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**TRANSCRIPT OF PROCEEDINGS**

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**INDEPENDENT PLANNING COMMISSION**

**GLEBE ISLAND CONCRETE BATCHING PLANT AND AGGREGATE  
HANDLING FACILITY – STAKEHOLDER MEETINGS**

**DEPARTMENT MEETING**

**SSD 8544**

**IPC PANEL:**

**ANNELISE TUOR (Chair)**

**DR PETER WILLIAMS**

**OFFICE OF THE IPC:**

**CASEY JOSHUA**

**JULIAN ARDAS**

**DEPARTMENT OF PLANNING, INDUSTRY AND ENVIRONMENT:**

**ANTHONY WITHERDIN**

**CAMERON SARGENT**

**KARL FETTERPLACE**

**SYDNEY**

**9.36 AM, THURSDAY, 6 MAY 2021**

MS TUOR: All right. Before we begin I would like to acknowledge the traditional owners of the different lands from which we meet today and pay my respect to the elders, past, present and emerging. Welcome to the meeting today to discuss SSD8544 for the proposed Glebe Island Concrete Batching Plant and Aggregate Handling Facility project currently before the Commission for a determination. The applicant, Hanson Construction Materials Proprietary Limited, is seeking approval for an aggregate handling facility and concrete batching plant at Glebe Island. The project would have the capacity to produce up to one million cubic metres of concrete per annum and operate 24 hours a day, seven days a week.

My name is Annelise Tuor, and I'm the chair of this Commission panel. I am joined by my fellow Commissioner, Doctor Peter Williams. We also are joined by Casey Joshua from the office of the Independent Planning Commission and Julian Ardas, who is assisting the Commission. In the interest of openness and transparency, and to ensure the full capture of information, today's meeting is being recorded and a complete transcript will be produced and made available on the Commission's website. The meaning is one part of the Commission's considerations of this matter, and will form one of several sources of information upon which the Commission will base its determination.

It is important to the Commissioners to ask questions of attendees and to clarify issues wherever it is considered appropriate. If you are asked a question and are not in a position to answer please feel free to take the question on notice and provide any information – that in writing. We will then put this up on our website. To ensure the accuracy of the transcript we request that all members here today introduce themselves before speaking for the first time, and for all the members to ensure that they do not speak over the top of each other. So we will now begin introductions. So from the department.

MR WITHERDIN: Yes. Good morning. My name is Anthony Witherdin. I'm the director of key sites at the Department of Planning, Industry and Environment.

MS TUOR: Yes.

MR SARGENT: Cameron Sargent, team leader, key sites assessments. Karl Fetterplace, senior planner, key sites assessments.

MS TUOR: Thank you. And thank you for giving up your time to come to this meeting. Just before we start I just wanted to clarify that yesterday we did receive a request from the applicant seeking to amend their application to change the site plan to sort of change the locations of the buildings. We haven't looked at this request in any detail, and the IPC hasn't made a decision about whether it will accept the request or not at this stage. So all the conversation today is on the basis of the application that was referred to the IPC from the department. So I just wanted to clarify that. All right. So in accordance with the agenda the first topic was about the

need and the justification for the proposal. So I think just having sort of further discussions, if you could just give us a bit more detail about why the proposals needed the background context, the demolition of the Hanson Concrete Batching Plant and the Hymix Facility.

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MR WITHERDIN: Okay. I can take that question. So the department has considered the need for the project in section 1.5 and in section 6 of its assessment report. The applicant advises that the proposal is required to replace its former concrete batching plant on Bridge Road. That was demolished to make way for the construction of the new Sydney Fish Market. We also note that the applicant advised that the proposal would seek to replace the shortfall from the Hymix Concrete Batching Plant at Pyrmont, which it expects to be demolished to facilitate the future renewal of the Blackwattle Bay district.

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The applicant further advised that the proposal would result in a number of benefits, including utilising the existing working harbour to provide concrete batching plant in cross proximity to a number of projects earmarked in that area, including the bay's precinct and surrounding major projects, such as the Western Harbour Tunnel and Sydney Metro West. The applicant also noted that the proposal would allow raw materials to be transported to the site by ship, which would limit truck movements on Sydney's roads. And there are few, if any, feasible and suitable alternatives within the harbour that could achieve that. And the applicant also outlined that the facility is located in close proximity to the plant to the operate ..... motorway network in the area, which would minimise movements on local roads. And the department considered those points made by the applicant and was satisfied that the applicant had outlined a clear need for the project, and that a proposal in the department's view is strategically well placed to supply concrete to major infrastructure and construction projects in the city and surrounding areas.

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MS TUOR: So just on the Hymix Plant, you said that that is to deal with the shortfall from that, and that that's proposed also to be demolished. Is there a timeframe for that to be demolished at all?

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MR WITHERDIN: Look, in terms of those statements, you would basically need to talk to the applicant to get any further information about those facilities. They didn't form strictly a part of the application. So that information would be best sought from the applicant.

40

MS TUOR: Okay. So just following on from that. Do – we wanted a rough comparison of the scale of this proposed facility and the scale of the two facilities to be demolished. So are there figures anywhere that say that the current Hymix Plant and the one that was recently demolished – what level of concrete they produced and how this compares with that, and what level of storage was at those facilities?

45

MR WITHERDIN: Look, the department's assessment focused on the merits of this proposal at the subject site and how it may have impacts on the surrounding locality. And we really focused on the scale of the proposal from a physical point of view and

from a – the scale of the proposal from an operational point of view. And we don't have the information available to make a direct comparison – the scale of the proposed facility with the scale of the two facilities, including the one at Bridge Road and the Hymix Facility.

5

MS TUOR: Okay. So that's probably, again, a question for the - - -

MR WITHERDIN: - - - again. Yes.

10 MS TUOR: - - - applicant. Yes. Yes. That's fine.

MR WITHERDIN: Better question for the applicant.

15 MS TUOR: All right. Peter, do you have any follow-up question on that one or Julian - - -

DR WILLIAMS: Not at this stage. Thanks. Thanks, Annelise. Thank you.

20 MS TUOR: Julian, Casey? No. All right. Thank you. So then moving on to the strategic and statutory context. So just a brief discussion on the status of the Draft Bays West Place Strategy and how it was considered in the department's assessment of the proposal, particularly with respect to the compatibility of users current and future, and consideration of public assess.

25 MR WITHERDIN: Yes. Okay. I will take that one as well. So just to start, the department undertook a detailed assessment of the strategic context of the proposal in section 3 of its assessment report. And in summary, the department's assessment found that the proposal would be consistent with the strategic planning framework for the site. And that's because the proposal is permissible with consent and  
30 consistent with the Ports and Employment Maritime Water Zone objectives for the site. It's consistent with a range of other policies including the State Infrastructure Strategy, the New South Wales Ports and Freight and Ports Plan and the Greater Sydney Region Plan, which identified a strategic need to retain Glebe Island and White Bay as a working port to support inner city construction projects.

35

And we also noted that the long term – while the long term vision of Glebe Island includes opportunities for urban renewal, there remained a strong imperative within the existing emerging strategic planning framework to maintain and utilise Sydney's working harbour. And the department's assessment also found that the site, which is  
40 located on Ports and Employment Zone land, is strategically well placed to develop concrete to major infrastructure and construction projects in the central city area. And the use of ships to deliver bulk materials would substantially reduce the number of trucks that would otherwise be required to service such a development. So we thought there was a strong strategic support for the proposal in that regard from a  
45 broader prospective.

With regards to the status of the Draft Bays West Place Strategy, the department notes it was recently exhibited between the 22<sup>nd</sup> of March and 29<sup>th</sup> of April. And the department is currently reviewing the submissions received during this period. The department considered the Draft Bays West Place Strategy in section 3.4 of its  
5 assessment report. And we note that the Draft Place Strategy builds upon the previous urban renewal work in the Bays Precinct, and it sets the long term vision for the Bays West area. And it notes that the Bays West area will evolve over time into a mixed use precinct, which is integrated with enhanced port and working harbour activities.

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The department notes the site is located within the Glebe Island East site precinct, which is proposed to contain an integrated ports facility, which includes a concrete batching and plant and the use of the existing berths. And the department is satisfied the proposal is consistent with the Draft Place strategies designation for the site.

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There's a concrete batching facility which would utilise the port. And, in particular, the proposal is consistent with a key direction of the Draft Place strategy, which is to retain, manage and allow the essential strategic point and maritime injury uses to grow and evolve to ensure that they support the New South Wales economy.

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Further, the department also sought to minimise the impacts associated with the proposal to the greatest extent possible. And this is to ensure the proposal would not adversely impact on current uses in the surrounding area. And, additionally, to allow other users to coexist within the precinct. And we considered that was consistent with the vision of the site within the strategy to evolve over time into a mixed use  
25 precinct, and integrate and enhance the port and working harbour activities at the site.

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MS TUOR: So just on that, following up, so the draft phase West Place Strategy, it's from 2040, is it? Is that – it's up till 2040 or it's from – how – what's the  
30 timeframe for it? It's 2040 and beyond, isn't it? Is that the timeframe?

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MR SARGENT: Certainly, there's references to 2030 and 2040 in the structure plan, Annelise, but, you know, in terms of the actions that need to be undertaken, those actions are immediate. They're ongoing. Some have timeframes of one year.  
35 Some have timeframes of three. Some have timeframes of five. And it is – the strategy does outline that the – there are a number of precincts, and it will be a staged approach. The first precinct will be the White Bay Power Station and the Metro Station precincts. That's the first stage. So there's a number of actions that need to be undertaken over time, including, you know, the master planning of those sub-  
40 precincts, which will then inform the rezoning under which they will be DCP. So there's a lot of work that needs to be undertaken. But, certainly, the plan itself – it doesn't commit to a specific timeframe when this will be done, because it does highlight that it is aspirational in some respects. However, you can assume that, based on what the structure plan identifies, is that certain things sort of anticipated to  
45 happen by 2030, and also by 2040.

45

MS TUOR: So the figure 9, the Bays West Structure Plan 2040, which is on page 12 ..... assessment report – is that sort of putting in place an overall vision for the area, is it?

5 MR SARGENT: In terms of the anticipated future land uses, potentially, yes.

MS TUOR: Yes. And that – the heading of that one is 2040 and beyond. So is it envisaged that if this plan was adopted, you know, at the end of this year, it would be working towards achieving this outcome in a sort of 2040 horizon?

10

MR WITHERDIN: Look, we – I think we need to take that on notice and talk to our colleagues at the department around specific timeframes. So if you're happy with that we can get back to you on that.

15 MS TUOR: Yes. That would be great. And also it's just – because that one does – when you look at that plan, it does seem to indicate quite a lot of public access to this site, and has this statement about Glebe Island East designated as integrated ports facility with elevated public domain. So it's – if you could also find out, you know, what does that actually mean, this elevated public domain. Like, when I look at it  
20 it's shown as green. So I look at it as being you're going to have sort of storage sheds of a, you know, three metre high or something like that, and you're going to have a big green roof over the top of them, and somehow you're going to have, you know, platforms that lead people up and over that to connect to the bridge. So – but it's not clear. So I suppose if you could just get back to what actually it is talking  
25 about.

MR SARGENT: I mean, the potential for that sort of integrated type of uses – it sort of – it's identified as an opportunity in the plan. But also – sorry. In the strategy. But it also, you know, is identified as one of its challenges. So we can get back to  
30 you on the timeframes. Yes.

MS TUOR: Yes. And then just a little bit more about – I think you explained that in the future this use would be able to coexist with other uses. Is that other uses in the wider precinct? So, you know, across the bay at Pyrmont and across the bay at  
35 White Bay. Not specifically in this sort of part of the site. Like, you wouldn't envisage a concrete batching plant being where it – this proposal is, and the end of the point having, you know, sort of commercial start-up companies, or is that what you would envisage? I'm just exploring the idea of this - - -

40 MR WITHERDIN: Yes.

MS TUOR: - - - coexisting.

MR WITHERDIN: Broadly, look, the plan does seek to include a mix of uses  
45 across that site. But we're happy to take that on notice and provide some further details around that.

MS TUOR: Yes. So just more specifically what coexisting would be, given the sort of impacts that – in terms of traffic and noise that are generated from such a proposal. All right. I think that then follows a bit to the – like, the temporary nature of the multiuser facility, which we understood, I think, from meeting your report that  
5 that was sort of limited to a 15 year timeframe, although my understanding is that there isn't actually any sort of formal condition or anything that does actually limit it to that – to the case. And then I suppose it's just that this proposal, given that the framework may be changing, just a further discussion on why it's not appropriate to potentially put some sort of time limit on this consent so that it gives you the option  
10 to reconsider things in 15, 20 years time.

MR WITHERDIN: Yes, Cam. Did you want to lead on that one?

MR SARGENT: Look, I think in terms of the temporary nature of the multiuser  
15 facility, you know, we considered the facility in our assessment report. We also considered the cumulative impacts associated with that facility. And that – they're found in section 6.3 and section 6.4, which relates to noise and air quality, which is section – sorry. Section 6.4 is air quality and traffic impacts at section 6.5. But I think, importantly, you know, the multiuser facility was not subject to this  
20 application. It was approved prior to the finalisation and assessment of our application, and it was approved by Ports under part 5 of the EP&A Act. So, you know, while Ports – and there were general references to it potentially being a type of temporary facility and operate, you know, for a period term period, at least the next 10 years.

25 There was no time restriction on the approval. And we also – duration of use was something that was considered by ourselves in the assessment. The applicant did not seek a time limited approval as part of the – its operations, and we didn't impose a time limited approval. I think the thing to highlight here is that there's no definitive  
30 timeframe that would allow us to say, okay, this is the point at which these uses will cease, because there is a lot of strategic work that needs to be done in – you know, in consultation with multiple government agencies and the community. So we don't have a deadline date there. And so we just considered the application on its merits.

35 MS TUOR: Okay.

MR SARGENT: And just further on that - - -

40 MS TUOR: Yes.

MR SARGENT: - - - we also note that the duration of the use could potentially be controlled through the lease with Ports. And because the applicant never sought to have a time limited consent, we assessed the proposal on the merits of the proposal and the impacts associated with the proposal on that basis.

45 MS TUOR: Okay. And then the last part of part 3 is just about the masterplan and the statutory weight to be given to it. As I understand it, under clause 11 of the SSD

set, I think it is, the master plan has the status of the DCP, and it's not – it's therefore not something that has to be considered in a statutory sense. But you've considered it anyway. So just confirming that that is the case. That it's – even though it's a requirement, it appears to be a requirement under the SREP 26 to prepare the master plan and for the master plan to be considered, that sort of gets overridden, does it? Is that how it works?

MR SARGENT: Yes. So Annelise, just by way of background – so the master plan was prepared under SREP 26, and it was adopted in 2000. But in September 2005 there were changes made to the EP&A Act and regulation. And so what that – what those changes did – they just clarified the status of master plan. So they're essentially deemed DCP. So, you know, what we highlighted here is at clause 40, yes, it does require the master plan to be considered by the consent authority. But I think it's important to note the Minister actually may waive that requirement. And also, obviously, the clause 11 states that DCPs don't apply. So there's an inconsistency there.

Despite the inconsistency, the – you know, we don't – the department does not consider that it is a mandatory consideration for the ICP in considering the application because there's no requirement to consider the provisions of an applicable DCP under section 4.1A3 of the EP&A Act, and that's because DCPs don't apply to SSD, pursuant to clause 11 of the State and Regional Set. And clause 11 of the State and Regional Set we believe overrides clause 40. But despite this view, and for completeness, the department nevertheless considered the Glebe Island White Bay masterplan in appendix C of its report.

MS TUOR: Okay. So – I'm just trying to find the clause. So where it says in the SREP 26, that you've got to consider planning principles or urban design principles, and it says something about future ones being prepared. I'm just trying to find it. So I think it's in part 3, dealing with the Bays Precinct in clause 15. It's got the heading Urban Design. And it says:

*Design principles to be developed in detailed planning should recognise the working industrial nature of the precinct in close proximity to residential uses.*

So those design principles – they were developed in the master plan? Is that where they've been developed, or are they something that hasn't been developed or – when I read the word design principles to be developed where would I go to find those design principles? Is it the master plan or – do you know?

MR WITHERDIN: Look, we would be best to take that on notice, I think. We'll have a good look into it and then confirm for you, Annelise.

MS TUOR: Okay. Yes. I mean, I would read it as being it is probably what was developed in the master plan, and then you then go into that sequence of events that you've just described as to the status that the master plan has. That it's not a



mandatory consideration, but it has been sort of considered anyway as a guidance document.

MR WITHERDIN: Yes.

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MS TUOR: Anyway, if you want to just have a look into that and get back to us.

MR WITHERDIN: Will do.

10 MS TUOR: So Peter, you've got some – any questions on this?

DR WILLIAMS: Yes. If I may. Thanks, Annelise.

MS TUOR: Great. Thanks.

15

DR WILLIAMS: I'll just go back one step, if that's okay, to this strategic context. I think – I'm just trying to reconcile – there's a number of – reconcile the various different strategic plans that are being prepared or that cover this site. And there's quite a number of them. There's the Greater Sydney Region Plan, there's the Eastern Sydney District Plan, there's a State Infrastructure Strategy and the New South Wales Freight Reports Plan, the Bays Precinct Transformation Plan and the Draft Bays West Place Strategy, and probably some more as well.

25 My point is that all these plans inevitably are going to have some differences, some nuances. Obviously, they try and be consistent with each other as best they can. But it appears to me it's – they're trying to ensure that this application – or to demonstrate this application is consistent with as many of those plans or aspects of those plans as possible. And I just – what has prompted me to raise this question is just starting to review some of the submissions from the public – raise concerns about this proposal being inconsistent with the government's plan for the Bays Precinct, which is one of urban transformation. I'm guessing that's coming from the Bays Precinct Transformation Plan itself.

30  
35 And I guess my question is partly, indeed, what's the status of that plan, particularly in the context of, say, the draft Bays West Place Plan. And I just refer you to page 11 of your assessment report dealing with – at section 3.3, dealing with the Bays Precinct Transformation Plan. And I will just read out the sections. It says:

40 *In October 2015 UrbanGrowth New South Wales released a Bays Precinct Transformation Plan which sets out the transformation of the Bays Precinct over a two to 30 year timeframe. In particular, envisages transforming the foreshore and renewing waterfront industrial land for urban purposes, including public open space and promenades. And to me that's significant. That statement in terms of public perception about what it – to expect in the future for this site. You then go on to say – this might qualify that comment I've just made. That the – while the transformation plan identifies the potential for renewal on Glebe Island, it also identifies that the site would continue to*

*support the existing port and maritime economy, as well as anticipating a potential temporary construction logistic site at Glebe Island for major infrastructure project.*

5 Is there some sort of comment you could give on that – those observations I’ve just made in terms of reconciliation of the different plans and their visions for this particular site?

10 MR WITHERDIN: Yes. I guess there’s two points to make there. I guess the broader strategic direction is to maintain the working harbour for the reasons we sort of outlined in our responses earlier. So there’s a real strategic need to keep that capability. And then there’s more detailed strategic work that has been done, including the Transformation Plan and the Bays West Plan. And, look, just to ensure we give a considered response to that, I would probably take the detailed planning of  
15 that on notice, and we can provide you with some clear advice around that question.

DR WILLIAMS: Okay. That’s fine. Okay.

20 MS TUOR: Yes. And I think as Peter said, particularly that paragraph 3.3.3, which says:

*As well as anticipating a potential temporary construction logistic At Glebe Island for major infrastructure project.*

25 So clarifying whether it is something that’s envisaged will become part of the urban transformation. And I – it may not be a use that’s envisaged in the future, or is something that is to stay and coexist with all these other uses?

30 MR WITHERDIN: I think, Annelise, the draft strategy – it actually makes references to what the New South Wales Government’s position is on that transformation plan. And it actually states that it remains committed to the ambition in that plan. And the strategy that is now being developed builds on that. So – but we can provide more information. But it’s certainly something that they haven’t  
35 brushed aside.

MS TUOR: Thanks.

DR WILLIAMS: Thank you.

40 MS TUOR: Any other questions, Peter?

DR WILLIAMS: No, that’s fine. Thank you, Annelise.

45 MS TUOR: All right. Thank you. In terms of the compliance authority, that was just trying to get an understanding of the relationship between the EP&A Act and the Port’s Authority jurisdiction, particularly in relation to enforcement of anything on

the water, such as noise from the ship or those sorts of things. So just a better understanding of how enforcement works for issues.

5 MR SARGENT: Okay. So, Annelise, look, under the EP&A Act and Regulation, you know, the department will be the Regulatory Authority for the proposal, should development consent be granted by the Independent Planning Commission. However, as the proposal also requires an EPL, Environmental Protection Licence under the protection of the Environment Operations Act. Both the department and the EPA in respect of any breaches of that EPL would be the Regulatory Authority.  
10 However, in cases where there is a crossover – so, for example, if we’ve got noise limits in our consent, and there are noise limits that are also those same noises adopted in the EPL, there are protocols in place whereby the department and the EPA would work together to see which agency is best placed to deal with the matter. And why that happens is that they want to avoid duplication of regulatory roles and  
15 efforts.

Now, look, we understand that the Port Authority has – also has various roles and responsibilities, including as landowner. But it would not be the Regulatory Authority for any non-compliance with development consent conditions or EPL  
20 breaches. But any – you know, any questions about port’s jurisdiction in regard to other matters, the department considers that the IPC should direct these to Ports and so on.

25 MS TUOR: Okay. So in terms of your answer that’s specifically to the development on this site.

MR SARGENT: Yes.

30 MS TUOR: Which is the red outline. But the wharf is actually outside the site. It’s not part of the development application. So that’s all then just the responsibility of the Port’s Authority, presumably.

MR SARGENT: No. The use of that wharf forms part of the development consent.

35 MS TUOR: Okay.

MR SARGENT: And so the noise that is generated by the ships once they are at port is covered by the development consent, and the department and - - -

40 MS TUOR: Yes. Okay.

MR SARGENT: - - - the EPA would be the Regulatory Authority. Once that ship leaves you would need to talk to Ports about what - - -

45 MS TUOR: Yes.

MR SARGENT: - - - their role - - -

MS TUOR: Okay. That's clear. Thank you. Any question on that, Peter?

DR WILLIAMS: No, that's fine. Thanks.

5 MS TUOR: And in relation to the built form, perhaps if you – probably before we  
get onto that there's just a few matters we wanted to clarify. Just technical things  
such as – I think in your report you say that the existing silos are 70 metres high and  
that part of the built form is – part of the argument for the appropriateness of the built  
10 form is because of the wider context, including those silos. When we're onsite we  
were told that there were, I think – I can't remember the amount. But more like 50  
metres high. And then there's the statement of significance that – for the heritage  
item. Says that there – jump in – join in if you've got those figures, but I think it's  
more like 54 metres high or something, isn't it?

15 MR ARDAS: I think I've got 78.4 in the - - -

MS TUOR: Yes.

MR ARDAS: - - - heritage statement.

20

MS TUOR: So we've got some different heights. And then none of them are RLs.  
And also I think part of the confusion could be that there's – you go up to the level  
that's concrete, and then above the level of concrete there's advertising signs and  
some other structures. So just trying to clarify if you do actually have an RL for the  
25 concrete – the height of that concrete structure, and then perhaps an RL for the  
overall height. And also even dimensions on just the width and depth of those  
structures. Just so we're – we're just trying to get a sort of a reference point for how  
big those structures are so that then we can get more of an idea about the scale of  
what's proposed. The other sort of RLs that we would be looking for is an RL for  
30 the height of the deck on the ANZAC Bridge in – and I think that RL would change.  
So probably the reference point would be where the apex where the frame is that's  
closest to the site. So just an RL for the deck there.

35 And then so – and also the other thing we wanted to clarify is that the photo  
montages in the report – the form of that building does sort of show a silo form and it  
also shows a pitched roof. And I think they were done for the original proposal. But  
when we look at the plans or the elevations that constitute the application now, it  
doesn't seem to have a pitched roof that projects over the one – the photo montages  
show the pitched roof going right over – overhanging the structures. And it also  
40 seems to show a sort of a flat, concrete wall with not the sort of cylinder shape. So,  
again, just seeking to clarify what the pictures in the report that we have – whether  
they're based on the current scheme or a previous scheme.

45 And then the other point about the photo montages is just clarification that they were  
actually prepared in accordance with, you know, best practice, such as the Land  
Environment Court Guidelines on the preparation of photo montages, ie., that they're  
based on surveys and a wide grid frame, etcetera, etcetera, to ensure that they're

accurate. Again, because when we're out on site we found it confusing, trying to relate the photo montages to other structures in the area. So that's just sort of a preamble for further information or clarification that we're looking for. And then within that context it's just sort of explaining the assessment of the built form .....  
5 design requirements in respect to the development, particularly how it achieves the principles in SREP 26. But, essentially, what those principles are as well. So that was a bit of a very long preamble.

10 MR FETTERPLACE: No problem. I'll take that one.

MS TUOR: Okay.

MR FETTERPLACE: So the department has considered that the form and visual impacts of the proposal in section 3 of its assessment report. And the department has  
15 also considered the relevant provisions of SREP 26 in table 3 of appendix C in its assessment report, including the urban design principles. But, in summary, the department considers the proposal would be consistent with these principles as follows. So there are three principles, as you noted earlier, Annelise. So the first is design principles to be developed in detailed planning should recognise the working  
20 industrial nature of the precinct in close proximity to residential areas.

The department recognised the working industrial nature of the precinct in close proximity to residential areas and notes it would be in keeping with surrounding live scale industrial structures and the ANZAC Bridge. The department has also  
25 recognised the industrial nature of the precinct in close proximity to residential areas. Section 4 of its assessment report, which refers to operational impacts. And is also satisfied it would not adversely impact on residential areas as this site has sufficient capacity to accommodate the proposed built form, given its size, which is approximately 1.4 hectares, and separation, approximately 175 metres from  
30 residential buildings in Pyrmont.

And the department has also recommended a condition requiring a landscape plan to soften and screen the proposal, and a public art strategy, which would be required to be developed in consultation with the local community, councils and the Port  
35 Authority, who we understand is preparing a Bays precinct public art strategy. The second of the principles is that development along the precinct boundaries should relate to and not adversely affect the adjoining street systems and built forms. And the department considers the built form would not adversely impact on these as it would be in keeping with the surrounding live scale structures, and would not impact  
40 on adjoining street systems.

The third principle is the sighting and form of development in all areas must consider impacts on views from within the precinct and to and across the precinct from surrounding areas. And the department considers the proposal would not have  
45 adverse impacts on views from within the precinct and to and across the precinct from surrounding areas, particularly given that residents in Pyrmont would still maintain expensive district views, given the separation distance of the proposal. It's

a private residence. And that the proposal would not significantly impact on views towards the ANZAC Bridge or ..... silos as the majority of the bridge and silos would remain visible from various viewpoints.

5 MS TUOR: Thank you. So just in terms of some of the things I brought up before. So if we look at the south and north elevation, which shows it just as a flat façade, is that your understanding of what it is actually going to be? I'm talking specifically about the taller building. The cement silos. Sorry. The aggregate storage silos.

10 MR WITHERDIN: Yes. Annelise, I think what we can do is we can take that on notice and we can confirm the height of the surrounding structures for you, and we can provide some further information about those images used in the visual impact assessment, and provide that information for you in writing. I guess the key point that the assessment report was making is that the site is surrounded by other large  
15 structures and buildings, and that the proposal would be compatible in that context. But we can provide those further details for you to confirm those points.

MS TUOR: All right. And in terms of the actual assessment of the design, because it does seem like the REP has got a lot in it about trying to achieve high quality urban  
20 design. So just was this proposal referred, you know, under the framework for the assessment of – you know, design assessment for state significant developments? Was it actually – like did the Government Architects Panel have anything to do with its assessment or it wasn't one that .....

25 MR WITHERDIN: No. From recollection, the SEARs didn't require any referral to the panel. And this type of development for an industrial facility of this type wouldn't normally be run past the panel. But we note that the proposal includes a number of mitigation strategies, including screening, and a green wall and some  
30 proposed landscaping to help soften the proposal. But, ultimately, the department considers that, you know, the design of the proposal is in keeping with what would normally be accepted with an industrial zone.

MR SARGENT: Annelise, I'd also like to - - -

35 MS TUOR: Yes.

MR SARGENT: - - - just add that when the SEARs were issued in 2017 they predate the establishment of the State Design Review Panel being established. So there was a pilot program. And now there's been confirmation that it would be .....  
40 however, it's our understanding that the SEARs predate that panel.

MS TUOR: But is there anything that would have precluded it going to the Design Review Panel? Is it something that – you have to have it in the SEARs for it to go to that panel, do you, or is it something that - - -

45 MR WITHERDIN: Not necessarily. But the department assessed the design of the proposal and the visual impacts of the proposal, and we considered that the proposal

had acceptable impacts in that regard, and, as such, we didn't consider it necessary to go through that level of design review.

MS TUOR: Okay.

5

MR SARGENT: A lot of the structures, Annelise, are purpose-built industrial structures, silos. Aggregate silos, cement silos. So they're more designed for operational requirements. And we also noted that the sight is industrial in its nature.

10 MS TUOR: Yes. And I suppose the counterargument to that is that it is in a highly prominent location that's visible from large amounts of residential development and from the water, and it also adjoins a number of heritage items that – part of the significance of those items is the fact that they are the dominant elements in the area. You know, things like the silo, part of their significance is the fact that they're  
15 landmark quality, being, you know, huge structures, etcetera, etcetera. That – and also - - -

MR WITHERDIN: ..... we've had to weigh up all those considerations, Annelise, and recognise that the site has been used for a very long period as a working port,  
20 and that those existing port facilities – there's a strategic need to utilise those existing port facilities. So we had to balance all those considerations up in terms of providing our final recommendation.

MS TUOR: Yes. And which is what is in the REP as well. It clearly states that it's,  
25 you know, for the purposes of a port. But it also has a clear indication in the REP that you need to achieve high quality design. So just on the mitigation measures. Again, in terms of the landscaping, looking at the site plan, I'm just actually wondering how landscaping can be provided onsite, because if you take it from, say, the north. So you've got the red line. North is the boundary. You've got two then  
30 traffic lanes, which are utilised for traffic and for parking, and then you've got the structure. So it's pretty tight.

There isn't actually the width, as far as I can see, to actually put in some sort of strip of planting along that northern edge, northern boundary, which is one of the, you  
35 know, views that you would – presumably if you were looking at planting you would put it there, somewhere there, to try and soften it. And also, as I understand it, the site is contaminated. And so you don't want to do any excavation. So you wouldn't be digging into the site to plan things. So you're going to have to have planter boxes. And if you're going to have planter boxes they're going to have to be a – quite a  
40 significant size to actually achieve any plant that's going to have any chance of doing any screening.

And, similarly, if you look at the southern boundary, which adjoins the Glebe Island Bridge embankment, again, you've got two lanes of traffic and then you've got the  
45 silos. So there's no room to actually put any planting in there. And then if you go to the waterside you've got the container – the three levels of containers that maybe can have a green wall. But, again, they're right on the boundary as well. Part of them.

So even getting something in to get your green – so I suppose I’m just saying that in terms of a landscape plan, unless you’ve actually got space on the site to put landscaping I don’t know what a landscape plan could achieve in terms of actually any mitigation of visual impact. So just if you can comment on what you were  
5 thinking in terms of how you thought the landscaping would actually be implemented through that condition.

MR WITHERDIN: And Karl, you might be able to confirm my understanding here, but we recognise that the site does have some constraints, as you’ve described.  
10 However, the applicant put forward the mitigation strategies of providing landscaping and providing screening and a green wall and to provide some public art as well. And we, as the department, while acknowledging that the site does have some challenges, consider that they were positive attempts to try and mitigate the visual impacts and soften the proposal. And so in that light, we’ve recommended  
15 conditions to provide – to require further details around all those mitigation measures, so that we can look into the detail a bit more closely, and see how that’s going to work.

MS TUOR: Okay.  
20

MR FETTERPLACE: That’s correct. It was offered as a mitigation measure as part of the applicant’s visual impact assessment.

MS TUOR: And in that mitigation measure is there any detail about how they  
25 would actually – well, what they’ve said. What they mean by landscaping. Or is that something we should just ask the applicant?

MR FETTERPLACE: It would probably help to ask the applicant, but no. My  
30 recollection is there wasn’t a lot of detail at this point.

MR WITHERDIN: Yes ..... the landscaping plan as currently worded is based on what we feel it should entail and address.

MR FETTERPLACE: Yes.  
35

MS TUOR: Yes. But as I understand, the aim of the landscape plan is to have landscaping that would be of sufficient depth, height, etcetera, to provide screening. Is that the purpose of it?

MR WITHERDIN: Look - - -  
40

MS TUOR: To mitigate the visual impact of the proposal .....

MR WITHERDIN: Yes. Look, that’s correct, but, look – so the question would be  
45 – need to be asked of the applicant at this point. But, again, the department thought it was a positive point put forward by the applicant. So without dismissing something of that nature we thought that any landscaping that they could provide



would be of benefit, and so that's why we've reinforced that as a condition so that we can get further details to look at it more closely following any determination of the proposal.

5 MS TUOR: Okay. Peter, have you got any questions on that .....

DR WILLIAMS: Just very quickly. Thanks, Annelise. Just to reiterate, having some RLs of some of the surrounding structures, like, you know, the existing Glebe Island silos, the ANZAC Bridge also would be very helpful, and also more details on the plans themselves. I mean, I think we've only got one height shown on the plans we've got, which is, I think 34 metres for the aggregate silos. And also to know what the materials are. The construction materials that the buildings themselves are structures. Would be helpful. And just the conversation we've just had. There's talk about the shipping containers and there's talk about the green wall. And it appears that the shipping containers and the green wall may be one and the same item. But, once again, that's a little bit unclear. And I just sort of wonder how shipping containers can be a green wall.

If that's the case, unless there's going to be some further treatment or further treatment required of the containers to transform them into a green wall. Is that something that's to be decided as part of the condition for the subsequent landscape plan, or is the department aware of exactly what that green wall might envisage and where it's going to be located?

25 MR WITHERDIN: So look, as I've previously mentioned, we're happy to go away and provide some further details about the RLs of the surrounding buildings and structures.

DR WILLIAMS: Right.

30 MR WITHERDIN: And we can ask the applicants for some further details on the RLs of the proposal if they're missing from the plans. But, look, in terms of the green wall, yes, our condition, I understand, requires further details to be provided about how that's going to work.

DR WILLIAMS: All right. Okay. That's good. Thanks for that.

MS TUOR: Great. I'm just mindful of the time, because it is now 10.30, and we've still got quite a few things to cover. So the next topic was air quality and noise impacts. So maybe I will just ..... is there any specific questions that you wanted to actually ask about air quality and noise or do you want the department to just explain anything about it, or is it just self-explanatory in the department's report, and we've got further questions we can get back to you.

45 DR WILLIAMS: I think part of the issue with noise, and also an issue of dust has been raised as well. And that's to do with air – less to do with air quality. Just the uncertainty or it's not clear whether the entire structure will be fully enclosed or

partially enclosed. And Julian went through the report for us last night and provided some useful information where there's different points in the assessment report where it's indicated that the structures will be partially enclosed, and other points where it'll be – other areas on the report where it's said to be fully enclosed. And  
5 obviously that has an impact on air quality, dust and noise. So we just require some form of clarification about the extent of enclosure of the structures as well.

MR WITHERDIN: Okay. No. That's fine. We can confirm those.

10 MS TUOR: Okay. Julian, did you have anything specific about air quality and noise.

MR ARDAS: No. No, I don't.

15 MS TUOR: Yes. So I think we might have to just – rather than you explaining what's in the – your assessment report, which is quite clear, if we've got any further questions we will just put them in writing to you. Also, similarly, with traffic, I do have a couple of quite specific questions, so I might just ask those in terms of your  
20 assessment report. I think it's on page 33. So it's in relation to the discussion about the level of service. So I think it's paragraph 6.5.6, which follows on from the discussion above. So as I understand it, you're talking about during the AM peak. So is that the same as the operational peak, which you've discussed in the paragraph above, where there's the two 86 movements, blah, blah, blah. So it's the same peak that you're – there's an operational peak and there's an AM peak. So it's the same?  
25 It's - - -

MR FETTERPLACE: No.

30 UNIDENTIFIED MALE: No.

MR FETTERPLACE: The AM peak is the general network peak, which is 7.30 till 8.30. But the applicant's proposed operational peak is between 10 am and 12 pm, midday.

35 MS TUOR: Okay. So the paragraph 6.5.6 is talking about the 7.30 to 8.30 period. And I don't know what the truck movements are in that peak period. But the level of service at the intersection from the Crescent to the City West Link Road would deteriorate from level of service D to level of service F. So just can you explain where that is and which direction the traffic is going in, and is it traffic turning into –  
40 just can you explain to me what that – where that is?

MR FETTERPLACE: Yes. It's important to note that's a cumulative assessment scenario as well, and worst case. So we might have to get back to you on the exact direction of which way trucks are turning at that intersection, but, obviously, it's one  
45 of the three nearby intersections that were assessed as being the most impacted on as part of the traffic impact assessment.

MS TUOR: Yes. And then my understanding, it is the Crescent with both James Craig Road and Victoria Road. So presumably people are coming out along the Crescent and then turning right into James Craig Road, I would just presume. But – so, yes, some information about exactly what that is about. And when you say it's a cumulative impact, and I think the paragraph also says it's going to happen anyway without this development. It's – so some understanding of the cumulative impact, where that's coming from. Is that from things like the multiuser facility and current usage of other things, or just a better understanding of why it's going from level of service D to level of service F, regardless of this proposal. And my understanding, once you get to F you're a fail and everyone doesn't worry about it after that. So - - -

MR FETTERPLACE: We think it is. Yes. It's a cumulative impact assessment definitely based on the multiuse facility and also, from memory, some of the other temporary construction logistics sites around there for the major infrastructure projects. But we can clarify exactly which ones that included as well. And also the general deterioration. But my understanding is that that general deterioration is also inclusive of general increase and strain on the network from all traffic in that area, regardless of what use might be generating that. So, you know, any nearby houses, schools, etcetera.

MS TUOR: But potentially, those temporary pressures on the network from the construction of all the different infrastructure projects, they would then have a time limit as well, potentially. So their cumulative contribution would go away, potentially.

MR FETTERPLACE: That's correct. Yes. And we do have an outline. I will confirm for you, as I said, exactly which uses that included. But there is an outline in section 1 of some of the other uses that are happening and timeframes as well, in our assessment report. But, yes, that's correct. There's some overlap between uses, and they are all temporary. But it's also important to note that the proposed Rozelle Interchange is being designed to provide relief to the traffic network in that area. And I think at this stage it's still projected to open mid to late 2023.

MS TUOR: Yes. And the other thing, just in terms of that, is just the length of queueing that results from the delays that are caused. Because I think it's something like the delay is – it goes from 96 seconds to 152 seconds. So, presumably, that results in certain queueing, and would just be out of interest, you know, the actual length of the queue that you're going to be getting in the Crescent or whether the queueing is occurring. And, in particular, if there is a queueing lane, whether it then goes outside of the queueing lane. Do you understand what I mean?

MR FETTERPLACE: Sure. Yes. I think I do. So we can go back to on - - -

MS TUOR: Yes.

MR FETTERPLACE: On the length. Yes.

MS TUOR: So that was just one specific question I had. Just getting a greater understanding about that impact. Peter, did you have any sort of questions about - - -

DR WILLIAMS: On the traffic, no ..... covered it well. Thanks, Annelise.

5

MS TUOR: Yes.

DR WILLIAMS: Yes.

10 MS TUOR: Julian or Casey, anything?

MR ARDAS: Yes. I have a question. And it just relates to – it's all part of the cumulative impact assessment. And I guess a question I have to you is in terms of the aggregate, we're clear that the rock, the laterite is coming by ship. But what we're ensure of is what that is – is the sand. The sand forms a big part of the concrete production, and we're not certain – there's reference in the further responsive submissions about sand truck numbers. But – and we do have some appreciation that sand is sourced from outer regions of Sydney and comes in by truck. But not – don't really have a strong handle on the number of trucks and what sand trucks and what that means cumulatively for the project. So if there's anymore light you can shed on that that would be really helpful.

15

20

MR FETTERPLACE: Yes. Sure. We can have a look at that and get back - - -

25 MR ARDAS: Okay. Thanks, thanks.

MS TUOR: All right. So, again, rather than you going through what's in your assessment report, which is quite clear. If we've got any other specific questions on traffic we will just have to put that in writing to you. And, again, now with conditions, I think, possibly, we should probably just delay our discussion on conditions, given that we've run out of time. And given that I think it's probably – it's a bit early on in our assessment process to actually get into anything .....

30

MR WITHERDIN: Yes. Again, if you've got any specific questions about the conditions I'm happy to answer them. So just put them in writing to us. That'll be great.

35

MS TUOR: Yes. And I think once we've sort of had the public hearing and other things maybe it would be worthwhile having another meeting specifically about conditions.

40

MR WITHERDIN: Okay.

MS TUOR: If that's appropriate at that time.

45

MR WITHERDIN: Yes.

MS TUOR: All right. Any other questions, Peter?

DR WILLIAMS: No. That's fine. Thank you, Annelise.

5 MS TUOR: All right. Well, again, thank you very much for giving up your time and coming on here. So we very much appreciate it.

MR WITHERDIN: No worries. Thank you.

10 DR WILLIAMS: Thanks everyone.

UNIDENTIFIED MALE: Goodbye.

UNIDENTIFIED MALE: Thank you.

15

DR WILLIAMS: Thank you. Bye, bye.

**MEETING CONCLUDED**

**[10.41 am]**