

APPENDIX A

QUEANBEYAN DEVELOPMENT CONTROL PLAN 2012 ASSESSMENT

QUEANBEYAN DCP 2012 COMMENTS		
Section	Controls	Compliance / Conditions
PART 1 – ABOUT THIS DEVELOPMENT CONTROL PLAN		
1.8	<p>Public Notification Of A Development Application</p> <p>The development application was originally advertised in the Queanbeyan Age and The Chronicle newspapers as Designated and Integrated Development, and notified to adjoining owners and occupiers from 23 September to 23 October 2015 in accordance with QDCP 2012, S79 EP&A Act and CI 77-81 of the EP&A Reg 2000.</p> <p>After the first period of public exhibition, notification of the development application to individual property owners and occupiers was expanded to include those properties within a 500m radius of the development site. This was done pursuant to Clause 1.8.6 – Persons to be Notified by Letter of the DCP which states that Council may notify persons as appear to Council to own or occupy land, the use or enjoyment of which, in the Council's opinion, may be detrimentally affected if the development is carried out. Further, the proposal was also re-advertised in the newspapers. This second period of public exhibition was from 12 January to 4 March 2016.</p> <p>As a result of the first two periods of public exhibition, 112 submissions of objection and 3 petitions comprising 577 signatures against the proposed development were received. One submission of support was received.</p> <p><u>Amended Application</u></p> <p>The amended application was renotified to the property owners and occupiers who had been previously notified and advertised in the Queanbeyan Age from 22 November 2016 to 23 December 2016.</p> <p>As a result of the public exhibition of the amended development application, 26 submissions were received which included 5 new submissions from people who had not previously made a submission.</p> <p><u>Note:</u> During all three periods of public notification an exhibition notice advertising the development proposal was erected on the development site.</p> <p>Consideration has been given to all submissions. A summary of the issues raised in the submissions, and a response to them is contained in in Appendix F.</p>	<p>Yes</p> <p>Summary of Submissions Original DA and Amended Plans (Appendix F)</p>

PART 2 – ALL ZONES		
2.2	<p>Car Parking</p> <p>Note: The DCP contains car parking and vehicle access objectives and controls for industrial development in both Part 2 and Clause 8.2.2 of Part 8. For ease of reading, the relevant provisions of Part 8 have been combined with the relevant provisions of Part 2.</p> <p>Objectives for Car Parking</p> <ol style="list-style-type: none"> 1) Car parking is to be provided on-site which will cater for the increased demand brought about by the development of the site. 2) Adequate car parking for people with disabilities. 3) The provision of car parking which is functional, safe and attractive. 4) Functional loading and unloading facilities are provided to cater for the development of the site. 5) The construction of car parking areas, service areas and associated areas to be in accordance with good engineering practice. 6) To ensure adequate areas are provided for off-street car parking, vehicular access, on-site circulation and loading facilities. 7) To ensure car parking, circulation and loading areas are integrated with the form and layout of buildings on the site. 8) To ensure all vehicles can enter and exit a site in a forward direction. 9) To avoid road conflicts and traffic congestions. 10) To ensure the safe movement of vehicles and pedestrians. 11) To ensure parking and access ways do not become unsightly or affect the amenity of the area by way of dust or uncontrolled runoff. <p>The objectives for car parking are generally complied with. Car parking is provided on-site which will cater for the increased demand brought about by the development. All vehicles enter and exit the site in a forward direction. Once on site all vehicles move in an anticlockwise direction to access car parking spaces and heavy rigid vehicle parking.</p> <p>Circulation of vehicles from the site onto Bowen Place and Gilmore Road and from Gilmore Road avoids road conflicts and traffic congestion.</p> <p>All onsite parking is unlikely to affect the amenity of the area by way of dust or uncontrolled runoff as this is contained on site. The development is subject to an environmental management plan with enforceable management practices.</p>	Yes

	<p>Relevant Controls</p> <p>a) <i>Car parking is to be provided for all development in accordance with Table 1. An assessment will be undertaken of development types that are not explicitly listed.</i></p> <p>b) <i>All car parking shall be designed in accordance with the Australian Standard AS 2890 Parking Facilities.</i></p> <p>c) <i>All car parking shall include the provision of car parking for delivery and service vehicles in accordance with Australian Standard AS 2890.2-2002 and car parking for persons with disabilities in accordance with the Australian Standard AS 2890.</i></p> <p>d) <i>Minimum parking requirements for a Resource Recovery Facility are listed in Table 2 of Clause 8.2.2 (see below).</i></p> <table><tr><th>Type of Development</th><th>Minimum Requirement</th></tr><tr><td>Resource Recovery Facility</td><td>1 space per 200m² of site area, or when largely combined within a building, requirement is 3 spaces per 100m² GFA.</td></tr></table> <p>Car parking is not within a building and therefore 1 space per 200m² of site area applies. The site has an area of 13,708.5m² and therefore 68 spaces are required (13708/200 = 68) across the whole development site.</p> <p>59 car parking spaces (including 1 disabled parking space), and 18 heavy rigid vehicle parking spaces are proposed giving a total of 77 on-site car and truck parking spaces.</p> <p>Council is satisfied that satisfactory amounts of car and truck parking have been provided and that the requirements of AS 2890 have been met. Council's Development Engineer has reviewed the proposed access and manoeuvrability, parking numbers, and the submitted traffic reports, and supports the proposed development from a traffic perspective.</p>	Type of Development	Minimum Requirement	Resource Recovery Facility	1 space per 200m ² of site area, or when largely combined within a building, requirement is 3 spaces per 100m ² GFA.	
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Resource Recovery Facility	1 space per 200m ² of site area, or when largely combined within a building, requirement is 3 spaces per 100m ² GFA.					
2.3	<p>Environmental Management</p> <p><i>Relevant parts</i></p> <p>2.3.5 Waste and Recycling</p> <p>Objectives</p> <p>1) <i>To minimise waste generation and disposal to landfill with careful source separation, reuse and recycling.</i></p> <p>2) <i>To minimise the generation of waste through design, material selection, building and best waste management practices.</i></p> <p>3) <i>To plan for the types, amount and disposal of waste to be generated during demolition, excavation and construction of the development as well as the ongoing generation of waste.</i></p> <p>4) <i>To ensure efficient storage and collection of waste and quality design of facilities.</i></p>	<p>Yes</p> <p>Appropriate conditions to apply.</p>				

	<p>The proposed development generally satisfies the above objectives.</p> <p>Relevant Controls</p> <p><i>a) Development applications for all non- residential development must be accompanied by a waste management plan that addresses:</i></p> <ul style="list-style-type: none"> <i>i) Best practice recycling and reuse of construction and demolition materials.</i> <i>ii) Use of sustainable building materials that can be reused or recycled at the end of their life.</i> <i>iii) Handling methods and location of waste storage areas such that handling and storage has no negative impact on the streetscape, building presentation or amenity of occupants and pedestrians.</i> <i>iv) Storage areas need to be of sufficient size to store and provide access to bins capable of dealing with the types and quantities of waste for the development. For example, a small shop or office may be able to be serviced by Council's normal 240L kerbside collection service. At the opposite extreme a supermarket may require space for a paper/cardboard compactor and storage of bales produced, multiple overhead lift bulk containers and other containers for recyclables.</i> <i>v) Storage areas for commercial premises which have larger quantities of putrescible waste e.g. food premises or supermarkets need to be provided with wash down facilities connected to sewer. These storage areas need to be roofed to prevent ingress of stormwater to the sewerage system.</i> <i>vi) Procedures for the ongoing sustainable management of green waste; garbage and recyclables including glass, metals and paper; including access, estimated volumes; required bin capacity and onsite storage requirements.</i> <p>The essence of the proposed development is to collect waste from commercial establishments within the region to minimise waste generation and disposal to landfill through source separation and recycling. In this sense the proposed development meets the objectives of this section of the DCP.</p> <p>A draft Environmental Management Plan has been submitted which addresses management strategies and environmental monitoring of litter, control of vermin and insects, noise and air quality. Additional detail may be required, including a detailed waste management plan. If consent is forthcoming appropriate conditions would be applied.</p> <p>2.3.6 – Noise and Vibration</p> <p><i>Objectives: To ensure development provides for effective management of noise and vibration through effective siting, building design, materials and layout, construction and engineering techniques, operational management.</i></p> <p>Other than Wilkinson Murray Noise Impact Assessment (NIA) (Nov 2015 – Version B) stating that the transfer building is expected to produce an internal sound pressure level of 85dBA taking into account the dimensions of the building and its steel construction, there is no indication in the information submitted that the siting,</p>	
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	<p>building design, material and layout provide for effective management of noise, construction and engineering techniques.</p> <p>The amended plans show the buildings construction of 200m thick concrete walls with Colorbond roofing. Though the building may have sound properties noise will be emitted through the roof and doors.</p> <p>The applicant submits that through operational management noise can be effectively managed and to some extent this is agreed. However concern is raised that the predicted noise levels of reversing trucks on site has not been provided. In this case without any evidence to dismiss this, mitigation measures are recommended to be installed on all reversing trucks to ensure noise does not impact surrounding residents. If development consent is forthcoming the following mitigation measures would be conditioned:</p> <ul style="list-style-type: none"> • <i>Periodic noise monitoring once the site is fully operational to validate the assumptions made.</i> • <i>EMP which outlines the frequency of opened doors during each 15 minute period during the evening and night time</i> • <i>Automated sensor system that closes doors as soon as trucks leave the hall</i> • <i>Bluebeam or other similar method to reduce reversing noise of trucks</i> • <i>No trucks to use residential end of Gilmore road after 6.00pm and before 7.00am 7 days a week.</i> • <i>Air locks placed on all pedestrian doors</i> • <i>air release silences for parking breaks on trucks</i> <p>Noise from reversing trucks alone would not warrant refusal of the application but does warrant addressing through mitigation measures. Without evidence to state if the noise is excessive or not it is unreasonable to include this as a reason for refusal.</p> <p>Relevant Controls</p> <p><i>a) Development should be designed to minimise the potential for offensive noise.</i></p> <p>The mitigation measures outlined above will contribute to minimising the potential for offensive noise.</p> <p><i>b) Where a proposed development includes an activity which may generate unreasonable noise or which may be affected by an existing noise source, an acoustic study is to be undertaken to establish noise levels and provide a mitigation strategy demonstrating the measures to be taken to effectively mitigate noise.</i></p> <p>A Noise Impact Assessment was prepared by Wilkinson Murray and submitted as part of the EIS. The report was updated a number of times to account for some anomalies including the inclusion of additional sensitive receptors and clarity of criterion. There is concern that the amended plans have not been considered in any updated reports and therefore traffic movements, specifically the</p>	
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	<p>need for reversing of vehicles and the noise associated with beepers has not been accounted for.</p> <p><i>c) Noise sensitive developments such as dwellings should be designed to reasonably protect the proposed development from noise sources such as arterial roads, entertainment venues and the like.</i></p> <p>The proposed development will not be impacted by noise sources and does not require protection.</p> <p><i>d) Noise buffering should not be provided by high fences, garages or blank walls to public streets. Where screening by these or similar methods is the only practical solution, the screen should be no greater than 50% of the street frontage. Such screening should have visual interest and retain some surveillance from the building behind the screen's entries, windows or balconies when practical.</i></p> <p>A 1.8 m high Colorbond fence is proposed along the Bowen Place and Kealman Road elevations. The Gilmore Road elevation is currently fenced with cyclone mesh see through fencing. The 1.8m Colorbond fencing does not provide noise buffering but does provide a visual screen from the street which is considered acceptable.</p> <p><i>e) Where proposed noise sensitive development may be affected by existing noise generators the development should be designed to incorporate adequate shielding from those noise sources.</i></p> <p>The proposal is not considered to be a noise sensitive development.</p> <p><i>h) To ensure development is designed so noise and vibration from new businesses, light industrial and leisure/cultural/entertainment venues and other noise generating activities do not unacceptably affect the amenity of nearby residential and other noise or vibration sensitive uses.</i></p> <p>Noise impacts from the proposed development was one of the most contentious issues that came out of the submissions. The two most relevant noise issues related to impact on amenity of nearby landowners and occupiers from noise due to additional traffic on road, and noise after 8.00pm will disturb evening and night periods for nearby residents.</p> <p>Based on the predicted maximum operational noise levels at nearby residential receivers the proposed development would not have a significant noise impact on adjoining neighbours or nearby residents. The peer review concurs with the conclusions of the NIA.</p> <p>Despite the conclusions, SLR note some deficiencies in the NIA including: exclusion of the cumulative impacts of the existing truck depot and recycling facility, identification of sensitive receptors, and exclusion of adverse meteorological conditions. However the overall conclusions of the NIA are agreed subject to mitigation measures such as air release silences for parking breaks on trucks.</p> <p>Neither consultants have taken into account noise impact of reversing trucks during night periods. It is considered that mitigation</p>	
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	<p>measures can address these noise issues and if consent is forthcoming appropriate conditions would be applied.</p> <p><i>i) Home based businesses should not generate unreasonable levels of noise beyond their property boundary.</i></p> <p>The proposed development is not a home based business and therefore this control is not relevant.</p>	
2.4	<p>Contaminated Land Management</p> <p>The proposal is considered generally satisfactory with respect to State Environmental Planning Policy 55 – Remediation of Land (SEPP 55) and therefore this clause. The land is not known to have been used for potentially contaminating activities.</p>	Yes
2.5	<p>Flood Management</p> <p>The subject site is not within a flood prone area.</p>	N/A
2.6	<p>Landscaping</p> <p>A landscaping plan was required to be submitted with the application. While some landscaping has been indicated on the site plan, this is considered to be insufficient. If development consent is forthcoming a detailed landscaping plan prepared by a suitably qualified person must be submitted to Council for approval. It should incorporate some landscaping treatments along the Gilmore Road frontage.</p>	Condition
2.7	<p>Soil, Water and Vegetation Management Plan (SWVM Plans)</p> <p>Standard conditions relating to site management and of erosion and sediment control will be imposed should development consent be granted.</p>	Condition
2.8	<p>Guidelines for Bushfire Prone Areas</p> <p>The site is not identified as bushfire prone land</p>	N/A
2.9	<p>Safe Design</p> <p>The proposed development generally satisfies the relevant provisions of this clause. The proposal was referred to the NSW Police for comment on safe design principles. The Police have assessed the proposal as being a low crime risk. Refer to their comments in Section 8 of the report and Appendix E.</p>	Yes
2.11	<p>Height of Buildings</p> <p>The proposed 12 m high recovery hall complies with the 12 m maximum height prescribed for the site in Clause 4.3 of the QLEP 2012.</p>	Yes
2.13	<p>Preservation of Trees and Vegetation</p> <p>The proposed development does not require the removal of any existing vegetation.</p>	N/A

QUEANBEYAN DCP 2012 COMMENTS		
Section	Controls	Compliance / Conditions
PART 8 – INDUSTRIAL DEVELOPMENT		
8.1.2	<p>Overall objectives for Development in Industrial Zones</p> <ol style="list-style-type: none"> 1) <i>Provide development guidelines for the Industrial development</i> 2) <i>Protect the amenity of existing residences within and close to industrial development.</i> 3) <i>To prevent incompatible land uses being located in proximity to one another</i> 4) <i>Encourage best practice in environmental management.</i> 5) <i>Ensure development has a visually appealing appearance to the street.</i> <p>The objectives of the Industrial zone are to ensure that industrial development does not have unacceptable impacts on nearby residences and surrounding land uses and environmental management practices are adopted.</p> <p>Objectives relating to impacts are key to the assessment of this development proposal. Objective (2) refers to protecting the amenity of existing residences within and close to industrial development.</p> <p>The applicant, NSW EPA and Council agree that the caretaker's residence at 1 Kealman Road, 40m from the proposed development, and zoned IN1 General Industry is not a residential sensitive receptor and does not receive the same level of amenity as dwellings in residential zones as outlined in the NSW Industrial Noise Policy (INP). Residents in the surrounding residential zones within and close to the proposed development have raised objections and these will be discussed later in the report.</p> <p>The proposed development is considered an incompatible land use to other land uses due to odour impact. The immediate adjoining land uses are a mix of industrial uses but generally with minimal odour emissions. NSW Health identify that the odour modelling was carried out based on a closed shed but the shed will be open over the 24 hours period to allow trucks to enter and exit the recovery hall.</p> <p>A draft Environmental Management Plan (EMP) was submitted with the amended plans. A detailed EMP as recommended by NSW Health will be required if consent is forthcoming appropriate conditions would be applied.</p> <p>The proposed development is surrounded by 1.8m Colorbond fencing on the Bowen Place and Kealman Road elevations. This will not screen the 12m building height. The development will be partly visible from the street and Canberra Avenue primarily due to its height. Landscaping is proposed (site plan) but will only soften the immediate surroundings. To improve the building appearance from the street some façade treatment could be applied but currently the proposed development is not visually appealing.</p> <p>Conditions of consent could adequately address objective 4 and 5.</p>	<p>No</p> <p>Objective 8.1.2 (2) The proposed development is considered an incompatible land use in that <i>the amenity of existing residences within and close to the proposed development is not protected.</i></p> <p>And</p> <p>Objective 8.1.2 (3) The proposed development is considered to result in <i>incompatible land uses being located in proximity to one another.</i></p>

	<p>In summary, the development is considered an incompatible land use to other land uses due to odour impacts and the amenity of the residences <i>within and close</i> to the proposed development is not protected due to odour impacts. This is discussed in Section 6 of the report.</p>																
8.2.1	<p>Setbacks</p> <p>Objectives</p> <p>1) <i>Provide adequate land for landscaping, parking and vehicle circulation.</i></p> <p>2) <i>Provide flexibility in building location and design.</i></p> <p>3) <i>Provide buffers to adjoining land uses to reduce adverse impacts on surrounding land.</i></p> <p>4) <i>To preserve residential amenity.</i></p> <p>The proposed development though meeting the minimum numerical setback controls does not provide adequate land for landscaping. The objective of the setbacks are to provide buffers to adjoining land uses to reduce adverse impacts on surrounding land and residential amenity. Despite the large building setbacks provided and regardless of the lack of landscaping, the impacts of the proposed development are likely to project outside the site to residential development 200m away particularly in relation to air quality (odour).</p> <p>The proposed development does not meet the objectives of setback controls in relation to “preserving residential amenity” and does not “provide any buffers to adjoining land uses to reduce adverse impacts on surrounding land”. Therefore the setbacks objects have not been met.</p> <p>Controls</p> <p>(a) <i>Setbacks to comply with Table 1</i></p> <table><tr><th>Setback type</th><th>Building Line Setback</th><th>Minimum landscaped width</th><th>Proposed</th><th>Complies (Yes/No)</th></tr><tr><td>Main Street frontage</td><td>7.5m</td><td>7.5m <i>Landscape with no parking</i></td><td>40m (Gilmore Road)</td><td>Yes – <i>building line</i> No – <i>landscaped width</i></td></tr><tr><td>Secondary frontage</td><td>3m</td><td>3m <i>Landscape with no parking</i></td><td>10m (Kealman Road) 35m (Bowen Place)</td><td>Yes – <i>building line</i> No – <i>landscaped width</i></td></tr></table> <p>The site has frontages to 3 streets, Gilmore Road, Kealman Road and Bowen Place. Gilmore Road is considered to be the main street frontage</p>	Setback type	Building Line Setback	Minimum landscaped width	Proposed	Complies (Yes/No)	Main Street frontage	7.5m	7.5m <i>Landscape with no parking</i>	40m (Gilmore Road)	Yes – <i>building line</i> No – <i>landscaped width</i>	Secondary frontage	3m	3m <i>Landscape with no parking</i>	10m (Kealman Road) 35m (Bowen Place)	Yes – <i>building line</i> No – <i>landscaped width</i>	<p>No –</p> <p>Objectives</p> <p>8.2.1 (3) & 8.2.1 (4) are not satisfied.</p> <p>The proposed development does not meet the objectives of setback controls in relation to “preserving residential amenity” and does not “provide any buffers to adjoining land uses to reduce adverse impacts on surrounding land”.</p> <p>Controls</p> <p>The proposed development does not comply with controls set out in 8.2.1 (a) minimum landscape widths.</p>
Setback type	Building Line Setback	Minimum landscaped width	Proposed	Complies (Yes/No)													
Main Street frontage	7.5m	7.5m <i>Landscape with no parking</i>	40m (Gilmore Road)	Yes – <i>building line</i> No – <i>landscaped width</i>													
Secondary frontage	3m	3m <i>Landscape with no parking</i>	10m (Kealman Road) 35m (Bowen Place)	Yes – <i>building line</i> No – <i>landscaped width</i>													

	<p>and Kealman and Bowen Place are considered to be secondary street frontages.</p> <p>The proposed facility is setback 40m from Gilmore Road, 10m from Kealman Road and 35 m from Bowen place. The minimum setback requirements meet the numerical controls for the building line setback but do not meet the landscape widths with no parking. The area between the facility and property boundaries is used for parking, and vehicle circulation. In this regard the proposed development does not comply with controls set out in 8.2.1 (a) minimum landscape widths.</p>	
8.2.2	<p>Car Parking and vehicular access</p> <p>Refer to previous discussion under Part 2 where all relevant objectives and controls from this clause have been addressed.</p>	Yes
8.2.3	<p>Building Design</p> <p>Objectives</p> <ol style="list-style-type: none"> 1. <i>Promote buildings that enhance the quality of the streetscape.</i> 2. <i>Encourage innovative, contemporary and sustainable building designs.</i> 3. <i>Encourage design that is compatible with type, scale, height, bulk and character, and enhance streetscape characteristics.</i> 4. <i>Ensure noise is mitigated.</i> 5. <i>Protect/enhance visual amenity of entry points into the city.</i> <p>The proposed building design is purpose built and offers no design characteristics to enhance the streetscape. Within the industrial area the design is not out of character to other buildings in the locality and is satisfactory with regard to development in the adjoining locality.</p> <p>The operations of the business will be carried out within the building. The construction of the building is reinforced concrete panels but there is no indication the building incorporates sound proofing measures.</p> <p>The site is visible from Canberra Avenue particular the east elevation. External colour details have not been confirmed. If consent is forthcoming external colours can be submitted to Council for approval. The external appearance of the facility is not out of character to other buildings in the industrial area however the facility could provide some design features to improve its visual appearance from the Bowen Place and Gilmore Road elevation. The Gilmore Road elevation is a 100m long blank wall at 12m high with no visual relief. If consent is forthcoming amended plans shall be submitted showing some visual relief to the external facades.</p> <p>Relevant Controls</p> <ol style="list-style-type: none"> (a) <i>The façade of buildings facing the street should be of a high design quality. Monotonous facades consisting of one plane and colour are to be avoided.</i> (b) <i>Buildings in John Bull Street are to be of brick or non-reflective cladding including roof. Storage areas are to be screened.</i> (c) <i>Office accommodation for industrial development should be located at the front of buildings to ensure that blank facades are broken up (i.e. office style windows and access). The office area should be positioned as an attached structure to the main building</i> 	<p>No - The Gilmore Road elevation is a 100m long blank wall at 12m high with no visual relief and</p> <p>The design of the facility has not addressed the building design controls set out in 8.2.3 (a)</p>

	<p><i>to give identity and point of entry to the overall development form (Figure 1).</i></p> <ul style="list-style-type: none"> <i>(d) Colours and materials shall be compatible with the natural scenic qualities of the locality. Visually prominent buildings with incompatible colours will not be supported.</i> <i>(e) New materials for construction are to be used. New industrial buildings should be constructed from low maintenance materials and incorporate energy efficient design principles.</i> <i>(f) The extensive use of reflective glazed windows is not permitted.</i> <i>(g) Scale and proportion of a development can be influenced (reduced) by appropriate planting. In general large, bulky buildings will be visually reduced to the human scale by using larger plants (trees). Similarly, large expanses of hardstand areas e.g. car parks, can be broken down by the use of shade trees.</i> <i>(h) To reduce the scale of larger buildings, large trees must be incorporated in the landscape plan (Figure 2).</i> <i>(i) The appearance of industrial sites, when viewed from nearby residential areas should be addressed through the location of plants and trees that break up the mass of buildings and reduce the potential for glare. This will generally be achieved by a landscape buffer zone between residential and industrial areas and the provision of a wall for noise attenuation</i> <p>The design of the facility has not addressed the building design controls set out in 8.2.3 (a)</p> <p>It should be noted that the proposed building will not impact on residents visual amenity as the height of the proposed building at RL617 is set 9m below the ground contours varying from RL626-630 of surrounding residential areas.</p> <p>If consent is forthcoming amended plans shall be submitted to Council for approval and shall incorporate a proportion of the controls.</p>	
8.2.4	<p>Site Works</p> <p>Objectives</p> <ul style="list-style-type: none"> <i>1) Restrict and control excessive earthworks in order to preserve as much as is practicable the existing topography and amenity of the locality.</i> <i>2) Prevent siltation of materials and erosion of land.</i> <i>3) Ensure building design is appropriate for site conditions (stability and privacy).</i> <p>Relevant Controls</p> <ul style="list-style-type: none"> <i>(a) Site works, including clearing of existing vegetation, cut and fill, retaining walls, batters and the like require the written consent of Council except for exempt development (SEPP (Exempt and Complying Development Code) 2008).</i> <i>(b) The maximum permissible cut and fill to accommodate any building or associated structure is limited to 2 metres, except in those circumstances referred to below. All exposed cut and fill is to be suitably retained to structural engineers detail or battered.</i> <i>(c) Council will consider, in case of particularly undulating sites, a cut of up to 4 metres in depth where the abutting wall of the building serves the purpose of a retaining wall. This provision is subject to the wall of the building satisfying the National Construction Code requirements in regard to structural integrity and drainage</i> 	Yes - Condition

	<p>(d) <i>Excavation and filling of the site, except to accommodate building platform, car parking, driveways and storage areas is to be kept to a minimum. On steeper allotments, the tiering of car parks and external storage areas is recommended.</i></p> <p>(e) <i>All batters are not to exceed a gradient of 1:4 and shall be suitably stabilised with vegetation. Retaining walls over 1m in height shall be designed by a structural engineer.</i></p> <p>A substantial amount of earthworks has been undertaken in accordance with DA 16-2016 Extractive Industry. A condition of consent restricts excavation to a level of RL604.7. The site plan for the proposed development has a site level of RL605.</p> <p>If consent is forthcoming a standard condition of consent relating to erosion and sediment control measures to be applied.</p>	
8.2.5	<p>Materials Storage</p> <p>Objectives</p> <ol style="list-style-type: none"> 1) <i>Avoid visually intrusive development</i> 2) <i>Minimise impact of storage materials when viewed from the street.</i> <p>Controls</p> <ol style="list-style-type: none"> (a) <i>Storage areas that can be seen from the street and neighbouring areas shall be screened.</i> (b) <i>Designated outdoor storage areas are to be indicated on the site plan submitted to Council as part of the Development Application</i> (c) <i>All efforts should be made to avoid external storage areas being visible from the street</i> (d) <i>The use of storage units/facilities will be required in order to keep storage areas in a tidy state</i> <ol style="list-style-type: none"> i) <i>Racking devices for timber and steel products; or</i> ii) <i>Storage bins for soil and mulching products.</i> iii) <i>Storage areas will be required to be screened with suitable physical barriers or mature vegetation if in direct view from public places. In some instances, roofing of storage areas may be required to lessen the visual impact on surrounding land uses and/or the visibility from elevated areas outside the estate.</i> (e) <i>Where storage is located to the front of the building, screen fencing is to be used to improve the streetscape. High continuous solid fencing should be softened by appropriate planting and indentations of the fence. High solid fences should have open elements above 1.2m to maintain surveillance.</i> (f) <i>The use of car space and designated driveway areas for storage of materials is strictly prohibited.</i> (g) <i>Storage areas not to impede exits from the building.</i> <p>The following storage areas are nominated on the site plan:</p> <ul style="list-style-type: none"> • Bin storage areas x 2 either side of the facility (east and west). • Wash-bays, • Grease Trap waste tanks x 3 <p>The area to the east will be screened by the 1.8m high Colorbond fence, however the bin storage area to the west between Gilmore Road and the facility will be visible. Storage areas are required to be screened and if</p>	<p>Yes</p> <p>Conditions</p>

	consent is forthcoming conditions of consent will require storage areas to be screened.	
8.2.6	<p>Fencing</p> <p>Objectives</p> <ol style="list-style-type: none"> 1) <i>Improve safety and security of the site.</i> 2) <i>Improve visual amenity.</i> 3) <i>Enhance the streetscape.</i> <p>Controls</p> <ol style="list-style-type: none"> (a) <i>All fencing is to begin behind the landscaped area along the street frontage. Fencing will not generally be permitted along the front boundary of allotments.</i> (b) <i>The preferred type of fencing is a galvanised or PVC coated wire mesh, not less than 1.8m above ground level and anchored into concrete footing.</i> <p>Note: <i>Electric fences are discouraged.</i></p> <p>The site is fenced with 1.8m Colorbond fence and is generally considered acceptable and meets the objectives. The Colorbond fence is preferred given the proposed development.</p>	Yes
8.2.7	<p>Pollution Control</p> <p>Objectives</p> <ol style="list-style-type: none"> 1) <i>Ensure that the use of land does not create offensive noise.</i> 2) <i>To ensure adequate protection against environmental degradation due to pollution discharge.</i> 3) <i>Minimise interference to existing and future amenity.</i> 4) <i>Ensure satisfactory measures are incorporated to alleviate negative environmental impacts associated with industrial land uses.</i> <p>The proposed development has been considered in relation to noise. It is concluded that with suitable mitigation measures and operational monitoring conducted, the proposed development will not create offensive noise. This is discussed further in Section 6.0 of the report.</p> <p>Council is not satisfied that the proposed development will result in minimal interference to existing and future amenity particularly in regard to odour. In this regard the proposed development does not satisfy objective 3. Odour is discussed in Section 6 of the report.</p> <p>The amended EIS submitted 4 November 2016 states that the building design will incorporate provision for ventilation, extraction and/or odour treatment in the future, should this be required. The applicant concludes that the proposed development will readily comply with the EPA GTA's and result in negligible, if any, adverse amenity impacts. Council is not satisfied that the development will not result in adverse amenity impacts particular in relation to odour and this is supported by SLR's peer review response to air quality and concerns raised by NSW Health. In this regard the proposed development does not satisfy objective 4.</p>	<p>No</p> <p>Council is not satisfied that the proposed development will result in minimal interference to existing and future amenity particularly in regard to odour. In this regard the proposed development does not satisfy objective 8.2.7 (3)</p> <p>AND</p> <p>Council is not satisfied that the development will not result in adverse</p>

	<p>Controls</p> <p>a) Waste</p> <ol style="list-style-type: none"> i) <i>Provision shall be made for the storage and disposal of all trade waste, refuse, etc., that can be adequately accessed by service vehicles, so that it is not exposed to public view or likely to create a health nuisance.</i> ii) <i>A written waste management plan is to be submitted with the Development Application.</i> <p>The draft EMP (dated 17/05/16 Ver 2) states in section 2.3.6 that “storm water and wash bay water is to be collected in two underground 150,000L tanks and collected via sealed water carts to the next door Monaro Mix concrete batch plant for reuse. Any excess will be directed to storm water”. Storm water is now being retained on site and is not going to adjoining Monaro Mix, hence this statement is now superseded. The following discharge of water sources are proposed:</p> <ul style="list-style-type: none"> • Sewage to be discharged to Council system • Wash bay and process water (all water in contact with waste material within the facility) to be treated prior to discharge into Council's sewer • Liquid waste (oily water and grease trap) to be banded and contents to be treated prior to discharge to Council's sewer • Storm water from hardstand parking and storage areas to be treated by GTP, OSD and storage, reuse or discharge into stormwater system • Clean storm water (roof) to be captured and reused where possible <p>A draft waste management plan was submitted with the amended Development Application. It outlines the proposed waste types that will be accepted for storage and transfer and how waste will be transferred from the site. Grease trap and oily waters will be stored outside the facility and in the EMP there is no indication how odour will be mitigated from this waste stream. Council is not satisfied that storage and disposal of grease trap waste J120 Waste oil has been adequately assessed to ensure a health nuisance is not created.</p> <p>b) Noise and Vibrations</p> <ol style="list-style-type: none"> i) <i>Buildings shall generally be designed to prevent noise from plant machinery and operations associated with the development exceeding 5dBA above the background noise level at any time, measured at the boundaries of the site.</i> ii) <i>All machinery shall be installed to ensure that no vibration is transmitted beyond the development site.</i> <p><i>Note: Council may require that acoustical information be submitted with a development application in order to assess the potential noise impacts of a proposal on surrounding uses and residential areas</i></p> <p><i>Note: Council may impose restrictions to mitigate potential noise impacts (Refer Part 2 of the DCP)</i></p> <p>Noise and vibrations has been discussed in Section 6.0 of the report. Council is satisfied that with appropriate mitigation measures noise can be managed to prevent noise nuisance.</p> <p>c) <i>Emissions</i></p>	<p>amenity impacts particular in relation to odour. In this regard the proposed development does not satisfy objective 8.2.7 4.</p>
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	<p><i>including washing and surface water, harmful to stream or sub-surface water quality.</i></p> <p>iii) <i>Council will encourage, where appropriate, the use of porous surface material and soakage pits to reduce stormwater loads.</i></p> <p>The site will have extensive hardstand areas created, the applicant has proposed to install gross pollutant traps to capture contaminants from the hardstand runoff, storm water from roof will be captured as well and all discharged via and On site detention system, and reused on site where possible for vehicle wash down and landscaping. The approach embraces the concept of WSUD (water sensitive urban design) with ultimate discharge into Council system in Gilmore Road. The applicant will be required to construct a storm water management system that ensures a discharge no greater than predevelopment flows into Council infrastructure meeting the requirements of a 20% rain event.</p> <p>Additional details are required about storage of above ground fuel tank and spill containment as the separator must not contain a bypass device and must be sized to hold the product from the largest compartment size of the refuelling tankers use to refuel the site. If consent is forthcoming relevant conditions would be required to address issue before construction certificate can be issued.</p> <p>g) <i>Contaminated Land</i></p> <p>i) <i>Contaminated land is land which represents or potentially represents an adverse health or environmental impact because of the presence of potentially hazardous substance. Development Applications for contaminated land will be assessed in accordance with the provisions of Contaminated Land Management Act 1997 and State Environmental Planning Policy No. 55 (Remediation of Land).</i></p> <p>ii) <i>Contaminated land may be required to be remediated prior to development proceeding on site. Remediation shall involve the treating and or mitigation of the contaminants.</i></p> <p>iii) <i>An application on potentially contaminated land must identify any past or present potentially contaminating activities, provide a preliminary assessment of any site contamination and, if required, provide a basis for a more detailed investigation. A preliminary investigation is not necessary where contamination is not an issue.</i></p> <p>iv) <i>Refer Part 2.4 Contaminated land management. Note: See Part 2.9 for Safe Design guidelines.</i></p> <p>Contamination was addressed under SEPP 55 – Remediation of Land</p>	
8.3.1	<p>Waste or Resource Management Facility</p> <p>Objective</p> <p>1) <i>To ensure Waste Resource Management facilities are designed and maintained to contribute positively to the streetscape and amenity.</i></p>	<p>No to part of the objective relating to amenity.</p> <p>Conditions required to meet controls</p>

	<p>As discussed earlier in this DCP assessment the external façade of the facility requires some design treatment to improve its contribution to the streetscape.</p> <p>It is considered that the proposed development does not meet the amenity part of the objective of this clause.</p> <p>Controls</p> <p>The controls in this part of the QDCP are related to fencing, landscaping and site management. If development consent is forthcoming these controls can be conditioned.</p> <ul style="list-style-type: none"> a) <i>Solid fencing shall be erected around the full perimeter of waste or resource management facility. This fencing is to be:</i> <ul style="list-style-type: none"> i) <i>A minimum of 1.8m high to a maximum of 2.4m.</i> ii) <i>Non-reflective cladding metal or wood paling type design (corrugated iron will not be supported).</i> iii) <i>Dark in tone and non-reflective in nature.</i> b) <i>The solid fence is to be setback to a position behind the building line of any associated office or workshop. High solid fences should have open elements above 1.2m to maintain natural surveillance.</i> c) <i>Customer parking is to be provided in front of the associated buildings and fences.</i> d) <i>Fencing should be softened by appropriate planting. A planting bed 2m wide (minimum) in front of the fence is to be provided.</i> e) <i>The stacking of car bodies and other material to a height above the fence will not be permitted.</i> f) <i>Car bodies and other material may have to be screened with roofing if in direct view from surrounding land uses and vantage points within and outside the Estate.</i> g) <i>The storage of all materials should be kept in a tidy and satisfactory state, particularly in areas that may be exposed to public view (i.e. gate areas).</i> <p>The site is currently fenced with a 1.8m high dark green Colorbond fencing around the site boundary. The fence does not have open elements above 1.2m to maintain natural surveillance. If consent is forthcoming this can be conditioned.</p> <p>Customer parking is provided within the perimeter fencing on site. Customer parking is not clearly identified on the plan however the need for customer parking is limited due to the nature of the commercial operation.</p> <p>A planting bed 1.5m wide is provided in front of the existing solid fencing to the east off Bowen Place and Kealman Road where the new facility is proposed. Details of the landscaping can be conditioned if consent is forthcoming.</p> <p>The storage of material to be kept in a tidy and satisfactory state in areas that are exposed to public view requires good site management practices. A detailed Environmental Management Plan will be required to be submitted and approved by Council to address site construction activities and interim pollution controls, management of truck loads to prevent windblown litter and procedure for load contamination such as Asbestos.</p>	<p>relating to fencing.</p>
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