

# Rev2022/0004 Commercial/Industrial Referral – Waste Management Plan

Despite this being the 6<sup>th</sup> set of documents to be notified for this development, the application remains deficient in terms of compliance to Council's own requirements – in this case Waste Management Plans and provision for waste management at a non-residential premises.

Please consider the following aspects when making Council's Commercial / Industrial use referral response and in the final assessment report for LPP.

## Absence of a waste management plan

Council's Waste Management Guidelines (For development in the area of WLEP 2011 and WLEP 2000) state the following:

### Purpose of the Waste Management Plan

This *Waste Management Plan (WMP)* will detail the arrangements for waste management during all stages of development and occupation.

The WMP must be completed in accordance with the Waste Management Guidelines (Guidelines).

A completed WMP is a mandatory requirement for any Development Application (DA) submitted under WLEP 2011 or WLEP 2000. DAs that are submitted without a completed WMP will be rejected or refused by Council.

<https://www.northernbeaches.nsw.gov.au/sites/default/files/documents/general-information/building-waste/waste-management-plan-2016.pdf>

The application REV2022/0004 and its preceding applications DA2021/0680 and DA2020/1397 do not contain a waste management plan.

I am therefore quite surprised that after 6 revisions and referral assessments this point has not been picked up as a deficiency by Council referrers, and the applications have proceeded, even though refused, without this matter being addresses.

## Inadequacy of Waste Management provisions for Non-residential use.

The waste management intentions of the applicant are stated in the Operational Plan of Management.

### 9. Waste Management

Waste will be placed in the garbage bins located in the waste storage area. These bins will be emptied via normal household collection and commercial contractor when required.

and has flow on into the parking and traffic report

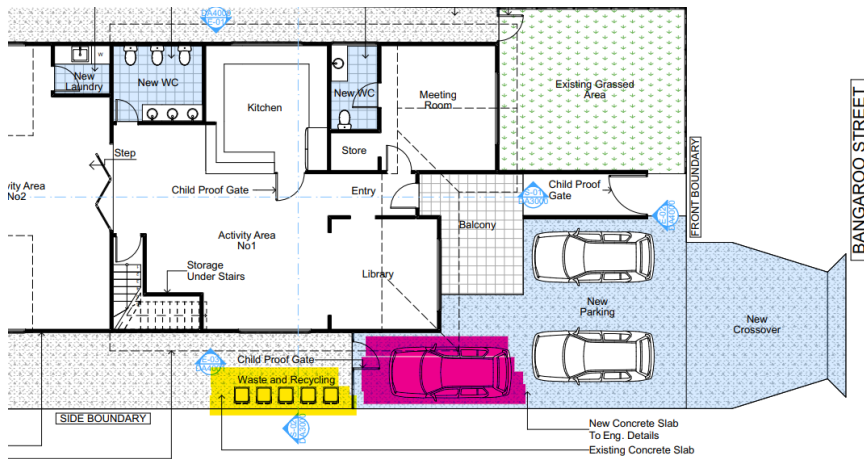
#### Transport and Traffic Planning Associates

### 6.3 Servicing

Refuse removal will continue to be undertaken with the Council's refuse vehicle on the Bangaroo Street frontage as per the existing arrangement. Occasional needs for other service vehicles, including small furniture movements, can also be satisfied using the ample kerbside parking along the road as is normal for small neighbourhood Child Care facility of this nature.

Clearly these statements are both wrong, given that Council's household collection service will not collect from a non-residential property. Private arrangements will be required for all generated waste.

Such commercial collections will not be possible during operating hours because of the blocked access to the waste storage area. Collection outside of operating hours will be a noise and traffic issue in such close proximity to the neighbours' sleeping areas.



The proposed location of waste storage is blocked for access by the staff parking space that will be occupied at all times when the centre is operation

## Inadequacy of Waste Storage Area

Council's Waste Management Guidelines (For development in the area of WLEP 2011 and WLEP 2000) state the following:

## vi. Terminology for the different development types

Developments referred to in the Guidelines have been categorised as follows:

Development type <sup>a</sup>	Development description
<b>One or two dwellings</b>	A development containing one or two dwellings. This can include but is not limited to:
	<ul style="list-style-type: none"> <li>• Single dwellings</li> <li>• Semi-detached dwellings</li> </ul>
	<ul style="list-style-type: none"> <li>• Dual occupancy dwellings</li> <li>Mixed-use developments (containing one or two dwellings)</li> </ul>
	<ul style="list-style-type: none"> <li>• Secondary dwellings (granny flats)</li> </ul>
<b>Three or more dwellings</b>	A development containing three or more dwellings. This can include but is not limited to:
	<ul style="list-style-type: none"> <li>• Boarding houses</li> <li>• Mixed-use developments (containing three or more dwellings)</li> </ul>
	<ul style="list-style-type: none"> <li>• Group homes</li> <li>• Residential flat buildings</li> </ul>
	<ul style="list-style-type: none"> <li>• Low cost housing</li> <li>• Seniors housing</li> </ul>
	<ul style="list-style-type: none"> <li>• Hostels</li> </ul>
	<ul style="list-style-type: none"> <li>• Developments containing three or more dwellings located on private or community title roadways that cannot be accessed by Council's waste vehicles.</li> </ul>
<b>Non-residential developments</b>	A development used for trade and business purposes. This can include but is not limited to:
	<ul style="list-style-type: none"> <li>• Offices</li> <li>• Hotel or motel accommodation</li> </ul>
	<ul style="list-style-type: none"> <li>• Retail outlets</li> <li>• Industrial</li> </ul>
	<ul style="list-style-type: none"> <li>• Wholesale trade</li> <li>• Manufacturing</li> </ul>
	<ul style="list-style-type: none"> <li>• Cafes and restaurants</li> </ul>
<b>Mixed-use developments</b>	A development used for both residential and commercial or industrial purposes.
<b>Private roadway</b>	A development to sub-divide and/or construct a private roadway. This can include but is not limited to:

<https://files.northernbeaches.nsw.gov.au/sites/default/files/documents/general-information/building-waste/waste-management-guidelines-2016-introduction.pdf>

Also, helpfully they provide a waste generation calculation for differing types of non-residential developments ....

#### 5.4. Estimating non-residential waste generation rates

The table below provides estimates of likely waste generation rates for non-residential development types.

Type of premises	Garbage generation rate	Recycling generation rate
Childcare	250L/100m <sup>2</sup> floor area/day	120L/100m <sup>2</sup> floor area/day

<https://files.northernbeaches.nsw.gov.au/sites/default/files/documents/general-information/building-waste/waste-management-guidelines-2016-chapters-3-7-going-waste-mgmt.pdf>

Council provided a calculation of floor space in the assessment of DA2021/0680 ....

#### APPLYING THE NATIONAL REGULATIONS TO DEVELOPMENT PROPOSALS

Regulation	Design Guidance	Comments
<b>4.1 Indoor space requirements</b>		
<b>Regulation 107 Education and Care Services National Regulation</b>	<b>The proposed development includes at least 3.25 square metres of unencumbered indoor space for each child.</b>	<b>Inconsistent</b>
Every child being educated and cared for within a facility must have a minimum of	Verandahs as indoor space For a verandah to be included as unencumbered indoor space, any opening must be able to be fully closed during	The proposed development 65m <sup>2</sup> requires at least of indoor space. <b>The proposal provides for 106.4m<sup>2</sup> of indoor space.</b>

<https://eservices.northernbeaches.nsw.gov.au/ePlanning/live/Common/Output/LoadAppPropDoc.aspx?id=WnN9Ybw8oLwV0A60ki4OEg%253d%253d>

This allows for a waste calculation using council supplied data

### Waste Calculation using all council supplied data

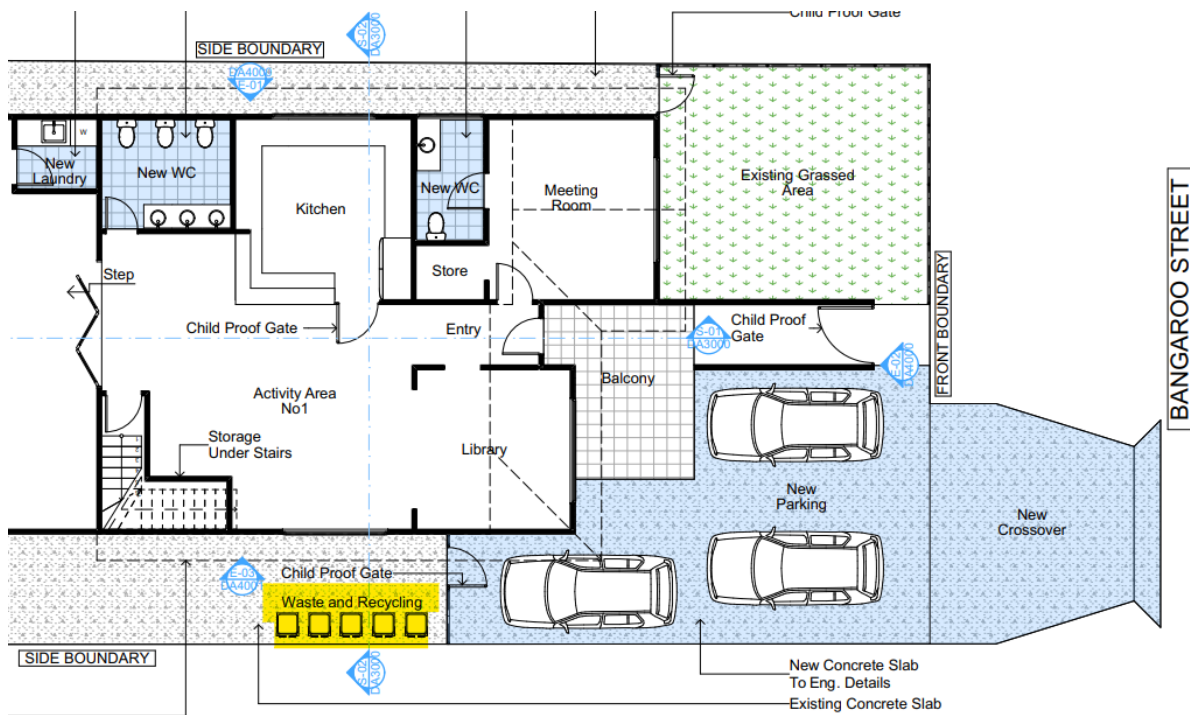
$250L \times 106.4m^2 = 266L$  of waste per day +  $120L \times 106.4m^2 = 127.68L$  of recyclable waste per day

Given the business intends to operate at non-residential premises 5 days a week

$266L \times 5 = 1,330L$  of waste per week. = 16 Red bins per week

$127.68 \times 5 = 638L$  of recyclables per week = 4.5 Blue/Yellow bins per week.

**The proposed waste storage area has nowhere near the capacity required for the volume of waste that council's own figures indicate will be generated.**

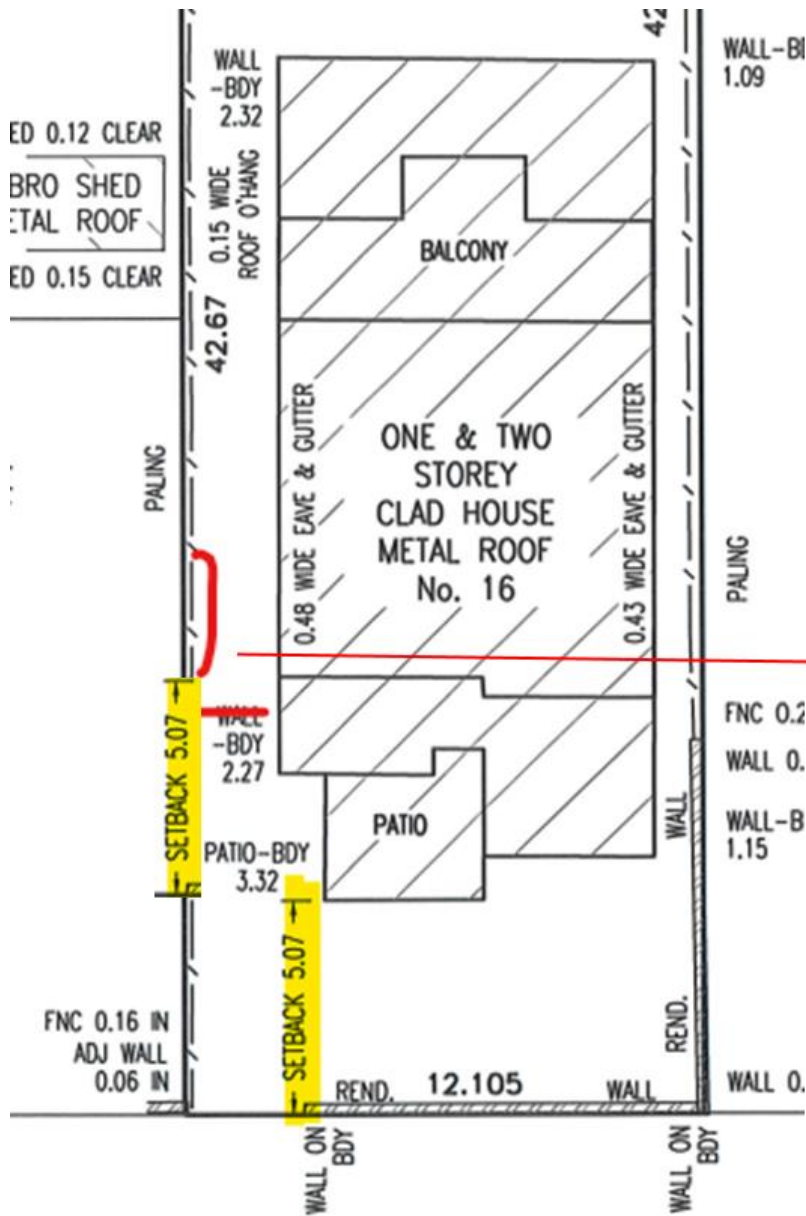


## 5.2. Waste Storage Area design requirements

The applicant must ensure the design of the Waste Storage Area will be:

- A designated area to accommodate waste, recycling containers, crates, pallets and other reusable items.
- A minimum floor space capable of managing the proposed commercial development's waste generation rate. See Chapter 5.4 for non-residential waste generation rates.
- In accordance with the BCA, relevant AS and other legislation detailed in Chapter xii of the Introduction to the Waste Management Guidelines.
- Graded and drained to a Sydney Water approved drainage system.
- Easily kept clean and tidy at all times.

**The application fails to meet waste storage area design requirements for non-residential property, being too small to manage the waste generation rate, not graded and drained to a Sydney Water Approved Drainage system and non-compliant with AS2890.2**



The waste generation of 1330L of waste per week + 638L of recycleable waste will require large capacity waste bins which the waste storage area is not designed for.

The bin carting route is way too far for kerbside collection of larger bins, and on-site collection will not comply with AS2890.2

By using larger waste bins, that the proposed location could only comply with BCA bin carting design standards by having on-site pick up since the distance to kerb side is over 10m.

## Bin-carting routes

For safety and ease of manoeuvrability, the distance required for homeowners, building managers to caretakers to wheel bins to their collection point must be the minimum achievable. No steps or kerbs are allowed in the path for wheeling bins to the collection point.

**Table C.2: Bin-carting design standards**

Bin capacity	Up to 360 L	360 L – 1100 L	More than 1100 L
Maximum distance	30 m	5 m	3 m
Maximum surface grades	1:14	1:14	1:30
Steps or kerbs	None	None	None

## AS2890.2

A pick up point for large bins inside the property boundary will involve commercial refuse services reversing into the property failing to comply with AS2890.2

Onsite waste collection area must:

- a. Be designed in a way which collection vehicles do not impede access to, within or from the site for other users; and
- b. Be designed in a way which collection vehicles can enter and exit the site in a forward direction. Reversing of a truck onsite must only be done in the vicinity of a turning bay. Trucks will not use private driveways or carparks as a turning area.



## Unsuitable location of Waste Storage Area

Council's Waste Management Guidelines (For development in the area of WLEP 2011 and WLEP 2000) state the following:

### 5.3. Waste Storage Area location requirements

The applicant must ensure the location of the Waste Storage Area will be:

- a) Incorporated entirely within the site boundary, not visible to the public and landscaped to reduce visual impact and clutter.
- b) No closer than 3m from any dwelling openings.
- c) Clear of any stormwater system and prevent waste water from entering the system.



The proposed waste storage area is non-compliant with point (b) to be no closer than 3m to dwelling openings, and of unknown compliance with point c.

# Summary

With regard to REV2022/0004 and the failure to include a waste management plan, Councils own process is to reject or refuse the application.

The application has not been rejected, therefore it must be refused.

Since this is the 6th notification for this development, it is baffling why Council's assessment team have not checked for compliance with the Councils non-residential waste management requirements.

Had they done so, they would have found that

1. There is no operating waste management plan
2. The proposed waste storage area is deficient for the volume of waste that will be generated
3. The intention to use councils household waste collection service is not valid
4. The use of a commercial waste collection service would require access to the site beyond its operating hours
5. The commercial waste collection provisions would not comply with AS2890.2
6. The storage area is within 3m of dwelling openings.

It now seems appropriate that Council rectify these oversights in the next round of referral responses, and that the assessment report advocates to LPP that the decision to **refuse** the development is upheld.