

JRPP No.	2011STH010
DA No.	DA-2010/1707
Proposal	Construction of refractory development and boundary realignment
Property	36-46 Gloucester Boulevard, PORT KEMBLA NSW 2505 Lot 101, Lot 102 and Lot 103 DP 839149
Applicant	Gloucester 102 Holdings Pty Ltd
Responsible Team	City Planning City Centre Team

ASSESSMENT REPORT AND RECOMMENDATION

Executive Summary

Reason for consideration by Joint Regional Planning Panel

The proposal has been referred to Joint Regional Planning Panel pursuant to clause 13C of State Environmental Planning Policy (Major Development) 2005. The proposed development is located within the Coastal Development Zone and is greater than 13m in height.

Proposal

The proposal seeks the relocation of an existing refractory industry from Sturdee Avenue, Bulli where it has operated since the 1960s, to Port Kembla. The proposed building works involve the construction of a new factory building, office area and amenities along with car parking, drainage and landscaping works.

The factory will produce products such as concrete blocks and tap hole clay as well as other bagged products for use in the steelmaking and aluminium smelting industries.

The majority of the existing plant and machinery at the Bulli site is proposed to be relocated to the development site.

The site is proposed to operate 24 hours a day, 7 days per week.

Permissibility

The site is zoned IN3 Heavy Industry pursuant to SEPP Major Development- Amendment (Three Ports) 2009. The proposal is categorised as Heavy Industry under the Standard Instrument and is permissible in the zone with development consent.

Consultation

The proposal was exhibited in accordance with Appendix 1 - Public Notification and Advertising Procedures of Wollongong Development Control Plan (DCP) 2009 and received two (2) submissions which are discussed in Section 2.9. Consultation has also occurred with internal divisions of Council as well as the NSW Office of Environment and Heritage (formerly Department of Environment Climate Change and Water (DECCW)) and satisfactory referrals have been received subject to appropriate conditions of consent.

Main Issues

The main issues arising from the consultation and assessment process are the impacts on the Port Kembla Green and Golden Bell Frog population, as well as acoustic and air quality impacts.

RECOMMENDATION

It is recommended that Development Application DA-2010/1707 be approved pursuant to Section 80 of the Environmental Planning and Assessment Act 1979, subject to the conditions of consent within Attachment 5 of this report.

1. APPLICATION OVERVIEW

1.1 BACKGROUND

The existing refractory (formally known as Cookson Pilbrico) is situated at Sturdee Avenue, Bulli and has been in operation since 1968. Due to encroaching residential development, the company (now known as Vesuvius Australia Pty Ltd) is seeking to relocate to 36-46 Gloucester Boulevard Port Kembla.

It is noted that the refractory was previously granted a separate Part 3 approval to relocate the facility to Unanderra but the company has since chosen the current site as the preferred location.

An outline of the development history for the subject sites is provided below:

Table 1: Development history

<i>Application</i>	<i>Description</i>	<i>Decision</i>
DA-1995/109	Office/Warehouse & Fuel/Diesel Storage	Approved
DA-1995/109/A	Office/Warehouse & Fuel/Diesel Storage - Amendment - Retain Existing Temporary Offices	Approved
DA-1996/73	Workshop And Office	Approved
BA-1998/205	Storage Depot/Tanks	Approved
DA-2005/522	Proposed workshop extension to existing industrial buildings and associated car parking	Approved
DA-2008/833	Removal of overgrown vegetation	Approved

1.2 PLANNING CONTROLS

The following planning controls apply to the development:

- State Environmental Planning Policies:
 - SEPP No. 33 – Hazardous and Offensive Development
 - SEPP No. 55 – Remediation of Land
 - SEPP 71 – Coastal Protection
 - SEPP (Major Development) 2005
- Development Control Plans:
 - Wollongong Section 94A Development Contributions Plan 2010
 - Wollongong Development Control Plan 2009

1.3 PROPOSAL

This application seeks approval for the construction of an industrial building and associated parking and landscaping.

The development is comprised of the following:

- Industrial building of 8,026m²
- Attached office area of 2,024m²
- Vehicular access from Gloucester Boulevard and Darcy Road via 5 separate vehicular crossovers
- 102 car parking spaces, 4 motorbike spaces and 28 bicycle spaces

- Boundary landscaping
- Green and Golden Bell Frog pond
- Realignment of the southern boundary to enlarge the development site to satisfy car parking requirements.
- Drainage adjustments including drainage easement for lot 303, DP 839149

Operation

- The company specialises in refractory operations comprising high-heat industry applications including crushing and screening process, ball mill operation, dry powder blending, plastics refractory, slab production, precast slab production and taphole clay production. Finished products are shipped as premixed powders in various bag sizes, packaged wet clays and precast concrete shapes for use in the steelmaking and aluminium smelting industries.
- The application states that the company (Vesuvius Australia Pty Ltd) currently has a production capacity of approximately 15,000 to 20,000 tonnes per year at the current Bulli site. The majority of the plant equipment will be relocated to Port Kembla.
- The development proposes 80 employees inclusive of 45 office staff and 35 employees of the warehouse who work in varying shifts.
- The proposed hours of operation are 24 hours per day 7 days a week.

Machinery

Factory operations to be conducted include ceramic manufacturing specialising in refractory operations. A brief outline of operations is provided below:

- Crushing and Screening Process: Brings raw materials into the plant for crushing and screening.
- Ball Mill Operation: Further processing the raw material into fine powder for batching plant.
- Dry Powder Blending (TEKA and Batching Plant): Use raw materials to make a dry powder for onsite use or bagged ready for market sale.
- Plastic/RAM operation: Takes the premixed product and mixes with other elements to clients specifications. The extruded blocks are boxed or bucketed for later use (off site) in the repair of furnace linings or containers that hold liquid metals.
- Comcast Slab Production: Use of the pre-blended product to make precast slabs and other moulds according to client requirements.
- Precast Shape Production: Material from the TEKA mixer is emptied into the mixer and water added to create a wet cement mix then emptied into mould and dried in oven.
- Taphole Clay Production: Creates a clay type product for use in the control of high temperature liquidised metals, such as those found at the base of blast furnaces.

The development additionally purchases from other industries the bi-products fly ash and microsilica which are used in the manufacturing processes.

Designated and integrated development provisions

The applicant has addressed the designated and integrated development provisions as follows.

The proposal is not considered to be designated development as prescribed by Schedule 3 of the Environmental Planning and Assessment Regulation 2000. The proposed development is classified as a ceramic industry. Schedule 3 of the EPA Regulations 2000 describes designated ceramic or glass industries as those:

- (a) *that have an intended production capacity of more than 150 tonnes per day or 30,000 tonnes per year, or*
- (b) *that are located:*
 - (i) *within 40 metres of a natural waterbody or wetland, or*
 - (ii) *within 250 metres of a residential zone or dwelling not associated with the development.*

The Vesuvius operations to be conducted at the Port Kembla factory include ceramics manufacturing, specialising in refractory operations. Currently, Vesuvius have a production of approximately 15,000 – 20,000 tonnes per year. The proposal is located beyond 40m from the mean high water mark of the ocean to the east (40m from the property boundary to the east is the vegetated dune area) and the site is approximately 550m from Port Kembla Public School to the south and approximately 470m from the nearest residential zone boundary to the south. Therefore the proposal is not captured by the designated development provisions.

The development is not considered to be integrated development. The proposed development does not require a licence under the Protection of the Environment Operations Act 1997 (refer Air Quality Assessment prepared by Envirodyne accompanying this application), and the subject site is located more than 40m from the mean high water mark, and does not require water use approval, water management work approval or activity approval under Part 3 of Chapter 3 of the Water Management Act 2000.

1.4 SITE DESCRIPTION

The proposal relates to the use of land located at 36-46 Gloucester Blvd, Port Kembla and includes the following lots:

- Lot 101 DP 839149 (8031m² in area)
- Lot 102 DP 839149 (1.034ha in area)
- Lot 103 DP 839149 (7923m² in area)

Following the proposed boundary realignment and consolidation of Lots 101 and 102, the development site will comprise approximately 19,689m², with Lot 103 having a resultant area of 6,605m².

Lot 101 and 102 are currently clear of structures and vegetation (see approval DA-2008/833). Lot 103 contains an industrial building and associated car parking. The boundary realignment does not impact on any car parking for this lot. Access to Lot 103 will be required to be relocated as a result of the boundary realignment.

To the west of the site is an electrical substation and industrial premises.

The coastal foreshore area is located to the east of the site. The nearest residential development is located some 500m to the south with a private recreation vegetation buffer separating the industrial and residential land uses.

The general locality is characterised by a range of heavy industrial activities.

Site constraints

Council records list the site as being affected by the following constraints:

- Contaminated land
- Acid sulphate soils
- Flooding
- The site has been identified as potential refuge and connectivity for the Port Kembla Green and Golden Bell Frog population.

- The site is in the vicinity of two places of Aboriginal significance, including the North Beach. However, the subsequent studies have confirmed that any future findings are highly unlikely as the site and its area were disturbed through excavation and rubbish dumping. The works are not likely to have any potentially adverse impact in regards to heritage items. The subject lots are not included on the heritage register in WLEP 2009.

A drainage easement traverses Lot 102 DP 839149 in an east-west direction.

1.5 CONSULTATION

1.5.1 INTERNAL CONSULTATION

Stormwater

Council's Stormwater Engineer has reviewed the application and has no objections subject to appropriate conditions of consent.

Subdivision

Council's Subdivision Engineer has reviewed the application in regards to the proposed boundary realignment and consolidation and has no objections subject to appropriate conditions of consent.

Landscaping

Council's Landscape Architect has noted that the proposal does not provide a 3m landscape strip to the entire street frontage as recommended in Section 8.2 Chapter B5 of WDCP 2009. Whilst the development is non-compliant in this regard, the landscaping provided is considered to meet the objectives of this control. Landscaping is provided for the full frontage with a width ranging from 700mm to 5m. Further justification of this variation is contained at section 2.3 of this report.

Traffic

Council's Traffic Engineer has reviewed the proposal and has raised concern regarding the dual access from Darcy Road into the site. Whilst the access points both exist, Council's Traffic Engineer has requested that the eastern most driveway be removed. The DCP requires consolidation of vehicular access points where possible. It is recommended that the eastern most access point be removed furthermore this will allow fuller compliance with the landscaping requirements.

Environment

Council's Environment Division undertook an assessment relating to the Green and Golden Bell Frog, noise and air impact along with site contamination. No objections have been raised subject to appropriate conditions.

Heritage

No concerns were raised in relation to the application. A standard condition is imposed requiring stop work and **contact authorities** should any relics of aboriginal significance be discovered during construction.

1.5.2 EXTERNAL CONSULTATION

NSW Office of Environment and Heritage

The NSW OEH were requested to provide comment with regards to Green and Golden Bell Frog matters. Whilst this was not a strict legislative requirement, they were considered to have greater expertise in the area and were aware of the history of the site. Comments were provided in this respect in addition to concerns with noise and air quality matters. .

Additional information was provided in this regard and the Office now have no objections to the development subject to appropriate conditions of consent. The Office letter is contained at attachment 4.

2. ENVIRONMENTAL PLANNING AND ASSESSMENT ACT 1979

SECTION 79C ASSESSMENT

(1) Matters for consideration—general

In determining a development application, a consent authority is to take into consideration such of the following matters as are of relevance to the development the subject of the development application:

(a) the provisions of:	
(i) any environmental planning instrument, and	See section 2.1
(ii) any proposed instrument that is or has been the subject of public consultation under this Act and that has been notified to the consent authority (unless the Director-General has notified the consent authority that the making of the proposed instrument has been deferred indefinitely or has not been approved), and	See section 2.2
(iii) any development control plan, and	See section 2.3
(iiia) any planning agreement that has been entered into under section 93F, or any draft planning agreement that a developer has offered to enter into under section 93F, and	See section 2.4
(iv) the regulations (to the extent that they prescribe matters for the purposes of this paragraph), that apply to the land to which the development application relates,	See section 2.5
(v) any coastal zone management plan (within the meaning of the Coastal Protection Act 1979),	See section 2.6
(b) the likely impacts of that development, including environmental impacts on both the natural and built environments, and social and economic impacts in the locality,	See section 2.7
(c) the suitability of the site for the development,	See section 2.8
(d) any submissions made in accordance with this Act or the regulations,	See section 2.9
(e) the public interest.	See section 2.10

2.1 SECTION 79C 1(A)(I) ANY ENVIRONMENTAL PLANNING INSTRUMENT

2.1.1 STATE ENVIRONMENTAL PLANNING POLICY NO. 33 – HAZARDOUS AND OFFENSIVE DEVELOPMENT

SEPP 33 aims to minimise any impacts of hazardous or offensive development and allows for this development to proceed providing it meets safety and environmental performance. The SEPP establishes definitions for, and applies to, development for the purposes of “potentially hazardous industry”, “potentially offensive industry”, “hazardous industry” and “offensive industry” and establishes a comprehensive test known as Preliminary Hazard Analysis (PHA) to assess risk of such development to people, property and the environment. A (PHA) has been prepared (Whamcorp Pty Ltd, December 2010) in accordance with the requirements of the SEPP. Based on the outcomes of the environmental assessment of the proposal it is not considered to be a potentially hazardous or offensive industry. Accordingly, a Preliminary Hazard Analysis is not required to be submitted. Notwithstanding, the study identified the potential risks associated with the refractory and concluded that “the safeguards identified will not pose a significant risk to surrounding land uses and are permissible. The recommendation to proceed (with the 5 recommendations nominated) is made in conformity with the requirements of SEPP 33”.

The nominated recommendations relate to the checking of the building to confirm compliance with relevant safeguards identified within the report and notification to Workcover NSW of dangerous goods

requirements and compliance with Occupation Health & Safety Act and Regulations. These requirements are reflected in the draft conditions of consent at attachment 5.

2.1.2 STATE ENVIRONMENTAL PLANNING POLICY NO. 55 – REMEDIATION OF LAND

State Environmental Planning Policy No. 55 provides planning controls for the remediation of contaminated land and requires an investigation be made if land contamination is suspected.

A *Preliminary Site Assessment* (Heggies, 10 December 2010) found that with the exception of asbestos, no exceedences of the adopted soil assessment criteria were encountered. However, to date only limited intrusive sampling has been completed within the site. As such Heggies could not conclude that there were no hot spots or further elevated areas of contamination within the site not investigated as part of the agreed scope for DA purposes. Although Heggies noted fragments of asbestos cement in three (3) of the eight (8) test pits, the individual fragments of fibre cement sheeting were discrete and unlikely to represent gross contamination of the on site fill units.

Based on the results of the Limited Preliminary Site Investigation, Heggies' considers that the site is suitable for the proposed development. This is based on the relatively uniform nature of the various fill materials combined with the fact the proposed development offers restricted exposure pathways for the various contaminants detected during sampling (i.e. in essence the proposed development will cap the site with hardstand and buildings).

Given the limited nature of the investigation, the possible presence of asbestos contamination within the site and the significant difficulty and cost in further assessing the site, Council's Environmental officer recommended that prior to construction an appropriate Environmental Management Plan (EMP) is to be developed for all intrusive works along with procedures related for removal of asbestos if encountered on site. This has been reflected in the conditions of consent at Attachment 5.

2.1.3 STATE ENVIRONMENTAL PLANNING POLICY NO. 71 – COASTAL PROTECTION

(1) This Policy applies to land the whole or any part of which is within the coastal zone.

coastal zone means;

- (a) the area within the coastal waters of the State as defined in Part 10 of the Interpretation Act 1987 (including any land within those waters), and
- (b) the area of land and the waters that lie between the western boundary of the coastal zone (as shown on the maps outlining the coastal zone) and the landward boundary of the coastal waters of the State, and
- (c) the seabed (if any) and the subsoil beneath, and the airspace above, the areas referred to in paragraphs (a) and (b).

Note. The coastal zone consists of the area between the western boundary of the coastal zone shown on the maps outlining the coastal zone and the outermost boundary of the coastal waters of the State. The coastal waters of the State extend, generally, to 3 nautical miles from the coastline of the State.

8. Matters for consideration

The matters for consideration are the following:

(a) the aims of this Policy set out in clause 2,	The proposal is not expected to have any negative impacts on the coastal environment and is consistent with the objectives outlined in Clause 2.
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(b) existing public access to and along the coastal foreshore for pedestrians or persons with a disability should be retained and, where possible, public access to and along the coastal foreshore for pedestrians or persons with a disability should be improved,	The proposal will not affect access to the coastal foreshore.
(c) opportunities to provide new public access to and along the coastal foreshore for pedestrians or persons with a disability,	The site is zoned Heavy Industrial therefore there is no opportunity on site to provide new public access to the coastal foreshore.
(d) the suitability of development given its type, location and design and its relationship with the surrounding area,	Following an assessment of potential impacts from the development, there are not expected to be any negative impacts on the amenity of the locality and the proposal is considered to be suitable for the location subject to appropriate conditions of consent. The site is situated within a heavy industrial precinct, some 500m away from sensitive land uses.
(e) any detrimental impact that development may have on the amenity of the coastal foreshore, including any significant overshadowing of the coastal foreshore and any significant loss of views from a public place to the coastal foreshore,	The proposal is not expected to detrimentally affect the coastal foreshore. The development reaches a height of 16.1m at the highest point with the majority of the building being some 14.6m in height. The development will not create any overshadowing impacts of the coastal foreshore or result in loss of views from a public place or coastal foreshore.
(f) the scenic qualities of the New South Wales coast, and means to protect and improve these qualities,	The proposal is not expected to adversely impact on the scenic values of the NSW coast.
(g) measures to conserve animals (within the meaning of the Threatened Species Conservation Act 1995) and plants (within the meaning of that Act), and their habitats,	Measures to protect the threatened species Green and Golden Bell Frog Habitat have been incorporated into the design including frog ponds along with a management plan.
(h) measures to conserve fish (within the meaning of Part 7A of the Fisheries Management Act 1994) and marine vegetation (within the meaning of that Part), and their habitats	There are not expected to be any negative impacts on fish or marine vegetation and their habitats.
(i) existing wildlife corridors and the impact of development on these corridors,	As above.
(j) the likely impact of coastal processes and coastal hazards on development and any likely impacts of development on coastal processes and coastal hazards,	The proposal is not expected to impact on or be affected by any coastal processes or hazards.
(k) measures to reduce the potential for conflict between land-based and water-based coastal activities,	The proposal is not expected to result in any conflicts between land and water based coastal activities.

(l) measures to protect the cultural places, values, customs, beliefs and traditional knowledge of Aboriginals,	The site has been heavily disturbed through past industrial activities therefore unlikely the development will impact upon any aboriginal relics.
(m) likely impacts of development on the water quality of coastal waterbodies,	The proposal is not expected to impact on the water quality of any coastal waterbodies.
(n) the conservation and preservation of items of heritage, archaeological or historic significance,	Condition to be imposed requiring that Council contact Council should any relics be discovered during construction.
(o) only in cases in which a council prepares a draft local environmental plan that applies to land to which this Policy applies, the means to encourage compact towns and cities,	N/A
(p) only in cases in which a development application in relation to proposed development is determined:	
(i) the cumulative impacts of the proposed development on the environment, and	There are not expected to be any negative cumulative impacts from the proposal.
(ii) measures to ensure that water and energy usage by the proposed development is efficient.	The development is not expected to result in unreasonable energy or water consumption given the nature of the proposal.

2.1.4 STATE ENVIRONMENTAL PLANNING POLICY (MAJOR DEVELOPMENT) 2005

The site is listed as State Significant under Schedule 3 of SEPP (Major Developments) 2005- Amendment (Three Ports) 2009. The site is located within the Port Kembla Port Precinct.

Part 20 of Schedule 3 of the SEPP states that:

The only environmental planning instruments that apply, according to their terms, to land within the Three Ports Site are this Policy and all other State Environmental Planning Policies, other than State Environmental Planning Policy No 1—Development Standards.

Accordingly Wollongong Local Environmental Plan 2009 does not apply to the site.

Land Use Zone and Definition

Under the SEPP, the site is zoned IN3, the proposal is considered to be Heavy Industry which is defined under the Standard Instrument- Principal Local Environmental Plan as:

Heavy Industry: *Means an industry that requires separation from other land uses because of the nature of the processes involved or the materials used, stored or produced. It may consist of or include a hazardous or offensive industry or involve the use of a hazardous or offensive storage establishment.*

The SEPP outlines objectives of Zone IN3 Heavy Industrial as follows:

- (a) to provide suitable areas for those industries that need to be separated from other land uses,
- (b) to encourage employment opportunities,
- (c) to minimise any adverse effect of heavy industries on other land uses,
- (d) to provide transport infrastructure and intermodal facilities,

- (e) *to allow some diversity of activities that will not significantly detract from the operation of existing or proposed industries.*

Heavy Industry development is permitted with development consent within Zone IN3 Heavy Industrial and the proposal is satisfactory with regards to with the zone objectives.

The proposal is also regional development to be determined by the Joint Regional Planning Panel pursuant to clause 13C of State Environmental Planning Policy (Major Development) 2005. The proposed development is located within the Coastal Development Zone and is greater than 13m in height.

2.2 SECTION 79C 1(A)(II) ANY PROPOSED INSTRUMENT

None applicable.

2.3 SECTION 79C 1(A)(III) ANY DEVELOPMENT CONTROL PLAN

2.3.1 WOLLONGONG DEVELOPMENT CONTROL PLAN 2009

CHAPTER B5 INDUSTRIAL DEVELOPMENT

<i>Control/ objective</i>	<i>Comment</i>	<i>Compliance</i>
<u>3 Factory / warehouse distribution centre building design requirements</u>		
<i>3.1.1 Objectives</i>		
(a) To enhance the visual quality of industrial development through appropriate setbacks together with appropriate building and landscape design, particularly when viewed from public roads and other public domain areas.	Gloucester Blvd and Darcy Rd are minor collector roads. The proposed setback from Gloucester Blvd is 12.65m and the setback to Darcy Rd is 14.63m. A variation from the 5m required is requested given the nature of the development and the need to satisfy car parking requirements.	N
(b) To minimise the visual impact of factory / warehouse distribution centre buildings upon the streetscape of the surrounding locality.	The variation is supported as it is considered to be satisfactory with regards to the objectives of the control and is not expected to result in any adverse impacts on the public domain or the streetscape.	
(c) To create a pleasant environment within and external to the site.		
(d) To ensure satisfactory amenity and privacy levels are maintained for any adjoining sensitive land uses such as a residential land use.		
<i>3.1.2 Development Controls</i>		
5m setback of collector roads on corner allotments.		

4 Building design / façade treatment

4.1.1 Objectives

- (a) To achieve a high standard of industrial development by promoting visually attractive buildings and through the use of high quality external finishes.
- (b) To encourage a range of architectural design elements and innovative roof forms for industrial buildings, in order to improve the visual interest and attractiveness of such buildings.
- (c) To promote functional, safe and environmentally friendly industrial development.

4.1.2 Development Controls

The DCP requires that colorbond wall materials may be used up to 50% of the total front façade of the building. Maximum glazing should not exceed 20% and buildings to be orientated towards road frontages.

5 Safety and security

See Chapter E2

6 Carparking requirements

See Chapter E3

7 Loading dock facilities, vehicular access and manoeuvring requirements

See Chapter E3

The façade of the building consists of 2.4m high precast concrete panels for the full perimeter of the building, reaching 6m for the office area. The remainder of the warehouse comprises colorbond sheeting. Use of glass is limited for the office area.

Given the nature of the heavy industry, the proposed building materials are acceptable.

Natural lighting is provided through translucent roof sheeting.

The building is oriented towards the street frontages. Details of colours and materials have been provided and are neutral in colour.

Y

<p><u>8 Landscaping requirements</u></p> <p><i>8.1 Objectives</i></p> <p>(a) To use landscaping to improve the appearance of industrial developments.</p> <p>(b) To ensure that landscaping is provided to enhance the streetscape environment and amenity of industrial areas.</p> <p>(c) To screen unsightly land uses and outdoor storage areas.</p> <p><i>8.2 Development Controls</i></p> <ul style="list-style-type: none"> • A minimum 10% of the site area is required to be landscaped. • A 3 metre minimum deep dense landscaped area is required along the full length of the property frontage to a collector or local road. • Trees are to be planted at a rate of 1 tree per 10 car spaces. • The planting of low shrubs to a maximum mature height of 1 metre is recommended along any pedestrian footpath area • Fencing forward of the front building alignment to be palisade type maximum height 1.8m 	<p>Approximately 5.1% of the area is provided as landscaped area.</p> <p>The landscape strip to the street frontage varies between 5m and 700mm.</p> <p>Whilst the development does not fully satisfy the DCP requirements, it is considered satisfactory with regards to the objectives and the heavy industrial nature of the area. Trees are provided within the car park area to provide shade, and the proposed landscaping is considered to provide appropriate screening of the development whilst improving the public domain. This is discussed further at Chapter E6 below.</p> <p>Appropriate fencing provided.</p>	<p>N</p>
<p><u>9 Outdoor storage areas</u></p> <ul style="list-style-type: none"> • full details of the storage areas are to be provided. • Storage areas are to be positioned to rear or side boundaries and screened from view • Storage areas are to be of minimal impact on the public domain. 	<p>Outdoor storage areas are proposed for IBC, Resin 1781, and Sodium Aluminate. The storage areas are located to the rear of the site away from the public domain and appropriately bundled. Additionally, conditions of consent are recommended with regards to compliance with the relevant standards.</p>	<p>Y</p>
<p><u>10 Shipping container storage facilities</u></p> <p>N/A</p>		
<p><u>11 Motor Vehicle Repair Workshops</u></p> <p>N/A</p>		
<p><u>12 Fencing</u></p> <p>All fencing in industrial developments shall be constructed of palisade or decorative open style metal type fencing with a maximum 2.4 metre height</p>	<p>Complies</p>	<p>Y</p>
<p><u>13 Use of factory / warehouse units</u></p> <p>N/A use already known.</p>		

<u>14 Abrasive blasting industry</u>		
N/A		
<u>15 Industrial development adjoining a residential zone</u>		
N/A		
<u>16 Retailing in industrial areas</u>		
N/A		
<u>17 Yallah Industrial Estate</u>		
N/A		
<u>18 Jardine Street Industrial Estate</u>		
N/A		
<u>19 Advertising structures / signs</u>		
N/A		
<u>20 Stormwater drainage requirements & flood study requirements</u>		
See Chapter E14 and E15.		
<u>21 Riparian corridor management</u>		
See Chapter E23		
<u>22 Utility infrastructure services</u>		
1. Satisfactory arrangements are required for:	Conditions are recommended with regards to consultation with the relevant service providers.	Y
(a) The provision of reticulated water and sewerage;		
(b) The provision of underground electricity; and		
(c) The provision of underground telecommunications.		

23 Subdivision of industrial land

Minimum lot width for IN3 is 100m

The proposal includes a boundary realignment with the property to the south of the development site, Lot 103. This will result in a lot width for this property of approximately 55m.

Whilst this is below the stated minimum, the site prior to the adjustment was approximately 50m at the rear and 78m at the street frontage.

The site contains an existing industrial building and associated car parking and the boundary adjustment does not have a detrimental impact on parking or servicing for this lot. It is also not expected to result in any significant reduction in the future development potential of this lot.

Further, lots 101 and 102 on which the development is to be constructed, will be required to be consolidated as a condition of consent resulting in an overall site width of approximately 160m.

N

24 Road design & construction requirements – road types and characteristics for public roads

N/A

25 Restricted access to arterial or sub-arterial roads

N/A

26 Street lighting

N/A

27 Strata subdivision of multi-unit factory / warehouse distribution centre complexes

N/A

CHAPTER D1 – CHARACTER STATEMENTS

Port Kembla & Spring Hill

This chapter recognises the importance of Port Kembla as the manufacturing hub of Wollongong LGA given the significance of the Port facilities. The DCP encourages the expansion and upgrading of manufacturing activities to support employment given its strategic location to Port facilities. The proposed development is consistent with the future desired character of the Port Kembla area.

CHAPTER D11: PORT KEMBLA (GLOUCESTER BOULEVARD)

This section provides controls for the landscaping, contamination, subdivision and future development of land surrounding the subject site. The controls directly relate to Lot 1 DP 852309 and Lot 51 DP 1002696, land adjoining the development site. The development is not affected by the controls contained in this section of the DCP.

CHAPTER E1: ACCESS FOR PEOPLE WITH A DISABILITY

An *Access Review* report has been prepared by Morris Goding Accessibility Consulting (December 2010) to ensure compliance with the Disability Discrimination Act and Building Code of Australia. The report makes recommendations for ensuring compliance with these regulations and concludes that “the proposed development has demonstrated an appropriate degree of accessibility”.

The recommendations outlined in this report should be adopted by the applicant and compliance shown in Construction Certificate Plans.

CHAPTER E2: CRIME PREVENTION THROUGH ENVIRONMENTAL DESIGN (CPTED)

The development provides opportunity for natural surveillance around the proposed building site providing that shrub planting does not exceed 1.2m in height. Office windows are orientated towards Gloucester Blvd providing street surveillance. The main entrance to the building also faces the street frontage and is clearly defined and accessible from the car park. Car parking wraps around the building allowing for continual surveillance of the site.

Adequate fencing is proposed around the site for access control. Other barriers can be introduced by the developer to minimise unwarranted access to the site.

Details of lighting are to be provided with the construction certificate. There are clear lines around the building enabling circulation with no opportunities for entrapment. This can be enhanced through appropriate lighting of car parking areas.

CHAPTER E3: CAR PARKING, ACCESS, SERVICING/LOADING FACILITIES AND TRAFFIC MANAGEMENT

6.1 Car Parking and Traffic Impact Assessment Study

A *Traffic and Parking Impact Report* has been prepared by ML Engineers (August 2010). Referral to the RTA is not required.

7.1 Parking Demand and Servicing Requirements

The development proposes 8,026m² of factory and 2,024m² of office space which generates the following parking requirements:

Industry: $8026\text{m}^2 / 150 = 54$ car parking spaces

Office: $2025\text{m}^2 / 40 = 51$ car parking spaces

Total number of car parking spaces required: 105 spaces

Total number of car parking spaces required: 102 spaces

A variation is sought for 3 car parking spaces.

The applicant claims that ‘while the proposal does not technically comply with the parking requirements of WDCP 2009 it is argued that the number of spaces provided meets the likely car parking utilisation rates based on the actual usage of the existing site in Bulli’. The Bulli site is estimated to have approximately 87 spaces. The traffic study claims that should the 3 spaces be required, then sufficient on-street parking can be used.

Given the nature of the development and availability of on street car parking, the small variation to the controls is not expected to result in any adverse impacts on the locality.

7.2 Disabled Access and Parking

Four (4) disabled car parking spaces have been proposed near the front entrance to the office and are 3.5m x 5.5m in accordance with AS 2890.1.

7.3 Bicycle Parking/Storage

Required: 1 space per 200sqm GFA and 1 motorbike space per 25 car parking space

Accordingly, a total of 52 bicycle spaces are required and 4 motorbike spaces. 24 bicycle spaces are proposed along with 4 motorbike spaces

7.4 Waiver or Reduction of Parking Spaces

1. Council has the discretion to waive or reduce the minimum number of car spaces required for a particular site if the reduced provision can be justified in the accompanying Car Parking and Traffic Impact Assessment study, in terms of:
 - (a) The amount of public car spaces in the locality;
 - (b) Proximity to public transport nodes;
 - (c) Opportunity for cross utilisation with another use; and
 - (d) An empirical assessment of car parking.

The shortfall of three car spaces can easily be accommodated on the extensive street frontage. It is not however expected that there will be overflow from the development to the street given the nature of the development and likely shift work of employees.

The variation to the number of bicycle spaces is considered satisfactory in this instance. Staff work in shifts and the full component are unlikely to be on site at any one time. Given the size of the site, should bicycle usage be above the available spaces, the shortfall could easily be accommodated within the site. Council's traffic engineer has raised no objection to this proposal.

CHAPTER E6: LANDSCAPING

A landscape plan has been submitted with the application. The DCP encourages landscaping to provide shade to a minimum of 50% of the vehicles and for a 3m wide landscape strip with shade trees to the street and 1.5m strip to side and rear boundaries. The DCP also requires that where car parking does not front a planting bed 3m wide, every tenth car parking space requires a planting bed for tree.

The proposed planting landscaping varies from 700mm-5m along the street frontage. A 1.5m wide landscape strip has been provided after every 5th car space. The applicant claims that the total area of landscaping approximately 5.1% of the site.

A variation has been sought to these controls and is considered satisfactory having consideration to the objectives and the heavy industrial nature of the area in this instance as outlined at section 2.3.1 of this report.

CHAPTER E7: WASTE MANAGEMENT

The *Waste Study Report* (Beca Pty Ltd, December 2010) found that there are no hazardous or special wastes generated from the development.

The waste generated through operation of the development can be broken into three streams as follows.

General Solid Waste (non-putrescible) from processing:

The report states that due to the inert, non-hazardous and non-restricted nature of the Concrete and ceramics waste, all wastes from the process that are not already recycled or retained within the plant are suitable for land fill. Beca confirm that 3 skips per week (total volume of each skip is 15m³) of general non-putrescible waste will be generated.

General Solid Waste from office:

Office waste is generally paper and other recycleables.

Liquid Waste:

Sewage will be disposed of through the existing sewage lines at the Port Kembla site. Wash down water will undergo treatment for pH reduction and TSS removal prior to discharge as trade waste through the existing sewage lines.

The sewerage generated onsite is to be disposed of through existing sewage lines meeting Sydney Water industrial acceptance standards under trade waste agreement. Liquid waste consists mainly of wash down of the cement, precast and ram mixers and sewerage from the site. Draft conditions are attached to the consent that the pH and suspended solid levels of any stormwater discharge meet the relevant standards.

Solid waste consists of damaged castings, spillage of raw materials, residual materials stock and office waste. A waste storage area is proposed adjacent to the western boundary providing minimal impacts to surrounding properties. The company has nominated Cleanaway as private waste contractor.

Waste products imported on site for use in processes

Bi-products fly ash and microsilica are additionally purchased from other industries are used in the processes on site. These products are either mixed with other aggregates to form concrete blocks or tap hole clay for use in high heat industries in the steelworks. The bi-products are completely used in these processes and are not exported from the site as waste.

Conditions are recommended with regards to compliance with the relevant standards for waste from the site.

CHAPTER E9 HOARDINGS AND CRANES

Conditions of consent are recommended with regards to use of any hoardings or cranes.

CHAPTER E10 ABORIGINAL HERITAGE

The site is in the vicinity of two places of Aboriginal significance. The site has been extensively disturbed due to past industrial activities as evident through the site's development history. Council's Heritage Officer recommends that a condition be placed requiring the developer to stop work and contact Council should any significant archaeological material be encountered during construction.

CHAPTER E14 STORMWATER MANAGEMENT

Council's Stormwater Engineer has reviewed the application in regards to stormwater management and has given a satisfactory referral subject to appropriate conditions of consent.

CHAPTER E15 WATER SENSITIVE URBAN DESIGN

A *Water Quality and Water Re-Use Assessment* has been prepared by SLR Heggies (December 2010). The report recommends the following:

- Erosion and sediment controls measures be in place pre construction;
- Two gross pollutants traps to be provided onsite for water quality treatment;
- Surface water runoff treated prior to offsite discharge;
- Roof runoff deemed suitable for direct offsite disposal; and
- Incorporation of a rainwater harvesting system to collect and harness roof runoff and washdown water.

A Water Treatment Plant is proposed along the western section of the building.

The measures proposed are considered to be satisfactory with regards to Water Sensitive Urban Design principles and are reflected in the conditions of consent.

CHAPTER E17 PRESERVATION AND MANAGEMENT OF TREES AND VEGETATION

The site has been cleared subject to previous development consent (DA2008/833) and forms one continuous hardstand area. No further tree removal is proposed.

CHAPTER E18 THREATENED SPECIES

A *Flora and Fauna Assessment* has been carried out by Lesryk Environmental Consultants (December 2010) in relation to the site's value to the population of the Green and Golden Bell Frog (GGBF). The report recommends measures in this regard including recommendations for the number and specifications of frog ponds to be constructed as well as the requirement for a Frog Management Plan. These requirements are reflected in the draft conditions of consent.

CHAPTER E19 EARTHWORKS (LAND RESHAPING WORKS)

The proposal involves earthworks is so far as for construction of footings and drainage. It is considered that potential impacts from these works are adequately managed via the draft conditions of consent.

CHAPTER E20 CONTAMINATED LAND MANAGEMENT

Contamination has been discussed in SEPP 55 above.

CHAPTER E21 DEMOLITION AND ASBESTOS MANAGERMENTS

The proposal does not involve any demolition. Potential asbestos contamination on site is addressed at SEPP 55 above.

CHAPTER E22 SOIL EROSION AND SEDIMENT CONTROL

Soil and sediment control measures are recommended in the conditions of consent.

2.3.2 WOLLONGONG SECTION 94A DEVELOPMENT CONTRIBUTIONS PLAN (2010)

The application is quoted at costing \$4,709,000 and as such attracts a levy payment of 1% or \$47,090.00.

2.4 SECTION 79C 1(A)(IIIA) ANY PLANNING AGREEMENT THAT HAS BEEN ENTERED INTO UNDER SECTION 93F, OR ANY DRAFT PLANNING AGREEMENT THAT A DEVELOPER HAS OFFERED TO ENTER INTO UNDER SECTION 93F

There are no planning agreements entered into or any draft agreement offered to enter into under S93F which affect the development.

2.5 SECTION 79C 1(A)(IV) THE REGULATIONS (TO THE EXTENT THAT THEY PRESCRIBE MATTERS FOR THE PURPOSES OF THIS PARAGRAPH)

The site is located on land to which the Government Coastal Policy applies however the NSW Coastal Policy 1997 only applies to the seaward part of the LGA.

2.6 SECTION 79C 1(A)(V) ANY COASTAL ZONE MANAGEMENT PLAN (WITHIN THE MEANING OF THE COASTAL PROTECTION ACT 1979)

None applicable.

2.7 SECTION 79C 1(B) THE LIKELY IMPACTS OF DEVELOPMENT

Context and Setting:

The subject site is set within an established heavy industrial precinct. The site is situated between heavy industrial land and coastal foreshore land to the east. The site is situated approximately 500m away from residential development with a vegetation buffer to minimise conflicts between the zones. The site has also been heavily degraded through previous industrial land use activities.

The proposal is consistent with Council's future direction for the Port Kembla area in relation to the provision of manufacturing services to support local employment. The proposed development is considered suitable for the site and the broader setting of Port Kembla industrial precinct.

Access, Transport and Traffic:

The development is considered satisfactory with regards to traffic matters. This is further discussed at Chapter E3 above.

Public Domain:

The proposal will not directly affect the public domain. The development will be accessed from existing entrance/exit points. The foreshore area to the east is not actively used for recreation activities.

Utilities:

The proposal is not envisaged to place an unreasonable demand on utilities supply. Existing utilities are available to the site. Conditions of consent are recommended in regards to the developer contacting Integral Energy and Sydney Water for their specific requirements.

Heritage:

The site is nearby sites of Aboriginal Heritage significance however the site itself is not a listed item. An assessment by Council's Heritage Officer concludes that there will be no direct impact upon aboriginal relics due to previous works undertaken on the site. Notwithstanding this, a standard condition has been proposed for any evidence of relics on site during excavation.

Other land resources:

The proposal is considered to contribute to orderly development of the site and is not envisaged to impact upon any valuable land resources. There are no significant site features to be adversely affected by the proposal.

Water:

The site is presently serviced by Sydney Water however a condition of consent requires the applicant to liaise with Sydney Water for their specific requirements.

Stormwater management is discussed at Chapter E14 and is considered to be satisfactory subject to appropriate conditions of consent.

Soils:

A site investigation report has been carried out and considers that the development will not impact upon acid sulphate soils as due to imported fill placed on the site with a depth of up to 3m. This fill will require further testing in accordance with the requirements of SEPP 55 due to identification of asbestos and other contaminants in the fill material as mentioned at section 2.1.2 of this report.

Air and Microclimate:

An Odour Emissions Assessment (Envirodyne Group Ptd Ltd, 3 May 2011) was prepared in accordance with Australian Standards and NSW Office of Environment and Heritage Guidelines. The report found that the odours likely to be emitted from the manufacturing processes were expected to be well within the prescribed limits under NSW Office of Environment and Heritage Guidelines.

The applicant has submitted an *Air Quality Assessment* (Envirodyne Group Pty Ltd, December 2010) prepared in accordance with the relevant NSW Office of Environment and Heritage Guidelines and Protection of the Environment Operations Act 1997 and associated Regulations. The report found that the operations would not be subject to an Environmental Protection Licence as a scheduled premises under the POEO Act 1997. The Air Quality Assessment reported that it was expected that the plant would operate within the prescribed limits for emissions.

Further, a condition of consent is recommended that no offensive odours be detected beyond the boundaries of the site.

Flora and Fauna:

The site is classified as being potential habitat for the endangered Green and Golden Bell Frogs. Conditions of consent are recommended regarding a Frog Management Plan and construction of a number of frog ponds within the landscaped areas.

Waste:

Construction waste can be controlled through enforcement of conditions of consent relating to construction management.

Operational waste from the development is discussed at Chapter E7 above and is considered to be satisfactory subject to appropriate conditions of consent.

The proposal provides sufficient waste storage areas and manoeuvring for servicing vehicles.

Liquid waste to be disposed in accordance with trade waste agreement with Sydney Water.

Energy:

The proposal is not envisaged to have unreasonable energy consumption. The applicant will need to liaise with energy for approval of increased energy services to the site.

Noise and vibration:

A Noise Impact Assessment (Wilkinson Murray, May 2011) was submitted with the application. The assessment was carried out in accordance with the Office of Environment and Heritage (formerly the Department of Environment, Climate Change and Water) assessment guidelines. The report found that the impact of noise from plant operations and traffic from the development would comply with the established daytime, evening and night noise criteria. This was contingent upon the Tap Hole Clay metal bin being replaced by a bag. This requirement is reflected in the draft conditions of consent.

Natural hazards:

There are no natural hazards affecting the site that would prevent the proposal.

Technological hazards:

There are no technological hazards affecting the site that would prevent the proposal.

Safety, Security and Crime Prevention:

This application is not considered to result in any opportunities for criminal or antisocial behaviour. An assessment against Chapter E2 of WDCP2009 has been carried out and the development is considered to be suitable subject to appropriate conditions of consent.

Social Impact:

The proposal is not expected to create any negative social impact. There are no social groups who will be displaced as a result of this development.

Economic Impact:

The proposal is not expected to create any negative economic impact. The development will maintain employment for some 80 workers who are currently employed under Vesuvius Pty Ltd

Site Design and Internal Design:

The development is considered satisfactory with regards to the applicable planning controls as outlined in this report.

A condition is proposed to be attached to any consent granted that all works are to be in compliance with the Building Code of Australia.

Construction:

Conditions of consent are recommended in relation to construction impacts such as hours of work, erosion and sedimentation controls, works in the road reserve, excavation, demolition and use of any crane, hoist, plant or scaffolding.

Cumulative Impacts:

The proposal is not expected to have any negative cumulative impacts.

2.8 SECTION 79C 1(C) THE SUITABILITY OF THE SITE FOR DEVELOPMENT

Does the proposal fit in the locality?

The proposal is considered appropriate with regards to the zoning of the site and is not expected to have any negative impacts on the amenity of the locality or adjoining developments.

Are the site attributes conducive to development?

There are no site constraints that would prevent the proposal.

2.9 SECTION 79C 1(D) ANY SUBMISSIONS MADE IN ACCORDANCE WITH THIS ACT OR THE REGULATIONS

The application was notified in accordance with WDCP 2009 Appendix 1: Public Notification and Advertising. Two (2) submissions were received and the main issues identified are discussed below:

Concern	Comment
<p>3 Brody St</p> <p>In section 4.2.1 of the air quality report the writer admits that "current performance of dust collectors on Vesuvius processes is not known at the time of writing this report". If this is the case and Vesuvius intend to simply migrate its processes to the Port Kembla site with no known improvements to the dust collection processes then the impact on the air quality in Port Kembla is unknown and the report on air quality is invalid and should be ignored.</p> <p>Furthermore to say that there has been little complaint from the refractory's neighbouring residential area in Bulli is also not relevant because the residents have known that the business was being relocated and the problem would soon disappear from their area- so why complain. Also to say that the net impact on air quality in the greater Wollongong area will be negligible because the refractory is being relocated within Wollongong is farcical. The net impact on air quality in Port Kembla is to increase air pollution. This is unacceptable. The air quality report also says that this refractory is not subjected to an Environmental Protection Licence - how can this be? it is a major industry with the potential to generate environmental problems.</p>	<p>An Odour Emissions Assessment (Envirodyne Group Ptd Ltd, 3 May 2011) was prepared in accordance with Australian Standards and NSW Office of Environment and Heritage Guidelines. The report found that the odours likely to be emitted from the manufacturing processes were expected to be well within the prescribed limits under NSW Office of Environment and Heritage Guidelines.</p> <p>The applicant has submitted an <i>Air Quality Assessment</i> (Envirodyne Group Pty Ltd, December 2010) prepared in accordance with the relevant NSW Office of Environment and Heritage Guidelines and Protection of the Environment Operations Act 1997 and associated Regulations. The report found that the operations would not be subject to an Environmental Protection Licence as a scheduled premises under the POEO Act 1997.</p> <p>Furthermore, the development is not captured by the designated development provisions in Schedule 3 of the EPA Act Regulations.</p> <p>The Air Quality Assessment reported that it was expected that the plant would operate within the prescribed limits for emissions. A condition of consent requires monitoring of noise emissions following commissioning of the plant.</p> <p>Further, a condition of consent is recommended that no offensive odours be detected beyond the boundaries of the site.</p>
<p>The current brick and block factory at Foreshore road Port Kembla has huge stockpiles of slag that remain uncovered - this is unacceptable. This refractory will probably do the same and there will be no EPA agreement that says they can't do it.</p>	<p>No stockpiles are proposed on the site as a result of the proposed development. The Preliminary Hazard Analysis Report (Whamcorp Pty Ltd, 7 December 2010) found that there was no significant risk from the operations subject to operating in accordance with the stated safeguards and compliance with relevant guidelines and controls. Draft conditions of consent are recommended in this regard.</p>

<i>Concern</i>	<i>Comment</i>
With regard to noise; it appears no noise study has been carried out. The plant will probably run crushers and mixers 24 hours per day - all of which will be noisy. The noise level increase is unknown and therefore the DA is unacceptable.	A Noise Impact Assessment (Wilkinson Murray, May 2011) was submitted with the application. The assessment was carried out in accordance with the Office of Environment and Heritage (formerly the Department of Environment, Climate Change and Water) assessment guidelines. The report found that the impact of noise from plant operations and traffic from the development would comply with the established daytime, evening and night noise criteria. This was contingent upon the Tap Hole Clay metal bin being replaced by a bag. This requirement is reflected in the draft conditions of consent.
65 Reservoir St	
There is no consideration for the green and golden bell frog that is an endangered species that has been noted in an Environmental Assessment of this site.	The development incorporates Green and Golden Bell Frog habitat and a preparation of a Management Plan is also required as a condition of consent.
The MM Beach is one of the best surfing beaches on the NSW coast. To allow this type of development on this magnificent site is a crime against future generations. This beach front area should be used for beachfront activities such as a caravan park, restaurants and resort complexes. This council and the State Government by allowing further heavy industry on this precious waterfront land are showing a complete lack of vision for future generations. The early Port Kembla residents chose MM Beach for the main surfing beach because it was the best beach. We have now an opportunity to resurrect this excellent surfing beach for the betterment of the Illawarra. At present most of the beachfront land is used for parking, but this development will be erecting buildings that will stop future use of this land for leisure activities.	<p>The proposal is a permissible use on the site as identified in the zoning and has historically been used for industrial purposes.</p> <p>The proposal is not expected to result in any significant adverse impacts on the coastal environment following implementation of the stated safeguards for environmental management.</p>
Conditions of consent should be placed on truck movements to use only Darcy Road and the Old Port Road and not to use Gloucester Boulevard at all. Entry and exit of the site should only be in Darcy Road.	<p>Heavy vehicle traffic movements are expected to be via Darcy Road given that is the more direct route. Further, there are traffic calming measures along Gloucester Boulevard that would discourage this route from being used by heavy vehicles.</p> <p>A condition has however been included that all heavy vehicle traffic is to access the site via Darcy Road.</p>
The use of Downies Bridge should be denied by trucks as a condition of consent.	It is not clear why this objection was raised. However, no concerns are envisaged with regard to vehicular traffic utilising this route to access the site.

2.10 SECTION 79C 1(E) THE PUBLIC INTEREST

The application is not expected to have any negative impacts on the environment or the amenity of the locality. It is considered appropriate with consideration to the zoning and the character of the area and is therefore considered to be in the public interest.

3. RECOMMENDATION

This application has been assessed having regard to the relevant matters for consideration prescribed by Section 79C(1) of the Environmental Planning & Assessment Act 1979. The proposal is permissible with consent in the IN3 heavy industrial zone under the provisions of SEPP (Major Developments) 2005 and is consistent with applicable provisions of the SEPP. It is also consistent with the requirements of Wollongong Development Control Plan 2009 with the exception of the variations identified in this report. The variations sought have been assessed in detail within this report and are considered to be reasonable.

The concerns raised in submissions have been addressed above.

There being no outstanding issues, it is recommended that DA-2010/1707 be approved pursuant to Section 80 of the Environmental Planning & Assessment Act 1979, subject to conditions.

Attachments

1. Zoning map
2. Aerial photographs
3. Plans
4. NSW Office of Environment and Heritage response
5. Draft conditions

Issue of this letter is authorised by

Nigel Lamb

Acting Senior Development Project Officer

Wollongong City Council