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ABN 52 487 919 980

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06 September 2024

Mason Shute  
Development Planner | Development Planning  
City Development  
Fairfield City Council

Dear Mason,

**RE: RESPONSES TO COUNCIL RFI COMMENTS IN RELATION TO  
THE PROPOSED DEVELOPMENT AT 68-70 VICTORIA STREET,  
SMITHFIELD NSW 2164**

This letter has been prepared to provide specific responses to the comments provided by Fairfield City Council, in their Request for Information letter dated 9<sup>th</sup> August 2024 (ref: DA 3.1/2024, PAN-No: PAN-396598), in relation to the proposed development at 68-70 Victoria Street in Smithfield.

Note that enclosed with this letter are the following revised/updated and original documents and plans:

1. Revised architectural plans (prepared by Planzone, dated 03/09/2024);
2. A cover letter that provides specific responses to the EPA NSW comments (prepared by APEX Engineers, dated 06/09/2024);
3. Revised Fire and Incident Management Report (prepared by Innova Services Australia, dated 06 September 2024);
4. A SEPP-RH Screening Assessment (prepared by Riskcon engineering, dated 05/09/2024);
5. Revised Traffic Impact Assessment (prepared by APEX Engineers, dated September 2024);
6. Updated Air Quality Impact Assessment (prepared by Todoroski Air Sciences, dated 06/09/2024);
7. Revised Surface Water Assessment (prepared by SLR Consulting Australia Pty Ltd, dated 29 August 2024);
8. Updated Waste Management Plan (prepared by Equilibrium, dated August 2024);
9. Original Noise and Vibration Assessment Report (prepared by Acoustic Directions, dated 21 November 2023);
10. Updated Pollution Incident Response Plan (prepared by Equilibrium, dated September 2024);
11. Revised Environmental Impact Statement (prepared by MOD Urban, dated September 2024); and
12. Revised Plan of Management (prepared by MOD Urban, dated September 2024).

## **RFI COMMENT 1**

### **1. Externalisation of Use**

Concern regarding the externalisation of activities, including the storage of tyres/wiring outdoors underneath an awning structure was previously raised. The Applicant has responded to Council's concerns by proposing a 2.5m tall gate within the external allotment to help screen the storage of goods from the public domain.

Considering 5-6 deliveries are proposed to occur per day, including a number of internal movements requiring the gate to be opened, it is considered that the proposed internal gate is an inadequate method in screening the display of goods. Furthermore, the Applicant has stated that the maximum height of tyres stacked will be 3.7 metres. This will exceed the height of the gate.

As previously discussed, the use of the proposed awning structure as a mechanism to screen the storage of goods is considered insufficient. Any permanent storage of goods must be fully enclosed. This will require significant changes to the proposal.

## **RESPONSE TO RFI COMMENT 1**

The proposal has been updated to have all permanent storage within the building at Lot 68. Please refer to the revised architectural plans (prepared by Planzone, dated 03/09/2024).

## **RFI COMMENT 2**

### **2. Containers**

In addition to the above concerns, the amended Architectural Plans now indicate three (3) containers located to the rear of the premises to be used for the storage of parts and machinery, steel wires and bags and spare parts.

Council does not support the use of containers. It is considered that a more permanent, uniform arrangement for the storage of goods be provided to support the ongoing operations of the premises.

## **RESPONSE TO RFI COMMENT 2**

Please note that the application no longer proposes to use shipping containers for storage.

### **RFI COMMENT 3**

#### **3. Preliminary Hazard Analysis**

A Preliminary Hazard Analysis, prepared by a suitably qualified person, shall be submitted to Council in accordance with Clause 3.11 – Preparation of preliminary hazard analysis of the State Environmental Planning Policy (Resilience and Hazards) 2021.

### **RESPONSE TO RFI COMMENT 3**

It is noted that based on the advice from our consultant, based on the proposed quantities at the subject site, the thresholds in Chapter 3 of the SEPP-RH policy would not be exceeded. As such, a screening assessment in accordance with Chapter 3 of SEPP-RH has been provided (prepared by Riskcon engineering, dated 05/09/2024).

Based on our email communications with you (dated 02/09/2024), we understand that the Council's Environment Officer has advised that a screening assessment, prepared in accordance with the State Environmental Planning Policy (Resilience and Hazards) 2021, is acceptable in this instance.

### **RFI COMMENT 4**

#### **4. Use of Weighbridge**

It is stipulated within the Environmental Impact Statement that “*all vehicles will use the weighbridge upon entering and exiting the site*”. However, no Swept Path Plans have been submitted demonstrating that vehicles exiting the site can access the weighbridge.

### **RESPONSE TO RFI COMMENT 4**

Please refer to the updated Traffic Impact Assessment (prepared by APEX Engineers, dated September 2024). Section 4.3 of this report demonstrates the manoeuvrability conditions of all types of vehicles that will access the site and the weighbridge.

## **RFI COMMENT 5**

### **5. Amended Architectural Plans**

As previously mentioned, amended Architectural Plans were requested to be submitted to Council. The Applicant has not addressed the following matters:

- a. The location/dimensions of both unloading and loading spaces;
- b. The allocation of car parking spaces for visitors and staff;
- c. The location of the proposed shipping container, including its dimensions;
- d. The location of processed and pre-processed wire; and
- e. The location of the waste bin.

## **RESPONSE TO RFI COMMENT 5**

Please refer to the revised architectural plans (prepared by Planzone, dated 03/09/2024). These plans now identify the above-mentioned matters.

Please note that the application no longer proposes to use shipping containers for storage.

## **RFI COMMENT 6**

### **6. Pedestrian Movement**

As previously advised, concern is raised regarding the potential vehicular and pedestrian conflict onsite. The Applicant has not demonstrated how pedestrian and vehicular conflict will be managed onsite.

## **RESPONSE TO RFI COMMENT 6**

Please refer to Section 4.4 within the revised Traffic Impact Assessment (prepared by APEX Engineers, dated September 2024) which discusses how the on-site pedestrian-vehicle conflicts are proposed to be managed.

## **RFI COMMENT 7**

### **7. Referral to Environmental Protection Authority (EPA)**

The amended documentation was referred to the EPA who require the submission of additional information. A copy of the comments have been attached to this letter.

## **RESPONSE TO RFI COMMENT 7**

We have provided responses and have updated the relevant reports/plans based on the comments received from EPA NSW. For a summary of these responses, please refer to the cover letter that provides specific responses to the EPA NSW comments (prepared by APEX Engineers, dated 06/09/2024).

## RFI COMMENT 8

### 8. *Stormwater Drainage:*

All proposed hardstand areas shall be provided with further stormwater drainage in the form of pits and pipes and shall be treated to the satisfaction of the EPA prior to the discharge to the existing easement.

## RESPONSE TO RFI COMMENT 8

This item has now been addressed within the revised Surface Water Assessment (prepared by SLR Consulting Australia Pty Ltd, dated 29 August 2024).

## CONSIDERATION

I trust that the revised information and the responses provided to the Council's RFI comments are sufficient to determine this application.

If you require any further information, please do not hesitate to contact the undersigned.

Yours faithfully,



**Supun (Sam) Perera**

BE (Hons), MS, PhD

NER, MIEAust, M.AITPM

**Principal Transport Engineer on behalf of APEX Engineers**

Mobile: 041 6137635, Email: [info@apexengineers.com.au](mailto:info@apexengineers.com.au)