

Statement of Environment Effects

Young Scrap Metal

Relocation and Display of Shipping Containers
as Additions to Existing Resource Recovery Facility

Lot 1 DP832348

234 Milvale Road, Young



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Disclaimer

This Statement of Environmental Effects has been prepared for the sole purpose of supporting a development application for the placement of shipping containers at 234 Milvale Road, Young and is reliant upon the information supplied by the applicant. The information has been prepared using electronic resources publicly available provided by the NSW Government. The use of any information contained herein without the expressed written consent of the Author is unauthorised.

Introduction and Background

This Statement of Environmental Effect (SEE) provides an assessment of information to support the Development Application (DA) for the installation and sale of shipping containers as part of the upgrades to the metal recovery centre, 234 Milvale Road, Young.

Council has received representations in regards to the placement of two shipping containers on site without development consent.

The Proposal

It is proposed to place two shipping containers for storage with an igloo between for a covered, but open, storage area. It is also proposed to offer shipping containers for sale. A maximum of two shippings will be on display for sale on site at any one time.

The display containers will be placed end to end at the front south east corner of the site. The containers to be used for storage with the igloo will be placed towards the middle.

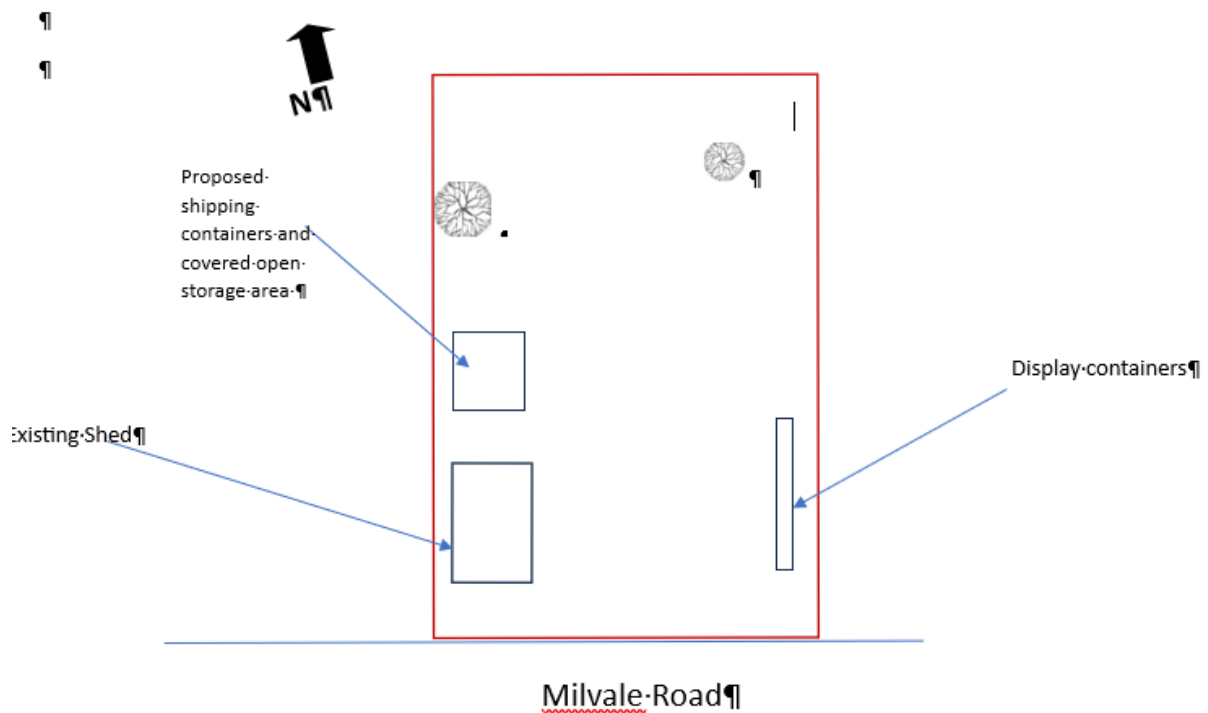


Figure 1 – proposed redevelopment site plan

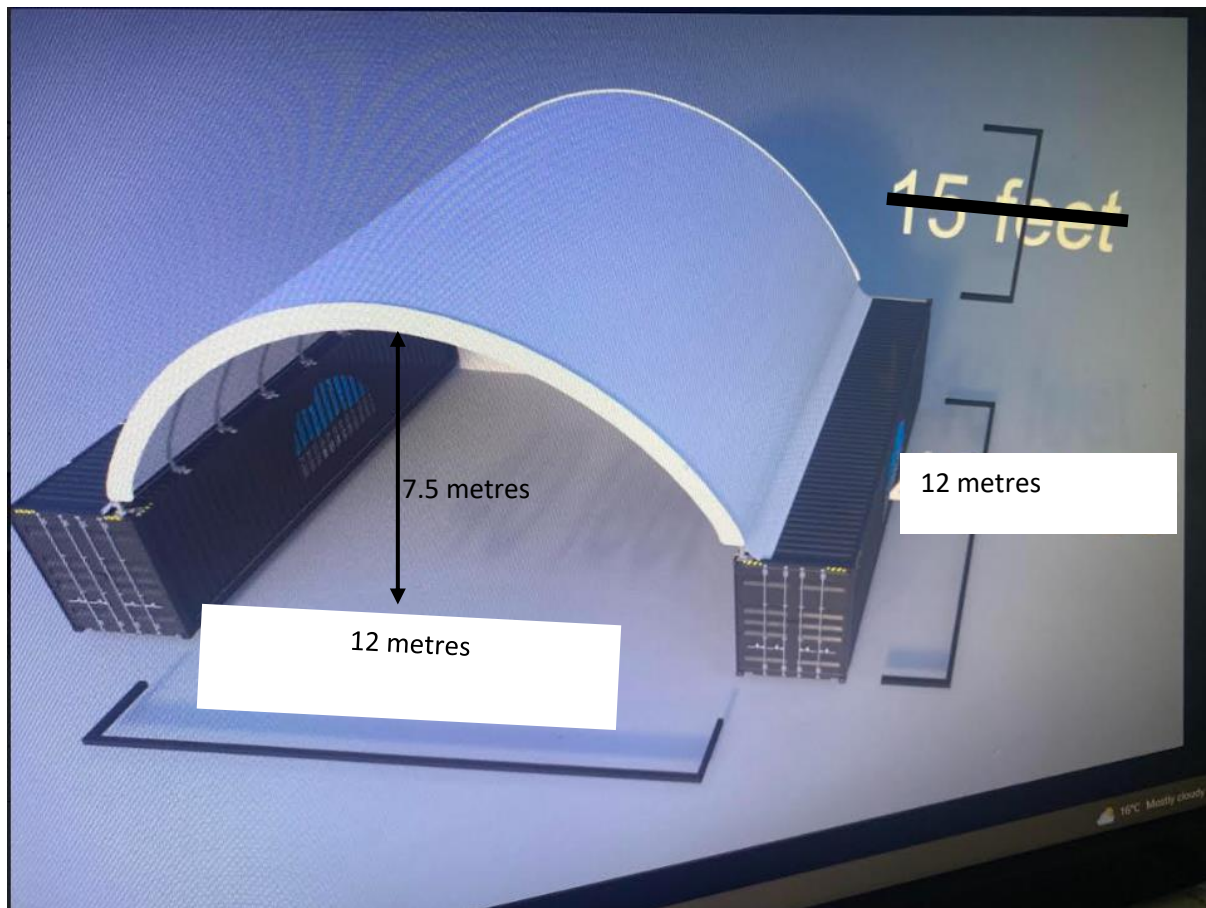


Figure 2 – 3D View of Proposed Development

It is proposed to relocate the two shipping containers currently located at the southern boundary of the site to the middle of the site approximately 14m north of the existing shed. The containers will be placed 12 metres apart with an igloo securely located atop the shipping containers to provide an open ended covered space. The space is to be used for the sorting and storage of metal associated with the operation of a scrap metal recycling and recovery centre. The two shipping containers are capable of being locked and will be used to store higher value material awaiting transportation off site.

It is proposed to install two shipping containers in the south east corner of the site as display containers. Containers will be able to be viewed onsite, ordered online and shipped direct to the customer from the supplier located off site. As the sale of containers will be via a online process it is not anticipated there will any additional traffic movement as a result of the proposed shipping container sales.

The Site

The site is known as 234 Milvale Road, Young being Lot 1 DP832348, and is situated on the northern side of Milvale Road, some 2.5km from Young CBD. The site is rectangle in shape with reticulated water and sewer services available. The site is currently used for the storage and recovery of metal which is then taken off site for recycling.

The site is accessed directly from Milvale Road via an existing accessway. There is good sight distance in both directions which is suitable for the 50kph speed zone of the areas. Heavy vehicles currently access the site to deposit and remove material. The site has operated as a metal recovery facility in excess of 25 years. The proposal does not alter the legal use of the site, however proposes additional undercover and storage areas together with the display of two shipping containers for the purposes of online retailing.

There are two existing trees on site which will not be removed nor pruned for the installation of the shipping containers. The site is predominantly devoid of other vegetation which is commensurate with its use as a metal recovery and storage facility.

The site is located in an area with predominant use being industrial, however there is a dwelling immediately adjacent the site to the east. The area to the north and west contains self storage units and the area to the south of Milvale Road is a mix of industrial uses.



Figure 3 – site in context of surrounding environs (source: Six Maps)

Evaluation

Council, as the consent authority, requires consideration of Section 4.15 of the *Environmental Planning and Assessment Act, 1979* relevant to the development application. Within Section 4.15 the items for consideration are:

- (a) (i) any environmental planning instrument, and

The following State Environmental Planning Policies (SEPPs) are applicable to the development:

State Environmental Planning Policy (Industry and Employment) 2021

Chapter 3 of this SEPP applies to the whole of the State and relates specifically to signage and advertising. Of note is the provision that this part of the SEPP applies to all signage and advertising except:

- (a) business identification signs,
- (b) building identification signs,
- (c) signage that, or the display of which, is exempt development under an environmental planning instrument that applies to it,
- (d) signage on vehicles.

No signage is proposed as part of this application. Future signage which does not meet the requirements of *State Environmental Planning Policy (Exempt and Complying Development Codes) 2008* will be the subject of further development applications to Council. The display shipping containers will not have any signage situated upon them without the further consent of Council as necessary.

State Environmental Planning Policy (Resilience and Hazards) 2021

Clause 4.6 prescribes that a consent authority must not consent to the carrying out of any development on land, unless it has considered whether the land is contaminated. Metal recovery premises (scrapyards) are an activity that is known to potentially cause contamination. Nonetheless the site is not changing use and has been operating as such for in excess of 25 years. Its continuing use as metal recovery premises does not warrant any remediation works.

State Environmental Planning Policy (Transport and Infrastructure) 2021

Chapter two aims to facilitate the effective delivery of infrastructure across all of NSW. The following Clauses are applicable as they apply to this proposed development.

Division 17 Roads and Traffic

Clause 2.120 Road noise

The site, frontage to a classified road, and relies on Milvale Road for access. The proposal does not contain any sensitive users as listed in part (1) of the clause.

The site is located on Milvale Road, a regional road and whilst the proposal does not meet the requirements for concurrence of Transport for NSW it is acknowledged that the proposal will be referred to that agency under the

agreement that exists with Council for proposal which front, impact or have access to a regional road or highway.

Hilltops Local Environmental Plan 2022 (HLEP) is the applicable environmental planning instrument for this proposal. The aims of this plan, as relevant to this proposal, are:

- (d) *to facilitate a strong and diverse economy by providing a range of services and opportunities for residents and investors, including by providing for the following: (iii) economic activity, value adding opportunities and job creation*

The proposal actively seeks to enhance the storage facilities of the activity currently undertaken on site. The premises provides an opportunity for the recycling and recovery of metal products. Due to the distance from the large metal recycling plants it is necessary to separate and store material on site. The separation of material into like metallic compounds reduces contamination at the end source and brings a higher sale price. Accordingly, metal is stored on site until sufficient material is accumulated to provide an economic return to transport the product off site to a metal processing centre.

The relocation of two shipping containers from the southern boundary to interior the site and the construction of an igloo will provide additional undercover area for dismantling and storage as well as additional secure storage for higher value product. In this way the site can operate under adverse weather conditions which are difficult at present due to the lack of undercover area.

Furthermore, the proposal is not inconsistent with the remaining aims of the Hilltops Local Environmental Plan 2022.

The proposal does not seek the suspension of any covenants, agreements or instruments as prescribed by clause 1.9A.

The site is zoned E43 General Industrial under HLEP. The objectives of this zone applicable to this proposal are:

- *To provide a range of industrial, warehouse, logistics and related land uses*
- *To ensure the efficient and viable use of land for industrial uses*

The proposal makes efficient use of a site that has been used for a contaminating activity for many years by allowing work to be undertaken in adverse weather conditions. The use of the undercover area allows dismantling and sorting to be undertaken in all weather conditions which, at the moment is difficult. The provision of additional secure storage for high value items reduces the crime opportunities at the site.

The site provides a valuable services in the recovery and recycling of metal materials. It is an area where metallic items can be dismantled in their individual

compounds to achieve a higher economic return. The site has been successfully used for metal recovery for many years. The addition of display shipping containers is ancillary to the metal business and is an efficient use of transport, backloading such when transporting metal from site. As there are no direct sales from site, it is unlikely that the sale of containers will increase traffic to and from the site.

The proposal can be characterised as an addition to a resource recovery facility which means *a building or place used for the recovery of resources from waste, including works or activities such as separating and sorting, processing or treating the waste, composting, temporary storage, transfer or sale of recovered resources, energy generation from gases and water treatment, but not including re-manufacture or disposal of material by landfill or incineration.*

The sale of used shipping containers is a use ancillary to the resource recovery operations on site. In that material is stored and transported in shipping containers which require specialist vehicles and equipment to transport, load and unload. The machinery used for the transport, loading and unloading of recovered metal is the same specialist equipment required for transport and placement of shipping containers. It provides an additional economic return for the business without impacting operations on site. The shipping containers on site are for display only with sales taking place online and delivery being direct from the distributor off site.

Clause 2.4 is not applicable to this proposal as it does not involve any matter prescribed by this clause.

Clause 2.5 is not applicable as the application is not seeking any additional permitted uses aside from those permitted within the zone.

Clause 2.6 – 2.9 are not applicable as the matters prescribed therein do not relate to this proposal.

The proposal does not include any matter contained with Parts 3 and 4 of HLEP. Similarly, the matters contained within Clauses 5.1-5.9 are not relevant to this proposal.

Clause 5.10 is not relative as there are no heritage items on site nor nearby.

Clause 5.11 is not applicable as the site is not within an area mapped as being bushfire prone.

Clauses 5.12 – 5.25 are not applicable as the matters contained therein are not relevant to this proposal.

Clauses 6.1 relates to earthworks; there will be minor earthworks associated with this proposal for the placement of footings for the shipping containers placed in association with the igloo. Details of the footings will be provided with the application for a construction certificate.

Clause 6.2 relates to the provision of essential services. The site is connected to electricity, reticulated water and reticulated sewer, both of which are located within the road reserve of Milvale Road. Similarly, the site has an existing access with good sight distance in each direction suitable to the prevailing speed limit of 50kph.

Clauses 6.3 - 6.11 are not applicable to this proposal as none of the matters containing therein are relative to the site or the proposal.

development.

- (ii) any proposed instrument that is or has been the subject of public consultation under this Act and that has been notified to the consent authority (unless the Planning Secretary has notified the consent authority that the making of the proposed instrument has been deferred indefinitely or has not been approved), and

The site or the development is not subject to any notified proposed instruments.

- (iii) any development control plan, and

Young Development Control Plan 2011 applies to the site. The proposal is assessed against the criteria of the DCP below:

Section 2.9 – Industrial Development

PID1 – is not applicable as the development is not new development, rather an addition to the existing use of the site and a further ancillary use associated with the existing use of the site. There are adequate essential services in place to service the site, the addition and the ancillary use as appropriate.

PID2- PID4 – the site has an existing access with parking suitable to the use of the site. The proposed relocated and construction of an open ended undercover area do not alter these arrangements. Similarly, the display of two shipping containers for online sales does not impact upon the current access or parking arrangements.

PID5 - the proposal will not add additional noise to that currently emanating from the site, in a similar fashion as has occurred for the past 25 years. The proposed igloo will not overshadow any recreational, open space or living areas of any adjoining development or property. The proposed relocation of the two shipping containers from the southern boundary to interior the site and the construction of an open ended undercover area will not result in any unacceptable impact on the streetscape of the area, being industrial in nature. Similarly, the display of two shipping containers for the purposes of online sales will not negatively impact the streetscape of context of the area. The area is industrial in nature as are the shipping containers, proposed to be displayed. The placement of the shipping containers on the eastern boundary and their height will result in minimal visual impact above the existing fences which will obscure the containers when the gates are closed. When the premises is operating the visibility of the shipping containers

is in keeping with metal recovery and industrial nature of the site and the area overall.

PID6 – the placement of the shipping containers interior the site will not be visible from the public domain, similarly the igloo due to its placement will not be highly visible. The display shipping containers will be visible from the public domain during operational hours, however this is considered to be commensurate with the operation of the site and the industrial area overall. Landscaping is not proposed as the site is existing and fenced for security reasons. The fencing is on the boundary and any landscaping on site would be obscured by the fencing which is required for security purposes. The fence is of coloured metal with trees located on the road verge and two interior the site. None of the trees will be removed or pruned as part of this proposal. No signage is proposed as part of the development. Should signage or advertising be required at a later date this will be subject to a development application as appropriate.

- (iia) any planning agreement that has been entered into under section 7.4, or any draft planning agreement that a developer has offered to enter into under section 7.4, and

No planning agreement has been entered into, nor is any planning agreement proposed as part of this development.

- (iv) the regulations (to the extent that they prescribe matters for the purposes of this paragraph), that apply to the land to which the development application relates,

The provisions Part 4, Division 1 of the *Environmental Planning and Assessment Regulation 2021* are not applicable to this development as there is no demolition, additions that require fire upgrades, nor temporary structures.

- (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,

Context and Setting

The proposal is situated in an industrial area on a site that has been operating as a resource recovery (metal recovery) facility for over 20 years. The relocation of two shipping containers from the southern boundary to interior the site and the construction of an open ended undercover area is not inconsistent with the use of the site nor the area overall. The placement of display shipping containers on the eastern boundary is also considered to be consistent with the use of the site for the authorised purpose of resource recovery.

The proposal makes more efficient use of an industrial site to allow the dismantling and storage of material undercover and in a secure manner. It thereby increases the productivity of the site and reduces the crime opportunity in the area.

Access Traffic and Transport

The number and type of vehicles entering and leaving the site will alter as a result of the relocation of the shipping containers and construction of an undercover area. The sale of shipping containers is to occur online with the proposed two shipping containers on the eastern boundary for display purposes only.

Public Domain

The public domain is not relied upon for the operation of the site, nor for the proposal itself. Similarly the proposal is unlikely to have an impact on the public domain, in that it will not be highly visible from the public domain nor does it rely upon the public domain for its operation or function.

Other Land Resources

The proposal does not involve giving over any productive farm land to the development. The proposal utilises the existing site and its operations as a resource recovery (metal recovery) business.

Soil

The site is not subject to salinity or at high risk of erosion. The proposal will not impact on soil structure, permeability, cropping ability nor erosion of productive farming land. Earthworks required for the development will be minimal for the placement of footings only and details will be provided upon application for a construction certificate.

Air and Microclimate

The proposed development and its use will not give rise to any air or microclimatic adverse conditions. There may be dust generation during construction, however this can be mitigated by the implementation of management controls. The occupation and operation of the final operation of the site will not alter the current arrangements.

Flora and Fauna

The site is not known to contain any habitat for faunal species. Furthermore no vegetation is to be removed from the site or surrounds to facilitate this development.

Noise and Vibration

The development itself will not result in any additional noise or vibration over and above that already exists as part of the existing operation. During construction there may be some construction noise, however this will be short term and unlikely to result in any offsite impacts given the current use of the site and the surrounding land uses.

Natural and Technical Hazards

There are no known risks to people, property or the environment as a result of this proposal.

Safety, security and crime prevention

The proposal will not increase safety, security or crime on the site or area overall. Rather the ability to securely store high value items is likely to present a lesser crime, safety and security risk than that which currently exists.

Cumulative Impact

The likely cumulative impact with this proposal includes increase in hardstand areas resulting in an increase in run off albeit to a minor extent.

- (c) the suitability of the site for the development,

The site, being in an industrial zone and used for industrial-oriented purposes, is suitable for the proposal. There is no site, nor area, constraints that would prohibit the proposed being constructed on the site.

- (d) any submissions made in accordance with this Act or the regulations,

In accordance with the provisions of Council's Community Participation Plan the proposal will be required to be notified. Any submissions made in response to this notification will be considered by the applicant should Council consider it appropriate to do so.

- (e) the public interest

There are no public interest matters that would preclude this proposal from receiving development consent.

Conclusion

This Statement of Environmental effects has examined the pertinent matters as outlined in the legislation and has demonstrated that the proposal is suitable for the site. The proposed development is consistent with the aims and objectives of the Hilltops Local Environmental Plan 2022 and Young Development Control Plan 2022 as well as the relevant State Environmental Planning Policies. The proposed development is suitable for the site and does not contravene the public interest. There is no matter that precludes the relocation of the shipping containers, construction of an open ended undercover area and placement of shipping containers for display purposes.