

Planning, Transport and Regulation.PEmmett/GMansfield
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Phone: 02 49742492

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Industry Assessments
Department of Planning and Environment
12 Darcy Street
PARRAMATTA NSW 2150

Submission via Planning Portal: [https:// planningportal.nsw.gov.au](https://planningportal.nsw.gov.au)

Dear Joanna Bakopanos

**AURIZON PORT FACILITY STORAGE CHANGES AND INCREASES (DA-339886) -
7 BULLOCK ROAD, CARRINGTON**

I refer to the Department of Planning and Environment's (DPE) notification letter of 7 July 2023 advising Aurizon Port Services has submitted a development application (DA-339886) for the Aurizon Port Facility Storage Changes and Increases on land known as 7 Bullock Road, Carrington.

The Statement of Environmental Effects (SEE) submitted in support of the application has been reviewed and the following advice is provided for your consideration:

1. Designated Development

Section 1.1-Approval Pathway of the SEE states that the Proposal is not designated development without any consideration being given to Schedule 3 of the *Environmental Planning and Assessment Regulation 2021*. It being noted 'shipping facilities' are defined as follows:

43 Shipping facilities

Development for the purposes of a wharf or wharf-side facility is designated development if cargo is loaded onto or unloaded from vessels, or temporarily stored, at the wharf or facility at a rate of more than—

- (a) for a wharf or facility handling goods classified in the ADG Code—*
 - (i) 150 tonnes per day, or,*
 - (ii) 5,000 tonnes per year, or*
- (b) otherwise—*
 - (i) 500 tonnes per day, or*
 - (ii) 50,000 tonnes per year.*

It is requested that the applicant be required to provide supplementary information which corroborates the above statement that the Proposal is not designated development.

2. Traffic Impacts

The Traffic Impact Assessment prepared by SLR indicates that the development will generate approximately four trucks per hour (2 in and 2 out) and generating approx. 20 truck movements per day, across nine hours) to increase the cement capacity. This increase is approx. 1% of the overall existing traffic along Darling Street. It is noted, however, movement that the operation at the site is generally 24 hours a day.

Should consent be granted to the application it is recommended that an appropriate condition be imposed which restricts the development to 20 additional truck movements per day.

3. Amenity and health impacts

During the public exhibition of the application CN was made aware of a submission of objection from a local resident expressing concerns regarding the likely impacts of the proposal on her health and lifestyle by noise and fumes generated by trains idling and trucks. These impacts are associated with the transportation of product to the existing facility.

Section 3.3 of the SEE states.

'The storage and unloading and loading of concentrate from trains to ships is included within the approvals of the Site. However, the movement of trains (on the neighbouring rail line) to the Site are included within separate approvals.'

It is recommended that the DPE seek further details of these 'separate approvals' and whether these approvals require review in conjunction with the current application, particularly in respect of noise on sensitive receivers like the objector's property.

4. Section 7.12 Development Contributions

The provisions of CN's Section 7.12 Development Contributions Plan, which became operational on 1 January 2022, apply to the subject site. Under the plan, a contribution rate of 1% of the cost of the development applies to all non-residential developments having a cost of more than \$200,000.

Section 6.9 of the SEE states:

'...no contributions are required for applications determined by Council (or delegate) for development on land within the 'Port of Newcastle Lease Area'. As such, no contributions are applicable.'

As the Minister for Planning and Public Spaces is the consent authority, not Council, a contribution can be imposed if required by the plan. It is recommended the Applicant is required to submit a cost summary report for the proposed development. It is further recommended that the full 1% levy is applied to the development, if applicable.

If you have any questions in relation to the various matters raised in this letter, please contact Geof Mansfield, Development Assessment Section Manager on 4974 2767 or by email on gmansfield@ncc.nsw.gov.au.

Yours faithfully



Priscilla Emmett
CITY WIDE DEVELOPMENT ASSESSMENT MANAGER