

3 JUNE 2021

## FURTHER WRITTEN SUBMISSION TO the IPC

proposed Hanson Construction Materials Pty Ltd Concrete Batching and Aggregate Handling Plant at Berth 1, Glebe Island SSD 8544

Dear IPC Commissioners

Thank you for the opportunity to make further submissions on specific topics apropos the new material provided to the Commission.

I would like to comment on the 28/05/21 letter from the DPIE to the IPC and some of the issues that arise from it.

Text in black bold italics are the IPC's; text in normal-weight black are the DPIE's; my comments in blue.

### DPIE LETTER 28/05/21, specifically ATTACHMENT A

#### 1. Strategic Context

*a) The Department's Assessment Report includes Figure 9 - 'Bays West Structure Plan 2040 and beyond' from the Draft Bays West Place Strategy (Strategy), which shows public access on the site with an elevated public domain. Please provide advice on the implications of SSD-8544 on the Bays West vision as outlined in Figure 9.*

The draft Place Strategy (the Strategy) seeks to improve foreshore connections throughout the precinct where possible. However, it also recognises that the working harbour and operational port would need to be accommodated. Where land use conflicts occur, the Strategy includes options for connections to run within the precinct instead of along the foreshore and consideration of innovative solutions (such as the provision of an elevated public domain area).

Given the site would be used for a ports and employment purpose and it would need to utilise heavy machinery and the adjoining port, the proposal does not include public domain areas or pedestrian access through the site. However, the Department considers the proposal would not preclude the provision of connections to run within the precinct or consideration of other innovative solutions to provide public domain areas.

The Department notes that an elevated public domain would be one potential way to provide open space where land use conflicts occur, however the strategy would not preclude the provision of public domain being provided by an alternate means. Further improvements to access to and around the site and the provision of public domain areas would be subject to further detailed planning including careful consideration of site constraints, land use conflicts and consultation with relevant stakeholders.

#### Comments

The Bays West Structure Plan (BWSP) purportedly derives from the Bays Precinct Transformation Plan (BPTP), which sets visions and objectives throughout the entire precinct.

However, both the Strategy and the DPIE response demonstrate that the DPIE has no problem in devaluing, watering down, or distorting the following objectives.:

- to support a degree of maritime-related activity within an urbanised mixed-use precinct.
- to establish a new pedestrian-friendly mixed-use precinct anchored by a White Bay Power Station commercial and transport hub."
- to build **world-class destinations** on Sydney Harbour that will **transform** the city, New South Wales and Australia"

In fact, it makes a mockery of them

The BWSP seems set up to justify a “sleight-of-hand” switch from such pedestrian-friendly mixed use and world-class destinations - as envisioned in the BPTP - to intensified, toxic and unsightly industrialisation.

Add a tokenistic, unfriendly, and completely fanciful “elevated” public access system and we have both a vandalization of the BPTP and a crude attempt to support a private commercial proposal - masquerading as a progressive replacement for the Transformation Plan.

The sponsoring of a large-scale industrial “roadblock” on Glebe island represents a reckless abandonment of a fundamental objective of Sydney’s transformation to a world-class city. Its sponsors should hang their heads in shame.

This objective is to “recapture” the foreshore for the public by linking the Balmain peninsula, The Bays, Pyrmont’s waterfront, Darling Harbour, Barangaroo, The Rocks, Circular Quay, The Botanical Gardens and beyond through meaningful and enjoyable public access. This would truly be world class!

Instead we see a reckless betrayal of important Sydney-wide objectives, which are fully achievable and must not be allowed to be abandoned for the sake of private development on State Significant sites.

The pretence that industrialisation such as this is a suitable response to the objective of supporting a **degree** of maritime-related activity is patently disingenuous. Large-scale industrialisation is a country mile away from “a degree of maritime activity”. In fact, its dominant vehicles will be trucks – not ships.

The hastily ill-conceived idea of an elevated walkway through an industrial conglomerate is as bizarre and poorly considered as the idea that a public park could be built above a concrete plant, some 14 storeys above Glebe Island and 3 storeys above the Anzac Bridge carriageway.

The final few lines in the above response deal with site constraints and land-use conflicts, all of which would be impossible to overcome and would be due solely to the abandonment of the BPTP.

***b) The Department’s Assessment Report identifies the proposal “is consistent with the Draft Bays West Place Strategy’s designation of the site as a concrete batching facility that would utilise the existing berths, whilst allowing for potential future uses to coexist within the precinct” (page V). Please provide some more detail regarding the coexistence of the proposal with potential future uses in the Precinct.***

The Department notes the site is located within the Glebe Island East sub-precinct, which would contain an integrated ports facility (including concrete batching and use of the existing berths). The Department is satisfied the proposal is consistent with the Strategy’s designation for the site as a concrete batching facility that would utilise the existing berths.

### **Comments**

The so-called “strategy” is surely discredited by the fact that it arrived unheralded and included Hanson’s concrete plant (for at least 20 years) when the proposal’s assessment and determination had not even been concluded. It is a vacuous document full of unresolved issues and conflicts. It is obviously written and released to deflect attention away from both the BPTP and the Glebe Island & White Bay Master Plan 2000, both of which clearly prohibit such large-scale industrial development.

**It is a classic red herring.** The BPTP is the substantive planning document, not the “strategy”.

In this context I again note the DPIE’s obvious attempts to avoid reference to the Glebe Island & White Bay Master Plan.

The Strategy also seeks to allow other uses to co-exist within the precinct so it can evolve over time into a mixed-use precinct with integrated and enhanced port and working harbour activities. To ensure future uses can coexist, the Department recognises that further detailed planning of the sub precincts would need to take

place to minimise any land use conflicts. Future master plans, rezonings, buffer zones, DCPs, development applications and new emerging technologies, will play an important role in managing potential land use conflicts at the site. The Port Authority of NSW would also work with stakeholders to consider how the future port and maritime functions can evolve and innovate to complement other future land uses within the Bays West area.

### Comments

The idea that the BPTP's objectives - which are clearly stated as requiring progression from 2022 - are now something that we need to wait another 20-30 years for is totally unacceptable. In the context of a complete exclusion of public involvement in this quantum leap forward, the only apparent reason appears to be to give Hanson a helping hand at the public expense.

The Port Authority has shown its own callous disregard for both the BPTP and public welfare in its desperate cling to continued existence (the MUF). The idea that it could be entrusted to work with stakeholders in developing transformation of Glebe island is an insult to the public's intelligence.

The Department has also sought to minimise the impacts associated with the proposal to the greatest extent possible and has included a range of conditions to ensure the potential impacts of the proposal are appropriately mitigated and managed. This includes applying strict noise criteria based on the best achievable noise levels for the proposal, sourcing a dedicated quieter vessel to supply raw material to the facility to ensure noise from ship berthing is minimised, and requiring management plans (to be prepared in consultation with Councils and government agencies) to address noise and air quality issues. This would also assist in allowing other uses to coexist on the site in line with the vision of the Strategy.

### Comments

As I complete this submission there is a ship (AAL Shanghai) berthed at Glebe island opposite Jacksons Landing producing high-level noise from its diesel engines, which have been running continuously since it woke me and my wife around 4am on Monday morning – **and kept us awake.**

It has been running its engines continuously since then and continues to keep us awake during the night, as is the pattern with all ships berthing at Glebe island 1 & 2. This is despite the highly self-acclaimed Port Noise Policy recently released by the PA, which has proven to be totally ineffectual.

The ship's noise is a continuous high-decibel but low-frequency rumble - powerful enough to reverberate the doors and windows that we have been told by the PA to retreat behind if things are too noisy. Powerful enough to cause sleep disturbance and lead to significant health issues.

As usual the PA "hotline" will receive numerous complaints from local residents and, as usual, the PA will pay lip service to them but do nothing about any of them. As it will do nothing about the noise, diesel fumes, and pollution spewing from these vessels!

We now have an oil slick, spreading itself over Johnstons Bay from the AAL Shanghai. One can only imagine the extent of oil slicks that will surely cover the western harbour when ship numbers increase from around 5 per year to 250 or more. This follows decades of gradual detoxification of our harbour.

Further evidence of what this community is in for should this facility be approved.

In my opinion, the level of minimization of impacts applied by the DPIE in its assessment verges on non-existent. Why has it sought to minimize rather than place strict controls, accept the proponent's analyses rather than commission independent ones.? Did it get lost in the seeking process?

No amount of management plans, consultation with local Councils (who are opposed) and government agencies ( the EPA is toothless) will achieve any significant impact at all on the already-well-publicised toxic outputs of the Hanson part and its industrial neighbours. Evidence of this is the DPIE's attempt to justify this proposal even though no cumulative environmental impacts have been assessed.

The last line of the response, that refers to other users coexisting, is surely high farce.

c) What are the likely time frames in the Strategy for development of the Glebe Island East Sub Precinct?

At present, the Department's priority is to commence master planning and rezoning for the Bays Metro Station and White Bay Power Station. The timing of other precincts including the Glebe Island East Sub Precinct has not yet been confirmed. However, the Department notes the timing as indicated in the Bays West Structure Plan is 2040 and beyond.

### Comments

The BPTP required an overall master plan approach to avoid unsuitable opportunistic development proposals such as Hanson's and to coordinate transformation throughout The Bays. The Government's continued piecemeal approach risks descent to cronyism, creation of poor land-use outcomes, abandonment of guiding principles, and unsatisfactory transformation.

The continual procrastination by the DPIE in undertaking effective planning is a disservice to the public. The focus on 2040 and beyond – which conflicts with the BPTP – reads as an excuse for current ineptitude.

## 2. Height details

a) The RL height of the heritage silos (to top of concrete) and the Multi-User Facility surrounding the project site

- The height of the heritage silos (to top of concrete) is RL 43.891 AHD
- The height of the signage structure affixed to the silos is RL 52.4 AHD
- The maximum height of the overall built form, which includes the silos is approximately RL 65 AHD
- The height of the Multi-User Facility is approximately RL 24.2 AHD

a)

b) The RL of the ANZAC Bridge deck at the pylon structure closest to the proposed development:

The height of the ANZAC Bridge deck at the pylon structure closest to the proposed development is RL 30.63 AHD.

c) The RL height of all proposed buildings at the Project Site:

Building Top of Building	(RL, m)
Cement Silos	28.1
Concrete Batching Shed	11.4
Aggregate Storage Silos	37.6
Truck Unloading Tipper Bay	19.2
Aggregate Receival Bin	15.0
Shipping container wall	10.8

### Comments

Hanson's latest elevational drawings show an RL of 37.6 to the top of the aggregate storage silos, of which there appear to be six in one line alongside the paved approach to the existing Glebe Island Bridge. They form a massive "wall" of structures measuring 34m in height and 85m in length, which is approximately **7m higher than the Anzac Bridge carriageway**.

This is a point that the proposal's opponents have been consistently making and goes to the enormous size and scale of this facility. As already demonstrated in the public meeting, the size and scale of the proposal would not only dominate the landscape but also produce highly detrimental effects on view lines to existing heritage structures, which it is virtually "jammed up" against. To say nothing of blocking important views throughout the Bays and to/from as far away as Barangaroo and the Harbour Bridge.

A public park – somehow suspended above the concrete plant (skyhook perhaps?) - would require at least another 6 m for structure and clearance, taking finished landscaped levels to around RL 43.5.

This is approaching the height of the heritage silos (43.89) and would be **13m higher than the Anzac Bridge carriageway**.

Yet the DPIE does not have a problem with these issues of size, scale, location and visual interference with heritage items! Why not, when the people expect it?

The carefully-avoided and equally carefully-written Glebe Island & White Bay Master Plan 2000 provides two building zones – one for buildings of up to 10,000sqm in floor area and 12m maximum height and one for a 6-7 level parking structure of up to 25m maximum height. **Nothing over 25m!**

So, why does the DPIE consider such massive structures to be appropriate in this location, without any respect to both the master plan's controls and the population's overwhelming objections?

The zones identified in the Plan do **not occur along the wharf** or near either the Anzac Bridge or the old Glebe Island bridge. They are in more **internal positions** in accordance with the plan's objectives to maintain existing views of major landmarks and to respect urban context. Clearly the intent of the master plan is to avoid placement of large structures along the waterfront or too close to landmarks so that they do not conflict with them or block views of them.

These zones do not **permit** the proposed location of this concrete plant. So, why does the DPIE support non-compliance with the only existing Master Plan controlling development at Glebe Island? The DPIE is supposed to be a professional organisation with the expertise and rigour to be capable of carrying out an impartial assessment against existing master plans and urban transformation objectives...in the public interest.

Instead, it prefers to suggest that these plans and objectives do not exist anymore, as can be seen in the transcripts of discussions between the DPIE and the IPC. This appears to amount to clear favouritism to the proponent, which did not have to participate in any competitive process in the first place and which also chooses to blatantly disregard existing rules and planning objectives.

While this might be to some extent excusable of a private company, the DPIE response is one of gross incompetence and seems to be intended to mislead the public in favour of the applicant. This is not the Wild West, where anything goes.....**or is it?**

### 3. Landscaping

*a) The Applicant and NSW Port Authority have commented that it is impractical to provide landscaping on the Site other than the green wall attached to the containers and small plants. The Department's Assessment Report states that "...the Applicant proposed a Landscape Plan to mitigate visual impacts. The Department supports the provision of landscaping on the site to help soften and screen the development where practical to do so and recommends a condition..." (paragraph 6.3.18). The Commission seeks further assessment of visual impacts, on the basis that the applicant has stated that it is not practical to provide landscaping of sufficient size/quantity to "screen" and "soften" the proposal, particularly the silos.*

The Department accepts that landscaping would not screen the proposed taller structures, and there are currently no deep soil zones on the site that would allow large trees to be planted. The Department also accepts that the site is bounded to the north by the Multi-user facility and the south by the existing Glebe Island Bridge abutments.

However, despite these constraints, the Department does not agree that it is impractical to provide some landscaping on the site, and that, in conjunction with public art, would help mitigate and soften the visual impacts of the proposal. The Department also notes that the provision of a Landscape Plan was a key mitigation

strategy outlined in the Applicant's Visual Impact Assessment. The Department therefore recommended Conditions B26 (Public Art Strategy) and C40 (Landscape Plan) to require the Applicant to submit further details of measures to soften the visual impact of the proposal including the silos and proposed green wall (including details of planting and maintenance). The condition also requires the Applicant to prepare the Public Art Strategy and Landscape Plan in consultation with the Port Authority, local residents and resident groups, and the Inner West and City of Sydney Councils. This would help address the visual impacts of the proposal and provide some visual interest.

*b) Please provide further details regarding the practicality of providing a green wall attached to the shipping container wall, ongoing maintenance challenges and its effectiveness in mitigating visual impacts.*

The Applicant states that a green wall can be attached to shipping containers in the same way that it could be attached to any other structure or building which typically supports green walls.

The Department's recommended condition would require details of the green wall to be submitted to and approved by the Department prior to the issue of the relevant Construction Certificate. The Department would need to consider matters such as maintenance requirements and appropriate plant species for the local climate, at that time. However, the Department considers the recommended Conditions B26 and C40 could be strengthened to include a specific requirement for a maintenance plan to be prepared and implemented for the proposed green wall, should the IPC wish.

Regarding its effectiveness in mitigating visual impacts, the Department considers the proposed green wall would help screen views to the east of the truck parking and movement areas, and other ground level activities at the site, as well as the lower portions of the silos and concrete batching building.

#### **Comments**

The various offers and responses to landscaping seem to be half-hearted and poorly developed. Why, for example, has high-level screen planting not been considered for the Glebe island embankment that abuts the western edge of the proposal?

Why is effective landscaping not a prerequisite of approval rather than something that can be addressed later, something vague, tokenistic and unenforceable? As MP Jamie Parker said when addressing the IPC Public meeting, "If it's not in the conditions of consent, it does not exist".

Why should we leave it up to the Port Authority to respect public expectations in creating effective, high-quality landscaping? Its track record and attitude towards the surrounding residents is abysmal.

Why are we looking at a wall of shipping containers rather than something with some visual quality? Because its cheap? Because it will resemble the rusting hulks of the noisy ships that will dominate Johnstons Bay? Because it's an afterthought?

Perhaps Hanson - with the benefit of experience - realize that, in the cement-laden air that will permanently surround the facility, nothing green is likely to thrive anyway.

Comparison with any other type of building on a site as important as this is warranted, where high-quality architectural design and landscaping solutions would be required prior to any assessment.

#### **4. Noise / Enclosure of Structures**

*a) At paragraph 6.4.4, the Assessment Report describes how concrete batching will be undertaken in a partially enclosed building. Can the Department please confirm the extent of enclosure of all structures proposed.*

The Applicant has committed to carrying out all concrete batching and truck unloading activities within fully enclosed buildings. The only proposed openings

relate to the time-limited opening of roller doors for loading and unloading. Additionally, the entire conveyor system would be fully enclosed. The Applicant also advised that aggregate trucks would be loaded on weighbridges directly underneath the silos in a partially enclosed space, filled from a chute from inside the silos structure (as opposed to originally being proposed on the outside of the silos). The Department understands the Applicant has provided the Commission with amended plans to clarify this.

***b) The Applicant has indicated that the silos may be concrete or other material, such as metal cladding. Please confirm whether the Noise Assessment for the project specified whether the buildings need to be a specific material or acoustically treated to meet noise criteria.***

*b)*

The Applicant's EIS states that the silos would be constructed out of concrete and the Department has assessed the proposal on this basis. The Noise Assessment does not specify that the buildings (including the silos) need to be a specific material or acoustically treated to meet the relevant noise criteria.

### **Comments**

Clearly Hanson has not provided any, nor has the DPIE requested or conditioned any significant noise-control assessment. The building design (so to speak) does not appear to have involved any input from an acoustic consultant and gives no information as to what noise levels are likely to emanate from the facility. Basically, because there is no design!

This level of apathy from both parties to issues of serious public concern, that were raised after both the EIS and the RtS, amounts to a dereliction of duty by the DPIE, in my opinion.

This begs the question as to why an enormous facility like this - located as it is on a State Significant Site - can be drawn up by an engineer; with the only apparent brief being the delivery of as much concrete and aggregate as is physically possible from the cheapest possible collection of crude concrete and steel structures - all to enhance the profitability of Hanson.

If this is the new norm, why weren't the towers at Barangaroo just built by construction companies without any architectural input?

Surely any building on a State Significant Site requires full architectural design by an eminent architect, through a competitive process such as happened with the Fish Market project - especially when significant environmental outcomes are obvious issues. Hanson has no expertise in environmental, planning, or aesthetic issues. Nor does it seem that the DPIE has any either.

### **5. Traffic**

***a) The intersection delays that have been identified at The Crescent/City West Link Road intersection are expected to result in a reduced Level of service (LoS) and resultant queuing impacts, with or without the proposal. The Commission seeks information to understand the developments that are included in this assessment of the cumulative impact and the length and location of queuing, particularly during the AM and operational peak periods.***

The TIA assessed the cumulative traffic impacts associated from existing development and with several construction support sites that are either in place or planned for the area to facilitate the construction of major transport projects including:

- WestConnex M4-M5 Link and Rozelle Interchange projects
- Western Harbour Tunnel and Warringah Freeway upgrade
- Sydney Metro City & Southwest project

The TIA also considered the impacts associated with the Port Authority's Multi-User Facility.

The traffic modelling (based on a worst-case scenario considering cumulative impacts) indicates the southern leg of The Crescent experiences significant delays (under current and future operating conditions). Queuing on the southern leg of the intersection (i.e. the northbound traffic on The Crescent approaching the intersection) is modelled to extend up to approximately 840 m.

The Department notes the Applicant's TIA assessed impacts prior to the opening of the Rozelle Interchange. If the proposal is not operational until 2024 (as now advised by the Applicant), the Rozelle Interchange is planned to be open by this time, providing relief to the road network.

#### Comments

But where is the evidence or quantification of the supposed relief? Or is this just another glib assumption which, if incorrect, would render the billions spent on the Rozelle Interchange to be a complete waste of public money?

How does the DPIE know that the trucking numbers – potentially approaching ten thousand per day from the accumulated trucking of 3 large industrial facilities – in and out of Glebe Island would not cripple traffic on and around Anzac Bridge?

**b) The truck route for the development includes The Crescent, which passes through residential areas. Further information is sought on the proposed truck routes and potential impacts.**

The Traffic Impact Assessment (TIA) does not nominate The Crescent as a specified truck route. Aggregate haulage trucks will almost exclusively use the existing arterial road network and the WestConnex (including the Rozelle Interchange) once it is operational. Concrete agitator trucks would only travel along The Crescent if they are accessing worksites located along The Crescent or surrounding areas.

The Department also recommended Condition A5 (Limits on Consent) to prevent access to and from the site through residential areas.

#### Comments

Surely there is an abundant and ever-increasing number of worksites in the inner west that would be accessed by Hanson trucks along the Crescent. I would suggest that the word "only" should be replaced with the word "frequently" if anyone is interested in accuracy.

**c) Information relating to the volume and frequency of sand deliveries by truck.**

The Applicant has confirmed that trucks would be used to deliver and dispatch sand and aggregate to and from the site and these movements were included in the total truck movements assessed in the TIA. The Applicant estimates total sand deliveries would be 75 per day for an average production day and up to 241 trucks per day for a peak production day. These trucks would be predominantly spread across the 12-hour workday (7am-7pm), although they could arrive during the night-time period. Arrival times are dependent on a number of factors, including the quarry they are sourced from, its operational or approval constraints, and traffic conditions. The Applicant therefore states it cannot specify an hour-by-hour breakdown of the frequency, however up to approximately 20 trucks per hour are expected during peak operational periods.

#### 6. Construction period

**a) The Applicant has indicated that the construction period would be 18-24 months with completion around 2024. Please confirm this is the period that the Department based its assessment on and provide any further comments, if necessary.**

The Department based its assessment on the construction timeframe specified in the Applicant's EIS which states that construction would be undertaken over a six to nine-month period, with operations commencing in mid-2022.



**Comments**

This careless repeat of 3-year old information without seeking an update is as sloppy as elsewhere, which only increases perceptions of a predetermined outcome.

**IN CONCLUSION**

In my opinion the DPIE assessment, the Government's release of the Bays West Place Strategy, and the responses commented on above are part of an attempt to mask the fact that a significant parcel of waterfront public land, bearing a classification of **State Significant Site**, has been gifted to a single commercial entity for commercial reasons not divulged to the public.

And without any public process involving the owners of the land, the transformation objectives of the BPTP or any analysis of feasible alternatives for both location and usage.

Deliberate non-reference to both an existing master plan and a transformation plan, which made great promises to the people of NSW, culminate in the premature announcement of a document purporting to be a strategy for the future.

The so-called "strategy" shows an undetermined application as a "fait accompli" - in place until beyond 2040! This represents a planning process in complete disarray and constitutes a complete disservice to the public.

Interestingly, the ABC 4-Corners program of June 1 2021 cast light on similar processes at Barangaroo that were in play some years ago. Here, the (same) NSW Government allocated land originally designated in a Master Plan for public recreation **to a single casino operator**. No process involving public opinion, no competitive tender! History repeats.

Coincidentally, Elizabeth Farrelly's article in the SMH of May 29-30 revealed similar Governmental malpractice in relation to planning decisions in Parramatta involving the site for the new Powerhouse Museum.

There is no doubt that the proponents and the DPIE view this site as suitable for Hanson to construct and operate what is most likely the largest concrete plant in the southern hemisphere on a 24/7 basis for as long as it likes, with few constraints on its output or operational scale. Great for Hanson!

But, of equal certainty is that this site is completely unsuitable for this usage and that the DPIE either did not have the integrity or was not allowed to make the only appropriate recommendation – refusal.

To add insult to injury the DPIE announced that the favourable recommendation was in the public interest.

I must ask the Commission – is not the public interest immediately cast aside as soon as an exclusive public/private relationship is established which involves the long-term transfer of public land?

Dear Commissioners, please **refuse this application** and urge the NSW state Government to get on with the Bays Transformation in the same spirit in which it promoted the BPTP to the people in 2015.

Yours Sincerely

Peter Ball

ends

Commented [pb1]: