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via email

Re: DA 15-291 - 80 Tourle St Mayfield - recommended Council conditions

Dear Damian,

We have reviewed the recommended conditions provided by Newcastle City Council in regard to the proposed recycling facility at 80 Tourle St, Mayfield (DA 15-291). On the whole we believe that the conditions are reasonable and reflect the information presented in the environmental impact statement (EIS). However, there are a small number of Council conditions that we believe should be modified. These are provided in Table 1.

Table 1 Mayfield Recycling Facility - recommended conditions

Condition	Requirement	Comment/requested action
C8	The existing car park being re-linemarked to comply with AS/NZS 2890.1:2004 - Parking facilities - Off-street car parking and AS/NZS 2890.6:2009 - Parking facilities - Off-street parking for people with disabilities. Full details are to be included in documentation for a Construction Certificate application and completed prior to any occupation of the development.	<p>Parking spaces in the existing extensive car parking area (120 spaces) in the south-eastern corner of the site are already marked.</p> <p>Given that only about 15 cars will use this car park, it is believed that re-linemarking this area will not provide any benefit.</p> <p>It is requested that Condition C8 be deleted.</p>
D3	<p>All necessary measures are to be undertaken to control dust pollution from the site. These measures must include, but not are limited to:</p> <p>...</p> <p>d) Erect green or black shade cloth mesh or similar products 1.8m high around the perimeter of the site and around every level of the building under construction.</p>	<p>It is noted that:</p> <ul style="list-style-type: none"> the site is currently stable and there will be very little ground disturbance as part of construction; the site is large and the perimeter is long so installing shade cloth or similar will have little impact on minimising any dust lift-off away from the perimeter fence that may occur; there is existing vegetation screening around most of the site; and the required detailed landscape management plan will describe further site screening. <p>As, erecting shade cloth mesh or similar will have little benefit, it is requested that Condition D3(d) be deleted.</p>
F4	On-site car parking accommodation is to be provided for a minimum of 120 vehicles and such being set out generally in accordance with the details indicated on the submitted plans except as otherwise provided by the conditions of consent.	<p>Section 4.4 of the Traffic Assessment states:</p> <p>"A formal assessment of the site car parking capacity in relation to the site building floor areas which would be utilised for the proposed recycling centre uses, is not warranted as the current site provision of 120 car parking spaces is clearly adequate for the maximum number of full time recycling facility employees (twelve) plus the maximum number of site visitors (three) who are likely to</p>

Table 1 Mayfield Recycling Facility - recommended conditions

Condition	Requirement	Comment/requested action
		<p>be present at the site during normal weekday site operations." It is understood that the Council would like additional marked capacity for 10 more cars. However, we believe that additional marked capacity for 5 more cars would be adequate.</p> <p>It is requested that Condition F4 is amended to:</p> <p>"On-site car parking accommodation is to be provided for a minimum of 20 vehicles and such being set out generally in accordance with the details indicated on the submitted plans except as otherwise provided by the conditions of consent."</p>
H12	Proposed parking areas, vehicle bays, driveways and turning areas are to be maintained clear of obstruction and be used exclusively for purposes of car parking, loading and unloading, and vehicle access, respectively. Under no circumstances are such areas to be used for the storage of goods or waste materials.	<p>There is extensive open hardstand available within the site for parking areas, vehicle bays, driveways and turning areas. These areas are all screened from public view. This condition would reduce the operational flexibility of the site.</p> <p>It is requested that Condition H12 is amended to:</p> <p>"Under no circumstances is the car park in the south-eastern corner of the site to be used for the storage of goods or waste material."</p>
H17	Any servicing or repair work on motor vehicles or mobile plant is to be carried out wholly within the vehicle repair and maintenance shed. Under no circumstances is such work to be carried out elsewhere on the site or within adjacent or nearby streets.	<p>The site is large and servicing or repair work on motor vehicles or mobile plant will be able to be conducted on a range of exiting hardstand areas without amenity or environmental impacts.</p> <p>It is requested that Condition H17 is amended to:</p> <p>"Any servicing or repair work on motor vehicles or mobile plant is to be carried out within a sealed area that has environmental controls appropriate to servicing or repair work being undertaken. This must include bunding where there this work could result in liquids being spilled. Under no circumstances is such work to be carried out within adjacent or nearby streets."</p>
L4.3	<p>For the purpose of condition L4.1;</p> <ul style="list-style-type: none"> Day is defined as the period from 7am to 6pm Monday to Saturday and 8am to 6pm Sunday and Public Holidays. Evening is defined as the period 6pm to 10pm. Night is defined as the period from 10pm to ?am Monday to Saturday and 10pm to 8am Sunday and Public Holidays. 	<p>This is a typographical error in the Council's transcription of the Environment Protection Authority (EPA) General Terms of Approval (GTA) (21 September 2015).</p> <p>The third bullet point should read (see GTA):</p> <ul style="list-style-type: none"> "Night is defined as the period from 10pm to 7am Monday to Saturday and 10pm to 8am Sunday and Public Holidays."

One stakeholder has raised a concern regarding the use of Murray Dwyer Circuit by trucks associated with the proposal. Benedict Industries would accept conditions restricting the use of the Murray Dwyer Circuit. These conditions could be along the lines of the following:

- The applicant shall pay for signage to be installed by the Council at either end of Murray Dwyer Circuit directing all recycling facility traffic to use McIntosh Drive.
- The trucks belonging to the applicant shall not access or leave the recycling facility site via Murray Dwyer Circuit unless McIntosh Drive is closed.

- The applicant shall install signs at the recycling facility weighbridge informing all recycling facility users that they are not to use Murray Dwyer Circuit when accessing or leaving the recycling facility site.

We will write separately regarding some conditions provided in the Environment Protection Authority (EPA) General Terms of Approval.

We ask that the Council provides a response to these requested changes as soon as possible while these matters are fresh in everyone's minds.

Yours sincerely



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