



Report to Sydney West Central Planning Panel

SWCCP reference	2017SWC090
DA No.	1069/2016
Date of receipt	15 November 2016. Amended plans received 3 March 2017.
Proposal	Construct and operate a resource recovery plant located within an enclosed shed for the treatment of road sweepings and gully waste.
Street address	1A Unwin Street, Rosehill
Property Description	Lot 21 DP 817742
Applicant	Downer EDI Works Pty Ltd
Owner	Downer EDI Works Pty Ltd
Submissions	None
List of All Relevant s79C(1)(a) Matters	<ul style="list-style-type: none">• Environmental Planning and Assessment Act and Regulations• Protection of the Environment Operations Act 1997• Water Management Act 2000• State Environmental Planning Policy No. 55• State Environmental Planning Policy (Sydney Harbour Catchment) 2005• State Environmental Planning Policy (State and Regional Development) 2011• Infrastructure SEPP (ISEPP)• Parramatta Local Environmental Plan 2011• Parramatta Development Control Plan 2011• Parramatta S94A Contributions Plan
Recommendation	Approval
Council Officer	Denise Fernandez, Senior Development Assessment Officer

Summary of s79C matters

Have all recommendations in relation to relevant s79C matters been summarised in the Executive Summary of the assessment report ? Yes

Legislative clauses requiring consent authority satisfaction

Have relevant clauses in all applicable environmental planning instruments where the consent authority must be satisfied about a particular matter been listed, and relevant recommendations summarised, in the Executive Summary of the assessment report? Yes

Clause 4.6 Exceptions to development standards

If a written request for a contravention to a development standard has been received, has it been attached to the assessment report ? Yes

Special Infrastructure Contributions

Does the DA require Special Infrastructure Contributions conditions (S94EF)? No

Conditions

Have draft conditions been provided to the applicant for comment ? Yes

1. Executive summary

This report considers a proposal to construct a new resource recovery facility within a newly constructed shed with an area of 1652m². The facility is proposing to treat up to 40,000 tonnes per annum of road sweepings. The facility will employ 2 full time employees and the proposed hours of operation are 24 hours, 7 days a week.

The new facility is being installed adjacent to an existing asphalt plant so that the recovered waste is re-used at the site in the manufacture of asphalt and road products. Both the asphalt plant and the facility is operated by the same operator (Downer).

Assessment of the application against the relevant planning framework and consideration of matters by Council's technical department including Engineers, Traffic and Environmental Health has not identified any fundamental issues of concerns. The application is therefore satisfactory when evaluated against section 79C of the Environmental Planning and Assessment Act 1979.

This report recommends that the Panel approve the application, subject to the recommended conditions.

2. Key issues

- a. The site is flood prone;

- b. The proposed works are identified as a Scheduled Activity under the Protection of the Environment Operations Act. Referral was sent to the Environmental Protection Agency who consequently issued its General Terms of Approval; and
- c. The works are Integrated development and requires approval from the Department of Primary Industries – Water.

3. Site context

The subject site is located at Lot 21 DP817742 and is commonly known as 1A Unwin Street, Rosehill. The site is bounded by A'Becketts Creek to the south and Unwin Street to the west. The site has an overall area of 44,000m².

The site is located within a self-contained industrial precinct. Immediately to the north and east of the site are industrial properties. The predominant land uses of the locality are industrial. The surrounding area is characterised by Rosehill Gardens Racecourse, Sydney Speedway, Rosehill Heliport, A'Beckett's Creek and the Clyde railway spur line, which are near the site. The M4 Western Motorway is located to the southwest and James Ruse Drive to the west.

The nearest residential dwellings and sensitive receiver locations are situated to the west of James Ruse Drive approximately 350 metres from the site.

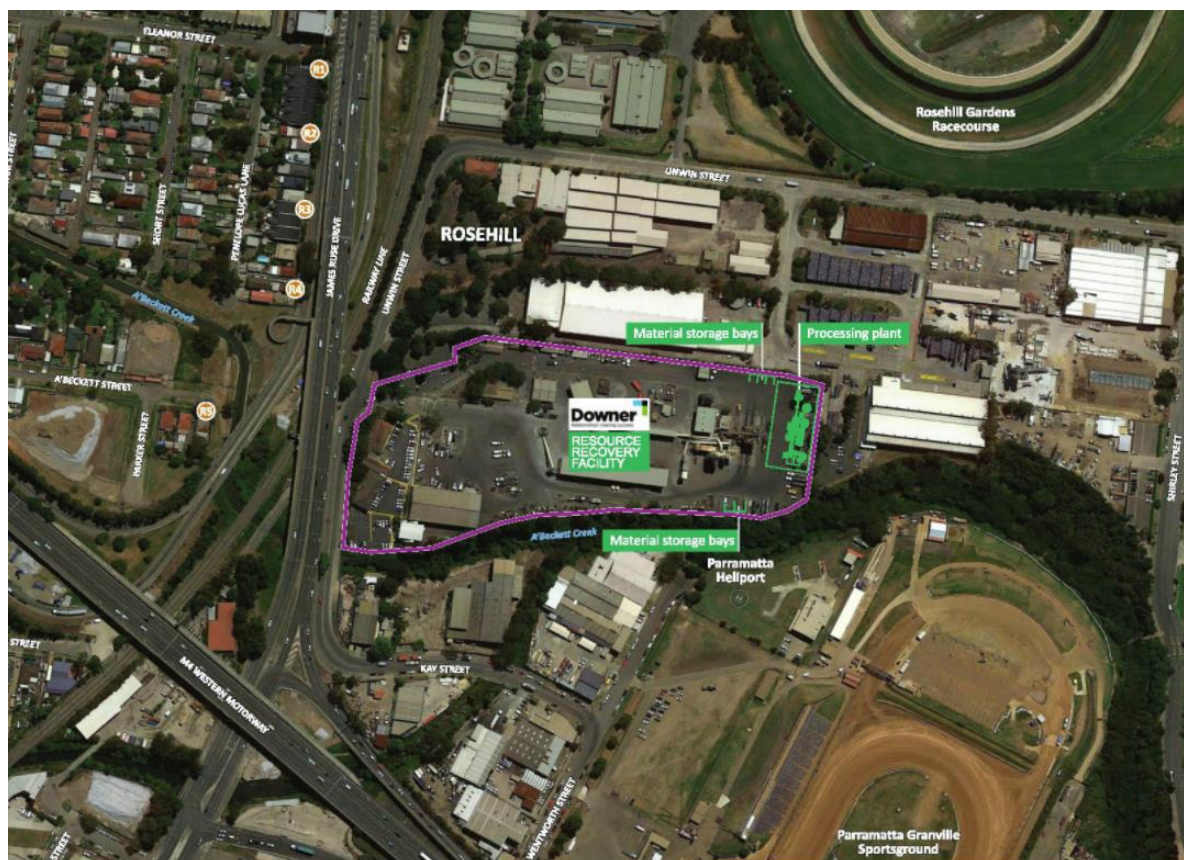


Figure 1: Aerial photo of the site

4. Site description and location

4.1 Background

The site has operated as an asphalt plant since the early 1960's and was once owned by the Roads and Traffic Authority between 1962 to 1992. The site maintains its operations as an asphalt plant.

It is noted that part of the site upon which the works would be undertaken is not highly visible from the street.



Figure 2: View of the site from Unwin Street

4.2 Pre-Lodgement Meeting

On 2 April 2016, Council's Advisory Team reviewed a potential application for the construction and operation of a resource recovery facility for up to 25,000 tonnes of street sweeping and stormwater gully waste at 1A Unwin Street, Rosehill. The issues raised in the pre-lodgement meeting are as follows:

- The site is affected by the 1:00 year ARI flood event. Any application for the proposed works is to obtain site flood levels and a flood impact report prepared demonstrating compliance with Council's Flood Plain Matrix of PDCP 2011.
- Any application lodged with Council is to ascertain tree removal is required which should be noted on the Site Plan.
- A Detailed Site Investigation (Phase 2 Contamination Report) demonstrating compliance with the requirements under SEPP 55 is to be submitted with any application lodged with Council.

- A Traffic and Transport Impact Assessment is to accompany any application for the purposes of a resource recovery facility on the subject site.

5. The proposal

The current proposal comprises the following primary elements:

- Construction of a new resource recovery facility contained within a newly constructed shed with a total area of 1800m².
- The facility is proposing to treat up to 40,000 tonnes per annum of road sweepings.
- Relocation of 3 material storage bays adjacent to the northern boundary.
- The facility is to employ 2 full time staff
- Operational hours are to be 24 hours, 7 days a week

Details of the use of the new facility are as follows:

- The operator (Downer) is a contractor road maintenance service provider and is responsible for the maintenance and performance of the road drainage system which requires sweeping of roads, gullies and cleaning of blockages in the drainage system to maximise road network efficiency.
- The waste generated from these maintenance activities is currently disposed on landfill facilities which incur costs and contributes to filling of landfills. In this regard, the operator is proposing to separate the waste material which can then be reused and recycled.
- The facility uses customised material screening to recover over 60% of a waste stream that would normally go to landfill.
- Incoming material is tipped into designated handling pits within the shed. The pits are adjacent to the resource recovery plant.
- Recovered resources separated during the recovery process is then temporarily stockpiled, in their separated states, adjacent to the recovery plant.
- Whilst awaiting to be transported to the asphalt plant, the separated materials is stored in an external storage bay.
- The external storage bays are required for safety as the vehicle used to transport the separated materials from the facility cannot be accommodated within the shed.
- Recovered aggregates would be reused almost immediately in the adjacent asphalt plant.

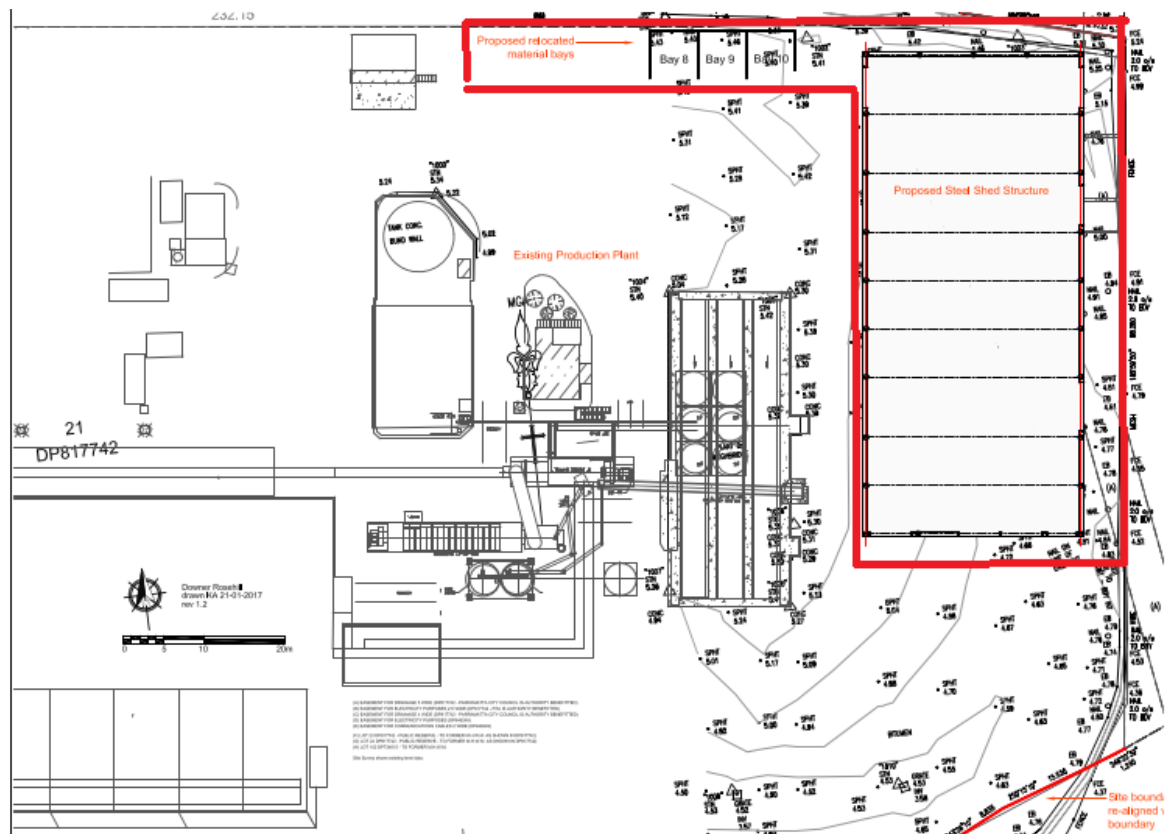


Figure 3: Diagram illustrating location of new shed and relocation of material bay.

6. Public notification

The application was subject to 2 advertising periods, the first of which was undertaken between 1 December 2016 and 12 January 2017.

The second advertising period was between 27 July 2017 to 28 August 2017. The second advertising period was necessary as the determining authority being the Sydney West Joint Planning Panel was not indicated in the project description on the initial advertising period.

No submissions were received as a result of either advertising period.

7. Referrals

Any matters arising from internal/external referrals not dealt with by conditions	No
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8. Environmental Planning and Assessment Act 1979

Does Section 5A (Significant effect on threatened species) apply ?	No
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Does Section 77A (Designated Development) apply ?	Yes
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Does Section 91 (Integrated Development) apply ?	Yes
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Are submission requirements within the Regulations satisfied?

Yes

9. Consideration of SEPPs

Key issues arising from evaluation against SEPPs None - A detailed assessment is provided at **Attachment A**.

10. Parramatta Local Environmental Plan 2011

The following table is a summary assessment against the LEP. A detailed evaluation is provided at **Attachment A**.

Table 1: LEP compliance

<i>Comment or non- compliances</i>	
Zones	<ul style="list-style-type: none">• IN3 Heavy Industrial
Definition	<ul style="list-style-type: none">• Resource Recovery Facility
Part 2 Permitted or prohibited development	<ul style="list-style-type: none">• Permissible in the zone• Consistent with zone objectives
Part 4 Principal development standards	<ul style="list-style-type: none">• Height - Complies - 12 metres (max. 12m)• FSR – Complies – 0.11:1 (max 1:1)
Part 5 Miscellaneous provisions	All relevant provisions satisfied
Part 6 Additional local provisions	All relevant provisions satisfied

11. Parramatta Development Control Plan 2011

The following table is a summary assessment against this DCP. A detailed evaluation is provided at **Attachment A**.

Table 2: DCP compliance

<i>Comment or non- compliance</i>	
Part 2 – Site Planning	Consistent
Part 3 – Development Principles	Satisfactory
Part 4 – Special Precincts	Satisfactory

Conclusion

On balance the proposal has demonstrated a satisfactory response to the objectives and controls of the applicable planning framework.

RECOMMENDATION

- A. That pursuant to Section 80(3) of the Environmental Planning and Assessment Act, 1979 the Sydney West Central Planning Panel grant consent to Development Application DA/1069/2016 subject to the conditions in **Attachment A**.

Physical commencement is to occur within five (5) years from the date on the Notice of Determination.



ATTACHMENT A- PLANNING ASSESSMENT

SWCCP reference 2017SWC090

DA No. 1069/2016

1. Overview

This Attachment assesses the relevant matters for consideration under section 79C of the Environmental Planning and Assessment Act, as noted in the table below:

Table 1- Matters for consideration

<i>Provision</i>	<i>Comment</i>
Section 79(1)(a)(i) - Environmental planning instruments	Refer to section 2 below
Section 79C(1)(a)(ii) - Draft planning instruments	Not applicable
Section 79C(1)(a)(iii) - Development control plans	Refer to section 3 below
Section 79C(1)(a)(iiia) - Planning agreements	Not applicable
Section 79C(1)(a)(iv) - The Regulations	Refer to section 4 below
Section 79C(1)(a)(v) - Coastal zone management plan	Not applicable.
Section 79C(1)(b) - Likely impacts	Refer to section 5 below
Section 79C(1)(c) - Site suitability	Refer to section 6 below
Section 79C(1)(d) - Submissions	Refer to section 7 below
Section 79C(1)(e) - The public interest	Refer to section 8

The following internal and external referrals were undertaken:

Table 2: Referrals

Landscape	Not Required
Development Engineer	Satisfactory subject to conditions
Traffic	Satisfactory subject to conditions

Environmental Health (Waste) / (Contamination) / (Acoustic)	Satisfactory
Open Space and Recreation	Satisfactory subject to conditions
Heritage	Satisfactory
Sydney Trains	Satisfactory subject to conditions
EPA	Satisfactory – GTAs issued
Office of Water	Satisfactory

Note: See Attachment C for referral comments

2. Environmental planning instruments

Compliance with these instruments is addressed below.

2.1 Environmental Planning & Assessment Act 1979 (EP&A Act)

The EP&A Act determines the consent authority for the development application. Schedule 4A of the EP&A Act identifies development activities where regional panels are the consent authority. Schedule 4A (Clause 8) of the Act identifies particular types of designated development, one of which being “waste management facilities” in accordance with Schedule 3 of the EP&A Regulations Act. As discussed elsewhere in this report, the proposal is consistent with the description of a “waste management facility”. Therefore, the consent authority is the Sydney West Central Planning Panel (SWCPP).

2.2 Protection of the Environment Operations Act 1997 (POEO Act)

The POEO Act is the key piece of environmental protection legislation administered by the EPA. The principle objectives of the POEO Act are to:

- Protect, restore and enhance the quality of the environment, while having regard to the principles of ecologically sustainable development (ESD).
- Provide increased opportunities for public involvement and participation in environment protection.
- Reduce risks to human health and prevent the degradation of the environment.
- Assist in the achievement of the objectives of the Waste Avoidance and Resource Recovery Act 2001 (NSW).

Section 48 of the Protection of the Environment Operations Act 1997 (POEO Act) outlines

that an environment protection licence (EPL) (separate approval) is required for any scheduled activities to be undertaken at a premise at which Schedule 1 of the Act indicates that a licence is required.

The proposal satisfies Clause 34 of Schedule 1 of the POEO Act. Clause 34 applies to *“recovery of general waste meaning the receiving of waste (other than hazardous waste, restricted solid waste, liquid waste or special waste) from off site and its processing, otherwise than for the recovery of energy”*.

The Project is therefore classified as Integrated Development under Section 91(1) of the EP&A Act as it requires an EPL. As such the application was referred to the NSW Environment Protection Authority (EPA) and advertised the development as Integrated Development. Council did not receive any submissions from the advertising of the application and as such, the EPA issued their GTAs on 30 May 2017. These conditions will be incorporated in the consent.

2.3 Environmental Planning & Assessment Regulation 2000 (EP&A Regulation)

The proposal is classified as designated development as it is consistent with the definition of a *‘waste management facility’* pursuant to Schedule 3 (Clause 32) of the EP&A Regulation. Clause 32 states that waste management facilities considered as designated development as being:

- (1) *Waste management facilities or works that store, treat, purify or dispose of waste or sort, process, recycle, recover, use or reuse material from waste and:*
 - (a) *that dispose (by landfilling, incinerating, storing, placing or other means) of solid or liquid waste:*
 - (i) *that includes any substance classified in the Australian Dangerous Goods Code or medical, cytotoxic or quarantine waste, or*
 - (ii) *that comprises more than 100,000 tonnes of “clean fill” (such as soil, sand, gravel, bricks or other excavated or hard material) in a manner that, in the opinion of the consent authority, is likely to cause significant impacts on drainage or flooding, or*
 - (iii) *that comprises more than 1,000 tonnes per year of sludge or effluent, or*
 - (iv) *that comprises more than 200 tonnes per year of other waste material, or*

- (b) *that sort, consolidate or temporarily store waste at transfer stations or materials recycling facilities for transfer to another site for final disposal, permanent storage, reprocessing, recycling, use or reuse and:*
 - (i) *that handle substances classified in the Australian Dangerous Goods Code or medical, cytotoxic or quarantine waste, or*
 - (ii) *that have an intended handling capacity of more than 10,000 tonnes per year of waste containing food or livestock, agricultural or food processing industries waste or similar substances, or*
 - (iii) *that have an intended handling capacity of more than 30,000 tonnes per year of waste such as glass, plastic, paper, wood, metal, rubber or building demolition material, or*
- (c) *that purify, recover, reprocess or process more than 5,000 tonnes per year of solid or liquid organic materials, or*
- (d) *that are located:*
 - (i) *in or within 100 metres of a natural waterbody, wetland, coastal dune field or environmentally sensitive area, or*
 - (ii) *in an area of high watertable, highly permeable soils, acid sulphate, sodic or saline soils, or*
 - (iii) *within a drinking water catchment, or*
 - (iv) *within a catchment of an estuary where the entrance to the sea is intermittently open, or*
 - (v) *on a floodplain, or*
 - (vi) *within 500 metres of a residential zone or 250 metres of a dwelling not associated with the development and, in the opinion of the consent authority, having regard to topography and local meteorological conditions, are likely to significantly affect the amenity of the neighbourhood by reason of noise, visual impacts, air pollution (including odour, smoke, fumes or dust), vermin or traffic.*

(2) *This clause does not apply to:*

- (a) *development comprising or involving any use of sludge or effluent if:*
 - (i) *the dominant purpose is not waste disposal, and*
 - (ii) *the development is carried out in a location other than one listed in subclause (1) (d), above, or*
- (b) *development comprising or involving waste management facilities or works specifically referred to elsewhere in this Schedule, or*

- (c) *development for which State Environmental Planning Policy No 52—Farm Dams and Other Works in Land and Water Management Plan Areas requires consent.*

The proposal satisfies the above criteria for the following reasons:

- It will recover materials from waste;
- It will recover more than 5,000 tonnes per year of solid organic materials;
- It is located within 100m of a 'natural' water body (A'Becketts Creek); and
- It is located within 500m of a residential zone.

As the application is designated development, an Environmental Impact Assessment was prepared and submitted. The application along with the technical reports associated with the development was placed on public exhibition for the public to provide submissions. To date, no submissions have been received from the exhibition of this application.

2.4 Water Management Act 2000

The subject site is located within 40 metres of a waterway (A'Beckett's Creek). The application was identified as Nominated Integrated Development.

The application was advertised for 30 days and correspondence was sent to the NSW Department of Primary Industries – Water. In response, the NSW Department of Primary Industries – Water noted that as the site is mostly sealed, a controlled activity approval is not required for the proposed works on the site and that no further assessment of the application is necessary.

2.5 Contaminated Lands Management Act 1997

This act establishes a process for investigating, and where required remediating contaminated lands, that pose a risk to human health and the environment.

Accordingly, a Phase 2 Detailed Contamination Assessment was prepared to determine the level of contamination on the site and identify remediation measures. The conclusion of the Phase 2 report is discussed elsewhere in this report (See Section 2.7 – SEPP 55) to comply with the requirements of this Act.

2.6 State Environmental Planning Policy No. 33 – Hazardous and Offensive Development.

SEPP No. 33 requires the consent authority to consider whether an industrial proposal is a potentially hazardous industry or a potentially offensive industry.

In accordance with the requirements of the SEPP, Council considered the *Hazardous and Offensive Application Guidelines – Applying SEPP 33* issued by the Department. In considering the guidelines, waste recovery facilities are not listed as an industry that may be potentially hazardous pursuant to Appendix 3 of the guidelines.

Further, the proposed waste recovery facility is not considered a potentially offensive industry as it does not emit unreasonable noise or odour from its activity.

Given this, no further assessment under the SEPP is required.

2.7 State Environmental Planning Policy No. 55 – Remediation of land

Clause 7 of this Policy requires the consent authority to consider if land is contaminated and, if so, whether it is suitable, or can be made suitable, for a proposed use.

A Phase 1 Preliminary Environmental Site Assessment was undertaken in February 2006 for the site which recommended a soil and groundwater investigation to confirm the contamination of status of the site. Consequently, a Phase 2 Contamination report was prepared and submitted with the application.

The report notes that the majority of the site is sealed (concrete or asphalt) which provides an effective barrier to the underlying contaminated soil; however unsealed portions of the site were found to have contained contaminant affected soils. In this regard, the report recommended that the operators of the site pave the remainder of the site and that an Environmental Management Plan (EMP) be prepared which addresses environmental and occupational health and safety issues in relation to the management of the contaminated soils.

With regards to groundwater, contamination was detected in the vicinity of the storage tanks adjoining the workshop. As such, the report recommended that this area of contamination be inspected to confirm that leakage has not occurred and that the wash down bay is also inspected to identify improvements to the water tightness of the system. Additionally, the

groundwater should be monitored on an annual basis to assist in detecting any adverse impacts to groundwater resulting in site operations.

In response to the above, the applicant has provided Council with the EMP which addresses the environmental and occupational health and safety issues for the site as recommended by the Phase 2 report. Further, the applicant has also submitted an inspection register and the maintenance and inspection procedure to demonstrate that the storage tanks are maintained and monitored accordingly. This information was submitted and reviewed by the EPA and upon review found the submission to be satisfactory and consequently issued their GTAs. Accordingly, the GTAs will be included in the recommendations of this report.

Given the above, the site is considered to be suitable for the continued industrial use, including the operation of the waste recovery facility.

Those circumstances are sufficient to satisfy the requirements of clause 7 of this Policy.

2.8 State Environmental Planning Policy (Infrastructure) SEPP

The provisions of SEPP (Infrastructure) 2007 have been considered in the assessment of the development application.

The application is not subject to clause 45 of the SEPP as the development does not propose works within the vicinity of electricity infrastructure.

The application is subject to clause 85 of the SEPP as the development proposes works adjacent to a rail corridor. As such, Sydney Trains were notified of the proposal. In response, Sydney Trains found the proposal to be satisfactory subject to conditions.

The application is not subject to clause 101 of the SEPP as the site does not have frontage to a classified road.

The application is subject to Clause 104 as the proposal seeks approval for a recycling facility / waste transfer station. In accordance with this clause, Council referred the application to RMS on 19 July 2017. On 17 August 2017, Council received correspondence from the RMS noting that they raised no objections to the proposal subject to conditions of consent.

2.9 Deemed State Environmental Planning Policy (Sydney Harbour Catchment) 2005

This Policy applies to all of the City of Parramatta local government area. It aims to establish a balance between promoting a prosperous working harbour, maintaining a healthy and sustainable waterway environment and promoting recreational access to the foreshore and waterways by establishing principles and controls for the whole catchment.

The Sydney Harbour Catchment Planning Principles must be considered and where possible achieved in the carrying out of development within the catchment. The key relevant principles include:

- Protect and improve hydrological, ecological and geomorphological processes;
- Consider cumulative impacts of development within the catchment;
- Improve water quality of urban runoff and reduce quantity and frequency of urban runoff; and
- Protect and rehabilitate riparian corridors and remnant vegetation.

Although the site is located within the Sydney Harbour Catchment and eventually drains into the Harbour, the Project is consistent with the Sydney Harbour Catchment Planning Principles as:

- The site is currently concreted. The development does not propose to change the topography or increase hard surfaces that would otherwise modify the hydrological processes of the site;
- The resource recovery plant and recovered materials storage areas are covered and therefore the proposal would not reduce the quality of urban runoff from the site; and
- The proposal is located within an industrial zone and in this regard will not negatively impact on native vegetation, riparian corridors or hydrological, ecological and geomorphological processes.

2.10 SEPP (State and Regional Development) 2011

Notwithstanding that the proposed use of the shed is for a resource recovery facility, it does not propose to recover more than 100,000 tonnes per year of waste.

As such, the State and Regional Development SEPP is not applicable to the subject application.

It is noted that the existing asphalt plant manufactures road materials. In this regard, the asphalt plant is not a waste recovery facility.

2.11 Parramatta Local Environmental Plan 2011

Zoning and permissibility

The proposed use meets the definition of ‘*resource recovery facility*’ and is permissible with consent in the IN3 zone.

Zone objectives

Clause 2.3(2) requires the consent authority to have regard to the zone objectives when determining a development application. The objectives for the IN3 Heavy Industrial zone are:

- *To provide suitable areas for those industries that need to be separated from other land uses.*
- *To encourage employment opportunities.*
- *To minimise any adverse effect of heavy industry on other land uses.*
- *To support and protect industrial land for industrial uses.*
- *To allow a wide range of industrial and heavy industrial uses serving the Greater Metropolitan Area of Sydney and beyond.*
- *To ensure that opportunities are not lost for realising potential foreshore access on land that is contaminated and currently not suitable for public access.*

The proposal is consistent with those objectives.

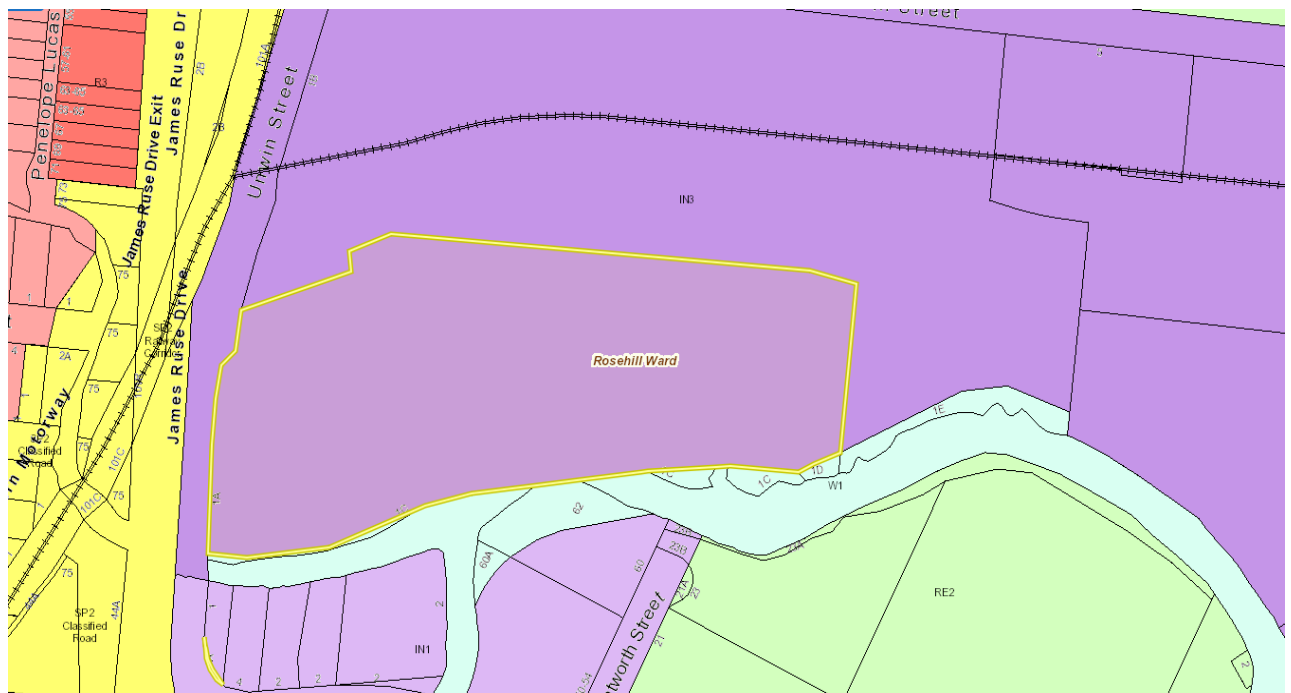


Figure 4: Extract from LEP zone map

Remaining provisions

Consideration of other relevant provision of the Plan is addressed in the following table:

Table 5: PLEP 2011 compliance table

Clause	Comment	Complies
Clause 2.7 Demolition	No demolition is proposed.	N/A
Clause 4.3 Building height	The development standard is 12m. The application proposes a maximum height of 12m	Yes
Clause 4.4 Floor space ratio	The FSR for the site is 1:1. The combined floor area for the existing buildings is 3300m ² . The development proposes a floor area of 1800m ² . The overall FSR = 0.11:1	Yes
Clause 4.6 Exceptions to standard	The application does not seek a variation to the development standards.	N/A
Clause 5.1 Relevant acquisition authority	Not applicable.	N/A
Clause 5.9 Preservation of trees	The application does not propose any tree removal.	N/A
Clause 5.10 Heritage	<ul style="list-style-type: none"> The site is not a listed heritage item, nor is it within a conservation area. The site is adjacent to heritage listed items 1B Unwin Street as well as the wetlands. <p>Council's Heritage Adviser has reviewed the proposal and raises not objections to the development given its distance from the heritage items.</p>	Yes
Clause 6.1 Acid sulphate soils	The site is identified as a "Class 4" ASS. Whilst the development proposes footings for the shed, these works will not penetrate or require excavation 2 metres below the natural ground surface. As such, an ASS assessment is not required to be prepared.	N/A
Clause 6.2 Earthworks	<p>The site is capped / concreted. The development proposes footings for the shed. However, these works do not require significant excavation that would impact upon drainage patterns. This was considered Council's Development Engineer, who is satisfied the works can be managed without adverse impact.</p> <p>Site works will not prejudice the future development of any adjoining land, or the amenity of that land.</p>	Yes

Issues relating to soil quality are addressed via considerations of SEPP 55.

Clause 6.3 Flood Planning	The site is identified on the flood planning map. The proposal was reviewed by Council's Development Engineer. Upon review, Council's Development Engineer found the proposal to be satisfactory, subject to conditions of consent.	Yes
Clause 6.4 Biodiversity	The site is not identified on biodiversity map	N/A
Clause 6.5 Water protection	The site is not identified on the riparian land and waterways map	N/A
Clause 6.6 Landslide Risk	The site is not identified as a landslide risk.	N/A
Clause 6.7 Foreshore Building Line	The site is not identified on the foreshore building line map	N/A

3. Parramatta Development Control Plan 2011

Compliance

The DCP is comprised of the following sections:

- 2 – Site Planning
- 3 – Development Principles
- 4 – Special Precincts

Compliance tables are provided below:

Table 6: DCP 2011 compliance table

Part 2 – Site Planning		Complies
2.4.1 Views and Vistas	The site is not identified as having views and vistas identified as being significant by Appendix 2 nor is the site located in the Harris Park Conservation Area.	Yes
2.4.2.1 Flooding	The site is identified by Council as being flood prone. Council's Development Engineers have reviewed the proposal and found the development to be satisfactory subject to conditions of consent.	Yes
2.4.2.2 Protection of Waterway	The site adjoins a waterway. The development is to be contained wholly within the site and will maintain the buffer zone to maintain the floodway and riparian corridor. The proposal also does not seek any tree removal and in this regard will retain the landscaping to the waterway and riparian vegetation.	Yes
2.4.2.3		N/A

Protection of Groundwater	The development does not require significant excavation. As such, it is unlikely to encounter or disturb groundwater.	
2.4.3.1 Soil Management	An erosion and sedimentation plan has been submitted with the application.	Yes
2.4.3.3 Salinity	Subject to conditions, the works will not impact or be impacted by salinity. The proposed landscaping is assessed as appropriate. Consultation with Council's Landscape and Tree Management Officer has found that the proposed plant species will not require an unreasonable amount of water for their maintenance.	Yes
2.4.4 Land Contamination	Refer to assessment under SEPP 55.	Yes
2.4.5 Air Quality	Standard conditions of consent will be applied.	Yes
2.4.6 Development on sloping land	The development responds to the slope of the site by providing an adequate building platform	Yes
2.4.7 Biodiversity	Council's Landscape Officer has not raised concerns with regards to the application. The application does not include provision for species nominated in Appendix 3 of the PDCP 2011. The site adjoins land zoned W1 to the south. Notwithstanding, the development has been amended so that the proposal is contained wholly within the site and does not propose to disturb the adjacent bushland or remove existing vegetation. Further, the development will not result in soil disturbance. The application as also reviewed by Council's Open Space and Recreation Officer who found the proposal to be satisfactory subject to conditions of consent.	Yes
2.4.8 Public Domain	The works proposed relate to a portion of the subject that is located of ample distance from the road frontage and public domain. As such, it is unlikely that the proposal will result in any adverse impact to the public domain.	Yes

Part 3 – Development Principles		Complies
Height	See LEP assessment under 'height'	Yes
FSR	See LEP assessment under 'FSR	Yes

Front Setback	<p>Required – correspond to existing predominant building line in street where there is a defined built edge.</p> <p>Provided - The works proposed on the subject site does not address the street frontage. As such, the application of a consistent street alignment in this case is considered unnecessary.</p>	N/A
Rear Setback	<p>Required – dependent on the amenity of adjoining development.</p> <p>Provided - The portion of the site where the works are to be located are of ample distance from the adjoining development to the north and to the east. In this regard, the proposed setbacks for the shed are considered to be acceptable.</p>	Yes
Side Setback	<p>Required – Nil where there will be no impact on streetscape or amenity of adjoining development.</p> <p>Provided – See comment for ‘rear setback’ above.</p>	Yes
Landscape Area	<p>Required – 10% with a minimum width of 2.5m to be provided surrounding car parking and outdoor storage areas.</p> <p>Provided – None. The site is currently concreted with minimal landscaping. The existing concrete should not be disturbed in this instance as the site is capped to control the impacts of contaminants on the site.</p> <p>It is noted that the development currently adjoins bushland to the south which will not be impacted by the development.</p>	Yes
3.2.1 Building Elements	<p>It is considered that the proposed development subject to conditions of consent will not adversely impact on the existing streetscape the proposal is of ample distance from the road frontage reducing any adverse amenity impacts to adjoining properties.</p>	Yes
3.2.2 Building Façade and Articulation	<p>The development is designed to provide a practical area to support a resource recovery plant. The development does not address a street frontage. Further, the site and its surrounding uses are of an industrial nature. In this regard, the building face and articulation have been designed accordingly.</p>	Yes
3.2.3 Roof Design	<p>The roof is designed to complement the industrial nature of the use and the existing surrounding development.</p>	Yes
3.2.5 Streetscape	<p>The streetscape will not be impacted by the development as the location of the works is of ample distance from the frontage. It is also noted that the proposal will retain the bushland to the south so that the presentation of the development along the foreshore will not be observable.</p>	Yes
3.2.6 Front Fences	<p>No front fences are proposed.</p>	Yes
3.3.1 Landscaping	<p>See discussion above for ‘Landscape Area’.</p>	Yes

3.3.4 Acoustic Amenity	<p>The site does not adjoin sensitive land uses. The nearest land zoned residential is located approximately 350m west of the site. It is noted that these residential areas are buffered from the industrial uses east of James Ruse Drive by a noise attenuation wall.</p> <p>As such, it is considered that the proposed development subject of this application will not result in adverse acoustic impacts to sensitive land uses.</p>	Yes
3.3.6 Water Sensitive Urban Design	Council's Development Engineer has advised that the concept OSD plan is satisfactory and appropriate conditions have been imposed to ensure it is designed appropriately at the construction certificate stage to achieve relevant objectives and design principles outlined in the DCP.	Yes
3.3.7 Waste Management	Waste management is detailed in the Environmental Impact Statement which was reviewed by the EPA and Council's Health Officer. Consequently, the EPA and Council's Health Officer found the proposal to be satisfactory with regards to waste management and issued their GTAs which will be incorporated in the consent.	Yes
3.4.2 Access for People with disabilities	It is noted that the proposed facility is located at ground floor and only contains one storey. The site is also currently concreted which is relatively flat to allow equal access for all.	Yes
3.4.4 Safety and Security	The proposal does not contribute to the provision of any increased opportunity for criminal or anti-social behaviour to occur. The site maintains appropriate security at the entrance and throughout the site.	Yes
3.5 Heritage and Archaeology	<p>The subject site does not contain a heritage item nor is the site heritage listed.</p> <p>The site is not within a heritage conservation area.</p> <p>The site however is located within proximity to heritage listed items on 1B Unwin Street which contain a RTA depot as well as the adjacent wetlands. Council's Heritage Adviser reviewed the proposal and upon review raised no objections to the proposal as there is considered to be ample building separation between sites. As such, it is deemed that no significant views or heritage values will be impacted by the development.</p>	Yes
3.6 Parking Provisions	<p>Required – 1 space per 70m² of gross floor area plus 1 loading bay per 800m². I.e. 25 car parking spaces and 2 loading bays.</p> <p>Provided - The site provides several locations with ample parking spaces that can accommodate the additional vehicle movements as a result of the proposed development. It is noted that the application was accompanied by a Traffic and Parking report which was reviewed by Council's Traffic Engineer. Upon review of the proposal, Council's Traffic Engineer found the proposal to be satisfactory subject to conditions of consent.</p>	Yes

Part 4 – Special Precinct (Camellia & Rydalmere)		Complies
Height	The site is not identified as being with the “Area of Height Sensitivity”. It is noted that the site is also not identified as having and therefore retaining views. The proposal is designed to the maximum height for the site being 12 metres.	Yes
Landscaping	<p>The development:</p> <ul style="list-style-type: none"> - Has been amended to ensure that no part of the proposal is located within the adjoining bushland/reserve. - Does not propose the removal of any trees/vegetation either within the site or on the adjoining bushland/reserve. - The boundary fence between the site and the adjoining bushland has been demonstrated on plan to be located within the subject site. - Proposes storage areas located of ample distance from the boundary where it adjoins bushland. - Has been reviewed by Council’s Open Space and Recreational Officer whom considered the proposal to be satisfactory subject to conditions of consent. - Is not subject to the landscape setbacks as identified in Figure 4.3.1.2 of PDCP 2011. 	Yes
Travel Plans and Travel Information Guides	The proposal does contain more than 5000m2 of gross floor area or requires 50 or more employees. As such, a Travel Plan does not need to be prepared.	Yes
Building Design	<p>The location of the development is of ample distance from the site frontage and in this regard does not impact on the streetscape amenity as it has no street presence.</p> <p>The development proposes satisfactory setbacks from boundaries and the bushland/reserve to ensure amenity (including overshadowing and acoustic) of adjoining developments and the adjacent reserve are not unduly impacted.</p> <p>The shed is considered to be minor in scale and in this regard is sympathetic to the industrial of the site and the wider character of the area.</p>	Yes
Eco-industrial Development	The development is located within an existing resource recovery facility. The development application was submitted with a Waste Management Plan which was reviewed by Council’s Waste Officer. Upon review of the proposal, Council’s Waste Officer raised no objections subject to conditions of consent.	Yes

4. Planning agreements

The proposed development is not subject to a planning agreement entered into

under section 93F, or any draft planning agreement that a developer has offered to enter into under section 93F.

5. Environmental Planning and Assessment Regulation 2000

This application satisfies relevant clauses of the Regulation as follows:

Table 7: Relevant EPA Regulations

Clause 50(1)	The development application included: <ul style="list-style-type: none">○ A site plan;○ A Statement of Environmental Effects; and○ Relevant plans
Clause 98	All building work will be carried out in accordance with the provisions of the Building Code of Australia.

6. Likely impacts

6.1 Context and setting

The Land and Environment Court planning principle on “compatibility with context” as established in *Project Venture Developments v Pittwater Council* provides the following test to determine whether a proposal is compatible with its context:

Are the proposal’s physical impacts on surrounding development acceptable? The physical impacts include constraints on the development potential of surrounding sites ?

Response

This proposal will not result in any adverse physical impacts as follows:

- Site works and construction of the shed is considered to be appropriate within the industrial nature of the site.
- Appropriate arrangements will be made for the collection and disposal of stormwater;
- Arrangements for vehicle access, and traffic generation will not compromise safety for road users, and will not reduce the efficiency of the local road network;
- The design and location of the building will not preclude surrounding land from being developed in accordance with planning controls; and
- The proposal will not generate noise, cast shadows or diminish views that would be detrimental to adjacent and surrounding sites.

Is the proposal’s appearance in harmony with the buildings around it and the character of the street?

Response

This proposal will have a satisfactory relationship with its context for the following reasons:

- It contributes to the mix of land uses contemplated by the planning controls and the industrial needs of the Camellia and Rydalmere precinct;
- The scale and form and presentation of the building is generally consistent with planning controls;
- The built form does not result in significant adverse impacts for adjacent sites;
- The public domain is not impacted by the development given the ample distance from the street frontage;
- The operational characteristics of the site will not result in any adverse impacts for adjacent sites or the wider locality.

6.2 Site works

Excavation

The site is currently capped. Whilst the shed will require some excavation works to install footings for the facility, it is unlikely to result in undue impacts. Both the EPA and Office of Water have not raised any objections with regards to the extent of the works relating to contamination and impacts to ground water and proximity to the waterway.

Tree removal

No trees are to be removed. The plans have been amended to demonstrate that all works are located within the site boundaries. The bushland/reserve are to be maintained.

Utility services

All utility services are available to the site. Standard conditions will be imposed on the consent requiring approvals to be obtained for connection to the service providers prior to the issue of the Occupation Certificate.

6.3 Natural and technological hazards

The contamination of the site is assessed elsewhere in this report. See SEPP 55 assessment.

6.4 Site design

Setbacks

See DCP table for the assessment.

Height, bulk and scale

The height of the building is satisfactory as previously discussed. The bulk and scale of the proposal is consistent with the outcomes contemplated by the precinct planning controls, and is satisfactory on merit.

External materials

The schedule of external materials and finishes is satisfactory.

Accessibility

It is noted that the proposed facility is located at ground floor and only contains one storey. The site is also currently concreted which is relatively flat to allow equal access for all.

6.5 Amenity considerations

Noise

The application is supported by a technical report which confirms that potential noise impacts comply with the operational noise assessment criteria. And that the development “...*is anticipated to generate a negligible increase in traffic to roads near residential receivers. Consequently, the project will have no impacts on traffic noise levels*”.

In addition, the report concludes that the development is anticipated to comply with all relevant noise criteria and is not expected to impact on the acoustic amenity of the local community. The report provides noise mitigation measures and to ensure that these measures are incorporated in the development, the Acoustic Report will be included on the recommendation.

6.6 Relationship to adjacent sites

Overshadowing

This is addressed in detail in the PDCP 2011 tables.

Operational noise

The acoustic report supporting the application states acoustic treatments to control noise emissions to satisfactory levels.

6.7 Access, transport and traffic

Parking supply

The number of parking provided satisfies minimum provisions under the DCP. The site currently provides 106 parking spaces.

Parking access and design

The geometry and design of parking areas and associated elements, including service areas, is satisfactory.

Construction Traffic

A condition will be imposed on the consent requiring the submission of a Construction Traffic Management Plan to be prepared and submitted to Council for review and approval prior to any works commencing.

Traffic Generation

The Traffic and Parking report notes that as a consequence of the proposal, the predicted traffic output are as follows:

Weekday:

- 4 light vehicle trips (i.e. 2 in/2 out) associated with employees at shift time changes;
- 27 inbound and 27 outbound street sweeper/trucks, with 9 in/9 out between 12am and 6am and 18 in/18 out during the day between 6am and 6pm; and
- 7 inbound/7 outbound trucks between 7am and 3pm associated with the recovered waste products being transported off site.

Peak Hours on Weekdays (during the AM and PM peak hour):

- 3 trucks in/3 trucks out (sweeper and waste recovery trucks); and
- 2 trucks in/2 trucks out (sweeper and waste recovery trucks).

The traffic generated by the development amounts to 2 to 3 additional heavy vehicle trips per hour travelling to and from the site which the Traffic and Parking reports concludes would have no measureable impacts in terms of vehicle delay and or level of service on any of the local industrial roads. The proposal was also reviewed by both the RMS and Council's Traffic Engineers whom raised no concerns with regards to the development subject to conditions of consent.

6.9 Water management

Stormwater collection and disposal

Council's Engineer is satisfied with the approach to stormwater management, including arrangements for WSUD.

Water quality during construction

This matter is addressed by conditions in recommendation to this report.

6.10 Waste management

Construction phase

This matter will be addressed within a Construction Management Plan.

Operation phase

Council's Waste Officer has reviewed the Waste Management Plan which supports the application, and is satisfied with arrangements for the storage and collection of waste from the development.

6.11 Construction Management

To minimise nuisance during the construction period the recommendation to the report requires the preparation of a construction management plan addressing the following matters:

- Dilapidation reports;
- Sediment and erosion control and water quality during construction;
- Construction traffic management plan;
- Hours of works;
- Construction noise and vibration;
- Material delivery and storage;
- Safety fencing;
- Traffic and pedestrian safety;
- Dust control; and
- Tree protection.

6.12 Safety, security and crime prevention

The proposal does not contribute to the provision of any increased opportunity for criminal or anti-social behaviour to occur. The site maintains appropriate security at the entrance and throughout the site.

6.13 Social and economic impacts

No adverse impacts have been identified.

7. Site suitability

Subject to the conditions provided within the recommendation to this report the site is suitable for this development given:

- That the proposal is an appropriate "fit" for the locality given the preceding analysis which demonstrates a lack of adverse built form and operational impacts; and
- Site attributes are conducive, noting a lack of natural constraints/hazards.

8. Public interest

In accordance with the notification procedures that are contained in Appendix 5 of PDCP 2011 owners and occupiers of surrounding properties were given notice of the application between 1 December 2016 and 12 January 2017. The application was also re-advertised between 27 July 2017 and 28 August 2017. In both instances, no submissions were received.

Amended plans were submitted in response to comments received from Council's internal specialists such as Development Engineers. However, these plans were not re-advertised in accordance with Clause 5.5.9 entitled "*Notifications of Amended Development Applications Where The Development Is Substantially Unchanged*" of Council's Notification Development Control Plan as the amended application was substantially the same development and did not result in a greater environmental impact.



**CITY OF
PARRAMATTA**

ATTACHMENT B - CONDITIONS OF CONSENT

SWCCP reference 2016SYW219

DA No. 1069/2016

GENERAL MATTERS

1. The development is to be carried out in accordance with the following plans endorsed with Council's Stamp as well as the documentation listed below, except where amended by other conditions of this consent and/or any plan annotations:

Drawing No.	Prepared By	Dated
Site, Building Location. Project no. 300/16/2	Benier + Francis	3 March 2017
Site Layout. Drawing No. RHL-H-L-005. Revision 9.3.	Downer	9 May 2017
Site, Location Aerial, Views. Project no. 300/16/2	Benier + Francis	21 November 2016
Site Plan and Elevations. Project no. 300/16/2	Benier + Francis	2 November 2016
Site Layout – Bunkers. Project No. RHL – H – L – 05. Rev. 1.1	Downer	31 January 2017
Shed Internal Layout. Drawing No. RHL-H-EP202. Revision 9.6B.	Downer	14 July 2017
Plant Typical Detail. Drawing No. EHL-H-L-014. Revision 9.6B.	Downer	17 July 2017
Footing Plan. Project No. 391. Revision 1.	Techspan	3 March 17
Framing Plan. Project No. 391. Revision 1.	Techspan	2 February 2017
Elevations. Project No. 391. Revision 1.	Techspan	20 February 2017
Elevations 2. Project No. 391. Revision 1.	Techspan	20 February 2017
Sections and Details. Project No. 391. Revision 1.	Techspan	20 February 2017

Sections and Details 2. Project No. 391. Revision 1.	Techspan	20 February 2017
Stormwater Management and Civil Design Layout. Job No. SW17089. Drawing No. SW17089-S1. Rev B.	ALW Design	19 June 2017
Proposed Pavement Detail. Drawing No. EHL-H-C-C21. Revision 1.0.	Downer	26 May 2017
Flood Evacuation Plan. Drawing No. RHL-H-E-031. Revision 1.0.	Downer	16 February 2016
Proposed SW System Changes. Drawing No. RHL-H-L-022. Revision 1.0.	Downer	7 February 2016
Construction Stage SSPM. Drawing No. RHL-H-E-005. Revision 0.9.	Downer	13 February 2017
Stormwater Concept Plan. Drawing No. RHL-H-L-027. Revision 1.0	Downer	12 February 2016
Material Movements. Drawing No. RIIL-II-L-061. Revision 1.1	Downer	23 February 2017

Document(s)	Prepared By	Dated
Contaminated Soil Management Plan	Downer	22 February 2017
Soil Water Management Plan	Downer	9 February 2017
Stormceptor Class 1&2	SPEL	Undated
Phase 2 Contamination Assessment	Douglas Partners	November 2006
EIS	Downer	As lodged 15 November 2016
Environmental Assessment	Downer	November 2016
Noise and Vibration	Downer	November 2016
Traffic and Transport	Downer	November 2016
General Terms of Agreement	NSW EPA	30 May 2017

Note: In the event of any inconsistency between the architectural plan(s) and the landscape plan(s) and/or stormwater disposal plan(s) (if applicable), the architectural plan(s) shall prevail to the extent of the inconsistency.

Reason: To ensure the work is carried out in accordance with the approved plans.

2. All building work must be carried out in accordance with the current provisions of the Building Code of Australia (National Construction Code).

Reason: To comply with the Environmental Planning & Assessment Act 1979, as amended and the Environmental Planning & Assessment Regulation 2000.

3. Prior to commencement of any construction works associated with the approved development (including excavation if applicable), it is mandatory to obtain a Construction Certificate. Plans, specifications and relevant documentation

accompanying the Construction Certificate must include any requirements imposed by conditions of this Development Consent.

Reason: To ensure compliance with legislative requirements.

4. The works must be constructed within the confines of the property boundary. No portion of the proposed structure, including footings/slabs, gates and doors during opening and closing operations must encroach upon Council's footpath area or the boundaries of the adjacent properties.

Reason: To ensure no injury is caused to persons and the building is erected in accordance with the approval granted within the boundaries of the site.

5. The General Terms of Agreement from the EPA as per Condition 1 of this consent is to be complied with as specified.

Reason: To ensure compliance with the relevant EPA requirements.

6. During all stages of the development, environmental legislation and regulations will be complied with.

Reason: As per Sydney Trains requirements.

7. During all stages of the development extreme care shall be taken to prevent environmental harm within the railway corridor. Any form of environmental harm to areas within the railway corridor or legislative non-compliance that arises as a consequence of the development activities shall remain the full responsibility of the Applicant.

Reason: As per Sydney Trains requirements.

8. During all stages of the development, extreme care shall be taken to prevent any form of pollution entering the railway corridor. Any form of pollution that arises as a consequence of the development activities shall remain the full responsibility of the Applicant.

Reason: As per Sydney Trains requirements.

9. Given the development site's location next to the rail corridor, drainage from the development must be adequately disposed of/managed and not allowed to be discharged into the corridor unless prior approval has been obtained from Sydney Trains.

Reason: As per Sydney Trains requirements.

10. Due to the location of the proposed development and location of Parramatta Light Rail (PLR), the proponent shall be conditioned to consult with TfNSW through the PLR team and Sydney Coordination Office (SCO) regarding the proposed development.

Reason: As per RMS requirements.

Prior to the Issue of the Construction Certificate

11. The layout of the proposed basement car park area associated with the subject development should be in accordance with AS 2890.1 2004 and AS2890.6 2009.

Reason: As per RMS requirements.

12. Sight distances from the proposed vehicular crossings to vehicles on Unwin Street are

to be in accordance with Austroads 'Guide to Traffic Engineering Practice, Part 5 Intersections at Grade, Section 6.2 - Sight Distance and AS 2890. Vegetation and proposed landscaping must not hinder sight lines to and from the vehicular crossings to pedestrians, cyclists, and general traffic.

Reason: As per RMS requirements.

13. All vehicles are to enter and exit the site in a forward direction.

Reason: As per RMS requirements.

14. All vehicles are to wholly contained on site before being required to stop.

Reason: As per RMS requirements.

15. Bicycle parking associated with the subject development should be in accordance with AS 2890.3 (Bicycle Parking Facilities). Consideration should also be given to providing end-of-trip facilities within the commercial development to support and encourage active transport to the subject development.

Reason: As per RMS requirements.

16. A Construction Pedestrian Traffic Management Plan (CPTMP) detailing construction vehicle routes, number of trucks, hours of operation, access arrangements and traffic control should be submitted, after consultation and endorsement of SCO and PLR, to Council for approval prior to the issue of a Construction Certificate.

Reason: As per RMS requirements.

17. Should any proposed work be undertaken where it is likely to disturb or impact upon a public utility installation (e.g. power pole, Telstra pit etc) written confirmation from the affected utility provider (e.g. Integral Energy / Telstra) that they have agreed to the proposed works shall be submitted to the Principal Certifying Authority, prior to the issue of the Construction Certificate or any works commencing, whichever comes first. The arrangements and costs associated with any adjustment to a public utility installation shall be borne in full by the applicant/developer.

Reason: To ensure no unauthorised work to public utility installations and to minimise costs to Council.

18. An *Environmental Enforcement Service Charge* is to be paid to Council prior to the issue of a construction certificate. The fee paid is to be in accordance with Council's adopted 'Fees and Charges' at the time of payment.

Note: Council's Customer Service Team can advise of the current fee and can be contacted on 9806 5524.

Reason: To comply with Council's adopted Fees and Charges Document and to ensure compliance with conditions of consent.

19. An *Infrastructure and Restoration Administration Fee* is to be paid to Council prior to the issue of a construction certificate. The fee to be paid is to be in accordance with Council's adopted 'Fees and Charges' at the time of payment.

Note: Council's Customer Service Team can advise of the current fee and can be contacted on 9806 5524.

Reason: To comply with Council's adopted Fees and Charges Document and to ensure compliance with conditions of consent.

20. Council property and the private property adjoining the construction site must be fully supported at all times during all demolition, excavation and construction works. Details of any required shoring, propping and anchoring devices adjoining Council property or private property, are to be prepared by a qualified structural or geotechnical engineer. These details must accompany an application for a Construction Certificate and be to

the satisfaction of the Principal Certifying Authority (PCA). A copy of these details must be forwarded to Council prior to any work being commenced.

Backfilling of excavations adjoining Council property or any void remaining at the completion of the construction works and Council property must be fully compacted prior to the completion of works.

Reason: To protect Council's infrastructure.

21. If no retaining walls are marked on the approved plans no approval is granted as part of this approval for the construction of any retaining wall that is greater than 600mm in height or within 900mm of any property boundary.

The provision of retaining walls along common boundary lines shall not impact on neighbouring properties. If impact upon neighbouring properties (including fences) is anticipated then written approval from the affected neighbour shall be obtained and submitted to the certifying authority prior commencement of the works.

Structural details, certified by a practicing structural engineer, shall accompany the application for a Construction Certificate for assessment and approval by the certifying authority.

Reason: To minimise impact on adjoining properties.

22. A building plan approval must be obtained from Sydney Water Tap in™ to ensure that the approved development will not impact Sydney Water infrastructure.

A copy of the building plan approval receipt from Sydney Water Tap in™ must be submitted to the Principal Certifying Authority upon request prior to works commencing.

Please refer to the website <http://www.sydneywater.com.au/tapin/index.htm>, Sydney Water Tap in™, or telephone 13 20 92.

Reason: To ensure the requirements of Sydney Water have been complied with.

23. Prior to any excavation on or near the subject site the person/s having benefit of this consent are required to contact the NSW Dial Before You Dig Service (NDBYD) on 1100 to receive written confirmation from NDBYD that the proposed excavation will not conflict with any underground utility services. The person/s having the benefit of this consent are required to forward the written confirmation from NDBYD to their Principal Certifying Authority (PCA) prior to any excavation occurring.

Reason: To ensure Council's assets are not damaged.

24. The Construction Certificate is not to be issued unless the Certifying Authority is satisfied the required levy payable, under Section 34 of the Building and Construction Industry Long Service Payments Act 1986, has been paid.

Reason: To ensure that the levy is paid.

25. A monetary contribution comprising **\$9669.00** is payable to Parramatta City Council in accordance with Section 94A of the Environmental Planning and Assessment Act 1979 and the Parramatta Section 94A Development Contributions Plan (Amendment No. 2). Payment must be by EFTPOS, bank cheque or credit card only.

The contribution is to be paid to Council prior to the issue of a construction certificate.

The contribution levy is subject to indexation on a quarterly basis in accordance with movements in the Consumer Price Index (All Groups Index) for Sydney issued by the Australian Statistician. At the time of payment, the contribution levy may have been the subject of indexation.

Parramatta Section 94A Development Contributions Plan (Amendment No. 2) can be viewed on Council's website at:

http://www.parracity.nsw.gov.au/build/forms_and_planning_controls/developer_contributions

Reason: To comply with legislative requirements.

26. All roof water and surface water is to be connected to an operable drainage system. Details are to be shown on the plans and documentation accompanying the application for a Construction Certificate.

Reason: To ensure satisfactory stormwater disposal.

27. The plumber is to certify the capacity of the existing absorption trenches is capable of carrying the additional stormwater from the proposed development as outlined in AS 3500.3 – Stormwater Drainage - 2003.

Reason: To ensure satisfactory storm water disposal.

28. **Rainwater tanks with a minimum storage capacity of 50kL and connected for reuse on-site** must be installed to manage surface runoff to **A'Beckett's Creek** to satisfy section 3.3.6.1 of Parramatta City Council Development Control Plan 2011. Details of the proposed devices and their location must accompany the application for a Construction Certificate to the satisfaction of the Certifying Authority.

Reason: To ensure appropriate water quality treatment measures are in place.

29. Foundations adjacent to a drainage easement are to be constructed in accordance with Council's Code "Foundation Requirements for Structures Adjacent to Council Stormwater Drainage Easements – Parramatta City Council Code E-3". The engineering details are to form part of the Construction Certificate documentation.

Reason: To ensure Council's assets are not damaged.

Prior to the Work Commencing

30. Prior to commencement of work, the person having the benefit of the Development Consent and a Construction Certificate must:

(a) appoint a Principal Certifying Authority (PCA) and notify Council in writing of the appointment irrespective of whether Council or an accredited private certifier is appointed within 7 days; and

(b) notify Council in writing of their intention to commence works (at least 2 days notice is required prior to the commencement of works).

The PCA must determine when inspections and compliance certificates are required.

Reason: To comply with legislative requirements.

31. Prior to commencement of any works, including demolition and excavation, the applicant is to submit to the Principal Certifying Authority (and Council if not the PCA) of documentary evidence including photographic evidence of any existing damage to Council's property. Council's property includes footpaths, kerbs, gutters and drainage pits.

Reason: To ensure that the applicant bares the cost of all restoration works to Council's property damaged during the course of this development.

32. A sign must be erected in a prominent position on any work site on which work involved in the erection or demolition of a building is being carried out:
- (a) Stating that unauthorised entry to the work site is prohibited;
 - (b) Showing the name of the principal contractor (or person in charge of the work site), and a telephone number at which that person may be contacted at any time for business purposes and outside working hours; and
 - (c) Showing the name, address and telephone number of the Principal Certifying Authority for the work.
 - (d) Showing the approved construction hours in accordance with this development consent.
 - (e) Any such sign must be maintained while the excavation building work or demolition work is being carried out, but must be removed when the work has been completed.
 - (f) This condition does not apply to building works being carried out inside an existing building.

Reason: Statutory requirement.

33. Occupation of any part of footpath or road at or above (including construction and/or restoration of footpath and/or kerb or gutter) during construction of the development shall require a Road Occupancy Permit from Council. The applicant is to be required to submit an application for a Road Occupancy Permit through Council's Traffic and Transport Services, prior to carrying out the construction/restoration works.

34. Any damage to Council assets that impact on public safety during construction is to be rectified immediately to the satisfaction of Council at the cost of the developer.

Reason: To protect public safety.

35. Prior to commencement of works and during construction works, the development site and any road verge immediately in front of the site must be maintained in a safe and tidy manner. In this regard the following must be undertaken:

- (a) all existing buildings are to be secured and maintained to prevent unauthorised access and vandalism
- (b) all site boundaries are to be secured and maintained to prevent unauthorised access to the site;
- (c) all general refuse and/or litter (inclusive of any uncollected mail/advertising material) is to be removed from the site on a fortnightly basis;
- (d) the site is to be maintained clear of weeds; and
- (e) all grassed areas are to be mowed on a monthly basis.

Reason: To ensure public safety and maintenance of the amenity of the surrounding environment.

36. Prior to the commencement of any works on site, the applicant must submit a Construction and/or Traffic Management Plan to the satisfaction of the Principle Certifying Authority. The following matters must be specifically addressed in the Plan:

- (a) Construction Management Plan for the Site. A plan view of the entire site and frontage roadways indicating:
 - (i) Dedicated construction site entrances and exits, controlled by a certified traffic controller, to safely manage pedestrians and construction related vehicles in the frontage roadways,
 - (ii) Turning areas within the site for construction and spoil removal vehicles, allowing a forward egress for all construction vehicles on the site,
 - (iii) The locations of proposed Work Zones in the egress frontage roadways,
 - (iv) Location of any proposed crane standing areas,

- (v) A dedicated unloading and loading point within the site for all construction vehicles, plant and deliveries,
 - (vi) Material, plant and spoil bin storage areas within the site, where all materials are to be dropped off and collected,
 - (vii) The provisions of an on-site parking area for employees, tradesperson and construction vehicles as far as possible.
 - (viii) A detailed description and route map of the proposed route for vehicles involved in spoil removal, material delivery and machine floatage and a copy of this route is to be made available to all contractors.
 - (ix) A detailed description of locations that will be used for layover for trucks waiting to access the construction site.
- (b) Written concurrence from Council's Traffic and Transport Services in relation to installation of a proposed 'Works Zone' restriction in the egress frontage roadways of the development site.

Application fees and kerbside charges for 6 months (minimum) are to be paid in advance in accordance with the Council's Fees and Charges. The 'Works Zone' restriction is to be installed by Council once the applicant notifies Council in writing of the commencement date (subject to approval through Parramatta Traffic Committee processes). Unused fees for kerbside charges are to be refunded once a written request to remove the restriction is received by Council.

- (c) Traffic Control Plan(s) for the site:
- (i) All traffic control devices installed in the road reserve shall be in accordance with the NSW Transport Roads and Maritime Services publication 'Traffic Control Worksite Manual' and be designed by a person licensed to do so (minimum RMS 'red card' qualification) The main stages of the development requiring specific construction management measures are to be identified and specific traffic control measures identified for each,
 - (ii) Approval shall be obtained from City of Parramatta for any temporary road closures or crane use from public property.
- (d) Where applicable, the plan must address the following:
- (i) Evidence of RTA concurrence where construction access is provided directly or within 20 m of an Arterial Road,
 - (ii) A schedule of site inductions shall be held on regular occasions and as determined necessary to ensure all new employees are aware of the construction management obligations.
 - (iii) Minimising construction related traffic movements during school peak periods,

The Construction and Traffic Management Plan shall be prepared by a suitably qualified and experienced traffic consultant and be certified by this person as being in accordance with the requirements of the abovementioned documents and the requirements of this condition.

Reason: To ensure that appropriate measures have been considered during all phases of the construction process in a manner that maintains the environmental amenity and ensures the ongoing safety and protection of people.

During Construction

37. All refuse associated with the works are required to be removed from the site and disposed of suitably.

Reason: To ensure waste is managed and disposed of properly.

38. A copy of this development consent, stamped plans and accompanying documentation is to be retained for reference with the approved plans on-site during the course of any works. Appropriate builders, contractors or sub-contractors shall be furnished with a copy of the notice of determination and accompanying documentation.

Reason: To ensure compliance with this consent.

39. Noise from the construction, excavation and/or demolition activities associated with the development shall comply with the NSW Department of Environment and Conservation's Environmental Noise Manual and the Protection of the Environment Operations Act 1997.

Reason: To protect the amenity of the area.

40. Dust control measures shall be implemented during all periods of earth works, demolition, excavation and construction in accordance with the requirements of the NSW Department of Environment and Conservation (DEC). Dust nuisance to surrounding properties should be minimised.

Reason: To protect the amenity of the area.

41. No building materials skip bins, concrete pumps, cranes, machinery, signs or vehicles used in or resulting from the construction, excavation or demolition relating to the development shall be stored or placed on Council's footpath, nature strip or roadway.

Reason: To ensure pedestrian access.

42. All work including building, demolition and excavation work; and activities in the vicinity of the site generating noise associated with preparation for the commencement of work (eg. loading and unloading of goods, transferring tools etc) in connection with the proposed development must only be carried out between the hours of 7.00am and 5.00pm on Monday to Fridays inclusive, and 8.00am to 5.00pm on Saturday. No work is to be carried out on Sunday or public holidays.

Reason: To protect the amenity of the area.

43. Erosion and sediment control devices shall be installed prior to the commencement of any demolition, excavation or construction works upon the site. These devices must be maintained throughout the entire demolition, excavation and construction phases of the development.

Reason: To ensure soil and water management controls are in place be site works commence.

44. Any damage to Council assets that impact on public safety during construction is to be rectified immediately to the satisfaction of Council at the cost of the developer.

Reason: To protect public safety.

45. A Waste Data file is to be maintained, recording building/demolition contractors details and waste disposal receipts/dockets for any demolition or construction wastes from the site. The proponent may be required to produce these documents to Council on request during the site works.

Reason: To confirm waste minimisation objectives under Parramatta Development Control Plan 2011 are met.

46. Works are not to result in sedimentation and or run-off from the approved works onto the adjoining properties and or public lands. The person having the benefit of this consent must ensure sediment is not tracked out from the development site.

Reason: To ensure no adverse impacts on neighbouring properties.

47. Occupation of any part of the footpath or road at or above (carrying out work, storage of building materials and the like) during construction of the development shall require a Road Occupancy Permit from Council. The applicant is to be required to submit an application for a Road Occupancy Permit through Council's Traffic and Transport Services, prior to carrying out the construction/restoration works.
Reason: To ensure proper management of Council assets
48. Oversize vehicles using local roads require Council's approval. The applicant is to be required to submit an application for an Oversize Vehicle Access Permit through Council's Traffic and Transport Services, prior to driving through local roads within Parramatta LGA.
Reason: To ensure maintenance of Council's assets.
49. Liquid and solid wastes generated on the site shall be collected, transported and disposed of in accordance with the Protection of the Environment Operations (Waste) Regulation 2005 and in accordance with DECC the Environmental Guidelines Assessment, Classification and Management of Liquid and Non-Liquid Wastes (1999).
Reason: To prevent pollution of the environment.
50. Any contamination material to be removed from the site shall be disposed of to an EPA licensed landfill.
Reason: To comply with the statutory requirements of the Protection of the Environment Operations Act 1997.
51. Stormwater from all new impervious areas, and subsoil drainage systems, must be piped to the existing site drainage system. The installation of new drainage components must be completed by a licensed contractor in Accordance with AS3500.3 (2003) - Stormwater Drainage and the Building Code of Australia (National Construction Code).
Reason: To ensure satisfactory stormwater disposal.
52. During construction of all public area civil and drainage works a qualified civil engineer must supervise the work to ensure it is completed in accordance with Council's "Guidelines for Public Domain Works". Certification is required to be provided with the Occupation Certificate.
Reason: To ensure Council's assets are appropriately constructed.
53. In the event that material is identified at the subject site as contaminated as defined in the Managing Land Contamination Planning Guidelines dated 1998 and prepared by the Department of Urban Affairs and Planning, the soil must be tested by a person with suitable expertise, to ensure the soil contaminant levels are below acceptable health criteria for residential areas. Any soil investigation must be carried out in accordance with the NSW Environment Protection Authority's Guidelines for Consultants Reporting on Contaminated Sites, the NSW Department of Environment and Conservation Guidelines for the Assessment and Management of Groundwater Contamination 2007, and the provisions of the Contaminated Land Management Act 1997 and Regulation 2013.
Reason: To ensure that the provisions set out in Clause 7 of State Environmental Planning Policy No.55 – Remediation of Land have been met and the use of the land poses no risk to the environment and human health.
54. Flood height gauges must be installed, as recommended in the Flood investigation report, reference number 304356, dated 14/07/2017, prepared by SPIIRE.
Reason: To inform flood emergency response on site.

Prior to the issue of the Occupation Certificate

55. Occupation or use of the building or part is not permitted until an Occupation Certificate has been issued in accordance with Section 109H of the Environmental Planning and Assessment Act 1979.
Reason: To complying with legislative requirements of the Environmental Planning and Assessment Act 1979.
56. Works-As-Executed stormwater plans are to address the following:
- (a) The Work-As-Executed plans are prepared on the copies of the approved drainage plans issued with the Construction Certificate with the variations marked in red ink.
 - (b) The Work-As-Executed plans have been prepared by a registered surveyor certifying the accuracy of dimensions, levels, storage volumes, etc.
 - (c) Certificate of Hydraulic Compliance from a qualified drainage / hydraulic engineer (refer to UPRCT Handbook).
- The above is to be submitted to the Principal Certifying Authority prior to the issue of an occupation certificate and a copy is to accompany the Occupation Certificate when lodged with Council.
- Reason:** To ensure works comply with approved plans and adequate information is available for Council to update the Upper Parramatta River Catchment Trust.
57. No trees on public property (footpaths, roads, reserves, etc.) are permitted to be removed, pruned or damaged during construction including the installation of fences, hoardings or other temporary works, unless approved in this consent.
Reason: Protection of existing environmental infrastructure and community assets.
58. No materials (including waste and soil), equipment, structures or goods of any type are to be stored, kept or placed within 5m of the trunk of a tree or within the drip line of any tree.
Reason: To ensure the protection of the tree(s) to be retained on the site.
59. Prior to the issue of the Occupation Certificate, the applicant must create of a restriction on the title of the subject property.
- The restriction is to be over the 1% AEP flood zone identified in Flood investigation report, reference number 304356, dated 14/07/2017, prepared by SPIIRE preventing the placement of any structures, walls, fences, fill or other items which may impede the 1% AEP flood, within the identified zone.
- The City of Parramatta Council is to be the Authority whose consent is required to release, vary or modify the restriction.
Reason: To protect the environment.
60. All plant equipment and potential pollutants, such as chemicals and sediment stockpile, must be located a minimum of 500mm above the 1% AEP flood level as recommended in the Flood investigation report, reference number 304356, dated 14/07/2017, prepared by SPIIRE. The 1% AEP flood level for this site is 4.85m AHD, therefore critical storage must be located at a minimum 5.35m AHD.
Reason: To prevent pollution of floodwaters during a large flood event.

Use of the Site

61. The owner/manager of the site/business is responsible for the removal of all graffiti from the building/structures/signage and/or fencing within 48 hours of its application.

Reason: To ensure the removal of graffiti.

62. The days and hours of operation are restricted to 24 hours, 7 days a week (excluding public holidays). Any alterations to the hours of operation will require further development approval.

Reason: To minimise the impact on the amenity of the area.

63. No advertisement/signage shall be erected on or in conjunction with the development without prior development consent unless the advertisement is 'exempt development' in accordance with the relevant planning instruments.

Reason: To comply with legislative controls.

64. All putrescible waste shall be removed from the site with sufficient frequency to avoid nuisance from pests and odours.

Reason: To ensure provision of adequate waste disposal arrangements.

65. The use of the premises not giving rise to:

- (a) transmission of unacceptable vibration to any place of different occupancy
- (b) a sound pressure level at any affected premises that exceeds the background (LA90) noise level in the absence of the noise under consideration by more than 5dB(A). The source noise level shall be assessed as an LAeq,15min and adjusted in accordance with Environment Protection Authority guidelines for tonality, frequency weighting, impulsive characteristics, fluctuations and temporal content.

Reason: To prevent loss of amenity to the area.



ATTACHMENT C – Referral Comments

Internal Referrals	Comment
Development Engineer	<p><input type="checkbox"/> Supported subject to conditions</p> <p><u>Comment</u> The following documents and plans have been reviewed in assessing the proposal:</p> <ol style="list-style-type: none"> 1. Boundary marking and Detail Survey, drawing number 162678-Rosehill, dated 17/10/2016, prepared by ESO surveyors. 2. Report on Phase 2 contamination assessment, reference number 43702B, dated November 2006, prepared by Douglas Partners. 3. Contaminated Soil Management Plan, dated 22/02/2017, prepared by Downer EDI Limited. 4. Flood evacuation plan, drawing number RHL-H-L-031 Revision 0.1, dated 16/02/2017, prepared by Downer. 5. Site layout, drawing number RHL-H-L-005 Revision 9.3, dated 09/05/2017, prepared by Downer. 6. Stormwater Concepts Plan, drawing number RHL-H-L-027 Revision 1.0, dated 12/02/2017, prepared by Downer. 7. Construction Phase SSMP, drawing number RHL-H-L-005 Revision 0.9, dated 13/02/2017, prepared by Downer. 8. Flood investigation report, reference number 304356, dated 14/07/2017, prepared by SPIRE. <p>Are these the latest plans? <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No</p> <p><input checked="" type="checkbox"/> SUPPORTED</p> <p><input checked="" type="checkbox"/> Standard conditions of consent <input checked="" type="checkbox"/> Special conditions</p> <p>ISSUES CONSIDERED</p> <ol style="list-style-type: none"> 1. Are there any catchment management issues?: <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No 2. Is there is variation to the Stormwater Policy?: <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No 3. Is the site located on a main road?: <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No 4. Are there any public assets / utility services in the road reserve of the site frontage (Drainage pit, power poles, bus stop etc.): <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No 5. Is the site flood prone?: <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No 6. Is the site within a Grey Area?: <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No 7. Does the site slope to the rear or the front?: <input type="checkbox"/> Rear <input type="checkbox"/> Front <input checked="" type="checkbox"/> N/A If to the rear, is an easement required?: <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No 8. Is the site affected by overland flow from an upstream catchment area?: <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No 9. Is the stormwater disposal through absorption trenches?: <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No 10. Is the stormwater disposal to the street? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No Disposal directly to the river via existing connection. 11. Is the stormwater disposal through the existing drainage system to the street or on-site?: <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No 12. Are there any earthworks or cut / fill proposed?: <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No 13. Are there any retaining walls proposed?: <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No 14. Are any other easements required or existing within the site or adjoining the site for stormwater drainage?: <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No Council stormwater pipe and easement within the site. 15. Are there any site stability issues?: <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No 16. Do WSUD principles apply to the site (>2000m²): <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No

	<p>17. Has a Traffic referral been sent?: <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No</p> <p>18. Are there any conflicts with the landscape plan or trees on-site?: <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No</p> <p style="padding-left: 40px;">a. If so, has this been discussed with the relevant officer? <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No Encroachment into riparian zone, addressed in comments from Council's open spaces team.</p> <p>19. Has an OSD calculation sheet been submitted?: <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No N/A</p> <p>20. Can the application be considered as a deferred commencement?: <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No</p> <p>21. Is the rock anchor condition required (basements in CBD)?: <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No</p> <p>22. List the date(s) a site visit was undertaken: Completed from desktop</p> <p>DISCUSSION</p> <p>Contamination Petroleum Hydrocarbon and isolated asbestos contamination were found onsite during geotechnical investigation. To address this, the geotechnical report recommends the preparation of an Environmental Management Plan (EMP), paving of un-capped areas of the site and checking of existing capping for leaks. Any disturbance of the existing capping associated with level changes for flood storage management will need to be undertaken with caution. Capping would need to be reconstructed after excavation/filling and any contaminated materials discovered disposed of appropriately.</p> <p>Council's environmental health team has already suggested a condition for the preparation of an EMP. In addition, the EPA has addressed construction phase contaminated soil management.</p> <p>WSUD Landscape integrated WSUD measures were not considered appropriate for this site, given the heavy industrial use and capping constraints associated with existing contamination. Rainwater harvesting was therefore proposed for reuse in processing, which is acceptable. 50kL of rainwater tank storage volume is proposed, and should be conditioned to ensure it is constructed.</p> <p>Flooding This site is partially affected by mainstream flooding from the nearby A'Becketts Creek during the 1% AEP, and almost completely inundated during the PMF event. A flood report has been prepared which outlines the flooding issues on-site. This includes proposing minor regrading of levels within the 1% AEP affectation area to reassign flood storage area away from the proposed building footprint. All storage off-setting is proposed entirely within the subject site, and is not expected to impact any neighbouring properties. Flood water conveyance is not expected to be affected by the above-mentioned works.</p> <p>An Evacuation plan has also been submitted, which recommends evacuation during storms up to the 1% AEP and shelter in place for larger events. Flood height gauges are proposed, to allow occupants of the site to comprehend the level of flood inundation and respond accordingly. Given that this is an industrial site where all occupants can be expected to be inducted and educated about emergency procedures, this plan is acceptable.</p> <p>Stormwater management This site has an existing OSD and stormwater treatment unit, approved under DA/588/2006 and DA/588/2006/A. Connection to existing stormwater drainage system is proposed. This system has sufficient capacity to accept this connection as this development doesn't increase the impervious area draining to it.</p> <p>Services To be clipped to the eastern side of structure to avoid running them through Council's stormwater drainage easement.</p> <p>REASONS SUPPORTED The proposed stormwater and flood management concept is clear, functional and complies with Council policy. No other engineering related issues were detected.</p> <p>CONCLUSION</p>
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	<p>The proposal satisfies the requirements of Council's controls and can be supported, subject to standard and/or special conditions of consent.</p>
<p>Health (Waste) / (Contamination) / (Acoustic)</p>	<p><input type="checkbox"/> Supported subject to conditions</p> <p><u>Comment</u></p> <p>It is noted that due to the nature of the proposal the applicant has submitted an Environmental Impact Statement to the EPA for assessment.</p> <p>Pollution issues such as noise, air and contaminated soil/ground water are to be considered.</p> <p>It is also noted that Council has also made a referral to the EPA.</p> <p>It is anticipated that the EPA will be the appropriate agency for assessing pollution impacts from the proposal.</p> <p>However, if comment is required from Council in relation to contamination, the following condition of consent would be recommended:</p> <ol style="list-style-type: none"> 1. Prior to the commencement of works an EMP (environmental Management Plan) is to be provided by a suitably qualified Environmental Consultant. The EMP is to be followed in relation to management of contamination at the site. <p>Reason: To ensure contaminated soil/water is treated in accordance with EPA requirements.</p> <p><u>Planners comment</u></p> <p>It is noted that the applicant has provided the EMP and will form part of the conditions of consent.</p>
<p>Traffic and Transport</p>	<p><input type="checkbox"/> Supported subject to conditions</p> <p><u>Comment</u></p> <p>The site is currently used by Downer in its maintenance operations contracted to Roads and Maritime Services.</p> <p><u>Proposed Development</u></p> <p>The proposed development seeks approval for construction and operation of a resource recovery plant located within an enclosed shed, for the treatment of road sweepings and gully waste.</p> <p>The Traffic Report submitted with the development application was prepared by Downer Traffic and Transport.</p> <p>These comments are based on assessment of the following TRIM documents:</p> <ul style="list-style-type: none"> • D04501740 Traffic and Transport • D04501756 Environmental Assessment <p>The access to the site is already used by the same type of vehicles that would be generated by the proposed development. Up to 2 staff will operate the proposed resource recovery facility and park in the existing underutilised car park. Traffic generation both daily and during the peak hours is not expected to have a significant traffic impact on the surrounding road network. Significant volumes of the separated sweeping material will be reused on site for the manufacture of new asphalt.</p> <p>The proponent has proposed a Construction Traffic Management Plan be prepared to manage the impact of construction.</p> <p>The proposal can be supported on traffic and parking grounds subject to the following traffic related conditions being included in the conditions of consent:</p>

	<p><u>During Construction or Works:</u></p> <ol style="list-style-type: none"> Occupation of any part of the footpath or road at or above (carrying out work, storage of building materials and the like) during construction of the development shall require a Road Occupancy Permit from Council. The applicant is to be required to submit an application for a Road Occupancy Permit through Council's Traffic and Transport Services, prior to carrying out the construction/restoration works. Reason: To ensure proper management of Council assets. Oversize vehicles using local roads require Council's approval. The applicant is to be required to submit an application for an Oversize Vehicle Access Permit through Council's Traffic and Transport Services, prior to driving through local roads within the City of Parramatta LGA. Reason: To ensure maintenance of Council's assets.
Open Space and Recreation	<p><input type="checkbox"/> Supported</p> <p><u>Comment</u> I refer to my previous comments and have now reviewed the revised plan (Issue 9.3) which indicates removal of the two temporary storage bunkers in proximity to the riparian corridor, and relocation of the boundary fence along the surveyed boundary. I am satisfied that this has addressed my concerns relating to associated ongoing inappropriate use of the Council reserve within the riparian corridor. It is noted that the other issues relating to unauthorised occupation of Council reserve i.e. bunding are not directly related to the development proposal and will be addressed separately.</p>
Heritage	<p><input type="checkbox"/> Supported</p> <p><u>Comment</u> Further to a review of available documents -</p> <p>The site of proposed development is not of heritage interest, but adjoins two listed items in the LEP - I1 (Wetlands), and the item I576, the RTA Depot site.</p> <p>The RTA Depot at Unwin Street is of significance for Parramatta for historical, aesthetic and reasons of rarity and representativeness. The depot is representative of amenities' and services' buildings of the time of its creation, additionally rare in the local area and in use of public authorities since its creation. Due to its size and function, it presents a local landmark and strongly contributes to the streetscape.</p> <p>Given the nature of the proposal, the separation between sites, and the nature of significance of the item, it is assessed that impact on heritage values of the item and the area will be within acceptable limits.</p> <p>Based on the above, I have no objections to this proposal from heritage perspective.</p>
Landscape	<p><input type="checkbox"/> Not Required</p> <p><u>Comment</u> The application did not propose any new landscaping for the site. Further, the application was also amended to remove all works from the adjoining public reserve.</p>
External Referrals	Comments
Sydney Trains	<p><input type="checkbox"/> Supported subject to conditions</p> <p><u>Comment</u> Environmental conditions of consent on all third party works are necessary to ensure compliance with environmental legislation and regulations. There are many environmental sensitivities within and adjacent to the railway corridor</p>

	<p>(e.g. Threatened species, wetlands, erosion and acid prone soils, natural and cultural heritage areas, etc.).</p> <p>Employees, contractors and operators are obligated to protect the environment at their worksites. This can be accomplished through the assessment and management of risks, and implementation of adequate controls to prevent environmental harm. It is requested that Council include the following conditions of consent:</p> <ul style="list-style-type: none"> • During all stages of the development, environmental legislation and regulations will be complied with. • During all stages of the development extreme care shall be taken to prevent environmental harm within the railway corridor. Any form of environmental harm to areas within the railway corridor or legislative non-compliance that arises as a consequence of the development activities shall remain the full responsibility of the Applicant. • During all stages of the development, extreme care shall be taken to prevent any form of pollution entering the railway corridor. Any form of pollution that arises as a consequence of the development activities shall remain the full responsibility of the Applicant. <p>Sydney Trains wishes to advise that run-off or stormwater discharge from the development site onto the rail corridor is unacceptable, both during and after construction and installation. Any run-off or waste arising from the development activities needs to be properly disposed of and must not be allowed to enter the rail corridor.</p> <p>Sydney Trains looks to Council to ensure that stormwater is not diverted onto the rail corridor as a result of the development. Alternatively, Council may choose to include the following conditions of consent:</p> <ul style="list-style-type: none"> • Given the development site's location next to the rail corridor, drainage from the development must be adequately disposed of/managed and not allowed to be discharged into the corridor unless prior approval has been obtained from Sydney Trains.
EPA	<p><input type="checkbox"/> Supported, subject to conditions</p> <p><u>Comment</u></p> <p>EPA has reviewed the information provided and has determined that it is able to issue a licence for the proposal, subject to a number of conditions. The applicant will need to make a separate application to EPA to obtain this licence. Please note the maximum authorised amount of waste permitted to be held onsite at anyone time and a Financial Assurance will need to be determined and provided prior to the issuing of an environment protection licence.</p> <p>Resource recovery facilities must also submit online monthly reports, called a Waste Contribution Monthly Report (WCMR), to the EPA through the Waste and Resource Reporting Portal (WARRP). The EPA will provide the applicant with more information when applying for an environment protection licence, however in the meantime please refer to the EPA's factsheet at this link:</p> <p>http://www.epa.nsw.gov.au/resources/wasteregulation/150108-changes-to-waste-levy-factsheet.pdf</p> <p>The general terms of approval for this proposal are provided at attachment A. If the City of Parramatta Council grants development consent for this proposal these conditions should be incorporated into the consent.</p> <p>These general terms relate to the development as proposed in the documents and information currently provided to EPA. In the event that the development is modified either by the applicant prior to the granting of consent or as a result of the conditions proposed to be attached to the consent, it will be necessary to consult with EPA about the changes before the consent is issued. This will enable EPA to determine whether its general terms need to be modified in light of the changes.</p>

Office of Water	<input type="checkbox"/> Not Required <u>Comment</u> The OoW noted that, <i>“as the site is sealed with minimum disturbance, a controlled activity approval is not required and no further comments are necessary”</i> .
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