

# **MINUTES OF THE SYDNEY WEST REGION PLANNING PANEL MEETING HELD AT BLACKTOWN CITY COUNCIL, ON THURSDAY, 18 MARCH 2010 AT 5.30 PM**

**PRESENT:** JANET THOMSON – CHAIR  
BRUCE McDONALD  
PAUL MITCHELL

## **IN ATTENDANCE**

Glennys James	Director
Perry Bezzina	Acting Manager
Judith Portelli	Senior Planner
Pauline Daw	Senior Planner
Momcilo Romic	Planner
Eltin Miletic	Planner

**APOLOGY:** Nil

The meeting commenced at 5.30 pm. The Chair welcomed everyone to the meeting of the Panel.

1. **Declarations of Interest:** Nil

2. **Business Items**

***ITEM 1 - 2009SYW016 Blacktown - DA 09 2325, Battery Recycling Facility, 6 Sunblest Crescent, Mount Druitt***

3. **Public Submission -**

Nil

4. **Business Item Recommendations**

***ITEM 1 - 2009SYW016 Blacktown - DA 09 2325, Battery Recycling Facility, 6 Sunblest Crescent, Mount Druitt***

***The Panel adopted the Council officer's recommendation to approve the proposal, subject to the recommended conditions of consent and with additional conditions and amendments to the following conditions:***

1. Insert additional conditions (after condition 7.3):

7.4 The applicant shall prepare and pay the full costs of an Operations Management Plan dealing with:

- Workforce health and safety issues, particularly relating to exposure to lead, but also to other specified Dangerous Goods that will be used on site;
- Proposals for medical surveillance and monitoring of worker health;
- Monitoring of lead levels in the premises and adjoining environment including in stormwater; and
- General OH&S issues including workplace noise protection.

The Operations Management Plan is to be prepared by a suitably qualified chemical or environmental engineer or scientist to be approved beforehand, in writing, by the Directors General, or their nominee of DECCW and the NSW Work Cover Authority.

The Operations Management Plan is to be submitted to the Council for approval prior to any commercial operations commencing on site.

- 7.5 Prior to commercial battery recycling operations commencing and during the commissioning phase of the new recycling equipment, the applicant shall undertake an environmental and OH&S audit of the equipment's operations to assess whether it complies with all relevant conditions in this consent and any DECCW or Work Cover licences or approvals. Where any material exceedance of a condition occurs, the audit is to recommend rectification measures which are then to be implemented and reassessed by the auditor prior to any commercial recycling operations commencing.

A copy of the original audit and any second audit is to be provided to the Council prior to any commercial recycling operations commencing.

The auditor is to be approved by the Directors General of DECCW and the NSW Work Cover Authority [or their nominee] in writing beforehand.

The applicant is to meet the full costs of the audit.

- 7.6 Within three years of the commencement of commercial recycling operations and every three years thereafter, the applicant is to commission and pay the full cost of an independent environmental and OH&S audit. The independent auditor or auditors is to be approved, in writing, by the Directors General of DECCW and NSW Work Cover [or their nominees] before the audit commences. The audit report is to be submitted for comment to the Council, DECCW and Work Cover within one month of its completion. The audit is to:

- Be conducted in accordance with AS/NZS ISO 19011: 2003 or an updated version of the standard should one be released and any other relevant guidelines;
- Assess compliance with the requirements of this consent and other licences or consents issued by the DECCW and NSW Work Cover;
- Review the effectiveness of environmental and OH&S management at the premises; and
- Recommend any remedial or performance improvement works or actions that may be needed to achieve compliance and appropriate performance.

The Council may, having considered any submission made by the DECCW or Work Cover, require the applicant to undertake works or actions to address the findings or recommendations given in the audit report. Any such works or actions are to be completed in the time specified by the Council.

2. Condition 2.1.2 altered to read as follows:

2.1.2 This consent authorises the use of the completed approved building for the following purposes, subject to the full compliance with all other conditions of this consent:

- Waste Management Facility: Installation and operation of an acid battery recycling activity. The maximum storage of lead batteries permitted to be present on the subject site is 40 tonnes or less at any one time
- This approval limits the use of the site for the acid battery recycling activity only and for no other use

3. Condition 5.3.1 altered to read as follows:

- Any noise, dust, concussion, vibration or other emission from the development works shall not exceed the limit prescribed in the Protection of the Environment Operations Act 1997.

4. Condition 7.1.1 altered to read as follows:

- An Occupation Certificate shall not be issued until such time as all conditions of this consent, have been satisfied. The use or occupation of the development prior to compliance with all conditions of consent, may render the applicant/developer liable to legal proceedings.

5. Condition 7.2 altered to read as follows:

- Submission of a final Environmental Management Plan (EMP) that is to satisfy 'recommendations/general terms of approval' outlined in the correspondence from the Department of Environment, Climate Change and Water, dated 18 November 2009, (Ref. No.: DOC09/48956) and the correspondence from NSW Workcover, dated 18 January 2010 for the Waste Management Facility: Installation and operation of an acid battery recycling activity only. This will entail amending the existing EMP so as to address employee safety, ongoing training and management structure and responsibilities.

6. Condition 7.3 altered to read as follows:

- The applicant is to cease the current unauthorised uses of the site as a junk yard prior to an issue of an Occupation Certificate.

7. Condition 8.2 altered to read as follows:

- The maximum storage on the site of lead batteries is 40 tonnes or less at any one time.

8. Condition 8.13 altered to read as follows:

- Access by the general public into any restricted areas of the building is to be prohibited and this is to be made clear by the use of signage.

9. Condition 8.19 altered to read as follows:

- Any activity carried out in accordance with this approval shall not give rise to offensive odour, offensive noise or pollution of land, air and/or water as defined by the Protection of the Environment Operations Act 1997.

10. Renumber the conditions accordingly.

***ITEM 2 - 2009SYW023 Blacktown – DA JRPP-09-2804 - Warehouse/distribution facility with ancillary office and car parking, Lot 122, DP 1049623, Old Wallgrove Road, Eastern Creek***

**5. Public Submission -**

Nil

**6. Business Item Recommendations**

***ITEM 2 - 2009SYW023 Blacktown – DA JRPP-09-2804 - Warehouse/distribution facility with ancillary office and car parking, Lot 122, DP 1049623, Old Wallgrove Road, Eastern Creek***

The Panel adopted the Council's assessment officer's recommendation to approve the proposal subject to the recommended conditions contained in the Business Paper.

**MOTION CARRIED**

The meeting concluded at 6.05 pm

Janet Thomson  
Chair, Sydney West Region Planning Panel  
Date