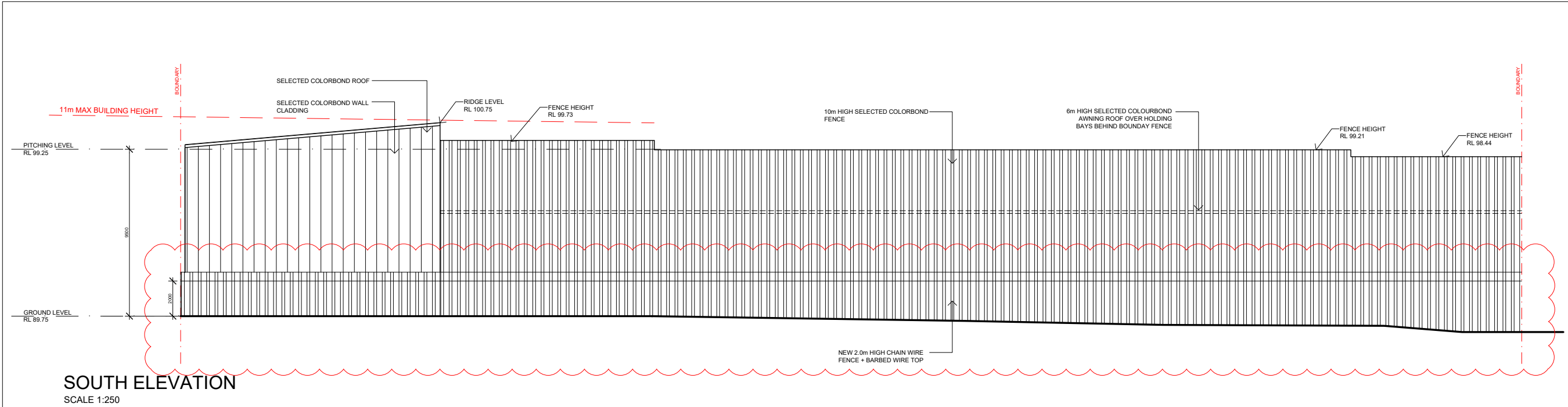
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SMEATON GRANGE

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ROOF PLAN

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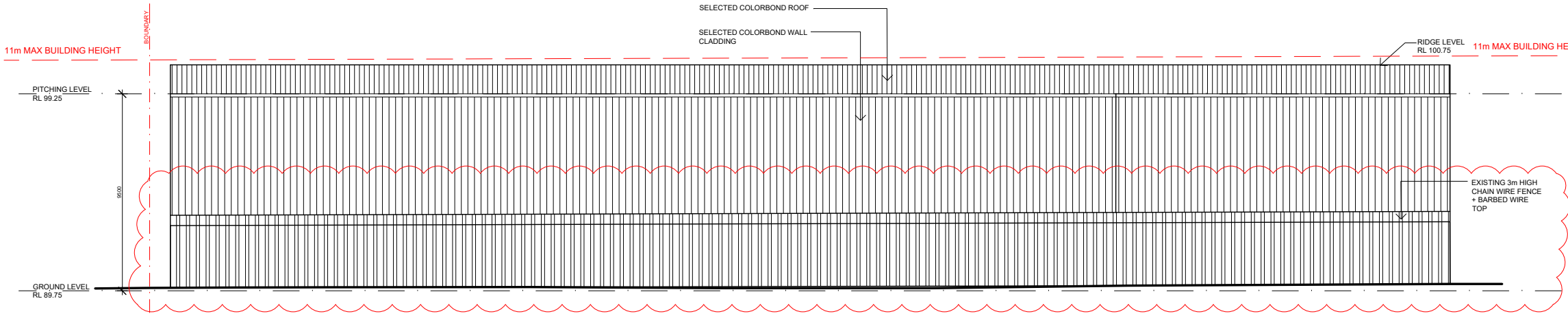
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52 ANDERSON ROAD
SMEATON GRANGE

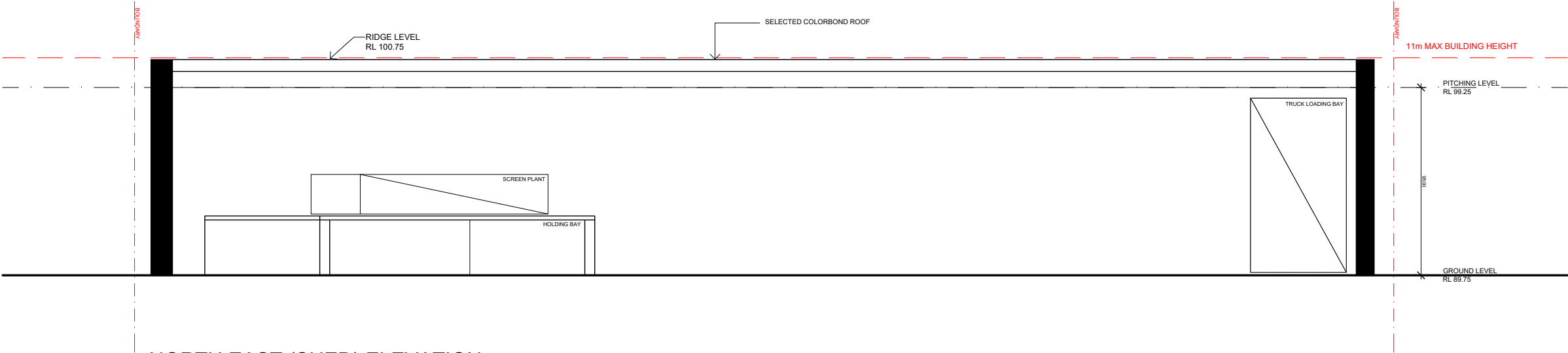
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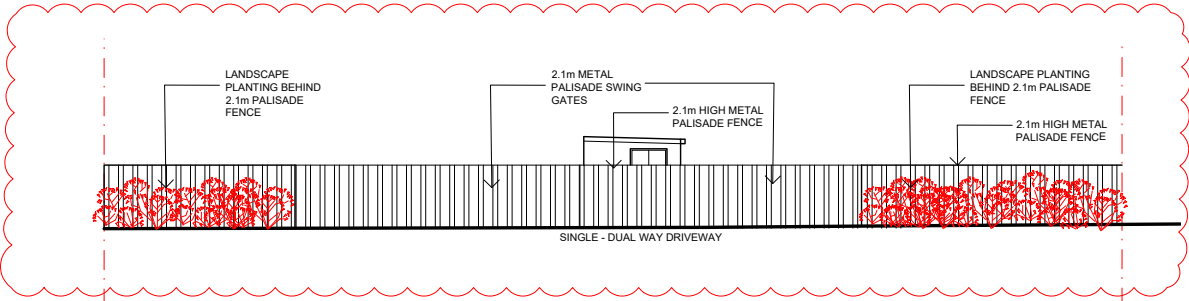
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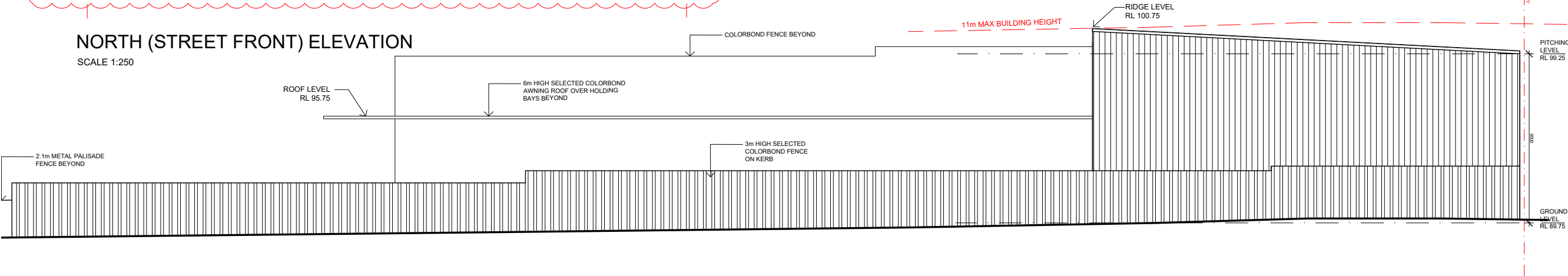
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SCALE 1:250



NORTH EAST (SHED) ELEVATION
SCALE 1:250



NORTH (STREET FRONT) ELEVATION
SCALE 1:250

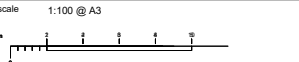


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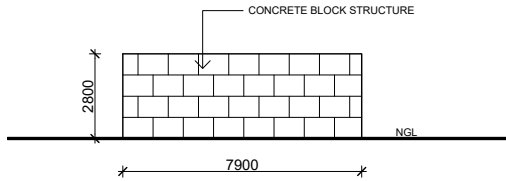
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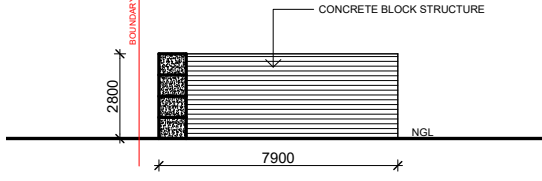
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**PROPOSED WASTE TRANSFER STATION
52 ANDERSON ROAD
SMEATON GRANGE**

drawing title
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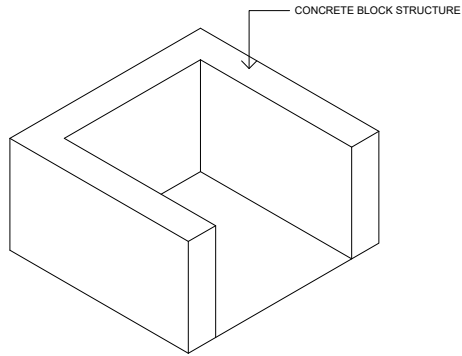
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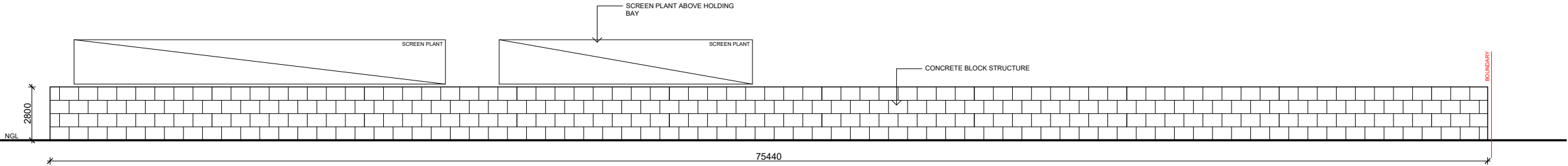
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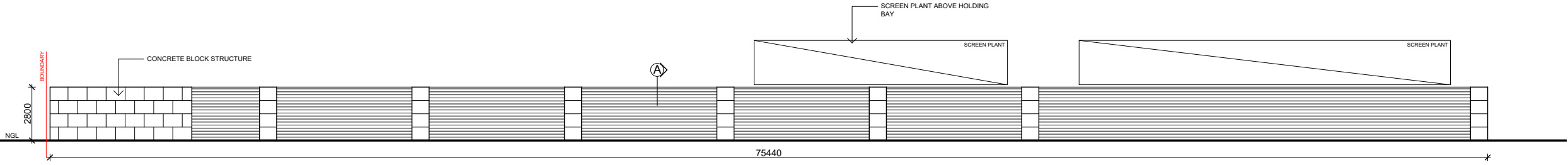
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SCALE 1:250



ISOMETRIC VIEW
SCALE 1:250



SOUTH ELEVATION
SCALE 1:250



NORTH ELEVATION
SCALE 1:250

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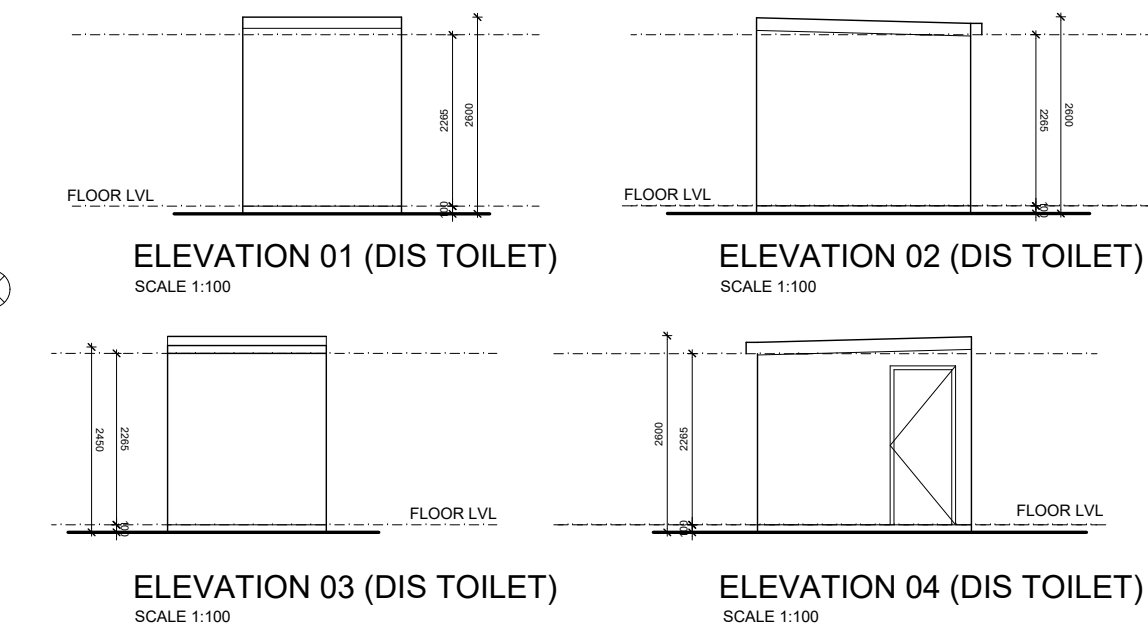
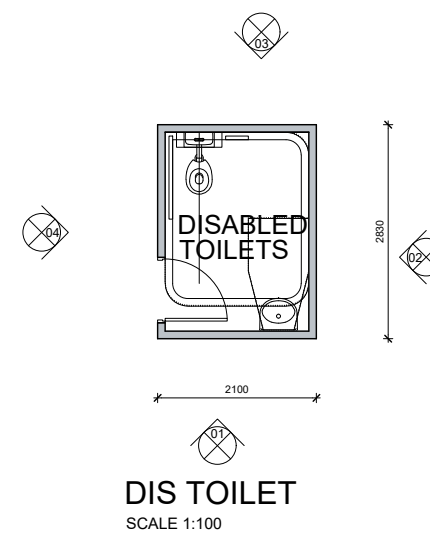
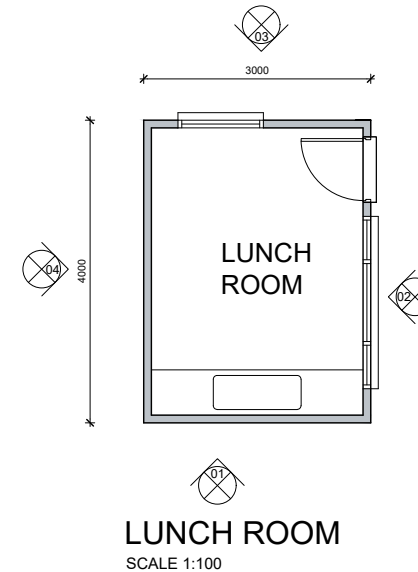
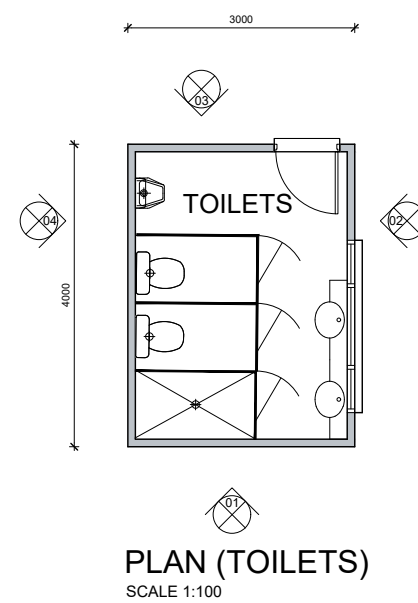
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DETAILS SHEET 1

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job no.	drawing no.	rev



FOR DA APPROVAL			
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job no.		drawing no.	rev

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