

Memo



Hunter Central Coast Regional Planning Panel

To: Hunter Central Coast Planning Panel
From: Katrina O'Malley, Development Planner
Subject: PPSHCC-65 – 13 Lucca Road, Wyong - DA/1295/2020
Date: 20 July 2021

In response to issues raised relating to the proposed conditions for DA/1295/2020 please see additional information/amendments in relation to the proposed draft conditions of consent

Conditions of Consent to applicant

In regards to the draft conditions of consent these were not provided to the applicant for comment prior to the documents being provided to the panel and uploaded to the HCCRPP website.

Clarification of Use of New Industrial Shed and Obsolete wording.

In response to the use of the proposed new shed and the wording of the proposed condition please see the below changes, as highlighted.

Parameters of Consent:

1.7. **All stages.** Approval is granted for the development to be carried out in two stages in the following manner:

Stage one:

- Increase the facility capacity to 75,000 tonnes per annum;
- Alteration of the existing driveway access near the existing office and office carpark;
- Installation of a second weighbridge near office/office carpark entrance/exit;
- Installation of a 100,000 litre water detention tank;
- Establishment of additional landscaping over stormwater improvements and near the northern site entrance; and
- Construction of a new proposed seven space carpark near the existing truck entrance.

Stage two:

Memo



Hunter Central Coast Regional Planning Panel

- Construction of new industrial shed for research and development;
- Installation of a hooded conveyor belt from existing building to new shed;
- Construction of three (300 tonne) storage silos for storage of finished product;
- Installation of a gantry over silos and northern weighbridge;
- Increase in the storage capacity to 2,800 tonnes on site at any given time, with the site previously approved to store 1,900 tonnes at any one time; and
- Alteration to the height of the inbound material loading area door by an additional 3.7 metres and roof of the existing shed by an additional 4.2 metres.

Works and contributions are to be finalised appropriate for each stage prior to the release of the Occupation Certificate.

Modification of existing consent condition relating to existing tonnage condition

It is considered that, for the purposes of clarity and ensuring that development consent 624/1997 is able to operate concurrently and in harmony with any consent granted for this development, the maximum tonnage specified in condition 34 of development consent 624/1997, being 35,000 tonnes, should be modified as part of the determination of this application to be 75,000 tonnes, having regard for the provisions of Section 4.17(5) of the *Environmental Planning and Assessment Act 1979*.

In this regard, the following condition is proposed to be included in the draft conditions of consent for consideration by the Panel:

Parameters of Consent:

- 1.9. **Stage 1.** In accordance with Sections 4.17(1)(b) and (5) of the *Environmental Planning and Assessment Act 1979*, Condition 34 of Development Consent 624/1997 shall be modified as follows:

34. A maximum of **75,000** tonnes of glass is to be handled/recycled on-site per annum.

A notice of modification shall be carried out in accordance with Clause 97 of the *Environmental Planning and Assessment Regulation 2000*.

Memo



Hunter Central Coast Regional Planning Panel

Amendment to condition relating waste glass on the site

To ensure that the raw glass is able to be stored and brought into the site proposed condition 6.1 is to be amended, as highlighted. The applicant has confirmed they are satisfied with the proposed change to the condition.

- 6.1. **All stages.** Only waste glass **that is to be processed and/or** that has been processed onsite to meet the requirements of a resource recovery order can be stored on the site.

New condition relating to the storage of materials externally on the site

To address the concerns relating to the external storage of any materials on the site

- 6.5. **All stages.** Do not store goods, equipment, packaging material or machinery exposed outside the building so as to be visible from any public road or thoroughfare.

Carrying over of hours of operation onto the current proposal

Carrying over of the hours of operation approved under DA/624/1997 to the current proposal through the following condition:

Ongoing:

- 6.6. **All stages.** Restrict the hours of operation of the use to those times listed below:

- 24 hours per day seven (7) days per week

Any variation to these hours is subject to the prior consent of Council.

Conditions relating to the protection of trees on the site

The following conditions are proposed regarding tree protection for the existing trees located within proximity of the proposed works.

Prior to Commencement of Works

Memo



Hunter Central Coast Regional Planning Panel

3.10. **All stages.** Establish Tree Protection Zones (TPZ) around trees identified to be retained along the northern boundary in proximity to the proposed new carpark and industrial shed. Trees to be retained are to be protected by fencing and / or other accepted protection measures in accordance with Australian Standard AS 4970-2009: Protection of Trees on Development Sites. All required tree protection measures are to be maintained for the duration of construction works.

During Works

4.7. **All stages.** Activities generally excluded from the Tree Protection Zone, but not limited to:

- Machine excavation, trenching, material storage, prepare chemicals or cement, park, refuel, dump waste, wash down, fill or change soil level.

Location of on-site stormwater detention facility

To allow the relocation of the on-site stormwater detention facility within the northern setback area the following condition is proposed to be amended (as highlighted).

Prior to the issue of the Construction Certificate

2.6. **Stage 1.** Submit to the Registered Certifier responsible for issuing the construction certificate for works within the development site detailed design drawings and design reports for the following engineering works:

- a) The design plans shall include the relocation of the on-site stormwater detention facility from within the landscape area to an alternative location within the site.
- b) Construction of driveways, ramps and car parking areas in accordance with the requirements of the current edition Australian Standard AS/NZS 2890: Parking Facilities and other applicable Australian Standards.
- c) Construction stormwater drainage collection and piping of all stormwater runoff from areas within the site via an on-site stormwater detention facility to the approved connection with Council's drainage system located in the Lucca Road frontage.

Memo



Hunter Central Coast Regional Planning Panel

Detailed design drawings and design reports acceptable to the Registered Certifier must be included in the Construction Certificate documentation.

Additional landscaping to be undertaken along northern boundary.

The existing condition requiring the completion of landscaping works for the proposal is to be amended (as highlighted) to include further supplementary planting within this locality and the inclusion of a new condition to require an amended landscape plan prior to the issue of the Construction Certificate. The approved landscape plan will also be deleted from Condition 1.1 due to the requirement for an amended plan.

Prior to the Issue of the Construction Certificate:

- 2.8. **Stage 1.** The submission of an amended Landscape Plan that includes the removal of the on-site stormwater detention facility and the provision of additional tree planting within the northern frontage of the site.

Prior to the issue of the Occupation Certificate:

- 5.11. **Stage 1.** Complete the landscaping works in accordance with the Landscape Plan provided in accordance with Condition 2.8.

Parameters of the consent

- 1.1. **All stages.** Implement the development substantially in accordance with the plans and supporting documents listed below as submitted by the applicant and to which is affixed a Council stamp "Development Consent" unless modified by any following condition.

Architectural Plans by: LCK Design & Drafting

Drawing	Description	Sheets	Issue	Date
#054	Proposed Site Plan – Stage 1 (Increased Processing Ability)	101	E	16-11-20
#504	Proposed Elevations – Stage 1 (Increased Processing Ability)	102	E	16-11-20
#504	Proposed Site Plan – Stage 2 (New Building and Infrastructure)	103	E	16-11-20

Memo



Hunter Central Coast Regional Planning Panel

#504	Proposed Elevations – Stage 2 (New Building and Infrastructure)	104	E	16-11-20
------	--	-----	---	----------

Landscape Plans by: Xeriscapes

Drawing	Description	Sheets	Issue	Date
20145	Cover Sheet	L000	E	25.11.2020
20145	Overall Landscape Plan	L101	E	25.11.2020
20145	Landscape Plan 1 of 2	L102	E	25.11.2020
20145	Landscape Plan 2 of 2	L103	E	25.11.2020
20145	Indicative Plant Schedule & Sections	L301	B	25.11.2020