

From: [Daniel East](#)
To: [Casey Joshua](#)
Cc: [Denise Bengler](#); [Tom Irons](#); [Harjeet Atwal](#)
Subject: Glebe Island
Date: Monday, 10 May 2021 1:11:25 PM
Attachments: [image007.png](#)
[image008.png](#)
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[Comments on Conditions.docx](#)

Hi Casey

Please find the attached notes from last week's presentation, as requested by the Panel members. Council would like to maintain its objection to the project. However, we would like to offer these suggestions to amend the wording of the conditions in the event that the project is approved by the Panel with particular reference to the proposed time limited consent, schedule of materials and finishes, public art strategy.

Regards
Daniel

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Council acknowledges the Traditional Custodians of these lands, the Gadigal-Wangal people of the Eora Nation.



Condition	Comment
<p>'Time limited consent'</p>	<p>Council is firmly of the opinion that the use should be subject to a 10-year 'time limited consent', particularly as this would approximately align with the timeline for changes to the precinct outlined in the Bays West Place Strategy.</p> <p>While it is noted that the applicant has stated this is not needed as <i>"the duration of use can be controlled through leasing agreements with the Port Authority of NSW"</i> Part 6.6.1 of the Report – it is unclear if this mechanism requires a comprehensive review/reassessment in relation to its operational performance and changing surrounding context (amongst other things). A time limited consent would require this stakeholders/community involvement.</p> <p>Comment from the Port Authority on their process for lease renewal should be sought.</p>
<p>A1. (c) in accordance with the EIS, Response to Submissions, Supplementary Response to Submissions and additional information;</p>	<p>The supplied drawings are of poor quality. Key dimensions are missing, key annotations (such as site boundary) are missing, some works (such as the cement feed and ship receival bin) appear to be outside of what is presumed to be the property boundary (red line).no 'cut-through' cross sections are provided, no materials or finishes are listed,</p> <p>No site plan or roof plan has been provided nor do the conditions require them to be submitted.</p> <p>The Assessment Report refers to the batching building as 'partially enclosed'. The drawings included an annotation 'fully enclosed building', which appears to correspond to the green line.</p> <p>In relation to Condition A1(c), all relevant requirements and commitments in these documents should be reflected in the conditions. Hundreds of pages of ancillary documentation should need to be referenced.</p> <p>Two examples of commitments that should be reflect in conditions are Part 4.1.2 (Page 9) of the Response to Submissions (RTS) which states that <i>"Hanson have...confirmed the fitting of air release silencers to concrete trucks that will use the site"</i> and Part 4.2.2 (Page 12) which states that <i>"Hanson has committed to the use of low sulphur fuels"</i></p>

	<p>(<i><0.5% sulphur</i>) for all water vessels servicing the facility under their operational control". It is noted that the latter was also recommended by the EPA.</p>
<p>B9. Prior to the issue of a Construction Certificate, detailed drawings and a list of the final schedule of materials and finishes must be submitted to the Certifier.</p>	<p>The condition must specify that the materials and finishes must be of a high quality and respond to the surrounding context. This condition needs to be submitted to and approved by the Planning Secretary, not the Certifier.</p>
<p>B26. Prior to the issue of the relevant Construction Certificate, the details of measures to soften the visual impact of the proposal, including the silos and proposed green wall, must be submitted to and approved by the Planning Secretary, as part of a Public Art Strategy. This must be prepared in consultation with the Port Authority, local residents and resident groups, Council and the City of Sydney Council.</p>	<p>The supplied View Impact Assessment (VIA) concludes that the impact on the majority of individual areas of public open space would be either high or high to moderate, and the visual impact from the nearby infrastructure corridor is high.</p> <p>The VIA recommended several mitigation measures to be implemented, including a landscape plan (including screening and finishes to structures) and a green wall consisting of shipping containers that would be subject to design refinement, including investigation of an artistic wrap - see Page 24 (6.3.12) of the VIA.</p> <p>The 7m high 'green wall' will do little to screen the majority of the structures.</p> <p>Given the prominence of the facility and that it is a gateway development, Condition B26 needs to be stronger. It should specify that the artwork provides visual interest, is commiserate with the size of the buildings (including silos), has long-term durability and</p>

	<p>interprets or reflects the local setting/cultural setting. Consideration could be given to requiring a connection to Country. The artwork/s should encompass all six silos.</p>
<p>C19. Construction Traffic Management Plan f) estimated number of construction vehicle movements and detail of vehicle types, noting vehicle movements are to be minimised during peak periods.</p> <p>E6. Operational Traffic Management Plan</p>	<p>A 182 per hour vehicle movement cap was proposed by the applicant to address (amongst other things) impacts on the AM and PM peak periods.</p> <p>With this in mind, TfNSW's most recent comments dated 17 February 2020 (which were in response to the RtS documentation) still recommended that:</p> <p><i>“Consideration should be given to minimise vehicle movements to and from the proposed development during the morning peak periods in order to ameliorate the impact of the proposed development on the surrounding classified road network and to ensure the safe and efficient operation of the key intersections”.</i></p> <p>The recommendation has not been adopted in Operational Traffic Management Plan (OTMP).</p> <p>Confirmation from TfNSW should be sought.</p> <p>It is noted that the recommendation is somewhat reflected in the Construction Traffic Management Plan (CTMP) condition (C19) however the strength and clarity of the wording is insufficient - <i>“Noting vehicle movements are to be minimised during peak periods”</i>. This does not compel the applicant to do anything to achieve the intended outcome.</p> <p>A maximum number of peak period movements should be formulated by a suitably qualified person and included in both TMPs.</p> <p>Conditions C19 and E6 should specify that the recommendations in the Traffic Impact Assessment (TIA) and Supplementary TIA need to be incorporated into the CTMP and OTMP respectively.</p> <p>These conditions should be submitted to and approved by the Planning Secretary.</p>
<p>Car parking</p>	<p>A condition should be included documenting how many car spaces are required to be provide and to whom they are dedicated.</p>

	<p>The drawing has the annotations 'Truck Parking Layout Comprises 59' and '59 – employees' however the following numbers are listed on Page 7 of the Assessment Report:</p> <p><i>50 truck parking spaces 40 car parking spaces, including 35 for employees, 4 for visitors and 1 accessible space</i></p>
<p>C40 Landscape Plan</p>	<p>The landscape plan should also encompass the 'green wall'.</p> <p>An 'ongoing maintenance plan' for the landscaping and 'green wall' should be included in this condition.</p> <p>A condition ensuring compliance with the approved ongoing maintenance plan should also be included.</p>
<p>D2. Construction, including the delivery of materials to and from the site (with the exception of shipping deliveries), but excluding may only be carried out between the following hours:</p> <ul style="list-style-type: none"> (a) between 7.00 am and 6.00 pm, Mondays to Fridays inclusive; and (b) between 7.30 am and 3.30 pm, Saturdays. <p>D4. Activities may be undertaken outside of these hours if required:</p> <ul style="list-style-type: none"> (a) pouring of concrete for the construction of the silos (b) construction that causes LAeq(15minute) noise levels that are: <ul style="list-style-type: none"> (i) no more than 5dB above Rating Background Level at any residence in accordance with the Interim Construction Noise Guideline; and (ii) no more than the Noise Management Levels specified in Table 3 of the Interim Construction Noise Guideline at other sensitive land uses; or (c) by the Police or a public authority for the delivery of vehicles, plant or materials; or (d) in an emergency to avoid the loss of life, damage to property or to prevent environmental harm. 	<p>Bold text indicated possible typo.</p> <p>Condition D4 permits works outside of the prescribed hours. (b) states that works cannot be 5db above the 'Rating Background Level' at any residence.</p> <p>While the cumulative construction impacts were mentioned in the supplied Noise Impact Assessment (NIA), an impact assessment and recommendations needs to be provided if out of hours works coincide with out of hours works for WestConnex.</p> <p>Condition D5 states that affected residents be notified of out of hours activities "...or as soon as is practical afterwards" which is not acceptable. They must be informed a reasonable time prior to the activities.</p>

<p>D5. Notification of such activities must be given to affected residents before undertaking the activities or as soon as is practical afterwards.</p>	
<p>E32. Prior to the issue of any Occupation Certificate, evidence that all elements of the Public Art Strategy (See Condition B26), have been implemented, must be submitted to the Certifier.</p>	<p>Satisfaction of this condition should be required by the Planning Secretary given its importance.</p>
<p>F3. The operation of this use is restricted to a maximum of:</p> <ul style="list-style-type: none"> (a) delivery of 1,000,000 million tonnes of concrete aggregates per annum; (b) up to 241 vehicle aggregate deliveries per day; (c) up to 35 vehicle deliveries of cement per day; (d) up to 120 concrete deliveries per hour; (e) a total of 182 vehicle movements per hour; and (f) production of 1,000,000 m³ of concrete per annum. <p>A report demonstrating compliance with the above limits must be prepared annually as part of the Independent Environmental Audit required by Condition C4.</p>	<p>The condition states '1,000,000 million' which could be construed as 1,000,000 x 1,000,000 which is one trillion.</p> <p>Council cannot find any justification or rationale for the 182 vehicle movements per hour in the supplied documentation. Thus, it is not clear that this number will sufficiently ameliorate the culminative impacts of the WestConnex works. Rather this number appears to originate from the total AM in + out movements forecast in the original TIA (Table 6 PP 28).</p> <p>Part 6.5.7 of the Assessment Report states <i>"To mitigate the traffic impacts of the proposal during its operational peak (10 am – 12 pm), the Applicant proposes to temporarily cap hourly movements at 182. This would ensure the intersection of The Crescent/City West Link Road is not impacted beyond the extent already assessed as acceptable in the assessment of AM peak period impacts."</i></p> <p>The cap of vehicle movements must be based on data by a suitably qualified person.</p> <p>I refer back to our previous comments on requiring the applicant to include minimisation on morning AM movements, which should be reflected here.</p>