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13th August 2020

Naomi Weber
Senior Development Assessment Planner
Singleton Council
PO Box 314
Singleton NSW 2330

By email to: nweber@singleton.nsw.gov.au

Dear Ms Weber,

Re: Request for additional information – DA 8.2019.117 – Waste or Resource Transfer Station – 39 Enterprise Crescent, McDougalls Hill

As you are aware, the Hunter and Central Coast Joint Regional Planning Panel (JRPP) convened a public meeting on 1st July 2020 via teleconference to determine the development application submitted by our client Eco Logic Developments Pty Ltd.

The development application, DA 8.2019.117 seeks consent for the construction and operation of the Singleton Recycling Facility, a form of 'waste or resource transfer station' at 39 Enterprise Crescent, McDougalls Hill.

The determination of the application has been deferred pending additional information as requested by the JRPP. We have carefully considered the written request for additional information and the specific issues discussed at the meeting and set out in the deferral letter received on 7th July 2020.

In this letter, we provide:

- An overview of the additional items requested by the JRPP and how these additional items address the concerns as discussed in the public meeting and specified in the deferral letter, including proposed amendments to the draft conditions of consent (Attachment 1);

- Attachments providing the detailed additional information sought by the JRPP. This includes:

- Legal advice establishing that the development as proposed (or with amendment) is properly categorised as a waste or resource transfer station – this may require specifying specific aspects of the proposal (Attachment 2);

- Amended plans that include RLs, sections, height of retaining wall and level relationship with adjoining properties (Attachment 3);

- Cut and fill diagram that shows changes to land levels (Attachment 3);

- Details of operational management practices needed to comply with noise criteria and measures to prevent queuing of any vehicles onto public streets (Request 4 in Attachment 1 and updated traffic assessment in Attachment 4);

- Draft Operational Management Plan (Attachment 5);

We trust the additional information will satisfy the JRPP and result in approval of the proposed development, which will provide Singleton and the Upper Hunter with a best practice recycling facility to help drive progress towards the NSW Government's recycling targets in the *NSW Waste Avoidance and Resource Recovery Strategy 2014-2021.*

Should you need anything further, please do not hesitate to contact me.

Yours sincerely,

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ATTACHMENT 1

AN OVERVIEW OF THE ADDITIONAL ITEMS REQUESTED BY THE JRPP AND HOW THESE ADDITIONAL ITEMS ADDRESS THE CONCERNS AS DISCUSSED IN THE PUBLIC MEETING AND SPECIFIED IN THE DEFERRAL LETTER

Request 1: Legal advice establishing that the development as proposed (or with amendment) is properly categorised as a waste or resource transfer station – this may require specifying specific aspects of the proposal

Legal advice has been sought from a specialist environment and planning law firm - Fishburn Watson O'Brien - to advise on whether the proposed development is properly characterised as a 'waste or resource transfer station'. The planning law advice has also considered the permissibility of specific functions, which include crushing and shredding, which are considered to be a minor operational feature of the development and has been raised as a matter of concern by the JRPP.

This advice confirms our interpretation that the proposed land use as described in the Environmental Impact Statement is consistent with the definition of a 'waste or resource transfer station', being a permissible form of development with consent in the B5 Business Development land use zone under the *Singleton Local Environmental Plan* 2013.

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

The advice in provided in Attachment 2.

Request 2: Amended plans that include RLs, sections, height of retaining wall and level relationship with adjoining properties

An amended plan set 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). It is noted that additional architectural plans are provided to supplement the original architectural plan set.

Table 1 below provides a summary of plans as submitted with the original development application (June and December 2019) and the updated plan set submitted with amendments as requested by the JRPP.

The consolidated plan set is provided in Attachment 3.

Table 1. Overview of the original plans submitted with the development application and the updated plan set provided for JRPP determination.

Plan no. submitted in June 2019 and amended December 2019	Plan title	Updated Plan no. or new plan submitted in August 2020	Plan title	Description of plan amendments
Plan 101	Office and ground floor plan	Plan 101	Office and ground floor plan	Updated plan. RL's for floor levels in warehouse and bottom and top of retaining walls given.
Plan 102	Office first floor plan	Plan 102	Office first floor plan	Updated plan. RL's for floor levels in warehouse and bottom and top of retaining walls given.
Plan 105	Basement plan	Plan 103	Basement plan	Updated plan. RL's for floor levels of basement given. Area of basement clearly shown.
Plan 106	Passenger Vehicle Entry and Exit Plan	Plan 104	Basement plan	Updated plan. RL's for floor levels of basement given. Area of basement clearly shown.
Plan 109	Elevations (Side South and Front West)	Plan 105	Office ground floor plan	New plan. Detailed dimensioned plan for office ground floor level with RL for floor level given.
Plan 109	Elevations (Side North and Rear East)	Plan 106	Office first floor plan	New plan. Detailed dimensioned plan for office first floor level with RL for floor level given.
Plan 110	Notification Plan	Plan 107	Office Section B plan	New plan. Section plan for office with RL for floor levels given.
-	-	Plan 108	Office Section A plan	New plan. Section plan for office with RL for floor levels given.
-	-	Plan 109	Office East-West Elevation plan	New plan. Detailed dimensioned plan with RLs given.
-	-	Plan 110	Office South Elevation plan	New plan. Detailed dimensioned plan with RLs given.
-	-	Plan 111	East Elevation plan	Updated plan. RLs given.
-	-	Plan 112	West Elevation plan	Updated plan. RLs given.
-	-	Plan 113	North Elevation plan	Updated plan. RLs given.
-	-	Plan 114	South Elevation plan	Updated plan. RLs given.
-	-	Plan 115	Roof plan.	New plan.
-	-	Plan 116	Section AA plan	New plan with RL's for floor levels of basement and ground floor of warehouse.

Plan no. submitted in June 2019 and amended December 2019	Plan title	Updated Plan no. or new plan submitted in August 2020	Plan title	Description of plan amendments
-	-	Plan 117	Section BB plan	New plan with RL's for floor levels of basement and ground floor of warehouse.
DA1.01	Local plan and drawing schedule	DA1.01	Local plan and drawing schedule	No change (except drawing schedule with new drawings itemised).
DA2.01	Sediment and erosion control plan and details	DA2.01	Local plan and drawing schedule	No change.
-	-	DA2.02	Concept sediment basin details	New plan.
-	-	DA3.01	Concept bulk earthworks contour plan	New plan.
-	-	DA3.05	Concept bulk earthworks cut to fill depths plan	New plan.
-	-	DA3.11	Concept bulk earthworks sections sheet 1	New plan.
-	-	DA3.12	Concept bulk earthworks sections sheet 2	New plan.
DA4.01	Concept stormwater management plan	DA4.01	Concept stormwater management plan	No change.
DA4.02	Concept fire water containment plan	DA4.02	Concept stormwater containment plan	No change.
DA4.05	Concept stormwater catchment plan	DA4.05	Concept stormwater catchment plan	No change.
DA4.11	Concept stormwater management details	DA4.11	Concept stormwater management details	No change.

Plan no. submitted in June 2019 and amended December 2019	Plan title	Updated Plan no. or new plan submitted in August 2020	Plan title	Description of plan amendments
-	-	DA5.21	Retaining wall elevations	New plan.

Request 3: Cut and fill diagram that shows changes to land levels

A cut and fill plan is provided in Plan DA3.05. Plans DA3.11 and DA3.12 show the change in land levels in section. Plans are provided in Attachment 3.

Request 4: Details of operational management practices needed to comply with noise criteria and measures to prevent queuing of any vehicles onto public streets

Following the public meeting, the proponent has considered operational measures to address the concerns raised by the panel relating to noise, traffic and queuing. We understand that these concerns relate in more detail to:

- Capacity of the site to accommodate all functions proposed and how noise and traffic are to be mitigated;
- How the operation of machinery and requirements for doors to be closed affecting queueing and traffic movements;
- Practicality of closing doors to meet noise requirements and interaction with operational requirements and potential impacts on traffic;
- How commercial and household drop offs and sales operations would be managed from a traffic and noise perspective.

To address these matters, the proponent has considered the following aspects of how the facility will be used by different customers, including measures to prevent users of the facility from excess noise (during operation of the waste plant), external noise emissions and how queueing can be prevented:

- When will the majority of commercial skip bin collections occur during the week?
- When will residents in passenger and trailer combinations want to use the Community Recycling Centre during the week?
- Can commercial vehicles and residential vehicle access times be managed to avoid potential for queuing?
- How long does the waste plant (comprising the sorting plant, shredder and crusher) need to operate on a daily basis, and can this be operated when the facility is closed to customers to avoid frequent opening and closure of doors, and potentially exposing users and external receptors to excess noise?
- If access hours are constrained for commercial and residential users of the facility during the week, will this result in queueing on public roads.

To help inform the development of management practices for noise, traffic and queuing, the proponent has considered the following facts:

- Commercial skip bin vehicles will use the facility on weekdays. Demand on the weekend (Saturday and Sunday) is expected to be very low. Arrival times can be managed by CB radio to avoid queuing;
- Residents in passenger vehicles with trailer combinations will use the facility mainly on the weekend (Saturday and Sunday). Demand on weekdays is expected to very low;
- The waste sorting plant has a capacity of 30 tonnes per hour. When the facility is at maximum capacity, the sorting plant will be required to sort the "light fraction" of building and demolition waste once bricks, concrete and steel segments are removed. It is estimated that of the 47,500 tonnes per annum of building and demolition waste received by the facility per annum (see Table 3.3 of Appendix 5 of EIS), 60% of this by weight (or 28,500 tonnes of light building and demolition waste) will need to be sorted by the plant. The plant will need to therefore operate an average of 2.6 hours per day to sort building and demolition waste materials (allow 3 hours on weekdays and 2 hours on Saturdays and Sundays when waste receival will be lower);
- The crusher plant will size reduce brick and concrete. The crusher has a capacity of 250 tonnes per hour. When the facility is at maximum capacity, the crusher will be required to size reduce up to a maximum 3,990 tonnes per year of concrete and bricks (see Table 3.5 of Appendix 5 of EIS). If the plant is used once a week, it will need to operate for a maximum period of 19 minutes per week.
- The shredder plant will size reduce timber into mulch. The shredder has a capacity of 100 m^3 /hr (~50 tonnes per hour). When the facility is at maximum capacity, the shredder will be required to size reduce up to a maximum of 2,698 tonnes received by the plant per annum (see Table 3.5 of Appendix 5 of EIS). If the plant is used once a week, then it will need to operate for a maximum period of 63 minutes per week.
- We further note that no retail sales will be available at any time in the facility for small vehicles and trailer combinations (such as the pick up of mulch, soil or aggregate).

Based on these operational facts, the following operating scenarios have been evaluated to manage noise, traffic and queueing:

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.

Traffic engineers Seca Solution were engaged to evaluate the potential for improved safety and reduced queuing under this revised operating scenario. The updated traffic and queuing assessment found (see Attachment 4):

- 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 on site holding bay of a weekend can further support the operation of the site and reduce the risk of queuing onto the local road network.

In conclusion, the operational analysis has considered ways that traffic, noise and queuing can be managed to ensure the facility operates efficiently, without noise impacts and local traffic congestion. The analysis suggests that the facility would be best operated under controlled operating hours and access arrangements. Management of operating hours and access times will help to:

- Separate commercial from householder vehicle traffic and improve on-site safety;
- Reduce the potential for on-site and off-site queueing;
- Close the facility to traffic at the end of the day to enable potentially noisy operations within the building to occur when all doors are closed, to avoid noise emissions from the site;
- Reduce the exposure of commercial and residential users to potentially noisy activities in the building, thereby improving amenity and safety.

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

Request 5: Draft Operational Management Plan

A detailed draft Operational Environmental Management Plan has been prepared in accordance with EPA licensing requirements and is provided in Attachment 5. This draft plan addresses all operational aspects of the development, and outlines environmental management measures and practices to ensure that the environment is protected at all times. The plan addresses the following environmental aspects:

- Traffic Management
- Dust and Litter Minimisation
- Noise Pollution
- Non-Conforming Waste
- Stormwater Pollution Prevention
- Emergency Preparedness and Response
- Fire Prevention
- Weighbridge Management
- Pollution Incident Response
- Waste Management Plan
- Vermin and Pest Management

Proposed amendments to the draft conditions of consent

Given the proposed changes to the operating conditions, the following amendments to the draft conditions of development consent are provided below. We would appreciate Council and JRPP consideration of these changes:

Draft Condition of Consent number	Wording of draft condition	Proposed change to condition
1	Approved Plans and Documentation (refer to two tables in draft consent)	Replace first table in condition 1 with the updated list of plans given in Table 1 in this submission
8	Approval of On-Site Sewage Management Application	This condition is not relevant as the proposed development will connect to sewer on Enterprise Crescent
29	Electronic Linking of Roller Doors to Waste Plant/Machinery	It is recommended this condition be deleted as it is redundant given the proposed restrictions on operating and access hours (see Condition 30 below)
30	Hours of operation	Replace with the proposed operating hours table in Request 4 of Attachment 1 in this submission

ATTACHMENT 2

LEGAL ADVICE

ATTACHMENT 3

AMENDED PLAN SET & CUT AND FILL PLAN

ATTACHMENT 4

DRAFT OPERATIONAL MANAGEMENT PRACTICES – UPDATED TRAFFIC ASSESSMENT

ATTACHMENT 5

DRAFT OPERTIONAL MANAGEMENT PLAN