

Application Details	
DA No.	8/2019/117/1
JRPP No.	PPSHCC-1
Property Address	39 Enterprise Crescent MCDOUGALLS HILL
Lot and DP	Lot: 17 DP: 1062083
Parcel No.	22700
Description of development	Waste or Resource Transfer Station
Applicant	Eco Logic Developments Pty Ltd
Date lodged	27/06/2019
Owners Consent	Yes – Provided
Capital Investment Value	\$7,181,000.00
Zoning	B5 Business Development

SUPPLEMENTARY ASSESSMENT REPORT AND RECOMMEDATION

Proposed Development

Development Application No. 8.2019.117.1 seeks approval for Waste or Resource Transfer Station.

The development proposes a Waste or Resource Transfer Station that will handle and sort 95,000 tonnes of domestic, commercial and light industrial waste. It is classed as 'Regionally Significant Development' pursuant to Clause 7(c) of the State Environmental Planning Policy (State and Regional Development) 2011. The application will therefore be determined by a Joint Regional Planning Panel.

The proposed Facility will recover up to 95,000 tonnes per year of building, construction, household clean-up and commercial waste materials from households and businesses across the region. The proposed facility aims to achieve a 74% recycling rate, leaving a residual waste stream of up to 23,700 tonnes per annum.

Hunter and Central Coast Joint Regional Planning Panel (JRPP) Determination

The JRPP resolved to defer consideration of the application on 1 July 2020 and provided the following record of the decision:

1. *The Panel defer determination of the matter pending receipt of the following additional information:*
 - a. *Legal advice established that the development as proposed (or with amended) is properly categorised as a water or resources transfer station – this may require quantify specifics aspects of the proposal*

- b. *Amended plans that include RLs, sections, height of retaining wall and level relationship with adjoining properties*
 - c. *Cut and fill diagram that shows changes to land levels*
 - d. *Details of the operation management practices needed to comply with noise criteria and measures to prevent queuing of any vehicles onto public streets*
 - e. *Draft Operational Management Plan*
2. *That the applicant be requested to provide the additional information within 30 days of date of this decision*
 3. *That Council prepare a further report for the Panel's consideration including a review of conditions*
 4. *That the Panel determine the matter electronically*
 5. *In the event that amended information is not submitted the Panel will determine the application electronically based on the information received to date.*

Legal Advice

Legal advice from Fishburn Watson O'Brien has been supplied to advise on whether the proposed development is properly characterised as a 'waste or resource transfer station,' this advice is attached at **Appendix A**.

The legal advice has also considered the permissibility of the specific functions, which including crushing and shredding, these functions are considered to be a minor operational feature.

The advice concludes:

We consider that the crushing and shredding components of the activities are part of the dominant use of the premises as a Waste or Resource Transfer Station.

The crushing and shredding components would be permissible as ancillary activities to the overarching use as a Waste or Resource Transfer Station.

Accordingly, the Panel can be satisfied that the proposed crushing and shredding activities at the facility are permissible.

Amended Architectural Plans

An amended plan set (**Appendix B**) has been prepared with additional details as requested including RL's (all plans where required), heights of retaining walls (Plan 1.01, Plan 1.02 and Plan DA5.21) and level relationship with adjoining properties (Plan DA3.11 and DA3.12).

Table 1 of the cover letter prepared by Jackson Environmental and Planning (**Appendix E**) provides an overview of the original plans submitted with the development application and the updated plans set provided for JRPP determination.

Cut and Fill Diagram

A cut and fill plan is provided in Plan DA3.05 (**Appendix B**). Plans DA3.11 and DA3.12 show the change in land levels in section.



Management Practices

The cover letter prepared by Jackson Environmental and Planning (**Appendix E**) details operational management practices and the revised Traffic Report prepared by SECA Solution (**Appendix C**) outlines measures to prevent queuing of any vehicles onto public streets.

The following operating scenarios have been established to minimise noise, traffic and queuing:

Monday to Friday operations:

- *Only commercial skip bin collection vehicles will use the facility. Queueing will be avoided through the traffic management procedure and driver training requiring drivers to radio call ahead to ensure their arrival does not result in queueing.*
- *Skip bin collections will occur Mon-Fri 7am to 3pm.*
- *The period between 3pm and 6pm will be used for operation of the waste plant to sort, separate and process wastes received during the day when all doors to the facility are closed to prevent exposure of drivers tipping waste to noise, or emission of noise external from the facility.*
- *No passenger vehicles with or without trailers.*

Saturday and Sunday operations:

- *Householder vehicles with or without trailers will be provided access to the facility 8am – 2pm Saturdays and 10am – 1pm Sundays.*
- *No commercial skip bin collections on the weekends.*
- *2pm -4pm Saturdays and 1pm to 3pm Sundays the facility will sort, separate and process wastes received during the day when all doors to the facility are closed to prevent exposure of residents to noise, or emission of noise external from the facility.*

The following operating and access hours for the facility have been adopted into the Operational Environmental Management Plan for the development:

Operational Activity	Hours
Normal operating hours (staffed)	Mon-Fri: 7am to 6pm Saturday: 8am to 4pm Sunday: 10am to 3pm
Waste deliveries and pick up of waste materials for off-site transfer	Commercial vehicles: Mon-Fri: 7am to 3pm Residential / householder vehicles: Saturday: 8am to 2pm Sunday: 10am to 1pm
Operation of the waste plant	Mon-Fri: 3pm to 6pm Saturday: 2pm to 4pm Sunday: 1pm to 3pm
Evening access for return of vehicles only (no loading/unloading)	6pm to 10pm
Night-time (10pm to 7am)	No operational activities or truck movements



SECA have predicted that an additional 122 vehicle movements per day (61 inbound and 61 outbound) Monday to Friday and 134 vehicle movements of a Saturday (67 inbound and 67 outbound) and less of a Sunday will occur as a result of the proposal.

Based upon a review of similar facilities, SECA state that the peak time is likely to be a Monday within the first hour of opening seeing the highest demand equate to 16% of total daily movement. Applying this to the 46 daily arrivals to product disposal and pick up, would see a peak demand of 7-8 vehicles in this hour.

Considering the above, queuing associated with the site has been reviewed by SECA to understand the sites capacity to accommodate vehicles on site, particularly should a delay occur during loading; refer to **Appendix C**.

The updated traffic and queuing assessment concluded:

- *The proposed modifications to the operations for the site can provide for the separation of commercial/contractor waste deliveries and meet local community demands. The layout of the site is suitable to provide for the hourly throughput of the facility allowing for the additional daily vehicle demands and provide for the efficient operation of the site throughout the week and of a weekend.*
- *The holding areas will provide for up to four heavy vehicles on site at any one time dropping off waste with the potential for a further truck collecting recycling within the site.*
- *As car and trailer combinations are similar in length to waste trucks, the site can operate in a similar manner of a weekend. Light vehicles such as utes will further increase weekend capacity as they require less waiting space and manoeuvring area compared with vehicles with trailers.*
- *The utilisation of an additional onsite holding bay of a weekend can further support the operation of the site and reduce the risk of queuing onto the local road network.*

Operational Plan of Management

A detailed draft Operational Environmental Management Plan has been prepared in accordance with EPA licensing requirements and is provided in **Appendix D**. The Draft OEMP addresses the following aspects; traffic management, dust and litter minimisation, noise pollution, non-conforming water, stormwater pollution prevention, emergency preparedness and response, fire prevention, weigh bridge management, pollution incident response, waste management and vermin and pest management.

Conclusion

The JRPP's reasons for deferral have been satisfactorily addressed.

The application is recommended for approval, with an amended set of conditions attached in **Appendix F** to reflect changes to the architectural plans and hours of operation. As detailed in the applicants cover letter, the applicant seeks to remove Condition 29.



Appendix A – Legal Advice
Appendix B – Revised Architectural Plans
Appendix C – Revised Traffic Report
Appendix D – OEMP
Appendix E – Cover Letter from Jackson Environmental and Planning
Appendix F – Amended recommended conditions of consent

