



Glebe Island Aggregate Handling Facility and Concrete Batching Plant

State Significant Development Assessment
SSD 8544

April 2021



Published by the NSW Department of Planning, Industry and Environment

dpie.nsw.gov.au

Title: Glebe Island Aggregate Handling Facility and Concrete Batching Plant

Subtitle: State Significant Development Assessment Report (SSD 8544)

Cover image: Photomontage of the proposal viewed from Waterfront Park, Pyrmont (Source: Applicant's Landscape and Visual Impact Assessment)

© State of New South Wales through Department of Planning, Industry and Environment 2020. You may copy, distribute, display, download and otherwise freely deal with this publication for any purpose, provided that you attribute the Department of Planning, Industry and Environment as the owner. However, you must obtain permission if you wish to charge others for access to the publication (other than at cost); include the publication in advertising or a product for sale; modify the publication; or republish the publication on a website. You may freely link to the publication on a departmental website.

Disclaimer: The information contained in this publication is based on knowledge and understanding at the time of writing (April 2021) and may not be accurate, current or complete. The State of New South Wales (including the NSW Department of Planning, Industry and Environment), the author and the publisher take no responsibility, and will accept no liability, for the accuracy, currency, reliability or correctness of any information included in the document (including material provided by third parties). Readers should make their own inquiries and rely on their own advice when making decisions related to material contained in this publication.

Glossary

Abbreviation	Definition
Applicant	Hanson Construction Materials Pty Ltd
Application	SSD 8544
Consent	Development Consent
Council	Inner West Council
Department	Department of Planning, Industry and Environment
EESG	Environment, Energy and Science Group
EIS	Environmental Impact Statement
EPA	Environment Protection Authority
EP&A Act	<i>Environmental Planning and Assessment Act 1979</i>
EP&A Regulation	<i>Environmental Planning and Assessment Regulation 2000</i>
EPI	Environmental Planning Instrument
ESD	Ecologically Sustainable Development
Heritage NSW	Heritage NSW, Department of Premier and Cabinet
IPC	Independent Planning Commission
LEP	Local Environmental Plan
Minister	Minister for Planning and Public Spaces
Port Authority	Port Authority of NSW
RtS	Response to Submissions
Planning Secretary	Secretary of the Department of Planning, Industry and Environment
SEPP	State Environmental Planning Policy
SRD SEPP	<i>State Environmental Planning Policy (State and Regional Development) 2011</i>
SRtS	Supplementary Response to Submissions
SSD	State Significant Development
TfNSW	Transport for NSW
TfNSW (Roads)	Transport for NSW, Roads and Maritime Services (Roads)

Executive Summary

Introduction

This report provides an assessment of a State Significant Development (SSD) application seeking approval for an aggregate handling facility and concrete batching plant at Glebe Island.

The development would replace the Hanson concrete batching plant on Bridge Road, Glebe (at the head of Blackwattle Bay), which was demolished to allow for the construction of the new Sydney Fish Market.

The facility would produce up to 1 million cubic metres of concrete per annum and operate 24-hours-a-day, seven-days-a-week. The proposal would include aggregate silos with an enclosed conveyor feed for the storage of aggregate delivered by ship, and for dispatch of aggregate to other concrete batching facilities. Concrete batching would be undertaken in a partially enclosed warehouse containing sand and cement silos and an enclosed conveyor system.

The Applicant is Hanson Construction Materials Pty Ltd and the site is located within the Inner West local government area. The Independent Planning Commission is the declared consent authority.

Engagement

The Department publicly exhibited the application and received 225 submissions, comprising nine submissions making comments from government agencies, an objection from Inner West Council, a submission making comments from City of Sydney Council, 178 public submissions of objection, 12 providing comment and 24 in support. The public submissions included an objection from Mr Alex Greenwich, Member for Sydney.

Inner West Council objected on the grounds of cumulative operational and construction impacts from all development in the Bays Precinct, traffic and access including impacts on the re-opening of Glebe Island Bridge, heritage, lack of public foreshore access, and air quality.

City of Sydney Council stated it is satisfied noise, air quality and lighting impacts are acceptable, however raised concerns regarding impacts on the planned re-opening of the Glebe Island Bridge, and design, heritage and visual impact. City of Sydney Council suggested an alternative location further to the north-east of the existing Glebe Island silos to reduce visual and acoustic impacts.

Key planning issues raised in public submissions related to noise, air quality, hours of operation, traffic, light pollution, health impacts, site suitability and inconsistency with strategic plans, visual impact and design.

In response to issues raised in submissions, the Applicant prepared a Response to Submission (RtS) report and subsequently reduced the footprint of the proposal by 2042 m² (13 per cent), including a reduction in the footprint of the concrete batching building by 255 m² (six per cent), re-located noise generating activities further from sensitive receivers, adopted noise mitigation measures, and limited the number of hourly truck movements to 182 (91 movements in and 91 movements out) until the opening of the WestConnex M4-M5 Link Rozelle Interchange (Rozelle Interchange). The Applicant also provided a Navigation Impact Assessment, Lighting Strategy, and updated the Heritage Impact Assessment.

The Department received 93 submissions (including 86 objections) on the RtS which reiterated concerns raised previously. The Applicant subsequently provided clarification primarily regarding traffic and air quality impacts, and agreed to the EPA's recommended noise conditions. The Applicant also provided further assessment of cumulative impacts, design and visual impact, lighting, information about the proposal's strategic planning context, and an updated Air Quality Impact Assessment.

Assessment

The Department has undertaken a detailed assessment of the proposal in accordance with section 4.15 of the EP&A Act and has carefully considered the issues raised in public, Council and agency submissions. The Department's assessment concludes the proposal is acceptable as:

- it is permissible with consent and consistent with the Ports and Employment and Maritime Waters zone objectives
- it is consistent with the State Infrastructure Strategy, NSW Freight and Ports Plan and Greater Sydney Region Plan, which identify a strategic need to retain Glebe Island and White Bay as a working port to support inner city construction projects and limit the number of vehicles using the road network
- while the long-term planning vision for Glebe Island includes opportunities for urban renewal, there remains a strong imperative within the existing and emerging strategic planning framework to maintain and utilise Sydney's working harbour
- it 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 co-exist within the precinct
- the site is well located to supply concrete within the inner-city and nearby infrastructure projects and the use of ships to deliver bulk materials would substantially reduce the number of truck movements that would otherwise be required to service such a development
- the built form and visual impacts of the proposal are acceptable, noting that it would be in keeping with the large-scale structures surrounding the site, including the Glebe Island Silos and the ANZAC Bridge
- the Applicant has committed to implementing a range of mitigation measures which would reduce the noise impacts of the batching plant and ship berthing activities, including using a dedicated vessel that would minimise ship noise as much as practicable
- the proposal is predicted to comply with the relevant noise criteria in the residential areas of Glebe and Balmain for all periods (day, evening and night-time). While the proposal would result in some exceedances of the relevant noise criteria at the nearest residences in Pyrmont, these residences were constructed with in-built noise attenuation, in recognition of their proximity to the working harbour
- the proposal is predicted to meet all relevant air quality criteria at sensitive receivers and it incorporates best practice controls for managing emissions
- traffic impacts would be appropriately mitigated to an acceptable level, through imposing a cap on the maximum number of trucks which could use The Crescent/City West Link intersection, prior to the opening of the Rozelle Interchange
- the proposal is in the public interest as it would supply concrete in close proximity to the CBD and major infrastructure projects and support the construction industry and broader economy.

The Department has also recommended a suite of conditions to ensure the residual impacts associated with the proposal are appropriately mitigated and managed to an acceptable level. This includes:

- applying strict noise criteria based on the best achievable noise levels identified by the Applicant
- sourcing a dedicated quieter vessel to supply raw material to the facility to ensure noise from ship berthing is minimised and 'poor' noise performing ships are not used at the site
- placing a cap on trucks movements until relief is provided to the surrounding road network through the opening of the Rozelle Interchange
- prohibiting truck movements on local roads such as Robert Street, Balmain
- requiring a Landscape Plan to soften and screen the proposal and Public Art Strategy, to include details of the proposed green wall to partially screen the site from views to the east
- requiring a Community Consultative Committee, to meet regularly with residents and action groups, enabling any issues to be raised and resolved in a timely manner.

Conclusion

The Department's assessment concludes the proposal is in the public interest and is approvable, subject to the recommended conditions.

The application is referred to the Independent Planning Commission for determination as the Department has received objections from Inner West Council and 50 or more members of the public.

Contents

1	Introduction	1
1.1	Site context.....	1
1.2	The Site	2
1.3	Surrounding site context	2
1.4	Relevant approvals.....	3
1.5	Need and justification	6
2	Project.....	7
2.1	Description of proposal	7
2.2	Timing.....	8
3	Strategic context.....	10
3.1	Greater Sydney Region Plan and Eastern City District Plan	10
3.2	State Infrastructure Strategy 2018-2038 and NSW Freight and Ports Plan 2018-2038 ...	10
3.3	Bays Precinct Transformation Plan	10
3.4	Draft Bays West Place Strategy	11
3.5	Glebe Island and White Bay Port Noise Policy	11
4	Statutory Context.....	13
4.1	State Significant Development	13
4.2	Permissibility	13
4.3	Other approvals.....	13
4.4	Mandatory Matters for Consideration.....	13
5	Engagement.....	14
5.1	Department's engagement.....	14
5.2	Summary of submissions	14
5.3	Key issues – Government Agencies	14
5.4	Key Issues – Council and Community	16
5.5	Response to Submissions.....	19
5.6	Supplementary Response to Submissions	20
5.7	Additional information.....	20
6	Assessment	21
6.1	Key issues	21
6.2	Strategic justification	21
6.3	Built form and visual impacts	22
6.4	Operational impacts	27
6.5	Traffic, parking and access	33
6.6	Other issues	36
7	Evaluation.....	41
	Appendices	43
	Appendix A – List of Documents.....	43
	Appendix B – Community Views for Draft Notice of Decision	44
	Appendix C – Statutory Considerations.....	49
	Appendix D – Recommended Instrument of Consent	60

1 Introduction

- 1.1.1 Hanson Construction Materials Pty Ltd (the Applicant) seeks approval for an aggregate handling facility and concrete batching plant (the project) at Glebe Island Berth 1 and adjacent land to the immediate west, at James Craig Road, Rozelle. The project would have the capacity to produce up to 1 million cubic metres of concrete per annum and operate 24-hours-a-day, seven-days-a-week.
- 1.1.2 The proposed development would replace the Hanson aggregate handling facility and concrete batching plant on Bridge Road, Glebe (at the head of Blackwattle Bay), which was demolished to make way for the construction of the new Sydney Fish Market.

1.1 Site context

- 1.1.3 The site is situated at Glebe Island, approximately 4 km west of the Sydney CBD, in the Inner West local government area (**Figure 1**). Glebe Island is a reclaimed peninsula to the south of Balmain and is surrounded by water to the north (White Bay), south (Rozelle Bay) and east (Johnstons Bay). ANZAC Bridge and the City West Link are situated to the south and south-east of Glebe Island respectively.

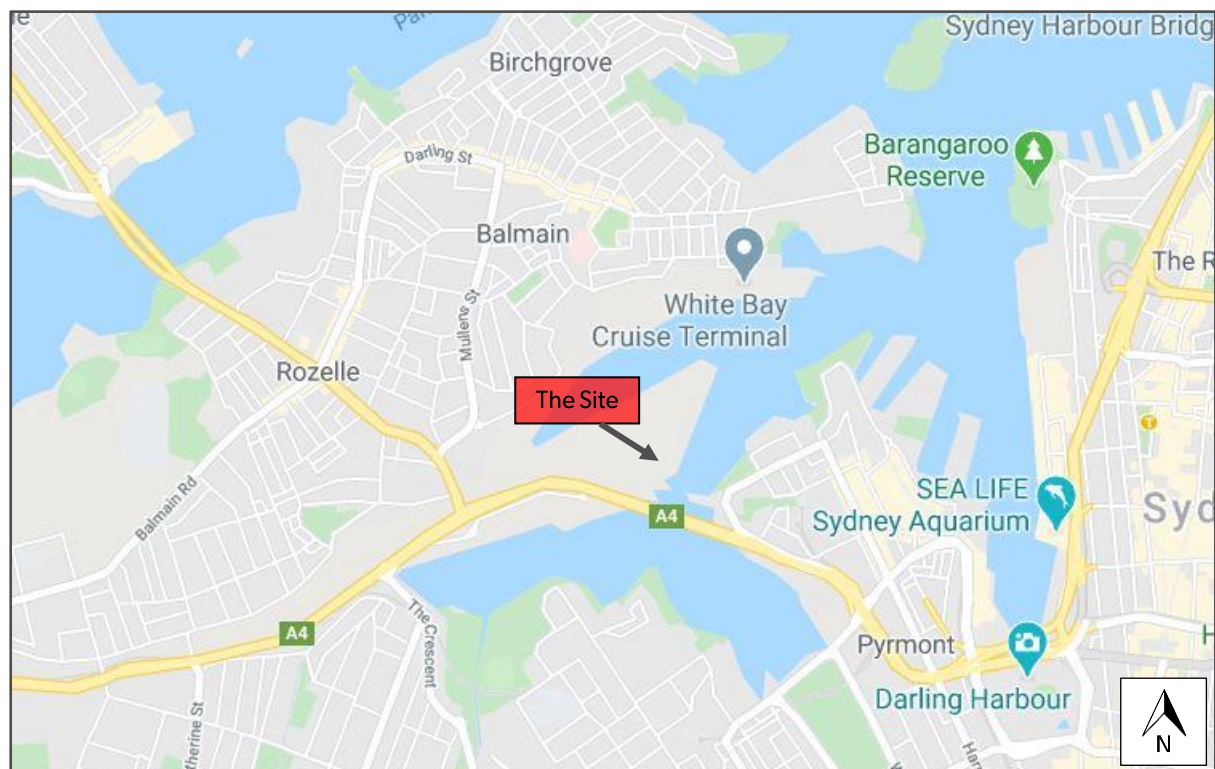


Figure 1 | Site Context Map (Base source: Nearmap)

- 1.1.4 Glebe Island has historically been used as a shipping container terminal, for grain and car imports and transportation of bulk construction materials such as cement and gypsum. Between the 1860s and 1915, abattoirs operated on site. Car imports ceased on site in 2008. It is one of the last remaining port facilities in close proximity to the Sydney CBD and is one of the few deep-water wharves west of the Sydney Harbour Bridge. Glebe Island is currently used for common user berths, dry bulk imports and cruise ships.

1.2 The Site

- 1.2.1 The site is located at the southern end of Glebe Island and includes both a water-based (Glebe Island berth 1) and an adjacent land-based component (**Figure 2**). The site is legally described as Lot 10 in DP 1170710. The site is owned by the Newcastle Port Corporation (a State-owned Corporation) and administered on its behalf by the Port Authority of NSW (Port Authority). There are no buildings on the site. The site is flat, rectangular in shape and predominantly covered in concrete and asphalt. The land and water-based components of the site have areas of approximately 1.4 ha and 0.25 ha respectively.



Figure 2 | Site Location Map (Base source: Nearmap)

1.3 Surrounding site context

- 1.3.1 The predominant uses in the immediately surrounding area are maritime and industrial (**Figure 3**). The site is accessed by James Craig Road, which forms its border to the west and links to the regional road network at The Crescent, near the intersection with Victoria Road. To the south-east of the site is the State Heritage listed Glebe Island Bridge, which is not currently in operation to pedestrian or vehicular traffic. Further beyond this to the south is the ANZAC Bridge, which is listed as a heritage item on the TfNSW (Roads) section 170 Register.

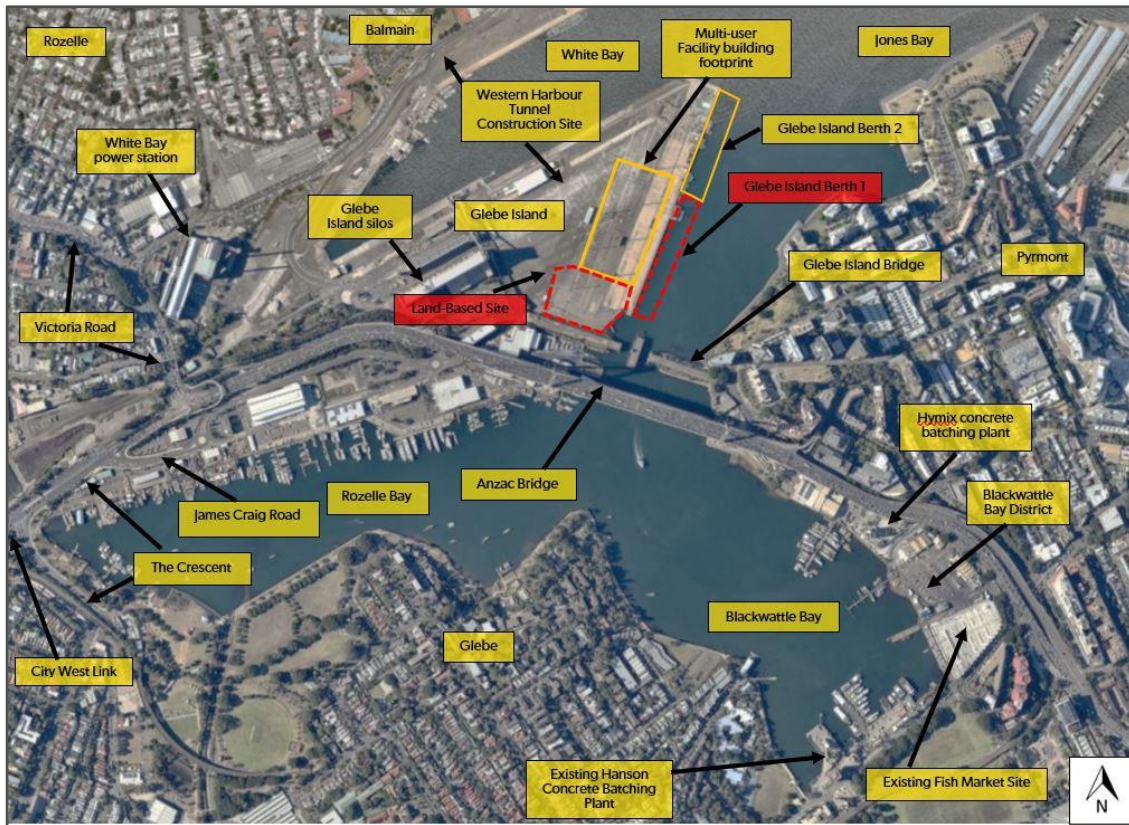


Figure 3 | Surrounding site context plan (Base source: Nearmap)

- 1.3.2 The land to the immediate north of the site is vacant and adjoins Glebe Island Berth 2, which will accommodate a Multi-User Facility approved by the Port Authority of NSW (Port Authority), for the construction and operation of a ship off-loading, storage and dispatch facility for bulk construction materials (**Section 1.4**). Beyond this to the north is White Bay. Located further to the north and west of the site are The Balmain East, The Valley and Hornsey Street Heritage Conservation Areas.
- 1.3.3 To the east of the site across Johnstons Bay are residential buildings at Pyrmont (**Figure 4**). To the west of the site are the Glebe Island silos, which are listed as a local heritage item under State Regional Environmental Plan No 26 – City West and on the Port Authority's Section 170 register (**Figure 5**). Further beyond this is the vacant State heritage listed White Bay Power Station.
- 1.3.4 Several construction support sites are either in place or planned for the area to facilitate the construction of major transport projects including the WestConnex M4-M5 Link and Rozelle Interchange projects, the Western Harbour Tunnel and Warringah Freeway upgrade and the Sydney Metro West Bays Station, as shown in **Table 1** and **Figure 6**.

1.4 Relevant approvals

Port Authority of NSW Multi-User Facility

- 1.4.1 As noted in **Section 1.3**, on 11 March 2019 the Port Authority approved a Multi-User Facility under Part 5 of the *Environmental Planning and Assessment Act 1979* (EP&A Act) on the adjoining land and water areas to the north of the subject site. The proposal is for the construction and operation of a ship off-loading, storage and distribution facility for dry bulk construction materials such as sand and

aggregates. The Multi-User Facility will share Glebe Island Berth 1 with the proposed development and operate 24-hours-a-day, seven-days-a-week, as required.



Figure 4 | View of the site looking towards Pyrmont showing residential buildings and the ANZAC and Glebe Island Bridges to the right (Source: Department photograph)



Figure 5 | View from site looking west towards Glebe Island Silos (Source: Department photograph)

Table 1 | Surrounding construction support sites

Project	Description	Location	Timing
WestConnex M4-M5 Link and Rozelle Interchange)	Truck marshalling and construction workforce parking facilities	Rozelle (adjacent to White Bay Power Station)	To be decommissioned in 2021, and therefore unlikely to be in place when the subject proposal is operational
	General construction support site	White Bay, partially sharing a footprint with the Glebe Island portion of the Western Harbour Tunnel site (described below)	Until Q2 2023
Western Harbour Tunnel and Warringah Freeway upgrade	Land and water-based construction, including dredging, spoil management and immersion of tunnel tubes	Glebe Island, White Bay and Rozelle Rail Yards	Q2 2021 to Q3 2025
Sydney Metro West Bays Station	Launch and support site for two tunnel boring machines heading west to Sydney Olympic Park.	Adjacent to the White Bay Power Station	Q3 2021 to Q2 2024

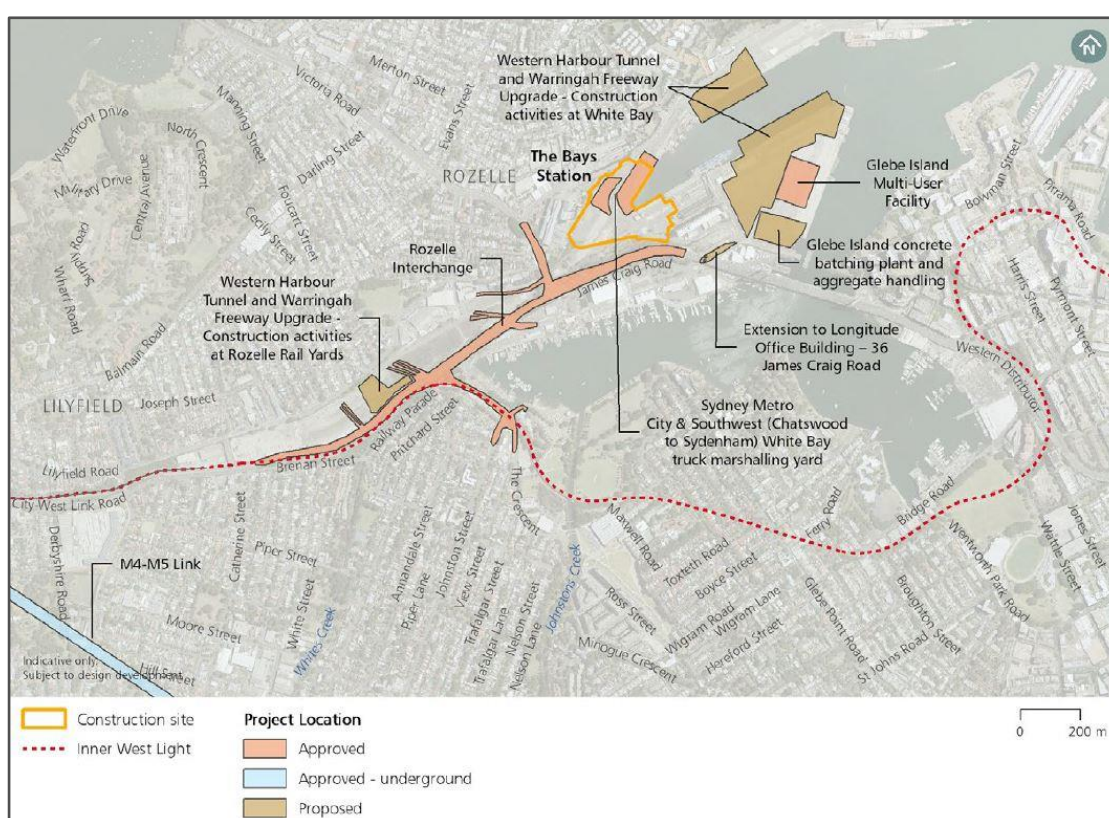


Figure 6 | Construction support sites/current proposals near the subject site (Source: Sydney Metro West EIS)

- 1.4.2 The Port Authority states the Multi-User Facility would be temporary and operate for the medium term (at least the next 10 years), to provide materials for the expected high levels of construction activity in nearby areas earmarked for renewal and development, although there is no time restriction on the approval. Construction commenced in July 2020 and is expected to be completed by mid-2021.

Glebe Island Cement Silos

- 1.4.3 The Glebe Island Silos are located to the west of the subject site (**Figures 2 and 5**) and have approval for the shipment of concrete materials into White Bay and transfer to the silos prior to distribution across the metropolitan area. On 29 November 2019, the Department approved a temporary increase in the annual cement throughput from 500,000 to 600,000 tonnes, for 18 months (DA 9967).
- 1.4.4 On 11 August 2020, the Department issued Secretary's Environmental Assessment Requirements for a Development Application (SSD 8595604) to permanently increase the annual cement throughput from 500,000 to 1,200,000 tonnes.

1.5 Need and justification

- 1.5.1 The Applicant advises the proposal is required due to the demolition of its concrete batching plant on Bridge Road, Glebe (at the head of Blackwattle Bay), for construction of the new Sydney Fish Market.
- 1.5.2 The Applicant also advises the proposal would seek to replace the shortfall from the Hymix (a subsidiary of Hanson) concrete batching plant at Bank Street, Pyrmont, expected to be demolished to facilitate the renewal of the Blackwattle Bay District (formerly known as the Bays Market District).
- 1.5.3 The Applicant states the key benefits of the proposal are:
- it would utilise the existing working harbour to provide a concrete batching plant in close proximity to areas earmarked for renewal, including the Bays Precinct and surrounding major infrastructure projects such as the Western Harbour Tunnel and Sydney Metro West
 - transportation of materials to the site by ship would limit truck movements to the proposed concrete batching plant and others in the surrounding area, and there are few, if any, feasible and sustainable alternatives within Sydney Harbour that could achieve this
 - the facility is located in close proximity to the planned upgrade of the motorway network (WestConnex M4-M5 Link and Rozelle Interchange), which would minimise movements on local roads
 - it will offset job losses from the closure of other similar facilities in the Bays Precinct.

2 Project

2.1 Description of proposal

- 2.1.1 The proposal seeks approval for the construction and operation of an aggregate handling and concrete batching facility which would supply concrete to the building and construction industries. The key components of the application are outlined in **Table 2**. A photomontage of the proposal is shown at **Figure 7** and the proposed layout is shown at **Figure 8**.

Table 2 | Main Components of the Project

Aspect	Description
Aggregate handling facility	<ul style="list-style-type: none"> • Use of existing terminal at Glebe Island Berth 1 for the delivery of 1 million tonnes of concrete aggregates per annum by ship • Up to 3 vessel deliveries per week (approximately 10 ships per month), with a berthing duration of approximately 12 hours • 7.8 m high bins for receiving aggregate by ship and road in the site's north • Enclosed conveyor feed for transfer of aggregate from bins to silos • 6 x 34 m high silos (including roof structure), with a capacity of 4,333 tonnes • Dispatch of aggregate and sand directly from silos into trucks for delivery to other concrete batching plants (up to 241 aggregate deliveries per day).
Concrete batching plant	<ul style="list-style-type: none"> • Production of up to 1 million m³ of concrete per annum in a 15 m high partially enclosed building (footprint of approximately 4,100 m²), including: <ul style="list-style-type: none"> ◦ 6 x 25 m high silos (4 for aggregate and 2 for cement) ◦ concrete loading area, with sand, cement and aggregate transferred to the batching area via an enclosed conveyor feed, truck wash bay, concrete batch room, water storage tanks, sand and fly ash silos. • Up to 35 deliveries of cement per day (unloaded within the enclosed building) • Up to 240 concrete truck movements made from the plant per hour • Vehicle movements for the entire facility would be capped at 182 per hour until the opening of the Rozelle Interchange in mid-2023. The facility would then operate at full capacity, with a maximum of 286 vehicle movements per hour.
Ancillary components	<ul style="list-style-type: none"> • Modular site office building at south-western end of site • Drivers' room and amenities building to the immediate north of the silos (approximately 7.5 m x 25 m) • Shipping containers stacked 3 high along eastern boundary to height of 7.8 m to provide acoustic and visual screening.
Vehicle parking	<ul style="list-style-type: none"> • 50 truck parking spaces • 40 car parking spaces, including 35 for employees, 4 for visitors and 1 accessible space • 7 bicycle parking spaces.
Operating hours (for all components)	<ul style="list-style-type: none"> • 24-hours-a-day, seven-days-a-week, however, the plant is likely to operate approximately 250 days per year, which is unlikely to include Sundays and public holidays.
Employment/ CIV	<ul style="list-style-type: none"> • 90 construction jobs and 67 operational jobs. • \$22,274,978.26.

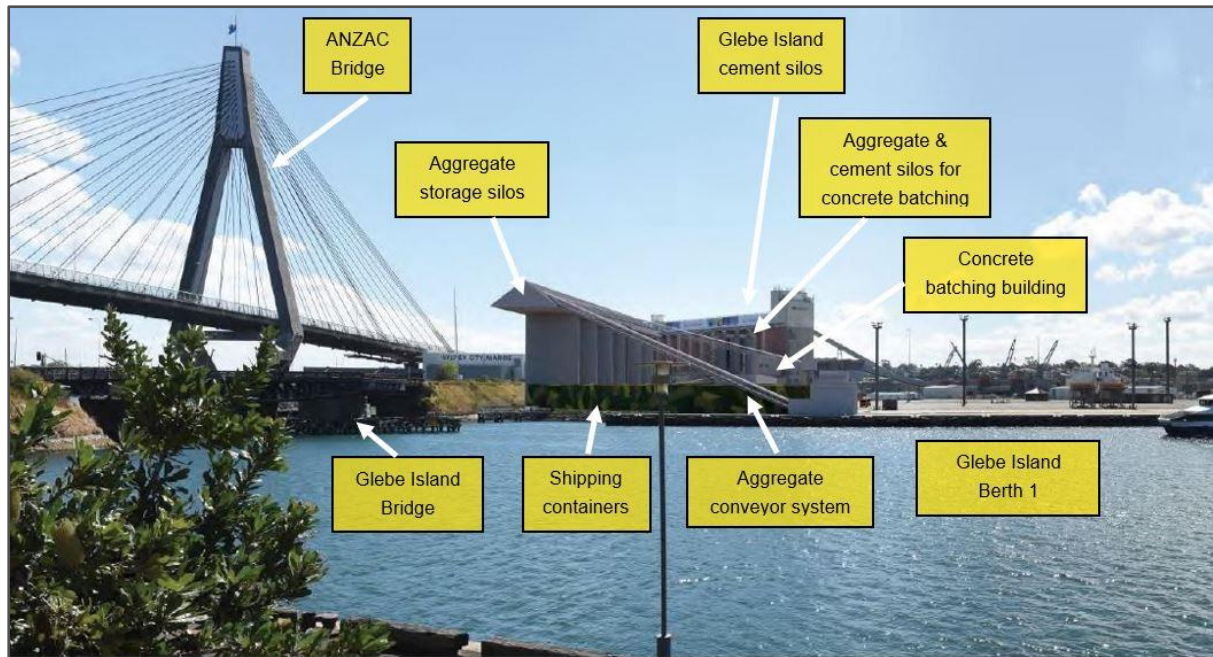


Figure 7 | Photomontage of the proposal viewed looking west from Waterfront Park, Pyrmont
(Source: Applicant's Landscape and Visual Impact Assessment)

2.2 Timing

- 2.2.1 Construction is anticipated to take six to nine months, with operations commencing in mid-2022. Construction works would include three phases: enabling works, building construction and silo construction.
- 2.2.2 The silos would be constructed via the slip forming method, where concrete is poured into a continuously moving form. Other than the aggregate silos, the majority of the components would be delivered as individual modules and assembled on the site.

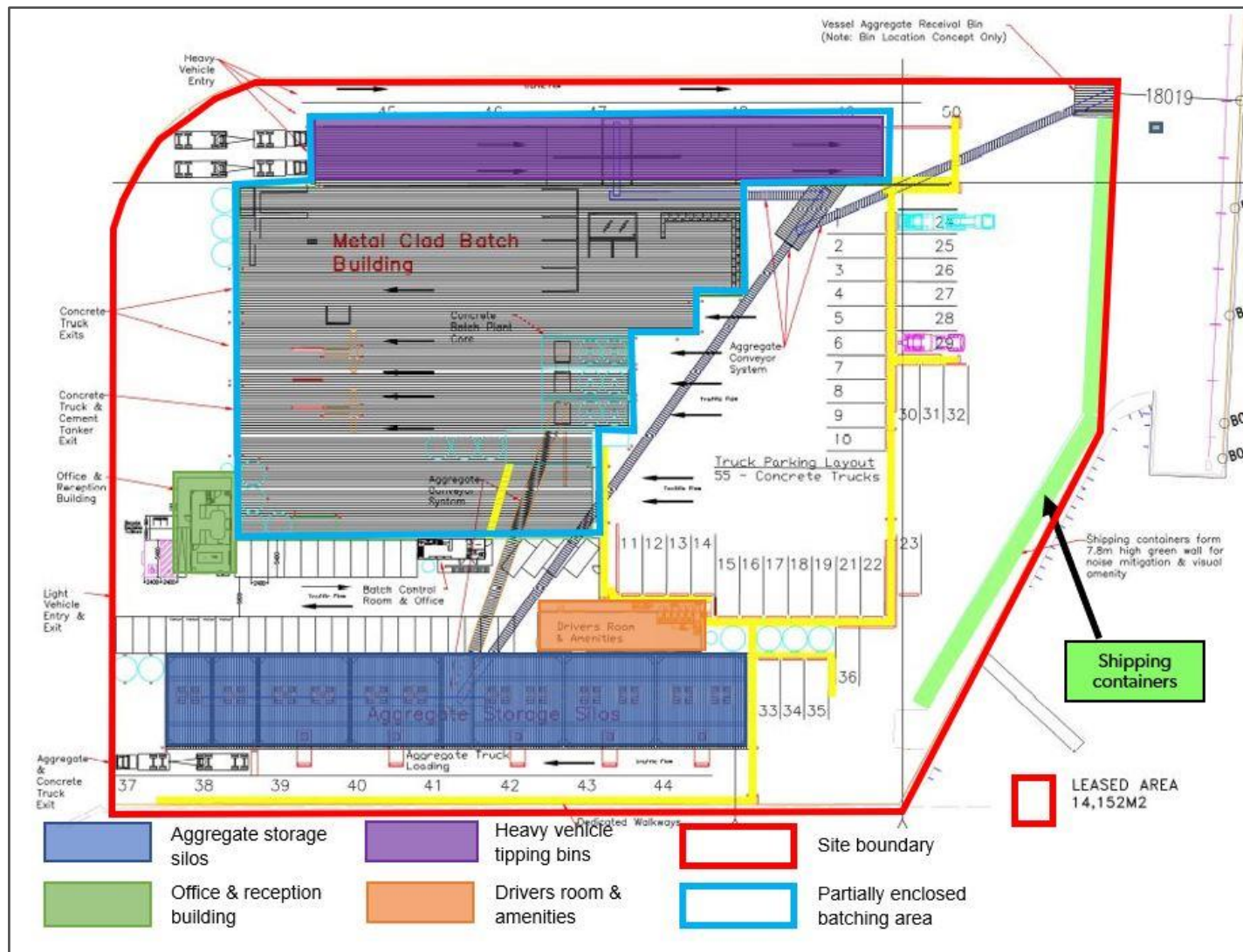


Figure 8 | Plan view of proposal (Base source: Applicant's RtS)

3 Strategic context

3.1 Greater Sydney Region Plan and Eastern City District Plan

- 3.1.1 The Greater Sydney Region Plan (GSRP) outlines how Greater Sydney will manage growth and guide infrastructure delivery. It sets the vision and strategy for Greater Sydney to be implemented at local level through District Plans. The site is located in the Eastern City District. The GSRP identifies the Bays Precinct as industrial and urban services land, stating it should be retained because there is a shortage of such land in the Eastern Harbour City.
- 3.1.2 The proposed development supports the directions and objectives of the GRSP and Eastern City District Plan by:
- utilising the existing land–water interface at Glebe Island and White Bay, which is identified as critical to the bulk construction materials supply chain for concrete, and for which there are few feasible and sustainable alternatives within Sydney Harbour to reduce long-haul truck movements
 - utilising port and employment zoned land for a concrete batching plant in close proximity to areas earmarked for renewal and development, including the Bays Precinct and surrounding major infrastructure projects such as the Western Harbour Tunnel and Sydney Metro West. The facility is also close to the planned upgraded of the motorway network and would therefore minimise movements on local roads.

3.2 State Infrastructure Strategy 2018-2038 and NSW Freight and Ports Plan 2018-2038

- 3.2.1 The State Infrastructure Strategy 2018-2038 states that to ensure there is an efficient bulk-handling network to support the Eastern Harbour City, it will be important to maintain Glebe Island as a working port for at least the next 20 years, while recognising that it needs to be better integrated with existing and planned urban development. The Strategy states that Glebe Island allows for the efficient transport of the construction materials needed to support the growth of the Eastern Harbour City, with fewer noise, air pollution and safety impacts than freight vehicles.
- 3.2.2 The NSW Freight and Ports Plan 2018-2023 states that the retention of Glebe Island and White Bay precinct as a working port is essential. The Plan states the government will encourage shipping through appropriate planning to support the continued operation of the port at Glebe Island and White Bay. The Plan also states the Multi-User Facility will further support coastal shipping opportunities at Glebe Island.
- 3.2.3 The proposal is consistent with these strategies because:
- it aligns with the retention of Glebe Island and White Bay as a working port
 - it supports shipping of construction materials, reducing truck movements that would otherwise be required to service such a facility
 - it provides building materials (such as concrete and aggregate) to support the building process for infrastructure, commercial and residential development.

3.3 Bays Precinct Transformation Plan

- 3.3.1 The site is located within the Bays Precinct, which comprises Glebe Island, Blackwattle Bay, Wentworth Park, Rozelle Bay (including the rail yards) and White Bay. This precinct has historically been utilised for maritime, light industrial and working harbour purposes.

- 3.3.2 In October 2015, UrbanGrowth NSW released the Bays Precinct Transformation Plan (the Transformation Plan), which sets out the transformation of the Bays Precinct over a two to 30-year timeframe. In particular, it envisages transforming the foreshore and renewing waterfront industrial land for urban purposes, including public open space and promenades.
- 3.3.3 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 logistics site at Glebe Island for major infrastructure project.

3.4 Draft Bays West Place Strategy

- 3.4.1 The Department's Draft Bays West Place Strategy (Draft Place Strategy) is on public exhibition until 29 April 2021. The Draft Place Strategy builds upon previous urban renewal work in the Bays Precinct and creates a long-term vision for Bays West, to be delivered in stages.
- 3.4.2 One of the key directions of the Draft Place Strategy is to "retain, manage and allow the essential strategic port and maritime industry uses to grow and evolve, to ensure they continue to support the NSW economy".
- 3.4.3 The Draft Place Strategy further states that the Port Authority of NSW will work with stakeholders to consider how the future port and maritime functions can evolve and innovate to complement the other future land uses within the Bays West area.
- 3.4.4 The site is located within the Glebe Island East sub-precinct, which is proposed to contain an integrated ports facility (including concrete batching and use of the existing berths) with an elevated public domain area above (**Figure 9**).
- 3.4.5 The Department is satisfied the proposal is consistent with the Draft Place Strategy's designation for the site as a concrete batching facility that would utilise the existing berths, whilst allowing for potential future uses to co-exist within the precinct.

3.5 Glebe Island and White Bay Port Noise Policy

- 3.5.1 The Port Authority's Glebe Island and White Bay Port Noise Policy (PNP) aims to manage community noise exposure and noise levels from commercial ships associated with the Glebe Island and White Bay port. It includes a Vessel Noise Operating Protocol and was implemented in January 2021.
- 3.5.2 The PNP establishes a Glebe Island noise management precinct for the regulation of land-based noise, which includes the subject site and others such as the Multi-User Facility. A noise management precinct would allow the port to operate as a single site where all operators are required to meet common noise precinct amenity criteria. This aims to ensure due consideration is given to cumulative noise impacts by preventing individual operators from exceeding their noise levels.
- 3.5.3 This precinct-based approach would allow for the reduction of individual contributions, either in order to ensure the precinct level was not exceeded, or due to technological advances in noise reduction.
- 3.5.4 In terms of water-based noise, the PNP aims to reduce ship noise by requiring them to meet a median noise level, thereby decreasing the overall port noise level. The Port Noise Policy contains management and mitigation measures to address exceedances of the median. The Department has assessed the consistency of the proposal with this policy in **Section 6.4**.

Bays West Structure Plan 2040 and beyond

LEGEND

- Bays West Site Boundary
- Light Rail Station
- |||| Light Rail Route
- Future 'The Bays' Metro Station
- Future 'The Bays' Metro Station Box
- ↔ Proposed Active Transport Connection
- Potential Future Active Transport Connection
- Proposed Bus Stops/ Interchange
- Key Heritage Landmarks
- Proposed Key Public Domain
- Key Landform
- Foreshore Promenade
- Proposed Promenade Linking Connections
- ... Occasional Foreshore Promenade Access (non-ship days)
- Existing Foreshore Promenade
- Proposed Zone of Development
- Proposed Taller Building Cluster
- Integrated Development/ Ports & Working Harbour
- Public Domain integrated into projects
- Integrated Ports Facility with Elevated Public Domain
- Ports & Working Harbour Zone
- Vessel Berthing Zone

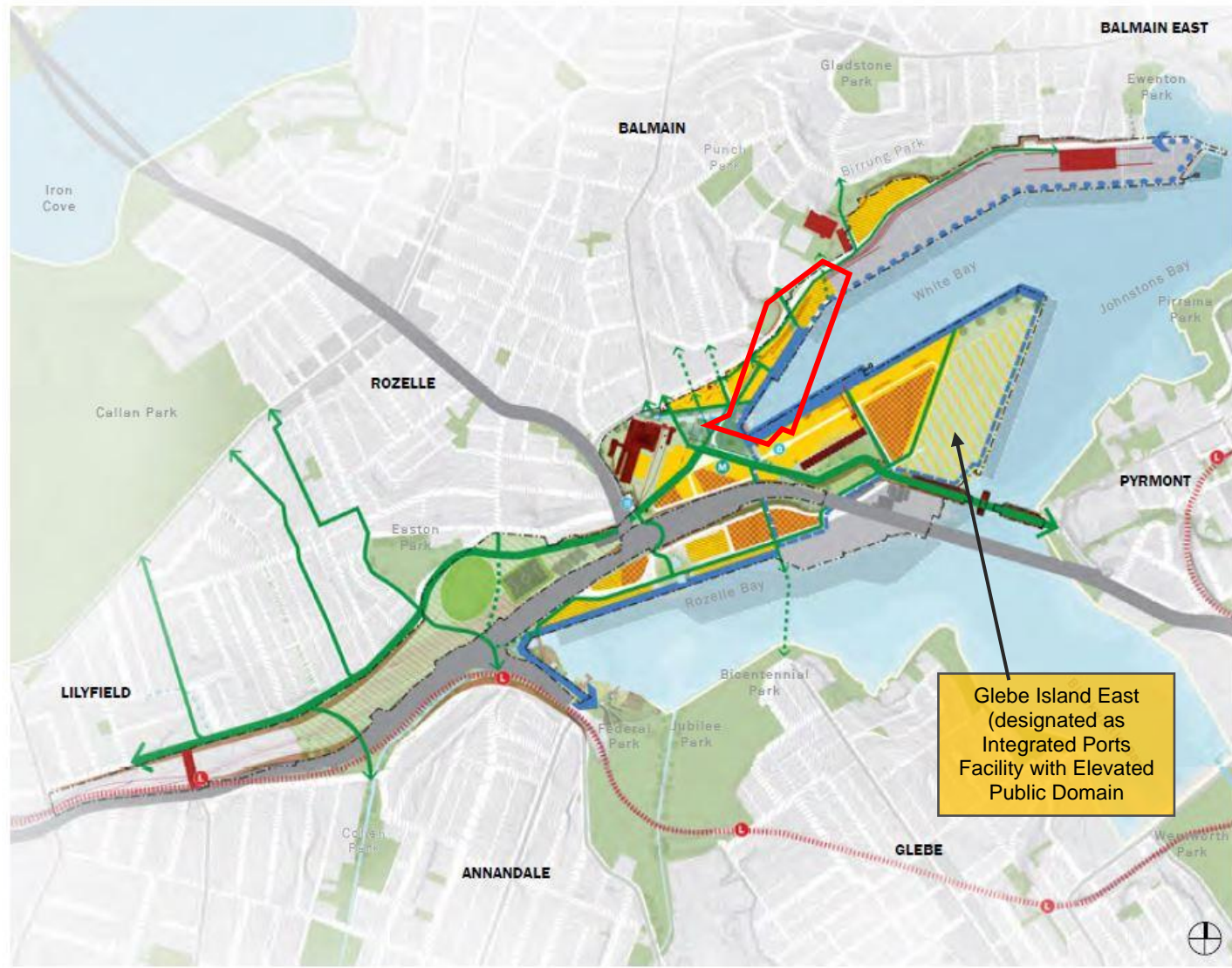


Figure 9 | Bays West Structure Plan 2040 and beyond showing the site (Source: Draft Bays West Place Strategy)

4 Statutory Context

4.1 State Significant Development

- 4.1.1 The proposal is State Significant Development (SSD) under section 4.36 of the EP&A Act. This is because it triggers the criteria in clause 2 of Schedule 2 of State Environmental Planning Policy (State and Regional Development) 2011 (SRD SEPP), as it is development on land within the Bays Precinct Site with a capital investment value of more than \$10 million (\$22.27 million).
- 4.1.2 In accordance with clause 8A of the SRD SEPP and section 4.5 of the EP&A Act, the Commission is the declared consent authority as:
- 50 public submissions (other than Council) have been made in the nature of objections
 - the Council of the area in which the development is to be carried out has made an objection.

4.2 Permissibility

- 4.2.1 Under Sydney Regional Environmental Plan No. 26 – City West, the land-based component of the site is zoned 'Port and Employment'. The proposal is permissible with consent as it is generally consistent with the objectives to allow a range of commercial port facilities and encourage development on Glebe Island that requires close proximity to the port.
- 4.2.2 Under Sydney Regional Environmental Plan (Sydney Harbour Catchment) 2005 (SHC SREP), the water-based component of the site is zoned W1 Maritime Waters. The water berth associated with the proposed commercial port facility is permissible with consent in this zone, noting the berth is existing.

4.3 Other approvals

- 4.3.1 The proposal requires an Environment Protection Licence (EPL) from the EPA under clause 37 of Schedule 1 of the *Protection of the Environment Operations Act 1997* as it proposes shipping in bulk with a capacity to handle more than 500 tonnes of rock per day, and more than 50,000 tonnes of rock per year.

4.4 Mandatory Matters for Consideration

- 4.4.1 Section 4.15 of the EP&A Act outlines the matters that a consent authority must take into consideration when determining development applications. These matters can be summarised as:
- the provisions of environmental planning instruments (EPIs) (including draft instruments), development control plans, planning agreements, and the EP&A Regulations
 - the environmental, social and economic impacts of the development
 - the suitability of the site
 - any submissions, and
 - the public interest, including the objects in the EP&A Act and the encouragement of ecologically sustainable development (ESD).
- 4.4.2 The Department has considered all of these matters in its assessment, as well as the Applicant's consideration of EPIs in its EIS, as summarised in **Section 6**. The Department has also given consideration to the relevant provisions of the EP&A Act, including EPIs in **Appendix C**.

5 Engagement

5.1 Department's engagement

- 5.1.1 In accordance with Schedule 1 of the EP&A Act, the Department publicly exhibited the application from 11 April to 15 May 2018 (35 days). The application was made publicly available on the Department's website and at NSW Service Centres, and at Inner West and City of Sydney Councils.
- 5.1.2 The Department placed a public exhibition notice in the Inner West Courier on Tuesday 10 April 2018 and Sydney Central Courier on Wednesday 11 April 2018, and notified adjoining landholders, Inner West and City of Sydney Councils and relevant government agencies in writing. The Department also wrote to boating clubs, and special interest groups including the Glebe Society, Pyrmont Action Group, Save Blackwattle Foreshore Group and Blackwattle Cove Coalition. All notification and public participation statutory obligations have been satisfied.
- 5.1.3 The Department also met with local residents on-site on 10 March 2020 and online on 3 July 2020 to gain a better understanding of their concerns. Residents raised concerns consistent with those outlined in **Section 5.4**.
- 5.1.4 The Department has considered the comments raised in submissions in the assessment of the application (**Section 6** and **Appendix B**) and by recommended conditions of consent at **Appendix D**.

5.2 Summary of submissions

- 5.2.1 The Department received 225 submissions on the EIS, comprising an objection from Inner West Council, a submission making comments from City of Sydney Council, nine submissions making comments from government agencies, and 214 submissions (including 178 objections) from the general public. These included submissions from Alex Greenwich, Member for Sydney, and the following special interest groups: Jacksons Landing Action Group, Pyrmont Action Group, Save Our Bays Glebe, White Bays Strata Committee, the Glebe Society and Bike Leichhardt. Mr Jamie Parker, Member for Balmain (the electorate in which the site is located) did not make a submission.
- 5.2.2 The Department received 93 submissions on the RtS, comprising comments from City of Sydney Council, five comments from government agencies, and 87 submissions from the general public, with 86 objecting and one supporting, stating the site was suitable for the proposal. Inner West Council stated it did not have any comments.
- 5.2.3 A link to all submissions is provided in **Appendix A**.

5.3 Key issues – Government Agencies

- 5.3.1 The key issues raised in government agency submissions are summarised in **Table 3**.

Table 3 | Government agency submissions

Environmental Protection Authority (EPA)	
EIS	<p>The EPA did not object to the proposal but it made the following comments:</p> <ul style="list-style-type: none">Land-based operational noise emissions require further consideration with regards to: the proposed noise management precinct approach, assessment of maximum noise events, mitigation measures to address the 2 dB exceedance of sleep disturbance levels, appropriate trigger levels, and further consideration of annoying noise characteristics

	<ul style="list-style-type: none"> Water-based operational noise emissions should be assessed in accordance with the requirements of the Noise Policy for Industry (NPfI), and include consideration of other potential vessels to use the facility and other types of loading and unloading equipment Further information should be provided regarding construction noise impacts, including mitigation measures, and consideration of cumulative impacts from the adjoining Multi-User Facility Land-based operational air quality emissions would not exceed EPA air quality criteria Water-based operational air quality emissions should be subject to a commitment to use low sulfur until 1 January 2020 Construction phase noise impacts on sensitive receptors are generally negligible and low Operational phase stormwater run-off from the land-based component complies with Leichhardt DCP 2013.
RtS	<p>The EPA made the following comments:</p> <ul style="list-style-type: none"> Project Noise Trigger Levels (PNTLs) will be exceeded by up to 10 dB at night-time when there is a noisy vessel or unloading practices These PNTLs have been based on the Port Authority's yet to be finalised Draft Vessel Noise Operating Protocol and Draft Port Noise Policy (which proposes a precinct-wide approach to management of noise) Given noise impacts from a poorly performing vessel are potentially significant, but from a good noise performing vessel are marginal to moderate, PNTLs should be based on the latter, in accordance with the NPfI. This approach would not be inconsistent with the Port Authority's Draft Port Noise Policy, and would ensure vessel selection and unloading operations are consistent with best practice Limits are recommended that require correction factors if monitoring indicates the presence of annoying noise characteristics EPA's recommended conditions adopt noise enhancing meteorological conditions (despite the Applicant considering these insignificant), limit construction to standard hours and require preparation of a Construction Noise and Vibration Management Plan.
SRtS	<p>The EPA made the following comments:</p> <ul style="list-style-type: none"> EPA's recommended limits for combined land and water-based noise are based on best practice and as committed to by the Applicant in its SRtS, despite Port Authority concerns Given that concrete batching will also be regulated under the EPL for the site, noise limits are also recommended for land-based activities only, based on the best achievable levels in the EIS The proposed limits satisfy the EPA derived PNTLs, with the exception of a 2 dB exceedance at Bowman Street Pyrmont. The limits include LAeq,15minute and LAeq(period) levels, as the application of only a LAeq,15min limit would not adequately capture the performance objectives for the facility as committed to in the EIS. This is consistent with Port Authority recommendations Noise enhancing meteorological conditions have been amended in the recommended conditions to account for potential noise enhancement at night under temperature inversion for Balmain and Glebe, consistent with the NPfI. This is consistent with Port Authority recommendations.

Transport for NSW (TfNSW)

EIS	<p>TfNSW did not object to the proposal but it provided the following comments:</p> <ul style="list-style-type: none"> Consideration must be given to surrounding cumulative impacts Mitigation measures should be proposed to reduce impacts on the surrounding road network The proposed parking provision should be reviewed The following information should be provided for the road-only scenario, whereby aggregates are not able to be delivered by ship: <ul style="list-style-type: none"> the estimated frequency of road only operation expected in a year daily and peak hour heavy vehicle movements to and from the site assessment of traffic impacts on the road network. Details should be provided of the proposed ship/s and capacity, to verify details regarding the amount of aggregate to be transported by ships An updated Construction Pedestrian and Traffic Management Plan should be conditioned.
RtS	<p>TfNSW made the following comments:</p> <ul style="list-style-type: none"> Consideration should be given to minimising morning peak movements The reduction in car parking is supported An updated Construction Pedestrian and Traffic Management Plan should be conditioned.

Transport for NSW, Roads and Maritime Services (Roads) (TfNSW Roads)

EIS	<p>TfNSW Roads did not object to the proposal but requested further information in relation to:</p> <ul style="list-style-type: none"> A swept path assessment of trucks turning right at The Crescent/James Craig Road intersection Impacts on intersections in the vicinity of the site, given the M4-M5 Link is not proposed to be completed until 2023 The road-only scenario, including: <ul style="list-style-type: none"> the estimated frequency of road only operation expected in a year daily and peak hour heavy vehicle movements to and from the site
-----	---

	<ul style="list-style-type: none"> ○ assessment of traffic impacts on the road network. • Details of lighting impacts on nearby roads and mitigation measures • Effects on shipping, navigation and waterway safety.
Heritage NSW	
EIS	<p>Heritage NSW provided the following comments:</p> <ul style="list-style-type: none"> • Long distance views and views to the western approach to the Glebe Island Bridge would be partially impacted, however would be restricted to certain areas • The proposal would not impact on the Glebe Island Bridge • Impacts on maritime heritage sites should be addressed and a detailed Archaeological Research Design and Methodology should be provided.
RtS	The Applicant's recommended monitoring program and Archaeological Research Design and Methodology should be implemented.
Port Authority of NSW (Port Authority)	
RtS	<p>The Port Authority raised the following concerns with the proposed noise limits in the EPA's submission on the RtS:</p> <ul style="list-style-type: none"> • Selection of the most appropriate vessel noise limit • Specification of limits for landside noise, as distinct from vessel noise limits • Inclusion of meteorological effects in setting limits should not inadvertently lead to more stringent conditions at Balmain or Glebe when compared Pyrmont • Compatibility with the Port Authority's proposed Draft Port Noise Policy, which includes a noise precinct approach for landside noise.
Sydney Trains	
EIS	<ul style="list-style-type: none"> • Consideration should be given to the 11kv high Voltage cable running in close proximity to the site/conducting a Dial Before You Dig check.
Ausgrid	
EIS	<ul style="list-style-type: none"> • The EIS does not address electricity supply to the development, and if required, a connection application should be lodged. • There are underground transmission cables adjacent to the southern boundary of the site, and Dial Before You Dig check should be conducted.
Sydney Water	
EIS	<ul style="list-style-type: none"> • Conditions must require approval of plans and a Section 73 Certificate.
Foreshores and Waterways Planning and Development Advisory Committee (the Committee)	
RtS	<ul style="list-style-type: none"> • The Committee raised no specific issues in relation to the proposal.
Environment, Energy, and Science Group	
EIS	<ul style="list-style-type: none"> • Advised it had no comment.
Crown Lands, Water & Department of Primary Industries, DPIE	
EIS	<ul style="list-style-type: none"> • Advised it had no comment.

5.4 Key Issues – Council and Community

Council Key Issues

5.4.1 Inner West Council objected to the proposal as summarised in **Table 4**.

Table 4 | Inner West Council submission to the EIS

Inner West Council	
<p>Inner West Council objected to the proposal with regards to:</p> <ul style="list-style-type: none"> • Cumulative impacts during construction and operation • Impacts on transport and access, including that vehicular access should not be provided via Robert Street, heavy vehicles should be restricted from travelling to and from the site via local roads, a Construction Traffic Management Plan should be prepared for the entire Bays Precinct, and consideration of future foreshore access and connections is inadequate • Heritage impacts on the first Glebe Island Bridge and its embankments, conservation of the current Glebe Island Bridge, including consideration of heritage interpretation, and impacts on the permanent re-opening of the current Glebe Island Bridge for active transport 	

- Noise and air emissions from vehicles and vessels, which should be required to meet the highest standards.

5.4.2 City of Sydney Council provided comments as summarised in **Table 5**.

Table 5 | Summary of City of Sydney Council submissions

City of Sydney Council	
EIS	<p>City of Sydney Council did not object to the proposal but it raised concerns and requested further consideration of the following:</p> <ul style="list-style-type: none"> • Cumulative operational impacts of all development in the Bays Precinct • The cumulative impacts of all elements of the proposal, including: <ul style="list-style-type: none"> ○ ships docking and ships engines running during port time ○ lighting and hours of port handling areas and ships in port ○ trucks arriving, idling and leaving plant facilities ○ operations between ships berth and batching plant handling facilities ○ operations and containment of the batching plant itself. • Fully enclosing the proposed building and providing acoustic insulation, and consideration of further preventative and mitigation measures, including shore-to-ship power • Directional and adjustable night-time lighting • Preparation of an operational air quality management plan • Details of the green wall, and landscaping and public art strategies to mitigate visual impacts • A condition to prevent damage to any encountered relics, including the first Glebe Island Bridge • Provision of adequate information in the drawings.
RtS	<p>City of Sydney Council also provided the following additional comments:</p> <ul style="list-style-type: none"> • The Air Quality and Noise Impact Assessments are acceptable and conditions should regulate the management of these matters during construction and operation, however, a suggested alternative location to reduce visual and acoustic impacts is further north of the proposed location, to the north-east of the existing Glebe Island silos and west of the Multi-User Facility • The development should comply with the Applicant's Lighting Strategy and relevant Australian Standards • Further information should be provided regarding heritage and urban design impacts, including impacts on views of the ANZAC Bridge and Glebe Island Bridge • Visual mitigation measures should be integrated into the proposal, including provision of details of the proposed green wall, public art and landscaping strategies • Further information should be provided regarding impacts on the planned re-opening of the Glebe Island Bridge for active and public transport, and the management of cyclists and truck movements associated with all activities on Glebe Island.

Community Key Issues

5.4.3 The Department received 214 public submissions on the EIS, with 178 objecting, 24 supporting and 12 commenting. Alex Greenwich, Member for Sydney objected to the proposal with regards to:

- noise
- air quality
- traffic
- light pollution
- visual impact
- marine navigation and safety
- hours of operation
- inconsistency with strategic planning documents
- construction impacts.

5.4.4 Of the 178 objections to the EIS, 125 (70 per cent) were from Pyrmont residents, 43 (24 per cent) were from people located within 5 km of the site (excluding Pyrmont), and 10 were from people living more than 5 km from the site (6 per cent). The key issues raised in public objections are summarised in **Table 6**.

5.4.5 Of the 86 objections to the RtS, 81 (94 per cent) were received from Pymont residents, one from a person located within 5 km of the site (excluding Pymont), and the remaining four from unknown addresses.

Table 6 | Summary of key issues raised in public objections

Issue	EIS % of objections (and no.)	RtS % of objections (and no.)
Noise	90% (160)	88% (76)
Air quality	80% (143)	83% (71)
Hours of operation	73% (130)	84% (72)
Traffic	62% (111)	43% (37)
Light pollution	51% (90)	41% (35)
Health impacts	46% (81)	33% (28)
Inconsistency with strategic plans	37% (65)	60% (52)
Visual impact	30% (54)	24% (21)
Environment and ecology	29% (51)	21% (18)
Marine navigation and safety	24% (42)	12% (10)
Cumulative impacts	22% (40)	72% (62)
Site suitability	20% (36)	48% (41)
Scale of the development	11% (20)	10% or less
Property devaluation	10% (18)	13% (11)
Request for IPC to determine	10% or less	48% (41)
Request for a public meeting	10% or less	36% (31)
Lack of community consultation	10% or less	35% (30)
General amenity impacts	10% or less	34% (29)
Requests for community design input	10% or less	27% (23)

5.4.6 The Department received 53 public objections to the SRtS, raising issues consistent with those previously raised, including:

- noise and vibration, including requests for a curfew, concerns with the Port Authority's Draft Port Noise Policy, and the need for independent recommendations on appropriate noise limits
- air quality, including associated health impacts
- traffic
- visual impact
- heritage
- marine navigation and safety
- lighting
- duration of the use
- the suitability of the site
- inconsistency with strategic plans
- the potential alternate use of the site as public open space
- environment and ecology.

5.4.7 Twelve public submissions made comments on the EIS regarding the following key issues:

- the scale of the proposal, including 24-hours-a-day operations
- the need to provide shore-to-ship power
- the suitable location of the site, which would maintain working harbour heritage, benefit construction of nearby major infrastructure projects and reduce truck movements
- traffic and transport, including the need to coordinate Glebe Island traffic, impacts on the future use of Glebe Island Bridge for active transport, and on existing and future regional cycling links
- cumulative noise impacts associated with surrounding development
- air quality impacts, including consideration of cleaner fuel options for vehicles and vessels
- consultation, which should be undertaken during detailed design on a Public Art Strategy and Master Plan, including landscaping
- lighting impacts.

5.4.8 Twenty-four public submissions of support were received on the EIS. Of these, three were received from people located within 5 km of the site, and 21 (88 per cent) were received from people located over 5 km from the site. The submissions made the following key comments:

- the location is suitable and more appropriate than the previous concrete batching plant site
- the history of industrial use of the port should remain
- it would provide for the planned increased in construction in the surrounding area
- it would reduce road traffic impacts through the use of ships
- it would be an important source of employment
- it would have less environmental impacts than other facilities.

Special interest groups

5.4.9 Within the 214 public submissions on the EIS were seven submissions from special interest groups. Jacksons Landing Action Group, Pyrmont Action Group, Save Our Bays Glebe and White Bay Stratas Committee objected, raising issues consistent with the key objections listed in **Table 6**. The Glebe Society, Bike Sydney and Bike Leichhardt made comments.

5.4.10 The Glebe Society made comments, including regarding cumulative impacts, air quality, lighting, visual impacts, marine navigation and safety, hours of operation, and general support for the location.

5.4.11 Bike Sydney and Bike Leichhardt made the following comments:

- the increased number of trucks would impact on existing and future regional cycling links, including the future use of the Glebe Island Bridge for active transport
- the existing grade-separated cycleway on the northern side of James Craig Road should be extended further east along Sommerville Road to the western approach of the Glebe Island Bridge
- a cycleway should be installed on the internal access road linking Roberts and Sommerville Roads
- these facilities should be integrated with those proposed as part of the WestConnex project
- more crossing time should be provided for pedestrians and bicycle riders at the intersection of James Craig Road and The Crescent.

5.5 Response to Submissions

5.5.1 Following exhibition of the application, the Department placed copies of all submissions received on its website and requested the Applicant provide a response to the issues raised in the submissions.

5.5.2 On 31 January 2020, the Applicant provided a Response to Submissions (RtS) and made the following amendments to the proposal:

- reduced the footprint
- re-located noise generating activities further from the closest sensitive receivers and adopted measures to mitigate noise impacts
- limited the number of maximum hourly truck movements to 182 for every hour of the day until the opening of the WestConnex M4-M5 Link's Rozelle Interchange (Rozelle Interchange).

5.5.3 The Applicant also provided a Navigation Impact Assessment, detailed Lighting Strategy, and updated the Heritage Impact Assessment to assess archaeological heritage impacts.

5.5.4 The Department made the RtS publicly available on its website and forwarded it to Inner West and City of Sydney Councils and relevant government agencies for comment.

5.6 Supplementary Response to Submissions

5.6.1 Following consultation on the RtS, the Department requested the Applicant provide a response to the issues raised in the submissions.

5.6.2 On 12 June 2020, the Applicant provided a Supplementary Response to Submissions (SRtS) (**Appendix A**). The SRtS made clarifications primarily regarding:

- noise impacts, including committing to compliance with all EPA recommendations through securing a dedicated vessel under a longer term agreement, subject to future review if a proposed precinct-wide approach to port noise management is adopted
- traffic, confirming the number of truck movements associated with peak operational capacity
- air quality, providing a response to the comments made by the Department's independent expert.

5.6.3 The Applicant also provided clarifications regarding cumulative impacts, visual impact, design, lighting, and the strategic planning context.

5.6.4 The SRtS and this additional information was made publicly available on the Department's website.

5.7 Additional information

5.7.1 In response to comments from the Department's independent air quality expert, the Applicant submitted supplementary Air Quality Impact Assessment information on 19 January 2021, which documented the methodology and findings of the dispersion modelling sensitivity analysis, and supported the Applicant's conclusion that the proposal is unlikely to generate adverse air quality impacts at sensitive receptors in the vicinity of the site.

6 Assessment

6.1 Key issues

- 6.1.1 The Department has carefully considered the proposal, the issues raised in submissions and the Applicant's responses in the assessment of the application.
- 6.1.2 The Department considers the key issues associated with the proposal are:
- strategic justification
 - built form and visual impacts
 - operational impacts, including noise and air quality
 - traffic, parking and access.
- 6.1.3 Each of these key issues are discussed in the following sections of the report. The Department has considered other issues relating to this application in **Section 6.6**.

6.2 Strategic justification

- 6.2.1 Public submissions raised concerns about the strategic justification for the proposal. In particular, concerns were raised about the incompatibility of the proposal with the existing residential development in Pyrmont and that the proposal would be inconsistent with the Bays Precinct Transformation Plan (Transformation Plan), which identified the potential for a technological and innovation campus and a waterfront promenade.
- 6.2.2 In response, the Applicant provided further strategic justification for the proposal. The Applicant contends the proposal is consistent with the strategic planning framework adopted for the site, as it is zoned for port and employment uses and is currently and has historically been used as a working port. The Applicant also cites examples of several other concrete batching plants that it operates in relatively close proximity to residential areas. These include the former Blackwattle Bay and the existing Hymix facility at Bank Street Pyrmont, being within 100 m and 150 m of surrounding residential areas.
- 6.2.3 The Department accepts that Pyrmont has been redeveloped over the last 20 years predominantly for residential development. The Department also acknowledges the concerns raised in public submissions that long term planning has identified the transformation of Glebe Island, which has shaped expectations about the future of the site. However, the Department considers the proposal is consistent with the strategic planning framework adopted for the site as:
- it is permissible with consent and it is consistent with the zone objectives, which encourage industrial and port-related uses
 - the State Infrastructure Strategy, NSW Freight and Ports Plan and Greater Sydney Region Plan, identify a strategic need to retain Glebe Island and White Bay as a working port to support inner city construction projects to limit the number of vehicles using the road network
 - while the Transformation Plan identified the potential for a technological and innovation campus and a waterfront promenade on Glebe Island, it also identified that the site would continue to support the existing port and maritime economy
 - the Draft Bays West Place Strategy designates the site as a concrete batching facility that would utilise existing berths, whilst allowing for potential future uses to co-exist within the precinct
 - the impacts associated with the proposal are considered to be acceptable (as discussed throughout **Section 6**) allowing for potential future uses to co-exist within the precinct

- it would maintain the working harbour, noting Glebe Island has been used for industrial purposes for over 100 years, and other sites suitable for this type of proposal, particularly deep-water port facilities within close proximity to Sydney CBD west of the Harbour Bridge, are in limited supply.

6.2.4 The Department also considers the site is strategically well placed to deliver concrete to major infrastructure and construction projects in the CBD and surrounding areas. In particular, the Department notes the proposal would:

- utilise the port to bring raw materials to the site which would substantially reduce the number of truck movements (and associated, noise, air pollution and safety impacts) that would otherwise be required to service such a development
- have direct access to the arterial road network within proximity to the CBD (noting industry best practice which requires concrete to be delivered and placed on site within 90 minutes of batching completion)
- benefit the construction of major infrastructure projects in the surrounding area, including the Bays Precinct renewal, the Western Harbour Tunnel, Sydney Metro West and various other developments which would help realise the strategic plans for Sydney.

6.2.5 While the Department appreciates the long-term vision for Glebe Island includes opportunities for urban renewal, there remains a strategic need to maintain and utilise Sydney's working harbour to import bulk materials by ship and supply concrete to major infrastructure and urban renewal projects within the inner-city. The proposal would also alleviate pressure on the road network by reducing the number of truck movements that would otherwise be required to service such a development and support the construction industry and broader economy.

6.3 Built form and visual impacts

Built form

6.3.1 The Application seeks approval for a range of industrial buildings and structures to support the proposal. Key buildings/structures include:

- six 34 m high aggregate silos and six 25 m high concrete batching silos
- a 15 m high concrete batching building
- 7.8 m high aggregate receiving bins
- shipping containers stacked 3 high along the eastern boundary to a height of 7.8 m (for acoustic and visual screening).

6.3.2 Public submissions raised concerns about the proposed built form and associated visual impacts of the proposal.

6.3.3 In response to the issues raised in submissions, the Applicant:

- reduced the overall footprint of the facility by 2042 m² (13 per cent), including a reduction in the footprint of the concrete batching building by 255 m² (six per cent)
- increased the setback from the water from 10 m to 18 m
- relocated the aggregate receiving bin and aggregate storage silos further to the west, and reduced the overall footprint and shape of the aggregate storage silos.

6.3.4 The Applicant contends the revised proposal is acceptable because the above changes would reduce its potential visual and amenity impacts and the proposal is consistent with the character and scale of existing buildings within the surrounding area.

- 6.3.5 Sydney Regional Environmental Plan No.26 – City West (SREP 26) does not contain any setback or building height controls. While the Glebe Island and White Bay Master Plan (the Master Plan) does include recommended building heights (part 12 m and part 25 m applying to this site), the Master Plan does not apply to SSD (as discussed in **Appendix C**). As such, the Department has undertaken a merit assessment of the proposed built form, considering the height and scale of the proposal compared to existing and proposed building/structures in the surrounding area.
- 6.3.6 The Department considers the proposed built form is acceptable for the following reasons:
- the site has sufficient capacity to accommodate the proposed built form, given its size (approximately 1.4 ha) and separation (approximately 175 m) from residential buildings in Pyrmont
 - the height of the silos (34 m for the aggregate silos and 25 m for the concrete batching silos) would be compatible with the surrounding context, which includes significantly taller structures such as the ANZAC Bridge, the Glebe Island silos (70 m) and residential buildings at Pyrmont (65 m)
 - the height of the main concrete batching building at 15 m would be 5 m lower than the height of the Multi-User Facility (**Figures 10 and 11**)
 - the proposed setbacks to the residential buildings in Pyrmont have been increased by 8 m, providing for better amenity
 - the design and materials of the buildings (Colorbond walls and roof on a steel frame), silos (concrete), conveyors (steel) and shipping containers are appropriate as they are consistent with Glebe Island's industrial waterfront character.
- 6.3.7 The Department also notes that Inner West Council did not raise concerns about the built form of the proposal.
- 6.3.8 The Department's assessment therefore concludes the proposed built form is acceptable as it would be compatible with the existing built form of the surrounding area and consistent with the type of development expected within Glebe Island's port and employment zone area.

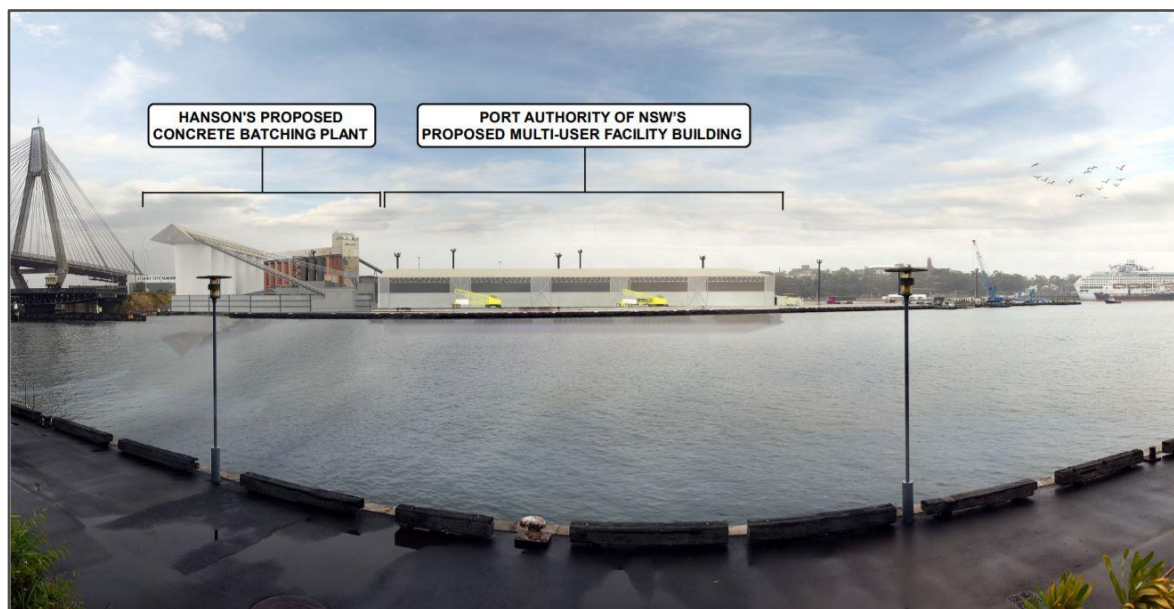


Figure 10 | The proposal and Multi-User Facility viewed from Pyrmont waterfront (Source: Multi-User Facility Review of Environmental Factors)



Figure 11 | The proposal and Multi-User Facility viewed from Level 11, 24 Refinery Drive, Pyrmont
(Source: Multi-User Facility Review of Environmental Factors)

Visual impact

- 6.3.9 The Department considers the key visual impacts of the proposal are associated with the batching building, silos, conveyor feeds, shipping containers and berthed vessels.
- 6.3.10 The Applicant submitted a Visual Impact Assessment (VIA) to assess the visual impacts of the proposal. The VIA assessed both visual and landscape character impacts from observer locations surrounding the proposal identified in **Figure 12**.
- 6.3.11 The VIA found that impacts on the majority of landscape character locations would be moderate, with the exception of:
- high impacts on views from the nearby infrastructure corridor (including the ANZAC Bridge and approaches – **Figure 13**), and
 - high to moderate impacts on views from public open spaces along the foreshore.
- 6.3.12 The VIA also found the impact on the majority of individual areas of public open space would be either high or high to moderate. Locations designated as having a high impact included the Waterfront Park at Pyrmont (**Figure 14**) and the Glebe Foreshore Walk (**Figure 15**). The Glebe Foreshore includes the view of the three bridges (Sydney Harbour, ANZAC and Glebe Island) (**Figure 12**).
- 6.3.13 The VIA contends the visual impacts associated with the proposal are acceptable, as it is consistent with the scale and port and employment use envisaged in this part of Glebe Island and the working harbour character of the area. The VIA also 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.
- 6.3.14 Public submissions raised concerns regarding visual impacts of the proposal and requested further community input on the design. City of Sydney Council stated the details of the proposed green wall should be provided and should appropriately reference the character of the site and area, and that landscaping and public art strategies should be provided to mitigate visual impacts.
- 6.3.15 The Department has undertaken a detailed assessment of the visual impacts of the proposal and has visited the site and surrounding area to gain a better appreciation of potential impacts.

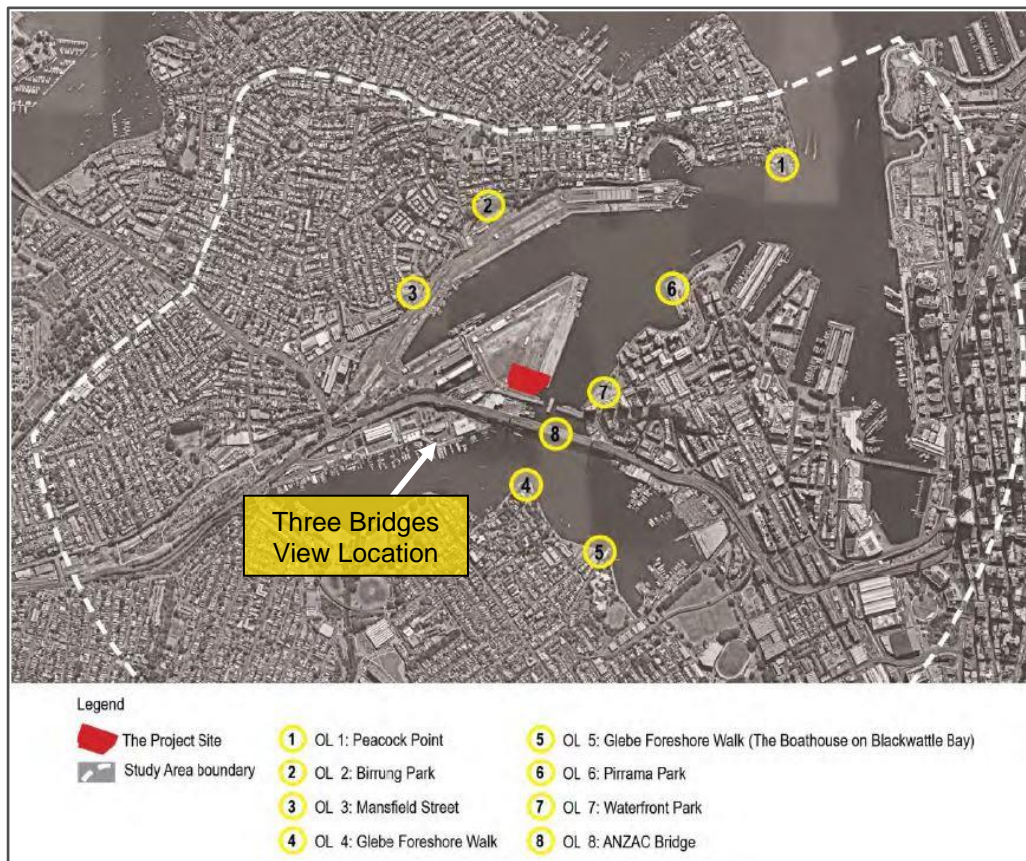


Figure 12 | Observer locations surrounding the proposal (Source: Applicant's VIA)



Figure 13 | View of site from ANZAC Bridge, before (top) and after (bottom) (Source: VIA)



Figure 14 | View from Pyrmont Waterfront Park before (top) and after (bottom) (Source: VIA)



Figure 15 | View from Glebe Foreshore Walk, before (top) and after (bottom) (Source: VIA)

6.3.16 The Department considers the visual impacts on residents located in Pyrmont would be acceptable as:

- the proposal sits against the backdrop of an existing industrial waterfront area, which includes significantly larger structures such as the Glebe Island silos
- residents would still maintain expansive district views given the separation distance of the proposal to private residents
- the proposal would not impact on views of Johnstons Bay or White Bay, due to its location on Glebe Island
- the visual impacts are consistent with the impacts reasonably expected from development within a port and employment zone
- the proposal's design and materials are consistent with the visual amenity and industrial waterfront character of Glebe Island, the harbour and surrounding foreshores
- the proposal would not significantly impact on views towards the ANZAC Bridge or Glebe Island Silos, as the majority of the bridge and silos would remain visible from various viewpoints
- shipping containers on the eastern boundary to a height 7.8 m would partially screen the site, forming a green wall that would be subject to design refinement (**Figures 7, 8, 10, 11, 13 and 14**).

6.3.17 The Department has also considered the impact of the proposal on views from public open spaces and other key locations and considers:

- views from the Glebe Foreshore Walk and Pyrmont Waterfront Park would be acceptable given the substantial visual separation (minimum of 175 m), harbour views would remain uninterrupted, and the proposal is consistent with the surrounding Glebe Island working harbour uses
- views from the ANZAC Bridge would be acceptable as:
 - views from the bridge would be transient and constantly changing as viewers move along the Bridge
 - due to the height of the Bridge, views of the broader precinct would still be maintained
 - the existing views contain similar and more dominant features including the Glebe Island silos.

6.3.18 The Department also notes 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 requiring details be provided prior to issue of a Construction Certificate.

6.3.19 The Department also recommends a condition requiring design details of the green wall, including options for further refinement (such as the creation of an artistic wrap) as part of a Public Art Strategy, to be developed in consultation with the local community, Councils and the Port Authority (who is preparing a Bays Precinct Public Art Strategy).

6.3.20 Overall, the Department considers the visual impacts of the proposal are acceptable as they are consistent with the impacts that would be reasonably expected from development within a port and employment zone and the proposal is consistent with the built form and industrial character of the site and surrounding area. Further, the recommended conditions would help minimise the visual impacts of the proposal to an acceptable standard.

6.4 Operational impacts

Noise

6.4.1 Noise impacts were a key concern in public submissions, being raised in 90 per cent of objections. Inner West Council also raised concerns about cumulative noise impacts in its objection. City of Sydney

Council recommended full enclosure of the batching plant and investigation of shore-to-ship power to reduce ship noise.

- 6.4.2 The nearest residential receivers are in Pyrmont, 175 m to the east across Johnstons Bay. The residential area of Glebe is located 400 m to the south and Balmain is over 500 m to the north-west (Figure 16).



Figure 16 | Location of nearest residential receivers (Base source: NIA)

- 6.4.3 The proposal would be located on port and employment zoned land and use an existing berth that was previously used for importing cars and bulk construction materials. Other industrial facilities are located nearby including shipyards, cement works and construction support sites for major infrastructure projects. ANZAC Bridge, an eight-lane arterial road, is located 130 m to the south and the White Bay cruise terminal is located 700 m to the north.
- 6.4.4 The proposal would generate noise from land-based activities including concrete batching, aggregate handling and truck movements and from water-based activities including vessel ventilation, generators and unloading of materials. Concrete batching would be undertaken in a partially enclosed building and the Applicant proposes to place shipping containers stacked three high (7.8 m) along the eastern site boundary to provide noise shielding to the nearest residences in Pyrmont. Truck movements and vessel berthing activities would be the most significant noise sources.

- 6.4.5 The Applicant provided a Noise Impact Assessment (NIA) to predict operational noise levels for comparison with applicable noise criteria. The Department and the EPA requested clarifications, including cumulative assessment with the adjacent Multi-User facility and clarifications on project noise trigger levels (PNTLs), modelling assumptions, sleep disturbance and mitigation measures. The Applicant's RtS provided further noise assessment to address these queries.
- 6.4.6 The NSW Noise Policy for Industry 2017 (NPfI) is the relevant policy for assessing noise impacts from industrial developments. The Applicant's NIA initially proposed the development be assessed in accordance with the Port Authority's Glebe Island and White Bay Port Noise Policy (PNP) and Vessel Noise Operating Protocol. The Department and the EPA note the PNP intends to address noise at a precinct level including noise from shipping throughout the port and aims to reduce this over the long-term through the reduction of noise trigger levels. The Department has therefore had regard to the PNP in its assessment, if it establishes lower noise limits than the NPfI in the future. However, the NPfI has been used as the current standard as it sets the best achievable noise limits for the proposal.
- 6.4.7 The Department notes the NSW Road Noise Policy (RNP) is the relevant document for considering potential road traffic noise impacts from the development, and this is considered further below.
- 6.4.8 Following a review of the RtS, the EPA provided detailed consideration of the potential noise impacts of the proposal, calculating PNTLs consistent with the NPfI and comparing these to the predictions in the NIA and RtS. The EPA provided an analysis of batching plant operations only, and combined batching plant and ship berthing activities.

Batching Plant Only

- 6.4.9 The EPA noted the noise from batching plant operations would comply with the PNTLs at sensitive receivers during the day, evening and night-time periods, except for a 2 decibel (dB(A)) exceedance during the night at residences in Bowman Street, Pyrmont (50 dB(A)) compared with a criteria of 48 dB(A). Noise levels in Balmain were predicted to range between 39 – 46 dB(A) and would range from 37 – 41 dB(A) in Glebe, which are below the PNTLs.
- 6.4.10 The Department notes the residences in Bowman Street, Pyrmont (Jacksons Landing) were constructed with noise attenuation to an external level of 63 dB(A), acknowledging the continued use of Glebe Island for industrial activities. The EPA did not raise any concerns and the Department considers the predicted 2 dB(A) exceedance to be minor and likely to be offset by the attenuation provided at these residential buildings. The Department also notes the Applicant has committed to a range of mitigation measures to minimise these impacts, including:
- enclosure of the batching plant and time-limited opening of roller doors for loading and unloading
 - fully enclosing the conveyor feeds
 - stacking shipping containers on the eastern boundary to 7.8 m high
 - installing air release brake silencers on the concrete trucks and limiting truck speeds to 20 km / hour on site
 - routine attended noise monitoring to measure compliance.
- 6.4.11 The EPA has also recommended noise limits for batching plant operations only, to ensure that noise is minimised when there is no ship berthed. The limits are consistent with the PNTLs established in accordance with the NPfI and are more stringent than the criteria that would apply under the PNP. This would ensure the proposal does not limit or restrict other development within the precinct and would ensure cumulative noise levels do not exceed amenity criteria for residences.

Batching Plant + Ship Berthing

- 6.4.12 The RtS included two scenarios to predict noise from ship berthing, including a 'good' noise performing ship and a 'poor' noise performing ship. The EPA's comparison of these two scenarios against the PNTLs indicated there would be marginal to moderate noise impacts from a 'good' performing ship (1 dB(A) exceedance during the day and evening and up to 5 dB(A) at night) at Bowman Street, Pyrmont, and up to 4 dB(A) at night at Refinery Drive, Pyrmont). The EPA noted there would be significant impacts from a 'poor' performing ship (4-5 dB(A) exceedance during the day and evening and up to 10 dB(A) at night).
- 6.4.13 Given the potential for significant noise impacts with a 'poor' noise performing ship, the EPA and the Department worked with the Applicant to address this issue. The Applicant investigated the use of shore-to-ship power for reducing ship noise but noted that none of the potential vessels can connect to this type of power supply, making it unviable. Ultimately, the Applicant committed to sourcing a dedicated vessel for the proposal to ensure noise from ship berthing is minimised and 'poor' noise performing ships are not used at the site.
- 6.4.14 The EPA recommended noise limits consistent with a 'good' noise performing vessel to ensure the proposal achieves best practice standards for vessel noise. These noise limits apply to combined operation of the batching plant and a ship in berth.
- 6.4.15 The Department considers the use of a dedicated quieter vessel for the proposal would minimise the potential noise impacts from ship berthing activities to the extent practicable and recommends a condition to secure this. The Department has also recommended the Applicant undertake monitoring of batching plant operations and when ships are berthed and unloading. If monitoring indicates the noise limits are being exceeded, the Applicant must implement additional mitigation measures to achieve compliance.

Sleep Disturbance, Meteorological Conditions and Annoying Noise Characteristics

- 6.4.16 The Applicant's NIA and RtS considered the potential for maximum noise events to cause sleep disturbance, the meteorological conditions that may enhance noise (such as calm winter nights), and annoying noise characteristics such as intermittent, tonal and low-frequency noise.
- 6.4.17 The Applicant predicted a 2 dB(A) exceedance of the maximum noise level of 62 dB(A) that may disturb sleep, at the residences in Bowman Street, Pyrmont. The Applicant noted the facades of these buildings are attenuated to 63 dB(A), effectively reducing the exceedance to 1 dB(A). However, following the EPA's request to consider additional mitigation, the Applicant investigated and committed to installing air release silencers on concrete trucks, predicting a reduction of 6 dB(A). This would reduce noise levels below the trigger for sleep disturbance.
- 6.4.18 The potential for noise enhancing meteorological conditions was considered, with the EPA noting there is potential for noise propagation to residents in Glebe and Balmain during temperature inversions, which may occur infrequently on calm winter nights. The EPA recommended the noise limits allow for these infrequent events by applying slightly higher noise limits at these times (+5dB(A)). This approach is consistent with the NPfI and the Department has incorporated the EPA's recommendation into its recommended conditions.
- 6.4.19 The Applicant's assessment of tonal, intermittent and low-frequency noise indicated these 'annoying' characteristics would not be present at the development at levels or frequency warranting the application of a modifying factor under the NPfI.

Road Traffic Noise

- 6.4.20 Roads used to access the site include James Craig Drive, ANZAC Bridge, Victoria Road, City-West Link Road and The Crescent. These are arterial and sub-arterial roads characterised by high traffic volumes and currently exceed the noise criteria in the RNP. Current road noise levels range between 70 – 75 dB(A) during the day and 63 – 71 dB(A) at night, compared with the RNP criteria of 60 dB(A) for the day and 55 dB(A) for the night.
- 6.4.21 The development would increase light and heavy vehicle movements on these roads but would only increase road traffic noise by a maximum of 0.4 dB(A). This is well below the RNP criteria, which requires no more than a 2 dB(A) increase where existing road noise levels are already exceeding the criteria.
- 6.4.22 The Department considers the development would have negligible impacts on road traffic noise.

Conclusion

- 6.4.23 The Department has considered noise impacts in consultation with the EPA, with reference to relevant noise policies, including the PNP and considering the issues raised in submissions.
- 6.4.24 The Department and the EPA requested the Applicant to implement additional noise mitigation measures that would reduce the noise impacts of the batching plant and ship berthing activities. One key outcome was a commitment by the Applicant to source a dedicated vessel for the proposal, that would minimise ship noise as much as practicable. The Applicant has also committed to implementing specific noise mitigation controls, such as brake silencers on the concrete trucks, enclosure of the batching plant and conveyors, minimal timed opening of roller doors on the batching plant and installation of a shipping container barrier on the eastern site boundary, to minimise impacts to residents in Pyrmont.
- 6.4.25 The Department notes the proposal would comply with the noise criteria in the PNP and the NPfI in the residential areas of Glebe and Balmain for all periods (day, evening and night-time). While the Department acknowledges there would be exceedances of the NPfI noise criteria at the nearest residences in Pyrmont, these residences were constructed with in-built noise attenuation, in recognition of their proximity to the working harbour.
- 6.4.26 The Department also notes the proposal is located on port and employment zoned land that is strategically placed to deliver concrete to major infrastructure and construction projects in the central business district and surrounding areas. The use of ships to bring raw materials to the site would substantially reduce the number of truck movements that would otherwise be required to service such a development. The proposal is also located in an area with relatively high background noise levels from other 24-hour noise sources including the ANZAC Bridge, White Bay cruise terminal and other industrial premises.
- 6.4.27 The Department's assessment therefore concludes the noise impacts of the proposal would be acceptable and can be appropriately mitigated and managed through a range of committed mitigation controls and recommended conditions.
- 6.4.28 The Department has recommended noise limits for the development, including ship berthing activities, that were derived in accordance with the NPfI. These noise limits would also be incorporated into an EPL for the development. Given that the PNP aims to reduce noise over time, the Department has also recommended a condition that would require the facility to comply with the noise limits in the PNP, if in the future, these noise limits are lower than the NPfI criteria.

6.4.29 The Department has also recommended regular noise monitoring of all site activities, implementation of an operational noise management plan and noise verification studies, to confirm the development is meeting the recommended noise limits. Other recommended conditions include a requirement for: an operational traffic noise management strategy; a Community Consultative Committee that meets regularly with residents and action groups, enabling any noise issues to be raised and resolved in a timely manner; and for the Applicant to source a dedicated vessel to supply raw material to the facility to ensure noise from ship berthing is minimised and 'poor' noise performing ships are not used at the site. With these conditions in place, the Department is satisfied the noise impacts of the proposal would be appropriately monitored and managed.

Air Quality

6.4.30 The proposal has the potential to generate particulate and exhaust emissions from material handling, un/loading, concrete batching, vehicle movements and berthed ships.

6.4.31 Air quality impacts were raised as a concern in 80 per cent of public objections, including concerns about impacts from berthed ships, 24-hours-a-day operations and recommended consideration of cleaner fuels to reduce impacts. Inner West Council noted in its objection that air emissions from vehicles and vessels should be required to meet the highest standards.

6.4.32 The Applicant prepared an Air Quality Impact Assessment (AQIA) to predict impacts from normal operations and worst-case or peak operating conditions for comparison with the EPA impact assessment criteria.

6.4.33 The AQIA modelled emission sources from the proposal with key mitigation measures in place, including enclosure of the batching plant and conveyors and truck loading and unloading inside the building. The modelling considered potential impacts on sensitive receivers at ground level and at varying heights to assess impacts on the residential towers to the east.

6.4.34 The Department appointed an independent expert, Todoroski Air Sciences (TAS), to assist with its assessment of air quality. TAS reviewed the AQIA and RtS and requested numerous clarifications on the modelling and impact assessment. These issues were ultimately addressed by the Applicant in technical addendums to the AQIA.

6.4.35 The AQIA (and technical addendums) predicted particulate matter (PM₁₀ and PM_{2.5}), nitrogen dioxide (NO_x) and sulfur dioxide (SO₂) emissions from the proposal would be below all relevant air quality criteria at sensitive receivers. The AQIA also concluded the proposal would not contribute to any further exceedances of cumulative air quality criteria (noting the cumulative criteria are sometimes exceeded without the proposal).

6.4.36 The EPA concurred that emissions from the proposal would not exceed air quality criteria for normal or worst-case operation of the batching plant, vehicle exhausts and berthed ships. City of Sydney Council was satisfied with the AQIA and recommended conditions for compliance with the proposed mitigation measures and regular monitoring.

6.4.37 TAS concluded the project's contribution to air quality would be low and noted the project incorporates best practice controls, such as enclosure of the batching plant and conveyors, to minimise emissions to the extent practicable. TAS noted the importance of implementing other mitigation measures, including cleaning and wetting down road surfaces and loading and unloading trucks inside the building.

6.4.38 The Department has reviewed the AQIA in consultation with the EPA and TAS and has considered the air quality concerns raised in submissions. The Department notes the proposal is predicted to meet all relevant air quality criteria at sensitive receivers and incorporates best practice controls for managing

emissions. The Department's assessment concludes the proposal is unlikely to generate adverse air quality impacts at sensitive receivers. The Department agrees with the conclusions made by TAS that effective implementation of the mitigation measures is paramount to managing emissions throughout operation. The Department notes that air emissions from the facility would also be regulated through an EPL.

6.4.39 The Department has recommended a range of conditions to minimise air emissions to the extent practicable including:

- a requirement for an operational air quality management plan, including on-going dust monitoring
- a post-commissioning air quality verification report to demonstrate that mitigation measures are achieving compliance with the criteria
- a requirement to minimise the dust, odour, vapour and gas emissions throughout operation.

6.4.40 With these conditions in place, the Department concludes the proposal would not result in adverse air quality impacts.

6.5 Traffic, parking and access

Traffic generation

6.5.1 Public submissions raised concerns about traffic impacts, including impacts on nearby local roads and arterial roads.

6.5.2 TfNSW stated consideration should be given to minimising vehicle movements during the morning peak period, in order to ameliorate impacts on the surrounding classified road network. Inner West Council stated heavy vehicles should be restricted to the arterial road network.

6.5.3 As part of its RtS and SRtS, the Applicant revised its Traffic Impact Assessment (TIA) to consider the issues raised in submissions as well as cumulative traffic impacts.

6.5.4 The TIA assessed the total volume of traffic likely to be generated by the proposal and its impact on the Level of Service (LoS) of nearby intersections during the AM (7.30 – 8.30 pm) and PM (4.30 – 5.30 pm) peak periods. The TIA identified the key intersections impacted by the proposal are The Crescent with Victoria Road, James Craig Road and the City West Link.

6.5.5 The TIA found that the proposal would generate up to 286 movements per hour at its operational peak (between 10 am – 12 pm, i.e. outside the AM peak for the surrounding traffic network) or up to a maximum of 2064 movements per day. However, the TIA also noted that the likely volume of traffic generated by the proposal would be lower due to fluctuating demand, generating a typical average of 1492 movements per day. The TIA also noted the facility is not anticipated to reach maximum operational capacity until after the opening of the Rozelle Interchange in mid-2023, which would improve the road network near the site at the ANZAC Bridge and City West Link.

6.5.6 During the AM peak, the intersections of The Crescent with both James Craig Road and Victoria Road would operate at an acceptable LoS under the cumulative assessment scenario. However, the LoS for The Crescent/City West Link Road would deteriorate from LoS D to LoS F. Although the TIA has modelled that a deterioration to LoS F would occur regardless of this proposal, there would be a resultant additional 56 second delay (from 96 seconds to 152 seconds).

6.5.7 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. The Applicant states that traffic modelling for future years past 2023 cannot be undertaken at this time as WestConnex models are not available for review, and therefore any modelling would be inaccurate as it will not consider WestConnex. Further, the Applicant states it is not possible to undertake an impact assessment of the proposal on the LOS of the Rozelle Interchange until the Rozelle Interchange becomes operational (mid-2023). Therefore, the proposed cap would remain in place until the Rozelle Interchange opens, and would then be reassessed to determine whether any additional traffic movements could be permitted.

- 6.5.8 The TIA found that during the PM peak under the cumulative assessment scenario, all intersections would perform at a satisfactory Level of Service (LoS). The Department notes the most significant impact would be at the Victoria Road/The Crescent intersection where the LoS would reduce from C to D, causing a minor additional delay of approximately 10 seconds.
- 6.5.9 The Department has carefully reviewed the Applicant's TIA and the issues raised in submissions, and is satisfied traffic impacts associated with the proposal are acceptable because:
- capping the maximum number of truck movements to 182 movements per hour (to reduce impacts during the facility's operational peak between 10 am – 12 pm) until the Rozelle Interchange opens in mid-2023 (approximately one year after operations commence), would also ensure the intersection of The Crescent/City West Link would not be adversely impacted in the AM peak period
 - all other intersections at the AM and PM peak would operate at an acceptable LoS (A-D), with only minor additional delays of approximately 10 seconds occurring at peak times.
- 6.5.10 Further, the Department considers the proposal would result in benefits for the wider road system as the shipping of raw materials to the site would substantially reduce the number of truck movements that would otherwise be required. This would also reduce associated noise, air and road safety impacts. The site is also well located to utilise the current arterial road network and the future connection into the motorway network provided by the Rozelle Interchange, therefore limiting impacts on surrounding local roads.
- 6.5.11 The Department has also recommended a condition requiring the maximum number of truck movements to be capped at 182 movements per hour (for every hour of the day). If the Applicant seeks to increase this cap following the opening of the Rozelle Interchange in mid-2023, it would need to apply to modify the consent. Any such application would be assessed on its merits at that time, and would need to demonstrate that it did not adversely impact on the functioning of the surrounding road network.
- 6.5.12 While the Department acknowledges the proposal would increase traffic on the surrounding road network, the Department is satisfied the traffic impacts can be appropriately managed and mitigated to an acceptable level, particularly through the capping of movements prior to the opening of the Rozelle Interchange. Further, the Department considers the site is strategically well located to reduce truck movements on Sydney's roads given its proximity to the CBD and large infrastructure projects, and its ability to utilise ships to deliver materials would substantially reduce the number of truck movements that would otherwise be required to service such a development.

Parking

- 6.5.13 TfNSW raised concern about the amount of car parking proposed for the development and recommended that employee car parking be reduced. Neither the City of Sydney nor Inner West Council raised concerns about car parking.

- 6.5.14 In response to TfNSW's concerns, the Applicant reduced the number of truck parking spaces from 59 to 50, and car parking spaces from 64 to 40 (comprising 35 for employees, 4 for visitors and 1 accessible space). The proposal also includes seven bicycle parking spaces.
- 6.5.15 TfNSW supported the reduction in parking spaces and provided guidance that 0.7 car parking spaces per employee was an acceptable rate, based on a review of journey to work mode share data for similar industries. The Department notes the RTA Guide to Traffic Generating Developments 2002 and Leichhardt DCP 2013 do not specify car parking rates for concrete batching plants.
- 6.5.16 The Department considers the number of employee car parking spaces is acceptable as it is generally consistent with TfNSW advice and will encourage the use of alternate transport options. Further, the Applicant has prepared a Travel Plan to encourage public transport use, which is available to the site via bus and light rail stops approximately 1 km and 1.3 km away respectively.
- 6.5.17 The Department considers the proposed 50 truck parking spaces is adequate as it would ensure all vehicles can be accommodated within the site, and recommends a condition requiring an on-site parking management guide be prepared as part of the Operational Traffic Management Plan. This guide would manage parking and access for all vehicles, ensuring impacts on circulation within the site are minimised.
- 6.5.18 The Department considers the provision of seven bicycle parking spaces for 67 staff is acceptable as it is consistent with the Leichhardt DCP 2013 rate of 1 space per 10 staff for industry.
- 6.5.19 The Department recommends a condition requiring an updated Travel Plan, to limit parking to that proposed, and ensure the end-of-trip facilities are provided prior to commencement of operations.
- 6.5.20 Subject to the recommended conditions, the Department is satisfied that the proposal would provide adequate car parking in line with TfNSW advice.

Access

Vehicular access

- 6.5.21 Vehicular access to the site is provided by James Craig Road, over which the Port Authority has a formal right of carriageway. James Craig Road carries the majority of all port-related traffic, including the White Bay Cruise Terminal, Cement Australia, Sugar Australia, and Gypsum Resources Australia.
- 6.5.22 Inner West Council and public submissions raised concerns that vehicular access should not be provided via Robert Street and that heavy vehicles should be restricted from travelling through neighbouring residential areas. The City of Sydney Council raised concerns regarding cumulative impacts associated with trucks arriving, idling and leaving plant facilities.
- 6.5.23 In response to the concerns raised by Inner West Council and public submissions, the Applicant confirmed that all access to the site would be provided via the arterial road network and Robert Street would not be used to access the site.
- 6.5.24 The Department notes trucks would travel to and from the site via the arterial road network, rather than surrounding residential suburbs (except where concrete deliveries may be required in these areas).
- 6.5.25 To ensure this is the case, the Department recommends a condition to prevent access via Robert Street, which runs along the northern edge of White Bay. The Department also recommends a condition requiring the preparation of an Operational Traffic Management Plan which would manage trucks arriving and leaving plant facilities, to minimise idling and prevent queuing outside the site boundary.

6.5.26 The Department's assessment therefore concludes that vehicles can adequately access the site via the arterial road network and the recommended conditions would ensure trucks do not use local roads to access the site.

Bicycle and pedestrian access

6.5.27 Inner West Council and public submissions raised concerns about impacts on the planned re-opening of the Glebe Island Bridge.

6.5.28 The Department considers the proposal would not preclude the re-opening of Glebe Island Bridge because the site does not encroach on the bridge or the likely route of any future connections.

6.5.29 Submissions also requested new and extended cycleways to connect to cycleways proposed as part of WestConnex. The Department considers bicycle and pedestrian access cannot be provided through the site as it forms part of the working harbour and access to the port area is restricted as it is a customs area secure zone. Further, the proposal would not impact on existing or planned cycleways outside the site as existing port-only access roads would be used to access the site.

6.6 Other issues

6.6.1 Other relevant issues for consideration are addressed in **Table 7**.

Table 7 | Summary of other issues raised

Issue	Findings	Recommendations
Duration of the use	<ul style="list-style-type: none"> The Applicant seeks approval for a permanent facility. Public submissions raised concerns about the duration of the use as it would be inconsistent with the strategic vision for Glebe Island. The Applicant provided further justification for its request for a permanent facility in its RtS and SRtS, stating that the duration of the use would also be dictated by the duration of its lease. The Department considers that the proposed permanent use is acceptable and it is not necessary to impose a time limit on the consent for the following reasons: <ul style="list-style-type: none"> the duration of use can be controlled through leasing agreements with the Port Authority of NSW the use would be consistent with the working harbour envisaged in the strategic planning documents for the site and surrounding area and would facilitate urban renewal and major construction projects while the Department appreciates the long-term vision for Glebe Island includes opportunities for urban renewal, there still remains a strong imperative within the existing and emerging strategic planning framework for the site, to maintain and utilise Sydney's working harbour the proposal's impacts are considered to be acceptable (as discussed throughout Section 6), allowing for potential future uses to coexist within the precinct. 	<ul style="list-style-type: none"> No conditions recommended.
Construction Noise	<ul style="list-style-type: none"> Public submissions raised concerns about exceedances of the construction noise criteria. Construction would be carried out in three stages: enabling works, building construction and silo construction, taking approximately six to nine months. The silos would be constructed on-site and require continuous pouring of concrete for up to 24 hours. All other construction would occur during standard hours (7am to 6pm Monday to Friday and 8am to 1pm on Saturday). The Applicant's NIA predicts noise levels (based on worst-case assumptions) would be below the noise affected level at all 	<p>The Department recommends the following conditions:</p> <ul style="list-style-type: none"> a Construction Traffic Noise Management Strategy (CTNMS) a Construction Noise and

	<p>receivers, except for 1-2 dB(A) exceedances of the Noise Management Level (NML) at Pyrmont (Bowman Street).</p> <ul style="list-style-type: none"> • The EPA stated construction phase impacts on sensitive receptors are generally negligible and low, noting the proposed mitigation measures. • The Department considers there would be no adverse construction noise impacts because: <ul style="list-style-type: none"> ○ construction works would be compliant with the NML at all receivers except Bowman Street, Pyrmont ○ exceedances at Bowman Street, Pyrmont would be negligible (1-2 dB(A)), and would only occur during works on the eastern part of the site (closest to this receiver) ○ mitigation measures are proposed, including scheduling noisier works in less sensitive times, and standing down equipment when not used. • The Department notes that cumulative impacts associated with the construction of the Multi-User Facility could result in exceedances of up to 7 dB(A) at Refinery Drive, Pyrmont during the enabling and establishment phase of works. • However, the Department considers this acceptable as it would not exceed the highly affected noise level. The Department also notes construction of the Multi-User Facility commenced in July 2020 and is expected to be completed by mid-2021. Therefore, the potential for overlap would be limited. • Overall, the Department is satisfied construction noise impacts are acceptable and can be appropriately mitigated and managed subject to conditions. 	<p>Vibration Management Plan (CNVMP)</p> <ul style="list-style-type: none"> • a Community Communication Strategy (CCS).
Other Construction Impacts	<ul style="list-style-type: none"> • Concern was raised by Inner West Council and in public submissions about other potential construction impacts associated with the proposal, including cumulative impacts. Inner West Council also requested that a CPTMP be prepared for the entire Bays Precinct. • TfNSW requested that an updated Construction Traffic Management Plan (CPTMP) be prepared. • The Department has considered the issues raised in submissions and is satisfied the potential construction impacts would be acceptable as: <ul style="list-style-type: none"> ○ the construction impacts would be temporary in nature ○ the proposal is largely modular, therefore not requiring extensive excavation ○ recommended conditions of approval would appropriately mitigate and manage potential dust, noise, soil, water and traffic (including a requirement for a CPTMP) to an acceptable level. • The Department has also recommended conditions to ensure the community is consulted about construction impacts through a Community Communication Strategy (CCS), to include a complaints management procedure. • The Department is therefore satisfied construction impacts can be appropriately mitigated and managed to an acceptable level, subject to the recommended conditions. 	<p>The Department recommends the following conditions:</p> <ul style="list-style-type: none"> • a Community Communication Strategy (CCS) • a Construction Environmental Management Plan (CEMP) • a Construction Air Quality and Odour Management Plan (CAQOMP) • a Construction Traffic Management Plan (CPTMP).
Lighting	<ul style="list-style-type: none"> • The Applicant seeks to upgrade the existing lighting system for security and night-time work safety. • Public submissions raised concerns about the impact of light spill. City of Sydney Council stated the development should comply with the submitted detailed Lighting Strategy and all relevant Australian Standards. TfNSW (Roads) requested details of impacts of night lighting on effects on shipping, navigation and waterway safety, and nearby roads. • The Applicant prepared a detailed Lighting Strategy, which found night-time lighting impacts would be moderate or low at six of the eight observer locations, high to moderate at the ANZAC Bridge and high at the Waterfront Park, Pyrmont. The Lighting Strategy concludes the proposal complies with Australian Standards, and management measures would be implemented to manage vessel lighting. 	<p>The Department recommends the following conditions:</p> <ul style="list-style-type: none"> • the proposal must comply with AS 4282 • lighting to be mounted, screened and directed to avoid nuisance to surrounding properties, the road network or waterway

	<ul style="list-style-type: none"> • The Department notes the site has existing floodlights, and considers it sits within a well-lit context, with existing floodlights installed on adjoining sites including the ANZAC Bridge. • The Department considers land-based lighting impacts are acceptable as they would comply with the requirements of Australian Standard AS:4282 1997 – Control of the obtrusive effects of outdoor lighting. • The Department also considers vessel lighting acceptable as it would be minimised with controllable and dimmable open-deck lighting, would be turned off when not in use, and can be angled away from residences. Lighting management would be aided by the Applicant's commitment to procurement of a dedicated vessel. • To ensure lighting impacts are appropriately managed, the Department also recommends conditions requiring: <ul style="list-style-type: none"> ◦ compliance with AS 4282 and the Applicant's detailed Lighting Strategy ◦ lighting to be mounted, screened and directed to avoid nuisance to surrounding receivers ◦ ships to turn off any non-essential lights ◦ where possible, lights to be dimmed or switched off when the facility is not in use. • The Department concludes lighting impacts are acceptable subject to the recommended conditions, which would ensure they are effectively managed. 	<ul style="list-style-type: none"> • ships to turn off any non-essential lights, consistent with on-board safety and security requirements • the proposal must comply with the detailed Lighting Strategy.
Marine Navigation and Safety	<ul style="list-style-type: none"> • The proposal seeks approval for delivery of 1 million tonnes of concrete aggregates per annum. The Applicant estimates this would require up to three vessel deliveries per week and approximately 10 per month, with each delivery taking approximately 12 hours. • However, the Applicant has not applied for a specific number of vessel movements as this could vary dependent on vessel size and tonnage capacity, production capacity and weather constraints. For example, this could result in more frequent trips of a shorter berthing duration. Vessel procurement discussions are ongoing and dependent upon the granting of a consent. • The proposal seeks to utilise Glebe Island Berth 1, an existing berth that does not require preparatory works, and has been used historically for port-related purposes and the maritime industry. • TfNSW and the Port Authority did not raise navigation or safety issues. • Public submissions raised concerns about navigation and safety. • In response, the Applicant prepared a Navigation Impact Assessment (NA), which concluded the proposal would not have adverse impacts, subject to mitigation measures. • The Department considers the proposal would not result in any significant adverse marine navigation or safety impacts as: <ul style="list-style-type: none"> ◦ the use is compatible with the surrounding waters and would not adversely affect the movement of commercial shipping, public water transport and recreational boating, including dragon boating ◦ Glebe Island Berth 1 is an existing berth used for delivery of raw materials, and it has been used historically for many years by the maritime industry ◦ there would be no impact on the potential re-purposing of the Glebe Island Bridge, as vessels would not be required to pass through it ◦ TfNSW and the Port Authority did not raise any concerns. • To ensure this matter is effectively managed in practice, the Department also recommends a condition requiring the preparation of an Operational Vessel Management Plan (OVMP), to include confirmation of the vessel size, tonnage capacity, number of vessel movements and measures to 	<p>The Department recommends the following conditions:</p> <ul style="list-style-type: none"> • an OVMP is endorsed by TfNSW and the Port Authority prior to occupation or commencement of the use, and a copy submitted to the Planning Secretary • annual throughput of aggregates to be monitored and reported to the Planning Secretary.

ensure the delivery of 1,000,000 tonnes of concrete aggregates per annum is not exceeded.

- The Department concludes the proposal is acceptable with regards to marine navigation and safety, subject to the recommended conditions.

Heritage	<ul style="list-style-type: none"> • The site is not listed as a heritage item, however it sits within the vicinity of a number of heritage items. This includes the locally listed ANZAC Bridge and Glebe Island Silos and the State Heritage listed White Bay Power Station and Glebe Island Bridge. Three Heritage Conservation Areas of local significance (Balmain East, The Valley and Hornsey Street) are located to the north and west of the site. • The Department considers the proposal would not result in any significant heritage impacts as: <ul style="list-style-type: none"> ◦ the proposal is appropriately setback (approximately 10 m) from the Glebe Island Bridge embankment and it would not result in any physical impacts on the bridge ◦ while some long-distance views to the Glebe Island Bridge would be partially impacted, these would be restricted to the western approach only, and the visual form and setting of the Glebe Island Bridge would not be obstructed ◦ the proposal would sit below the height of the Glebe Island Silos, which are located 120 m away ◦ views towards the ANZAC Bridge and Glebe Island Silos would largely remain from key viewpoints ◦ Heritage NSW raised no concerns about the proposal. • The Department therefore concludes the proposal would not result in any significant adverse heritage impacts. 	No conditions recommended.
Archaeological heritage	<ul style="list-style-type: none"> • The Applicant's Heritage Impact Statement (HIS) identified the potential for archaeological remains of local significance associated with the first Glebe Island Bridge (1862) to be present in the vicinity of the proposal. • The HIS stated that no previously recorded Aboriginal sites would be impacted by the proposed works. • Inner West Council raised concerns about heritage impacts on the remains of the first Glebe Island Bridge and its embankments, and stated a monitoring condition should be included to prevent damage to any encountered relics. • To address Council's concerns the Applicant included a monitoring program and Archaeological Research Design and Methodology. • The Department has assessed the potential archaeological impacts associated with the proposal and is satisfied impacts would not be adverse as: <ul style="list-style-type: none"> ◦ extensive excavation would not be required to establish the proposal ◦ the implementation of a monitoring program and Archaeological Research Design and Methodology would ensure impacts are appropriately managed. • The Department considers that it is unlikely there would be any previously unknown Aboriginal sites on this land, given the amount of past disturbance to the site. The Department has also recommended a condition requiring works to cease if any previously unidentified Aboriginal objects found. • The Department also notes Heritage NSW recommended an archaeological design methodology and monitoring program, and EESG did not make any comments regarding Aboriginal heritage. • The Department considers the recommended conditions sufficient to manage any potential archaeological or Aboriginal heritage impacts. 	<p>The Department recommends the following condition:</p> <ul style="list-style-type: none"> • A historical archaeological monitoring program be undertaken concurrently with excavation works • Works to cease if any previously unidentified Aboriginal objects found.
Stormwater	<ul style="list-style-type: none"> • The Applicant submitted a Water Quality Impact Assessment (WQIA) to assess the potential stormwater impacts associated with the proposal. 	The Department recommends the following condition:

	<ul style="list-style-type: none"> The proposal seeks to manage stormwater through a treatment system together with regular monitoring. The EPA supports the Applicant's findings and did not raise any concerns regarding stormwater management. The Department considers the proposal is acceptable with regards to stormwater because: <ul style="list-style-type: none"> MUSIC modelling shows the stormwater treatment system can comply with Leichhardt DCP 2013 it includes a treatment system that includes enviropods, rainwater and stormwater tanks it would collect and re-use stormwater and industrial wastewater for batching run-off water quality would be monitored. The Department recommends a condition requiring the preparation of an Operational Stormwater Quality Management Plan (OSQMP), including requirements for monitoring. The Department concludes that subject to the recommended condition, the proposal would not have any adverse impacts on stormwater. 	<ul style="list-style-type: none"> an OSQMP is prepared prior to the commencement of operation.
Hazards	<ul style="list-style-type: none"> The Applicant prepared a Risk Screening in accordance with State Environmental Planning Policy No 33 – Hazardous and Offensive Development (SEPP 33), which concludes the hazardous materials identified for storage (truck cleaning fluids and diesel) would not result in the proposal being a potentially hazardous or potentially offensive industry. Therefore, a Preliminary Hazard Analysis is not required. The Department accepts the findings of the Risk Screening and is satisfied the proposal is consistent with SEPP 33. 	No conditions recommended.
Biodiversity & Ecological impacts	<ul style="list-style-type: none"> Public submissions raised concern about the potential environmental and ecological impacts associated with the proposal. EESG did not raise any concerns with the proposal. The Department considers the proposal would not result in any adverse biodiversity or ecological impacts as the site is located within a highly disturbed and urbanised setting, covered in concrete and asphalt and cleared of remnant vegetation. No threatened flora or fauna or habitat exists on the site. Further, no piling or water-based works are proposed. The Department therefore concludes the proposal would not result in any adverse biodiversity or ecological impacts. 	No conditions recommended.
Property devaluation	<ul style="list-style-type: none"> Public submissions raised concerns about the potential impacts of the proposal on property values. The Department considers the proposal would not result in any significant impact on property values because: <ul style="list-style-type: none"> the Department's assessment demonstrates the proposal would not have any unacceptable impacts on the amenity of the surrounding area the proposal would continue the long-term port and employment use of the site the site and its surrounds are identified for future urban renewal. 	No conditions recommended.
Other operational impacts	<ul style="list-style-type: none"> Public submissions raised concerns regarding operational waste management and compliance with conditions of consent. The Department considers impacts associated with other operational matters would be minor and can be managed in accordance with standard conditions, including a requirement for an updated Operational Environmental Management Plan (OEMP). This will include requirements to ensure waste is appropriately managed and complaints management procedures. 	The Department recommends an OEMP be prepared which includes: consideration of waste management, mitigation, monitoring and response actions, and preparation of a community consultation and complaints management procedure.

7 Evaluation

7.1.1 The Department has considered all relevant matters under section 4.15 of the EP&A Act, the objects of the EP&A Act and the principles of ecologically sustainable development (as outlined in **Appendix C**). The Department has also carefully considered the issues raised in public submissions and advice from Councils and government agencies.

7.1.2 The Department considers the proposal is acceptable for following reasons:

- it is permissible with consent and consistent with the Port and Employment and Maritime Waters zone objectives
- it is consistent with the State Infrastructure Strategy, NSW Freight and Ports Plan and Greater Sydney Region Plan, which identify Glebe Island and White Bay for retention as a working port to support construction projects in the surrounding area and limit the number of vehicles using the road network
- while the Department appreciates that the long-term planning vision for Glebe Island includes opportunities for urban renewal, there remains a strong imperative within the existing and emerging strategic planning framework for the site to maintain and utilise Sydney's working harbour
- it is consistent with the Draft Bays West Place Strategy's designation of the site as a concrete batching facility
- the site is well located to reduce truck movements on Sydney's roads given its proximity to the CBD and large infrastructure projects and the use of ships to deliver materials would substantially reduce the number of truck movements that would otherwise be required to service such a development
- the built form and visual impacts of the proposal are acceptable, noting that it would be in keeping with the large-scale structures surrounding the site, including the Glebe Island Silos and the ANZAC Bridge
- the Applicant has committed to implementing a range of mitigation measures which would reduce the noise impacts of the batching plant and ship berthing activities, including using a dedicated vessel that would minimise ship noise as much as practicable
- the proposal is predicted to comply with the relevant noise criteria in the residential areas of Glebe and Balmain for all periods (day, evening and night-time). While the proposal would result in some exceedances of the relevant noise criteria at the nearest residences in Pyrmont, these residences were constructed with in-built noise attenuation, in recognition of their proximity to the working harbour
- the proposal is predicted to meet all relevant air quality criteria at sensitive receivers and it incorporates best practice controls for managing emissions
- traffic impacts would be appropriately mitigated to an acceptable level, through imposing a cap on the maximum number of trucks which could use The Crescent/City West Link intersection, prior to the opening of the WestConnex M4-M5 Link's Rozelle Interchange
- the proposal is in the public interest as it would supply concrete in close proximity to the CBD and major infrastructure projects and support the construction industry and broader economy.

The Department considers the proposal is approvable, subject to the conditions of consent outlined within this report. This assessment report is hereby presented to the Commission for determination.

Recommended by:



Anthony Witherdin

Director

Key Sites Assessments

Recommended by:



Anthea Sargeant

Executive Director

Key Sites and Regional Assessments

Appendices

Appendix A – List of Documents

The following supporting documents and supporting information to this assessment report can be found on the Department's website as follows:

Environmental Impact Statement

<https://www.planningportal.nsw.gov.au/major-projects/project/9751>

Submissions on Environmental Impact Statement

<https://www.planningportal.nsw.gov.au/major-projects/project/9751>

Applicant's Response to Submissions

<https://www.planningportal.nsw.gov.au/major-projects/project/9751>

Government Agency and Council Submissions on Response to Submissions

<https://www.planningportal.nsw.gov.au/major-projects/project/9751>

Supplementary Response to Submissions

<https://www.planningportal.nsw.gov.au/major-projects/project/9751>

Government Agency and Council Submissions on Supplementary Response to Submissions

<https://www.planningportal.nsw.gov.au/major-projects/project/9751>

Independent specialist peer review of Applicant's AQIA

<https://www.planningportal.nsw.gov.au/major-projects/project/9751>

Additional Information (updated Air Quality information)

<https://www.planningportal.nsw.gov.au/major-projects/project/9751>

Appendix B – Community Views for Draft Notice of Decision

Issue	Consideration
<p>Noise</p> <ul style="list-style-type: none"> noise from vessels, vehicles and the plant will be excessive the Port Noise Policy (PNP) should not apply to this proposal shore to ship power should be investigated there should be an independent recommendation on appropriate noise limits for the Glebe Island and White Bay area. 	<p><i>Assessment</i></p> <ul style="list-style-type: none"> The Department proposes separate land-based noise limits to ensure no excessive noise is generated when vessels are not berthed. The proposal represents best practice and delivers the best possible noise outcome. The Department has had regard to the PNP in its assessment, if it establishes lower noise limits than the Noise Policy for Industry (NPII) in the future. However, the NPII has been used as the current standard as it sets the best achievable noise limits for the proposal. The proposed limits would ensure 24-hour-a-day, seven-days-a-week operation is acceptable, consistent with other port operations in the area, including the adjoining Multi-User Facility. The Department considers the provision of shore to ship power is not feasible at this point in time due to the lack of capability of vessels that will visit the site being able to connect to such a supply. The Department considers it is not advisable to place restrictions on the time of day ships can unload, as this can lengthen the total unloading time and therefore potentially exacerbate other impacts, such as engine noise, and provide difficulty for scheduling ship arrival and leaving times Noise from tug vessels would not have adverse impacts because it is temporary, is a standard safety practice in the harbour and regulated by the Port Authority. The Department notes that the Applicant intends to source a vessel that can be operated generally without the use of tugs. This matter is further discussed in Section 6. <p><i>Recommended Conditions/Response</i></p> <ul style="list-style-type: none"> Conditions include requirements for compliance with strict noise criteria during operation, monitoring and reporting, and preparation of an Operational Noise Management Plan.
<p>Air quality</p> <ul style="list-style-type: none"> impacts associated with dust, smoke, and aggregate particles. 	<p><i>Assessment</i></p> <ul style="list-style-type: none"> the Department's independent expert peer reviewed the AQIA and concluded that the proposal would have a relatively low contribution to total air quality emissions, and total impacts that may arise are broadly consistent with industry best practice and can be appropriately mitigated and managed. The proposal was also reviewed by the EPA. A number of mitigation measures are proposed to manage any residual impacts, including monitoring, and the majority of works to take place either inside a specially construction partially enclosed building or enclosed conveyor feeds, and aided by best practice use of a modern vessel to deliver aggregate. This matter is further discussed in Section 6. <p><i>Recommended Conditions/Response</i></p> <ul style="list-style-type: none"> Conditions include requirements for an Operational Air Quality Management Plan, and monitoring and associated annual reporting.
<p>Scale of operations</p> <ul style="list-style-type: none"> excessive, considering other industrial facilities (current and proposed) in the area 24-hours-a-day operation is excessive and hours should be reduced to limit evening and night-time operation. 	<p><i>Assessment</i></p> <ul style="list-style-type: none"> The Department considers the scale of operations and proposed operating hours is acceptable as environmental impacts, including noise, traffic and air quality, would be acceptable (as demonstrated in Section 6), and can be managed in accordance with strict conditions recommended by the Department. The proposal would supply concrete in close proximity to the Sydney CBD and several infrastructure projects, including WestConnex, the Bays Precinct renewal and Sydney Metro West, which is required to be produced outside day-time hours. This matter is further discussed in Section 6. <p><i>Recommended Conditions/Response</i></p> <ul style="list-style-type: none"> Conditions include requirements for the preparation of management plans for these matters, and monitoring and reporting.

Traffic and transport	<i>Assessment</i>
<ul style="list-style-type: none"> the surrounding road network cannot handle the additional vehicles impacts on existing and future regional cycling links are not fully assessed the proposal prevents public access to the foreshore. 	<ul style="list-style-type: none"> The level of impact on the surrounding traffic network can be managed through a temporary cap on truck movements, until the M4-M5 Link's Rozelle Interchange opens, and further assessment of traffic impacts occurs. Impacts on the road network would be reduced through the delivery of aggregate by ship, the co-location of this facility with the concrete batching plant, and the import of cement from the nearby Glebe Island Silos, which does not require trucks to enter the public road network. Further, the site has good access to the existing arterial road network and future motorway network following the opening of the Rozelle Interchange. The non-provision of bicycle and pedestrian access through the site and more broadly on Glebe Island is acceptable because access to the site and broader port area is restricted due to the customs area secure zone. The Department considers the proposal would not preclude the re-opening of Glebe Island Bridge because the site does not encroach on the bridge or the likely route of any future connections. This matter is further discussed in Section 6.
	<i>Recommended Conditions/Response</i>
	<ul style="list-style-type: none"> Conditions include requirements for a temporary cap on truck movements in the AM peak period, no queuing or parking outside the site boundary, unless otherwise approved by the Port Authority on its land, and preparation of an Operational Traffic Management Plan.
Light pollution	<i>Assessment</i>
<ul style="list-style-type: none"> from both land and water-based activities. 	<ul style="list-style-type: none"> The proposal would not have an adverse impact on residents, the road network or navigation of surrounding waterways as it complies with the requirements of <i>Australian Standard 4282: 1997 – Control of the obtrusive Effects of outdoor lighting</i> (AS 4282), and lighting would be directional and adjustable in order to minimise light spill and glare. The Department proposes a condition requiring a Lighting and Light Spill Report, to include recommendations and mitigation measures (where necessary) to minimise light spill impacts. This matter is further discussed in Section 6.
	<i>Recommended Conditions/Response</i>
	<ul style="list-style-type: none"> Conditions include requiring compliance with AS 4282, the Detailed Lighting Strategy, and for vessels to turn off non-essential lights, consistent with on-board safety and security requirements.
Health/cumulative impacts	<i>Assessment</i>
<ul style="list-style-type: none"> health impacts associated with air quality, noise (e.g. sleep deprivation), light and hours of operation cumulative impacts, including in relation to noise, air quality, traffic and lighting, including from the Multi-User Facility. 	<ul style="list-style-type: none"> As discussed above, the Department considers the proposal would not result in adverse amenity impacts and has recommended strict conditions to ensure these matters are appropriately managed, including for the preparation of management plans and requirements for monitoring and reporting. This matter is further discussed in Section 6.
	<i>Recommended Conditions/Response</i>
	<ul style="list-style-type: none"> Conditions include requirements for the preparation of management plans for these matters, and monitoring and reporting.
Site suitability and inconsistency with strategic planning documents	<i>Assessment</i>
<ul style="list-style-type: none"> impacts on tourism the proposal is not in the public interest duration of the approval. 	<ul style="list-style-type: none"> The site is suitable for the proposal as it is existing port and employment zoned land, consistent with the industrial character of the area, and there are very limited other suitable sites, particularly the water-based component. The proposal is in the public interest and would therefore not have adverse impacts on tourism. The proposal is consistent with the current strategic planning documents for the area and would facilitate the renewal of the Bays Precinct, including the new Fish Market.

- This matter is further discussed in **Section 6**.

Recommended Conditions/Response

- No conditions recommended.

Visual impact and heritage

- the community should have design input
- the scale of the structures is excessive.

Assessment

- The Department considers the design and materials of the buildings, silos, conveyors and shipping containers are appropriate as they are consistent with the working harbour character of Glebe Island (including the existing Glebe Island silos), and would therefore have an acceptable visual impact on scenic quality of the harbour and surrounding foreshores.
- Any potential archaeological impacts, including on the first Glebe Island Bridge, would be managed and mitigated by the Applicant's proposed monitoring program and Research Design and Methodology.
- This matter is further discussed in **Section 6**.

Recommended Conditions/Response

- Conditions include requirements for a monitoring program and Research Design and Methodology, all site structures to be maintained in a proper and efficient condition, and the Applicant to investigate options to soften visual impact with the local community (such as the creation of an artistic wrap) as part of a Public Art Strategy.

Environment and ecology

- including impacts on biodiversity and water quality
- ecologically sustainable development

Assessment

- The Department considers the proposal would not result in any biodiversity or ecological impacts, as no threatened flora or fauna, or habitat for such, is available on the site, particularly given the site is located within a highly urbanised setting, completely cleared of remnant vegetation and covered in concrete and asphalt.
- The Department concludes water quality impacts are acceptable and proposes conditions to ensure any impacts are appropriately managed.
- These matters are further discussed in **Section 6**.

Recommended Conditions/Response

- Conditions include requirements for preparation of a Stormwater Quality Management Plan.

Marine navigation and safety

Assessment

- The Department considers the proposal is acceptable regarding marine navigation and safety as it is compatible with the existing and historical use of these waters, and it would not impact on the re-purposing of the Glebe Island Bridge.
- The proposal would therefore not adversely impact on marine navigation and safety, subject to recommended conditions.
- This matter is further discussed in **Section 6**.

Recommended Conditions/Response

- Conditions include requirements for preparation of an Operational Vessel Management Plan, to be endorsed by TfNSW and the Port Authority and annual throughput of aggregates to be monitored and reported to the Planning Secretary.

Property devaluation

Assessment

- The Department considers the proposal would not result in any impact on property values because:
 - the Department's assessment demonstrates the proposal would not have any unacceptable impacts on the amenity of the surrounding area
 - the proposal would continue the long-term port and employment use of the site
 - the site and its surrounds are identified for future urban renewal.
- This matter is further discussed in **Section 6**.

Recommended Conditions/Response

	<ul style="list-style-type: none"> No conditions recommended.
Monitoring of compliance with conditions of consent	<p><i>Assessment</i></p> <ul style="list-style-type: none"> The recommended conditions will adequately protect the amenity of surrounding occupiers. The Department's compliance team will monitor the Applicant's adherence to conditions. This matter is further discussed in Section 6. <p><i>Recommended Conditions/Response</i></p> <ul style="list-style-type: none"> Conditions include requirements for an Operational Environmental Management Plan, including monitoring of matters such as noise.
Quality of the application	<p><i>Assessment</i></p> <ul style="list-style-type: none"> lack of plain English information documents are flawed and lack independence. <ul style="list-style-type: none"> The Department is satisfied the Applicant has adequately assessed the relevant issues to sufficiently inform relevant government agencies consideration of the proposal and the Department's assessment. <p><i>Recommended Conditions/Response</i></p> <ul style="list-style-type: none"> No conditions recommended.
Community consultation	<p><i>Assessment</i></p> <ul style="list-style-type: none"> lack of community consultation by the Applicant the IPC should hold a public meeting and determine the application. <ul style="list-style-type: none"> The Department considers the consultation undertaken by the Applicant is sufficient, and notes the Applicant participates in the Glebe Island and White Bay Community Liaison Group. Further, the Department has undertaken extensive community consultation and carefully considered all the issues raised, including publicly exhibiting the application, notifying adjoining and nearby land owners and requesting the Applicant respond to all issues raised. Additionally, the Department has met with local residents on two separate occasions to discuss their concerns. The IPC will also hold a public meeting as part of its assessment. The Department considers ongoing community consultation is required during construction and operation, and recommends conditions requiring preparation of a Community Communication Strategy and establishment of a Community Consultative Committee. <p><i>Recommended Conditions/Response</i></p> <ul style="list-style-type: none"> Conditions include the requirement to prepare a Community Communication Strategy and establish a Community Consultative Committee.
Construction management	<p><i>Assessment</i></p> <ul style="list-style-type: none"> The Department considers construction impacts are acceptable and can be adequately managed in accordance with standard conditions and procedures given the works are relatively minor in nature, and would be undertaken primarily within standard construction hours. This matter is further discussed in Section 6. <p><i>Recommended Conditions/Response</i></p> <ul style="list-style-type: none"> Conditions include a requirement for preparation of a detailed Construction Environmental Management Plan, including separate plans for the management of noise, traffic, and air quality, and a Community Communication Strategy.
Operational waste management	<p><i>Assessment</i></p> <ul style="list-style-type: none"> The Department considers impacts associated with operational matters, such as waste management, would be minor and can be effectively managed in accordance with standard conditions. This matter is further discussed in Section 6. <p><i>Recommended Conditions/Response</i></p> <ul style="list-style-type: none"> Conditions include requirements for the preparation of an Operational Environmental Management Plan, including a waste management plan.

Social impacts

Assessment

- The proposal provides benefits for the community through the use of an existing port for aggregate handling and providing a concrete batching plant in close proximity to areas identified for renewal and development, and would not have any adverse social impacts.

Recommended Conditions/Response

- No conditions recommended.
-

Appendix C – Statutory Considerations

In line with the requirements of section 4.15 of the EP&A Act, the Department's assessment of the project has provided a detailed consideration to a number of statutory requirements. These include:

- the objects found in section 1.3 of the EP&A Act
- the matters listed under section 4.15(1) of the EP&A Act, including applicable EPIs and regulations.

The Department has considered all of these matters in its assessment of the project and has provided a summary of this assessment in **Tables 1** and **2**.

Table 1 | Consideration of objects of the EP&A Act

Objects of the EP&A Act	Summary
(a) to promote the social and economic welfare of the community and a better environment by the proper management, development and conservation of the State's natural and other resources	The proposal promotes the social and economic welfare of the community by using an existing port for aggregate handling and providing a concrete batching plant close to renewal and development areas. Environmental impacts would be reduced by minimising road movements, and the co-location of aggregate handling and concrete batching facilities. The Department has also recommended a suite of conditions to address the potential impacts of the proposal to an acceptable standard.
(b) to facilitate ecologically sustainable development by integrating relevant economic, environmental and social considerations in decision-making about environmental planning and assessment	The principles of ecologically sustainable development are considered below.
(c) to promote the orderly and economic use and development of land	The uses are permissible (see Section 4.2) and the proposal would ensure the continued provision of concrete in close proximity to infrastructure and other development and minimise vehicular trips by using the existing adjacent water berth. The merits of the proposal are considered in Section 6 .
(d) to promote the delivery and maintenance of affordable housing	The provision/maintenance of affordable housing is not relevant to the proposal.
(e) to protect the environment, including the conservation of threatened and other species of native animals and plants, ecological communities and their habitats	The proposal would not have adverse impacts to threatened and other species of native animals and plants, ecological communities and their habitats.
(f) to promote the sustainable management of built and cultural heritage (including Aboriginal cultural heritage)	The Department consulted Heritage NSW and EESG, who raised no objection to the revised proposal subject to recommended conditions (see Section 6).
(g) to promote good design and amenity of the built environment	The proposal would exhibit sufficient design quality and amenity, given the nature of the surrounding port and employment uses (Section 6).
(h) to promote the proper construction and maintenance of buildings, including the protection of the health and safety of their occupants	Recommended conditions would ensure the proposal is constructed in compliance with all relevant building codes and health and safety requirements.
(i) to promote the sharing of the responsibility for environmental planning and assessment between the different levels of government in the State	The Department consulted Inner West and City of Sydney Councils and relevant government agencies (Section 5).

- (j) to provide increased opportunity for community participation in environmental planning and assessment. **Section 5** details the Department's engagement.

Table 2 | Consideration of section 4.15(1) of the EP&A Act

Section 4.15(1) Evaluation	Summary
(a)(i) any environmental planning instrument	The proposal complies with the relevant legislation, as addressed in Section 4 and the consideration of other relevant EPIs provided below.
(a)(ii) any proposed instrument	See below.
(a)(iii) any development control plan	Under clause 11 of the SRD SEPP, development control plans (DCPs) do not apply to SSD. Notwithstanding, consideration has been given to DCPs where relevant.
(a)(iia) any planning agreement	Not applicable.
(a)(iv) the regulations	The application satisfactorily meets the relevant requirements of the Regulation, including the procedures relating to applications (Part 6), fees (Part 15), public participation procedures for SSD and Schedule 2 of the EP&A Regulation relating to the EIS.
(a)(v) any coastal zone management plan	Not applicable.
(b) the likely impacts of that development including environmental impacts on both the natural and built environments, and social and economic impacts in the locality,	The Department considers the impacts of the development are acceptable and are either appropriately mitigated or conditioned (Section 6).
(c) the suitability of the site for the development	The site is suitable for the development as discussed in Sections 4 and 6 .
(d) any submissions	Consideration has been given to submissions received on the EIS, RtS and SRtS. (Sections 5 and 6).
(e) the public interest	The proposal is in the public interest as it would ensure the continued provision of concrete in close proximity to infrastructure and other development and minimise vehicular trips by using the existing adjacent water berth.
Biodiversity values exempt if: (a) On biodiversity certified land (b) Biobanking Statement exists	Not applicable.
The likely impact of the proposed development on biodiversity values as assessed in the biodiversity development assessment report. (Section 7.14 of the <i>Biodiversity Conservation Act 2016</i>)	The Department consulted with EESG and considers the proposal would not have any adverse impact on biodiversity values (Section 6).

Ecologically Sustainable Development

The Act adopts the definition of ESD found in the *Protection of the Environment Administration Act 1991*. Section 1.3(b) of that Act states that ESD requires the effective integration of economic, environmental and social considerations in decision-making processes and that ESD can be achieved through the implementation of:

- (a) the precautionary principle
- (b) inter-generational equity
- (c) conservation of biological diversity and ecological integrity
- (d) improved valuation, pricing and incentive mechanisms.

The Department has assessed the proposed development in relation to the ESD principles and has made the following conclusions:

- **Precautionary Principle** - the site has previously been used for similar port-related uses and would not result in any serious or irreversible environmental damage.
- **Inter-Generational Equity** - the proposal would not have adverse impacts for future generations, subject to recommended conditions. The proposal would offset job losses due to the closure of the Applicant's Blackwattle Bay concrete batching plant and secure the supply of concrete for the surrounding area for the short-medium term.
- **Biodiversity Principle** – the proposal would not have any significant flora, fauna or biodiversity impacts, subject to the proposed mitigation measures and recommended conditions. The co-location of aggregate handling and concrete batching facilities would assist in minimising environmental impacts, and reduce vehicle movements through deliveries by water.
- **Valuation Principle** – the proposal includes a number of measures to limit ongoing cost, resource and energy requirements. These include collection and re-use of industrial wastewater, rainwater tanks, and re-use of unused concrete, aggregates and sand in the batching process.

ENVIRONMENTAL PLANNING INSTRUMENTS

Controls considered as part of the assessment of the proposal are:

- State Environmental Planning Policy (State and Regional Development) 2011 (SRD SEPP)
- State Environmental Planning Policy (State Significant Precincts) 2005 (SSP SEPP)
- State Environmental Planning Policy (Infrastructure) 2007 (ISEPP)
- State Environmental Planning Policy 55 – Remediation of Land (SEPP 55)
- Draft State Environmental Planning Policy for the Remediation of Land (draft Remediation SEPP)
- State Environmental Planning Policy 33 – Hazardous and Offensive Development (SEPP 33)
- State Environmental Planning Policy (Coastal Management) 2018 (Coastal SEPP)
- Sydney Regional Environmental Plan No.26 – City West (SREP 26)
- Sydney Regional Environmental Plan (Sydney Harbour Catchment) 2005 (SHC SREP)
- Draft State Environmental Planning Policy (Environment) (draft Environment SEPP)
- Other Plans and Policies:
 - Glebe Island and White Bay Master Plan
 - Sydney Harbour Foreshores and Waterways Area DCP 2005.

State Environmental Planning Policy (State and Regional Development) 2011 (SRD SEPP)

The SRD SEPP aims to identify development that is of State significance due to its size, economic value or potential impact. The proposed development constitutes State significant development under clause 2 of Schedule 2 of the SRD SEPP as it is development on land within the Bays Precinct Site with a capital investment value (CIV) of more than \$10 million (\$22.27 million).

State Environmental Planning Policy (State Significant Precincts) 2005 (SSP SEPP)

The SSP SEPP seeks to facilitate the development, redevelopment or protection of important urban, coastal and regional sites of economic, environmental or social significance to the State (State Significant Precincts) for the benefit of the State.

The site is located within the Sydney Harbour Port and Employment Related Lands area. Any development in this area with a capital investment value (CIV) below \$10 million requires development consent from the Minister when the development is carried out by a person other than a public authority.

As noted, the CIV for this development is above \$10 million and therefore the Minister for Planning and Public Spaces is the consent authority under the SRD SEPP.

State Environmental Planning Policy (Infrastructure) 2007 (ISEPP)

The ISEPP aims to facilitate the effective delivery of infrastructure across the State by improving regulatory certainty and efficiency, identifying matters to be considered in the assessment of development adjacent to particular types of infrastructure development, and providing for consultation with relevant government agencies about certain development during the assessment process.

The proposal was referred to TfNSW and TfNSW (Roads) for comment and their comments are summarised in **Section 5**. The Department considers the proposal is consistent with the ISEPP given this consultation and consideration of the issues raised (**Section 6**).

State Environmental Planning Policy No. 55 - Remediation of Land (SEPP 55)

SEPP 55 aims to ensure that potential contamination issues are considered in the determination of a development application. SEPP 55 requires the consent authority to consider whether the land is contaminated, and if so, whether the land is suitable for the proposed development.

The site has a history of industrial uses and is on reclaimed land. The proposal is consistent with historic port-related uses. The Stage 1 Preliminary Environmental Study found the potential contamination sources include storage of fuels and chemicals on site, use of lead-based paint and asbestos in early buildings on the site, and imported fill material containing contaminated soil.

The site is fully sealed by hardstand surfaces (and would return to this state post-development) and therefore contact with fill is only expected during the limited amount of piling and excavation required for foundations and drainage infrastructure. The assessment confirms the site is suitable for the proposed development in its contaminated state without the need for remediation. Excavated fill would be required to be handled and disposed of accordingly.

Inner West Council or the EPA did not raise any concerns. The Department is satisfied the site is suitable with regard to the provisions of SEPP 55 for the proposed development, subject to standard conditions.

Draft Remediation of Land State Environmental Planning Policy (draft Remediation SEPP)

The Explanation of Intended Effect for a new Remediation of Land SEPP was exhibited until 13 April 2018. The draft Remediation SEPP proposes to better manage remediation works by aligning the need for development consent with the scale, complexity and risks associated with proposals.

The key operational framework of SEPP 55 is to be maintained in the new SEPP and new provisions are unlikely to significantly affect this application. As such, the Department considers the proposed development would be consistent with the intent of the Draft Remediation SEPP, subject to standard conditions.

State Environmental Planning Policy No 33 – Hazardous and Offensive Development (SEPP 33)

SEPP 33 seeks to ensure the relevant authority has sufficient information to assess whether a development is hazardous or offensive, and if the development is found to be hazardous or offensive, to impose conditions to reduce or minimise any adverse impact.

The Applicant prepared a Risk Screening in accordance with SEPP 33, which concludes the hazardous materials identified for storage (truck cleaning fluids and diesel) would not result in the proposal being

declared a potentially hazardous or potentially offensive industry. Therefore, a Preliminary Hazard Analysis is not required. The Department therefore considers the proposal is consistent with SEPP 33.

State Environmental Planning Policy (Coastal Management) 2018 (Coastal SEPP)

The Coastal SEPP consolidates and replaces SEPP 14 (Coastal Wetlands), SEPP 26 (Littoral Rainforests) and SEPP 71 (Coastal Protection).

The Coastal Management SEPP gives effect to the objectives of the Coastal Management Act 2016 (NSW) from a land use planning perspective. It defines four coastal management areas and provides assessment criteria tailored for each coastal management area. The consent authority must apply those criteria when assessing proposals for development that fall within one or more of the mapped areas.

The Coastal SEPP identifies the site as being located within the Coastal environment area and Coastal use area. Land within these areas are subject to clause 13 and 14, however as the site is located on land within the Foreshores and Waterways Area of the Sydney Regional Environmental Plan (Sydney Harbour Catchment) 2005, clauses 13 and 14 of the Coastal SEPP do not apply.

Sydney Regional Environmental Plan No.26 – City West (SREP 26)

SREP 26 provides planning principles for development within the area identified as City West. The site is located within the Bays Precinct part of the City West area, and the Department has considered the relevant provisions of SREP 26 in **Table 3**.

Table 3 | Department's consideration of SREP No. 26 – City West

Criteria	Department's consideration
Clause 2 Areas covered by this plan <ul style="list-style-type: none"> This plan applies to the land shown on Map. This plan does not apply to land to which the Sydney Local Environmental Plan 2012 applies. 	<p>The site is located on land shown on Map 1 of SREP 26.</p> <p>The site is not located on land to which the Sydney Local Environmental Plan 2012 applies.</p>
Clause 3 Precincts The City West area incorporates four precincts	<p>The site is located within the "Bays Precinct".</p>
Clause 4 Aims on the Plan This plan aims to establish planning principles and controls and promote the orderly and economic use and development of land.	<p>The proposal is consistent with the orderly and economic use of the land as the site is zoned for port and employment use and located within an existing working port. The proposal would provide concrete in close proximity to areas identified for renewal and infrastructure projects.</p>
Clause 11 Planning principles of regional significance for City West Provides a set of planning principles for land within City West.	<p>The proposal does not propose to provide public domain works or public access to the foreshore, however this is due to the incompatibility of such access with its port and employment use.</p> <p>The proposal would support the operation, concentration and rationalisation of commercial shipping facilities, in order to meet the changing needs of Sydney Harbour as a commercial port. Environmental impacts would be managed through conditions of consent (Section 6 and Appendix D), including waste minimisation and water cycle management. Therefore, the proposal is consistent with relevant City West planning principles.</p> <p>The development would have an acceptable impact on amenity (Section 6).</p> <p>The development would respect the character of heritage items and conservation areas (Section 6).</p>

	<p>The use of public transport is encouraged through a Travel Plan (Section 6), however the Department also recommends a condition requiring this to be updated for currency.</p> <p>The proposal would be compliant with accessibility requirements, as discussed in Section 6.</p>
<p>Clause 15 Planning principles of regional significance for Precincts</p> <p>Provides a set of planning principles for land within the Bays Precinct.</p>	<p>The proposal is consistent with the Bays Precinct planning principles as it would:</p> <ul style="list-style-type: none"> reinforce and complement the role of the Precinct as a major inner-harbour port, and recognise its 24-hour operation utilise the advantage of the Precinct's location and infrastructure provide a mixture of port and employment uses and retain the precinct's maritime character reduce traffic impacts through co-location of aggregate handling and concrete batching not have adverse impacts on views from within the Precinct and to and across the Precinct from surrounding areas (Section 6) not propose public access to the foreshore due to incompatibility with surrounding land uses.
<p>Clause 16 How Land is zoned</p> <p>The zoning of the land is shown on Map 2.</p>	<p>The site is located on land zoned Port and Employment as identified on Map 2.</p>
<p>Clause 20C Port and Employment Zone</p> <p>Only uses which the consent authority is satisfied are generally consistent with one or more of the zone objectives are permissible.</p> <p>The objectives of the 20C Port and Employment Zone are:</p> <ul style="list-style-type: none"> to facilitate the continuation of commercial port uses, and to allow a range of commercial port facilities (such as buildings, structures, activities or operations and uses ancillary to these, associated with carrying goods from one port to another and associated with storage and handling and access to the port), and to encourage development on Glebe Island and land adjoining White Bay which requires close proximity to the port, and to encourage a mix of land uses which generate employment opportunities, particularly in relation to port and maritime uses, and to allow a mix of uses which generate employment opportunities in the White Bay Power Station site, and to provide for the ongoing rail access to the port and related activities, and to provide pedestrian and cyclist links with surrounding public access networks, and to encourage port-related uses which optimise use of existing rail facilities, and to provide road and rail access to port activities. 	<p>The proposal is consistent with the relevant objectives and is therefore permissible within the zone, as it would:</p> <ul style="list-style-type: none"> facilitate continued commercial port uses and off-set employment lost by the closure of the Applicant's Blackwattle Bay concrete batching plant provide an aggregate handling facility that is associated with carrying goods from one port to another and with storage, handling and access to the port, and which utilises its close proximity to the port.
<p>Clause 23 Maximum building heights</p>	<p>This clause does not apply to Glebe Island.</p>
<p>Clause 24 Application of urban design planning principles</p> <p>The consent authority must be satisfied that the building will be consistent with the urban design planning principles for the Precinct as detailed in clause 15.</p>	<p>The proposal would be consistent with the urban design principles.</p>

Clause 26 Graduated building heights adjacent to heritage items and conservation areas

The height of any building adjacent to a heritage item or conservation area must be such as to provide an appropriate transition in height between the building and either the heritage item or the buildings within the conservation area.

The Department considers the proposal would not have adverse heritage impacts (**Section 6**).

Clause 26A Scale and alignment of building facades

The scale and alignment of the building facades on the street boundary or boundaries respects the width of the street, adjoining heritage items or other contextual elements, as may be defined in an urban development plan prepared and adopted under Division 7 of this plan, or defined in a Master Plan prepared and adopted under Division 8 of this plan.

The proposal would be of appropriate scale in respect of its context, including heritage items (**Section 6**).

The Department has considered the proposal against the provisions of the Glebe Island and White Bay Master Plan in **Table 4**.

Clause 29 General considerations for heritage items

Development of or including a heritage item, in the vicinity of a heritage item, or within a conservation area, must be compatible with the conservation of the heritage significance of the item or the character of the conservation area.

The area proposed to be developed is not listed as a heritage item, however the proposal is in the vicinity of heritage items and conservation areas. The development would respect the character of these (**Section 6**).

Clause 30 Duty of consent authority

Before granting consent to any such development, the consent authority must consider:

- the heritage significance of the heritage item or conservation area, and
- the impact that the proposed development will have on the heritage significance of the heritage item and its setting or the conservation area, and
- the measures proposed to conserve the heritage significance of the heritage item and its setting or the conservation area, and
- whether any archaeological site or potential archaeological site would be adversely affected.

Clause 33 Potential archaeological sites

Before determining an application for consent to development on land identified in an urban development plan as a potential archaeological site, the consent authority may request a report on the likely impact of the development on any archaeological material.

The Department considers that no archaeological site or potential archaeological site would be adversely affected by this proposal, subject to the recommended conditions (**Section 6**).

Clause 40 Requirement for and use of Master Plans

The consent authority must consider the relevant Master Plan.

The proposal is generally consistent with the Glebe Island and White Bay Master Plan, as discussed in **Table 4**.

Clause 49 Land decontamination

The consent authority must consider whether there is a risk to health and whether remediation is required.

Contamination has been considered under the assessment of SEPP 55 in **Appendix C**.

Clause 50 Services

Development must not be carried out on any land until arrangements have been made for the supply of water, sewerage and drainage which are satisfactory to the Water Board.

The Department consulted Sydney Water, who raised no concerns, as discussed in **Section 5**.

Clause 52 Views of other bodies about development in Precincts

The consent authority must, where it considers it appropriate, seek the views of the Leichhardt Council, the City West Development Corporation, the Sydney Ports Corporation, the Office of Marine Administration, the Maritime Authority of NSW, the Rail Access Corporation, the State Rail Authority, the Freight Rail Corporation and the Director-General of the Department of Transport.

The Department consulted Inner West and City of Sydney Councils, UrbanGrowth NSW, the Port Authority of NSW, TfNSW, TfNSW (Roads) and Sydney Trains. The result of this consultation is outlined in **Section 5**, and the issues raised considered in **Section 6**.

Clause 53 Views of other bodies about development within Waterways zone

For land within the Waterways Zone, the consent authority must seek the views of the Maritime Services Board regarding the effect of development on the navigational safety and operations of the Port of Sydney.

The Department consulted TfNSW. The result of this consultation is outlined in **Section 5**, and the issues raised considered in **Section 6**.

Glebe Island and White Bay Master Plan

The Glebe Island and White Bay Master Plan provides principles, provisions and actions that aim to implement the requirements of SREP 26. This master plan is required to be considered by a consent authority when determining development applications, however it has the status of a DCP, does not apply to SSD proposals, and its provisions do not take precedence over the zoning and related objectives applicable to the site under SREP 26.

The Department has considered the relevant clauses in this master plan in **Table 4**.

Table 4 | Department's consideration of Glebe Island and White Bay Master Plan

Criteria	Department's consideration
Section 2 Master Plan	
Section 2.1 Vision	
<ul style="list-style-type: none">• upgrade existing infrastructure to allow for growth and to improve efficiency• provide guidelines for all port development• improve the public presentation of the port• ensure new development is of a high standard of urban design• improve noise, light spill and traffic management• provide a framework to resolve potential conflicts between Port operations and adjoining land uses• improve ESD practices to minimise the impacts of current and proposed development and activities.	<p>The proposal is consistent with the planning and urban design vision as it would increase the site's capacity and efficiency, whilst managing issues such as noise, light spill and traffic, therefore minimising potential conflict with adjoining land uses.</p> <p>The proposal is of an acceptable standard of urban design (Section 6).</p> <p>The proposal provides a number of ESD measures, including collection and re-use of industrial wastewater within the facility, and re-use of aggregates, sand and unused concrete in the batching process.</p>
2.2 Land Use	
<ul style="list-style-type: none">• recognise the continued role of White Bay/Glebe Island as the significant commercial port facility in Sydney Harbour and facilitate continued use• provide for improved port efficiency and competitiveness• provide enhanced environmental performance• allow for bulk goods unloading by a conveyor mechanism on White Bay Wharves 1 and 2. Allow for storage in new buildings on the back-up land or direct loading to rail.• permit a maximum of 9 ships serving White Bay and Glebe Island at any one time.	<p>The modified proposal improves efficiency of the site for the continued use as a commercial port and for maritime operations in Sydney Harbour.</p> <p>The environmental performance is acceptable (Section 6).</p> <p>TfNSW or the Port Authority has not raised concerns in relation to maritime traffic and the Department considers there would be no adverse impacts, subject to recommended conditions of consent (Section 6).</p>
2.4 Views, Building Heights and Building Zones	
<ul style="list-style-type: none">• maintain existing views to landmarks and heritage items• provide flexibility for locating port facilities including buildings and silos• comply with maximum building and container stack heights.	<p>The proposal would have no adverse view impacts on panoramas or landmarks, or obstruct the key view corridors shown in the master plan (Section 6).</p> <p>The consistency of the proposal with the recommended maximum building heights (Figure 1) is discussed in Section 6.</p>
2.5 Built Quality	

- improve the overall appearance of the port
- provide a framework to ensure that development within the Port achieves a high standard of urban design
- allow for flexibility in operating the Port to the best international standards
- provide urban design principles which recognise the location of the Port adjacent to residential areas with particular attention to the physical provision of noise control measures.

The proposal is of an acceptable design standard, as it would not detract from the character of the port, and the materials and form are consistent with the surrounding area (**Section 6**).

The proposal would not result in adverse noise impacts, as discussed in **Section 6**.

2.7 Landscaping

- reinforce the distinctive identity for the port
- soften the 'hardscape' of the port with plants wherever possible
- ensure that the proposed landscape works are consistent with the other provisions of this Master Plan.

The proposal would not have an adverse impact on the strip of mounted landscaping along the south-western boundary of the site.

The Department recommends a condition requiring preparation of a Landscape Plan to soften the visual impacts of the proposal.

2.8 Pedestrian and cycle links

- Recognise that foreshore public access is being substantially improved in nearby areas but cannot be improved in the port area due to customs requirements.

Pedestrian and cycle links within the port are restricted because of the Customs Area Secure Zone, which applies to this site.

2.9 Heritage Conservation

- encourage the conservation of existing heritage items and structures with compatible uses within the Port area
- ensure that Port activities do not detract from the heritage values of items of environmental heritage.

There are no items of heritage significance on the site.

The proposal would not detract from the heritage values of surrounding items or conservation areas (**Section 6**).

2.10 Environment

- minimise the impact of port activities on the marine environment
- minimise impacts of the port activity on the urban environments whilst recognising the operational requirements of the port. Impacts that are required to be addressed include noise, light spill, water quality, air quality and hazard risk.

The proposal would have negligible additional impact on the marine environment. Any impact during construction or operation would be appropriately managed by conditions.

The proposal would have an acceptable impact with regards to these matters, including noise and light spill (**Section 6**).

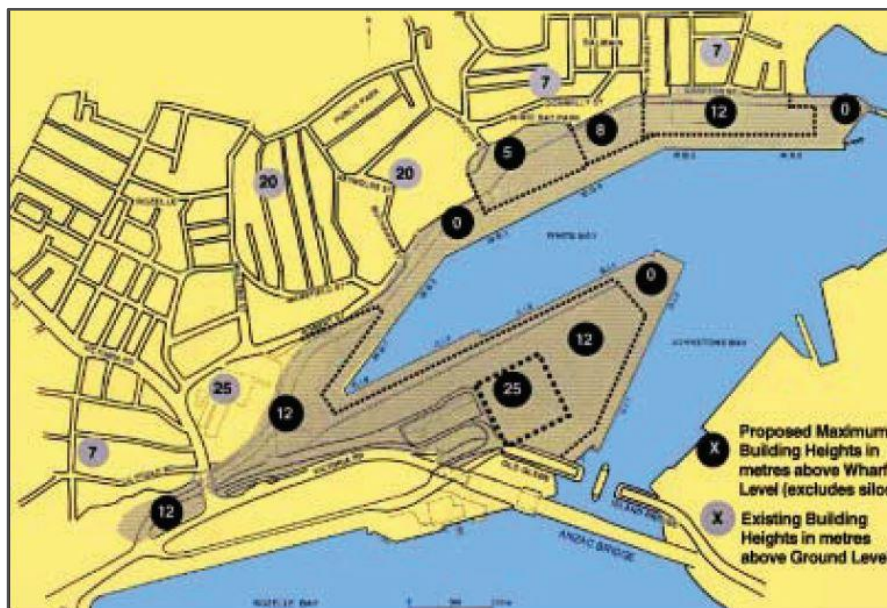


Figure 1 | Maximum building heights (Source: Glebe Island and White Bay Master Plan 2000)

Sydney Regional Environmental Plan (Sydney Harbour Catchment) 2005 (SHC SREP)

The SHC SREP provides planning principles for development within the Sydney Harbour catchment. The site is located within the Sydney Harbour Catchment area and is in the foreshores and waterways area. No items of heritage significance are identified within the site. The nearest item is the Glebe Island Bridge and its abutments, located to the south of the site.

The proposal is consistent with the objectives of the W1 Maritime Waters zone as it:

- would be compatible with and not adversely affect the use of these waters for commercial shipping, public water transport and maritime industrial operations, noting the berth is existing (**Section 6**)
- would not adversely impact waterway users, including non-motorised vessels (**Section 6**).

Matters for consideration

The proposal is consistent with relevant matters for land in the foreshores and waterways area as it:

- would not adversely impact on the area's biodiversity or ecology, noting the site is of low ecological value, and the proposal would collect and re-use stormwater and industrial wastewater
- does not propose to provide public access to the foreshore due to the incompatibility with its port-related use
- continues the use of the area as a working harbour and caters for demand for the sufficient supply of concrete in proximity to areas earmarked for renewal and development
- would ensure the compatible interrelationship of waterway and foreshore uses through co-location of aggregate handling with concrete batching
- would not have adverse impacts on the use of the waterways
- would have an acceptable impact on the scenic quality of the waterway and adjoining foreshores, having regard to the scale, form, design and siting of new buildings and structures, and noting the industrial nature of this part of the waterway
- would be consistent with the visual character of the working harbour and would have an acceptable impact on surrounding views, as considered in **Section 6**
- would not provide public boat storage facilities, however the Department considers this is satisfactory due to the industrial nature of the land-based use and adjoining water component.

Foreshores and Waterways Planning and Development Advisory Committee

The proposal is a type (commercial port facility) referred to in Schedule 2 of the SHC SREP and therefore the Department referred the application to the Committee under clause 29 of the SHC SREP. The Committee raised no specific issues in relation to the proposal.

Additional provisions

The Department has considered the proposal in relation to heritage impacts, as required by clause 59 and finds the proposal would not have unacceptable impacts (**Section 6**).

Draft State Environmental Planning Policy (draft Environment SEPP)

The Explanation of Intended Effect for the Environment SEPP was exhibited until 31 January 2018. The Environment SEPP proposes to simplify the planning rules for the protection and management of the natural environment by consolidating seven existing SEPPs, including the SHC SREP.

The references in the aims of the plan to a working harbour are proposed to be amended to provide clarification of the importance of the role of recreational and tourism uses in a modern working harbour. The proposed use, being within an existing port and employment area, would continue to provide a core role in the functioning of the harbour, and would not have adverse impacts on these uses.

The objectives for the W1 Maritime Waters zone will be updated to align with the relevant Standard Instrument zone W3 Working Waterways. The Department considers these objectives are currently closely aligned and therefore the proposal would be consistent with the future zone objectives.

The relevant matters for consideration and the general provisions relating to Sydney Harbour are proposed to remain in accordance with those in the current SEPP and therefore the proposed development would be consistent with the intended effect of the Environment SEPP.

The Sydney Harbour Foreshores and Waterway Area DCP 2005 is proposed to be transitioned into one or more guidelines that would cover the current content and provide updated guidance to consent authorities based on design principles and landscape character, however these guidelines are not currently in draft form.

Sydney Harbour Foreshores and Waterways Area DCP 2005

The Sydney Harbour Foreshore and Waterways Area DCP (the DCP) complements the SHC SREP and provides more detailed design parameters for development within the foreshore area of Sydney Harbour.

The site is within the defined Foreshores and Waterways Area under the SHC SREP and is therefore subject to the controls in the DCP. The DCP includes aims and performance criteria in relation to ecological assessment, landscape assessment, and design guidelines for development within the area.

The Department has considered the submitted Biodiversity Assessment and concludes the proposal would not result in detrimental impacts on the ecological communities within the study area of the site. As such, the proposal satisfies Part 2 (Ecological Assessment) of the DCP.

The proposal complies with the general objectives and requirements for water-based and land/water interfaces under the DCP as follows:

- it would not cause congestion of the waterway and foreshore, and conflicts on the waterway and foreshore would be minimised
- it would not have adverse impacts on navigation on the waterway, noting TfNSW has not raised any concerns in this regard
- the site is in close proximity to areas of demand for concrete, and the foreshore location is warranted for the facility to function effectively.

The proposed built form would not obstruct views and vistas to the waterway and is consistent with the industrial nature of the surrounding area (**Section 6**).

The lighting impacts associated with the proposal would not be adverse (**Section 6**).

Accordingly, the Department considers the proposal is generally consistent with the DCP objectives and provisions.

Appendix D – Recommended Instrument of Consent

The recommended conditions of consent for SSD 8544 can be found on the Department's website at:

<https://www.planningportal.nsw.gov.au/major-projects/project/9751>