

Proposal: Alterations and additions to an existing waste transfer station used to consolidate waste paper and cardboard and modifications to the operation of the facility to include the recycling of plastic film products and process up to 75, 000 tonnes of waste per year, including reconfiguration of on-site car parking, construction of retaining walls and filling at the rear of the site.

Location: Lot 3 DP 262054, No. 88 Redfern Street, Wetherill Park

Applicant: Grima Environmental Services Pty Ltd

Cost of Works: \$1, 515, 015

File No: DA 786.1/2016

Author: Hayley Tasdarian, Senior Development Planner
Fairfield City Council

RECOMMENDATION

That alterations and additions to an existing waste transfer station used to consolidate waste paper and cardboard and modifications to the operation of the facility to include the recycling of plastic film products and process up to 75, 000 tonnes of waste per year, including reconfiguration of on-site car parking, construction of retaining walls and filling at the rear of the site be approved, subject to conditions as outlined in Attachment F of this report.

SUPPORTING DOCUMENTS

AT-A	Site and Architectural Plans	Pages 13
AT-B	Environmental Impact Statement	Pages 258
AT-C	Traffic Management Plan	Pages 16
AT-D	Operational Plan of Management	Pages 2
AT-E	NSW Environment Protection Authority - General terms of Approval	Pages 9
AT-F	Draft Conditions of Consent	Pages 13

EXECUTIVE SUMMARY

Council is in receipt of Development No. 786.1/2016 which seeks approval for alterations and additions to an existing waste transfer station used to consolidate waste paper and cardboard and modifications to the operation of the facility to include the recycling of plastic film products and process up to 75, 000 tonnes of waste per year, including reconfiguration of on-site car parking, construction of retaining walls and filling at the rear of the site.

The application is referred to the Sydney Western City Planning Panel for consideration pursuant to Schedule 4A of Environmental Planning and Assessment Act 1979 as waste management facilities that are defined as designated development under clause 32 of Schedule 3 of the EP&A Regulations 2000 are to be determined by the Sydney Western City Planning Panel (SWCPP).

The existing facility currently operating at the subject site was originally approved in December 2009 under Development Consent No. 1135.1/2008 for the purpose of the consolidation of waste paper and cardboard. The subject site was approved with a maximum processing capacity of 28, 000 tonnes. An ancillary office was also approved as part of this application. The applicant is seeking to include plastic film products as part of the recycling process and to increase the amount of waste processed on site.

The recyclable materials including paper, cardboard and plastic products received at the facility are collected from shopping centres and office buildings and delivered to the site where they will be baled into 1 tonne blocks. The cardboard baled products are then sent off site to other recycling centres in Port Botany and the paper and plastic products are exported to China and India.

The application is seeking approval to extend the existing factory building located along the southern boundary of the site to accommodate the installation of a second baler machine on site to accommodate the increase of waste processed on site. In addition to this, the existing shed located within the north-east corner of the site will be demolished and replaced with a new semi-enclosed awning structure to be used for the storage of the baled products before pickup. The existing office building located in the north-western corner of the site will remain.

The subject site is currently licensed by the Environment Protection Authority (EPA) with approval to process up to 28, 000 tonnes of chemical products per year. As a result of the proposed development this licence will be required to be modified in order to permit the processing of up to 75, 000 tonnes of waste per year.

The development is defined as Integrated Development under the provisions of Section 91 of the Environmental Planning and Assessment Act, 1979. Accordingly, the development also requires the approval of NSW Environment Protection Authority (EPA) under Sections 43(a), 47 and 55 of the Protection of the Environment Operations Act 1997. General Terms of Approval have been issued by the EPA.

The submitted Environmental Impact Statement (EIS) states that the existing 24-hour operation of the site, 7 days a week, and the number of employees to be on site at any one time will remain unchanged. A maximum of 24 staff members will be on site at any one time. The submitted documentation indicates that the proposed building alterations and additions are proposed to accommodate a larger amount of recyclable products to be processed on site, and increase the operational efficiency of the site. The current use of the site will therefore also remain unchanged.

The subject site is within the Zone IN1 General Industrial zone as stipulated within the Fairfield City Council Local Environmental Plan 2013. The proposal is permissible within the zone, subject to consent.

The proposal does not breach any development standards in Fairfield LEP 2013.

Whilst the proposal is permitted within the zone, Council must assess whether or not the site is considered to be suitable for the proposal. The Application was originally submitted seeking approval to increase the maximum handling capacity of the site to 99, 000 tonnes.

An initial assessment of the application raised significant concern that the traffic generation of the proposed development would result in unreasonable and adverse impacts on the surrounding road network. Further, Council's Traffic Engineer raised concern that insufficient area is provided on site to accommodate the number of service vehicles to be on site at any one time. On this basis, assessment of the Application revealed that the proposal would result in an over-intensification of the existing site operation. Accordingly, the site would not be considered suitable to accommodate the proposed use.

In response, the applicant amended the application to reduce the proposed maximum processing capacity from 99, 000 to 75, 000 tonnes per year, submitted a revised Traffic Impact Assessment Report and an Operational Traffic Plan of Management in support of the application. The Traffic Impact Assessment Report indicates that the traffic generated by the development has decreased as a result of the reduced processing capacity of the site. Further, the Plan of Management includes management practices and procedures in order to mitigate and minimise potential traffic impacts.

Council's Traffic Engineer has assessed the amended application and has raised no concern in relation to the traffic generation and number of vehicles required to service the site based on the reduced processing capacity of the facility. Further, Council's Traffic Engineer has advised that the amended proposal is unlikely to result in any adverse impacts on the surrounding road network.

Having regard to the above, it is considered that the subject site is suitable to accommodate the proposed development and is therefore considered acceptable in these circumstances.

A total of twenty-four (24) car parking spaces are provided on site. In accordance with Chapter 12 – Car Parking, Vehicle and Access Management, a Parking survey is required to be submitted for waste facilities to determine the number of parking spaces required to accommodate the development. A Traffic and Parking Study was submitted and indicates that the parking demand of the proposed development is generated only by staff members travelling to the site. Given that there will be a maximum of 24 employees, the report concludes that the car spaces provided on site are sufficient to accommodate the proposed development, based on the number of staff members to be on site at any one time.

In accordance with the Environmental Planning and Assessment Regulation 2000, the application was notified for a period of thirty (30) days in writing to surrounding properties, in the local paper and a notice was also displayed at the site. No submissions were received during the notification period.

The application was referred to Council's Building Control Branch, Traffic Section, Environmental Management Branch, Development Engineering Branch and Tree Preservation Officer for assessment. No concerns were raised to the proposal subject to conditions of consent.

Further, the application was also referred to the Environmental Protection Authority (EPA), Roads and Maritime Services (RMS) and the Department of Planning and Environment (DoPE) for approval in accordance with the EP&A Regulation 2000. No objection was raised and General Terms of Approval were issued by the EPA.

This report summarises the key issues associated with the development application and provides an assessment of the relevant matters of consideration in accordance with the Environmental Planning and Assessment Act 1979, the Fairfield Local Environmental Plan 2013 and the Fairfield City-Wide Development Control Plan 2013.

Based on an assessment of the application, the proposed development is considered to be suitable for the subject site, provided the recommendations made within the submitted EIS and attached reports are implemented. As such, it is recommended that the application be approved, subject to conditions as outlined in Attachment F of this report.

DEVELOPMENT HISTORY

On 22 December 2009, Council granted to Development Consent No. 1135.1/2008 for the use of the existing industrial premises for the purpose of consolidation of waste paper to be distributed to other waste recycling outlets off-site; including reconfiguration of on-site car parking, construction of retaining walls and filling at the rear of the site.

This development consent approved a total of 22 car parking spaces on site and 24-hour operation, 7 days a week.

SITE DESCRIPTION AND LOCALITY

The subject site is located on the eastern side of Redfern Street, near its intersection with Frank Street as shown in Figure 1. The site is situated within the eastern portion of the Wetherill Park Industrial Precinct and vehicular access is provided along Redfern Street via two separate entry and exit driveways.

The subject site has a 52 metre frontage to Redfern Street, a depth of 103 metres and a total site area of approximately 5, 447 square metres.

The rear of the site is proposed to be filled as part of the subject development to accommodate for the extension of the existing warehouse building and construction of a new awning. A total of 4 metres of fill is proposed within this portion of the site.

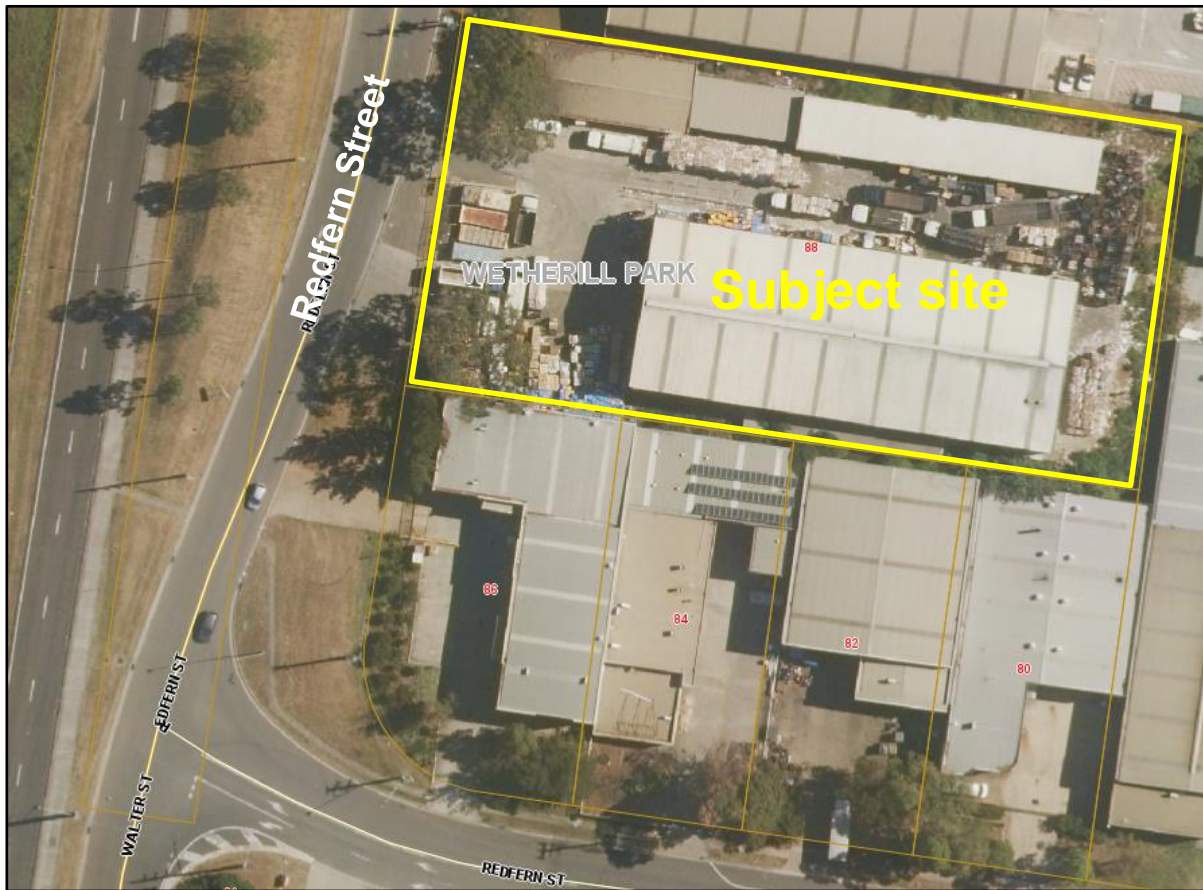
Currently on the site is a large single-storey warehouse building located along the southern property boundary, a separate office building located within the north-western corner and two (2) storage sheds located within the north-eastern corner of the site. A weighbridge is also located within the hardstand area located within the front (western) portion of the site.

The site does not contain any significant vegetation.

The surrounding development predominantly consists of single and two (2) storey industrial developments of similar size and scale on the subject site. West of the site is a vacant undeveloped site that is zoned IN1 General Industrial.

Residential and commercial areas are located approximately 600 metres from the subject site to the south.

Figure 1 – Site Plan



PROPOSAL

The development application is seeking approval for alterations and additions to an existing waste transfer station used to consolidate waste paper and cardboard and modifications to the operation of the facility to include the recycling of plastic film products and increase the annual processing capacity from 28, 000 tonnes to 75, 000 tonnes of waste per year, including reconfiguration of on-site car parking, construction of retaining walls and filling at the rear of the site.

Specific details of the proposed development are as follows:

- The following recyclable materials will be consolidated at the facility:
 - paper;
 - cardboard boxes;
 - plastic film (used for packaging of clothing items/wrapping pallets)

These waste products are collected from large recycling skip bins located at a range of shopping centres and commercial office buildings.

- The plastics to be processed on site include the plastic film products that are used to package clothing items when delivered to clothing retailers and to wrap freight pallets in order to protect distributed goods from dust and moisture. The applicant has stated within the submitted documentation that the plastic film to be

processed on site will be clean and dry and will not include any plastic used to package food. No food-contaminated or wet plastic products will be accepted at the site.

- The product is delivered to the site by the operator's fleet of vehicles, including hook lift and compactor type tipping trucks. The recyclable materials will be inspected and separated within the existing factory building.
- The existing factory building will be extended at the rear to accommodate an additional baling machine which will cater for the increased processing capacity on site. The proposed rear extension of the building will provide for an additional 428m² of floor area. The existing baler machine will be relocated further west within the factory building to provide for a larger sorting area.

The site will be filled at the rear to allow for the building extensions and the construction of a new awning structure and hardstand area. The awning will be provided for weather protection of the finished baled products while they are being transported to the proposed semi-enclosed awning to be located along the northern boundary of the site.

- An underground firewater storage tank with a storage capacity of 115, 000 litres, will be constructed beneath the proposed hardstand area to the rear of the site along the eastern property boundary. A stormwater isolation valve will also be installed as part of the drainage system which will be connected to the fire indication panel and will be activated in the event of a fire.
- A gross pollution trap, which will remove gross pollutants, suspended sediments, nutrients, heavy metals and hydrocarbons from stormwater runoff before being discharged to stormwater will be constructed at the rear of the site as part of the existing storm water drainage system on site.
- The existing sheds located along the northern boundary will be demolished and replaced with a semi-enclosed awning structure for the storage of the finished baled products. This awning will cover a total site area of 550m², and will open along its southern elevation.
- An accessible bathroom will be constructed within the existing amenities area along the southern elevation existing factory building.
- The maximum handling capacity of the existing waste facility is proposed to be increased from 28, 000 to 75, 000 per year.
- The subject site will operate on a 24-hour basis, 7 days a week.
- A total of 22 employees will be on site at any one time.
- The proposal will result in the reconfiguration of car parking spaces on site and increase the total number of spaces from 22 to 24.
- Trucks will enter the subject site via the northernmost access driveway and proceed to the existing weighbridge located to the north of the factory building to

be weighed prior to unloading/loading. The trucks will then proceed forward to the new awning structure to be loaded with the finished baled products to be sent off-site, or carry out a reverse manoeuvre to unload the recyclable waste products in the internal loading area within the factory building.

- Any contaminants are removed by a front-end loader, and the clean materials are then fed onto a conveyor belt to be fed into the baler machine that bales the product into 1 tonne blocks. The blocks are moved using a forklift outside of the factory building to the new awning structure where they will be stored prior to pick up.
- The maximum number of trucks servicing the site are as follows:
 - A maximum of 2 semi-trailers per hour; and
 - A maximum of 7 semi medium to heavy rigid vehicles per hour
 - A total of 64 trucks within a 24-hour period.

STATUTORY REQUIREMENTS APPLICABLE TO THE SITE

1. Environmental Planning and Assessment Regulation 2000 – Schedule 3 “Designated Development”

The development proposes to increase the maximum processing capacity of an existing waste management facility. The facility operates as a waste transfer station and is proposed to process up to 75, 000 tonnes of recyclable waste products including, paper, cardboard and plastic film. The applicant has submitted an Environmental Impact Statement that indicates that the proposal is classified as designated development pursuant to Category 32 Waste management facilities or works under Environmental Planning and Assessment Regulation 2000, which is as follows:

32 Waste management facilities or works

(1) Waste management facilities or works that store, treat, purify or dispose of waste or sort, process, recycle, recover, use or reuse material from waste and:

(a) that dispose (by landfilling, incinerating, storing, placing or other means) of solid or liquid waste:

(i) that includes any substance classified in the Australian Dangerous Goods Code or medical, cytotoxic or quarantine waste, or

(ii) that comprises more than 100,000 tonnes of “clean fill” (such as soil, sand, gravel, bricks or other excavated or hard material) in a manner that, in the opinion of the consent authority, is likely to cause significant impacts on drainage or flooding, or

(iii) that comprises more than 1,000 tonnes per year of sludge or effluent, or

(iv) that comprises more than 200 tonnes per year of other waste material, or

(b) that sort, consolidate or temporarily store waste at transfer stations or materials recycling facilities for transfer to another site for final disposal, permanent storage, reprocessing, recycling, use or reuse and:

(i) that handle substances classified in the Australian Dangerous Goods Code or medical, cytotoxic or quarantine waste, or

(ii) that have an intended handling capacity of more than 10,000 tonnes per year of waste containing food or livestock, agricultural or food processing industries waste or similar substances, or

- (iii) that have an intended handling capacity of more than 30,000 tonnes per year of waste such as glass, plastic, paper, wood, metal, rubber or building demolition material, or***
- (c) that purify, recover, reprocess or process more than 5,000 tonnes per year of solid or liquid organic materials, or*
- (d) that are located:*
- (i) in or within 100 metres of a natural waterbody, wetland, coastal dune field or environmentally sensitive area, or*
 - (ii) in an area of high watertable, highly permeable soils, acid sulphate, sodic or saline soils, or*
 - (iii) within a drinking water catchment, or*
 - (iv) within a catchment of an estuary where the entrance to the sea is intermittently open, or*
 - (v) on a floodplain, or*
 - (vi) within 500 metres of a residential zone or 250 metres of a dwelling not associated with the development and, in the opinion of the consent authority, having regard to topography and local meteorological conditions, are likely to significantly affect the amenity of the neighbourhood by reason of noise, visual impacts, air pollution (including odour, smoke, fumes or dust), vermin or traffic.*

Based on the above, it is considered that the proposal is defined as designated development given that the maximum processing capacity of the existing facility is proposed to be increased to 75, 000 tonnes. In accordance with the Environmental Planning and Assessment Regulation 2000, an EIS was prepared and submitted in support of the application. The Application, together with the EIS, was placed on public exhibition for a period of thirty (30) days in accordance with the Regulation.

Pursuant to Schedule 4A of Environmental Planning and Assessment Act 1979 waste management facilities that are defined as designated development under clause 32 of Schedule 3 of the Regs, are to be determined by the Sydney Western City Planning Panel.

2. Section 91 of the Environmental Planning and Assessment Act – Integrated Development

In accordance with Section 91 of the Environmental Planning and Assessment Act 1979, the proposed development is defined as Integrated Development and requires approval from the Environment Protection Authority (EPA) under the Protection of the Environment Operations (POEO) Act 1997. In accordance with Schedule 1 of the POEO Act, the proposed development includes the following activity ‘waste processing (non-thermal treatment)’ which involves processing more than 6000 tonnes of waste per year.

Subsequently, in accordance with the EP&A Act 1979 and the POEO Act 1997, the proposed development requires approval from EPA. On 29 January 2014, EPA indicated that they would be able to issue a licence for the proposal subject to a number of conditions and provided Council with their General terms of Approval, which are recommended to form part of the development consent.

3. State Environmental Planning Policy (Infrastructure) 2007

The following provisions in the SEPP are applicable:

Subdivision 2 Development in or adjacent to road corridors and road reservations

The proposed development is a waste transfer station and on this basis, is defined as 'Traffic Generating Development' Pursuant to Clause 104 of the SEPP.

The applicant has submitted a Traffic Report in support of the application that includes a survey of existing vehicle movements. The report concludes that traffic generated by the development is considered to be minimal. In addition, the application was referred to Roads and Maritime Services who raised no objections to the application subject to conditions of consent.

Division 23 Waste or resource management facilities

Pursuant to Clause 121 (1) *'Development for the purpose of waste or resource management facilities...may be carried out by any person with consent on land in a prescribed zone'*. The IN1 General Industrial zone is defined as a prescribed zone under the SEPP and therefore the proposal is permitted with Development Consent.

4. State Environmental Planning Policy No. 33 Hazardous and Offensive Development

State Environmental Planning Policy (SEPP) No 33: Hazardous and Offensive Development links the permissibility of a development proposal to its safety and environmental performance.

A Preliminary Hazard Analysis (PHA) was submitted with the application given that the site proposes to sort and process waste. The submitted PHA has demonstrated that the proposed site operations do not pose risks or threat to air quality or water quality given that the facility will process dry, source separated paper, cardboard and plastic film products. It is noted within the PHA that the development is not potentially hazardous or offensive development.

Further, Council's Environmental Management Section has undertaken an assessment pursuant to the criteria under SEPP No. 33 and concludes that the proposal is not defined as 'potentially hazardous or offensive industry'.

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

SEPP 55 requires Council to consider whether land is contaminated and if it requires remediation prior to granting consent to any development. The consent authority must be satisfied that any necessary remediation has occurred before the use of the land is permitted.

A Soils and Contamination Study and an Environmental Management Plan has been prepared and accompanies the development application.

The Soils and Contamination Study concludes that the site is suitable for the intended land use and building works at the rear of the site, given that the site has had extensive hardstand in place and is currently being used for the purpose of the subject development.

The study makes certain recommendations with respect to demolition and subsequent development. These recommendations can be covered as conditions of development consent. The submitted report confirms that the land is suitable for the proposed development and that land contamination is not an issue at the site.

6. Greater Metropolitan Regional Environmental Plan No 2—Georges River Catchment

The subject development is considered to be consistent with the objectives and the requirements outlined in the above REP. In addition, the specific matters of consideration as outlined in the REP are as follows:

“Specific matters for consideration

- *The potential cumulative environmental impact of any industrial uses on water quality within the Catchment.*
- *The adequacy of proposed stormwater controls and whether the proposal meets the Council’s requirements for stormwater management.*
- *Whether proposed erosion control measures meet the criteria set out in Managing Urban Stormwater: Soil and Construction Handbook (1998) prepared by and available from Landcom and the Department of Housing.*
- *Likely impact on groundwater and remnant vegetation.*
- *The possibility of reusing treated waste water on land and the adequacy of proposed waste water disposal options.*
- *Whether adequate provision has been made to incorporate vegetated buffer areas to protect watercourses, foreshores or other environmentally sensitive areas where new development is proposed.*
- *The adequacy of planned waste water disposal options.”*

The applicant has submitted an Environmental Impact Statement demonstrating that the proposal will not create an unreasonable environmental impact to the surrounding locality. The application is therefore considered to be satisfactory with respect to addressing the objectives and requirements of REP No. 2.

7. Fairfield Local Environmental Plan (LEP) 2013

The subject site is zoned IN1 General Industrial under Fairfield LEP 2013 and the subject development would be characterised as a waste transfer station. Waste transfer stations are defined by Fairfield LEP 2013 as follows:

waste or resource transfer station means a building or place used for the collection and transfer of waste material or resources, including the receipt, sorting, compacting, temporary storage and distribution of waste or resources and the loading or unloading of waste or resources onto or from road or rail transport.

The proposal is permissible within the zone subject to consent.

The objectives of the zone are as follows:

- *To provide a wide range of industrial and warehouse land uses.*
- *To encourage employment opportunities.*
- *To minimise any adverse effect of industry on other land uses.*
- *To support and protect industrial land for industrial uses.*

- *To ensure development is not likely to detrimentally affect the viability of any nearby business centre.*

It is considered that the proposed development, which will not result in a change to the overall operation of the existing facility would be consistent with the above objectives of the IN1 General Industrial zone.

Clause 4.3 and 4.4 of Fairfield LEP 2013 regulate building height and floor space ratio, respectively. In the circumstance of this case there are no development standards in the LEP restricting the development in terms of building height and floor space ratio.

There are no other relevant clauses to the Application in Fairfield LEP 2013.

8. Fairfield City-Wide Development Control Plan 2013

The proposal has been assessed against the controls stipulated within the Fairfield City Wide DCP, 2013: Chapter 9 – Industrial Development, and Chapter 12 Car Parking, Vehicle and Access Management. The table below provides a brief assessment summary against the relevant controls within the DCP.

8(a). Chapter 9 – Industrial Development

Criteria	Standard Required	Proposed	Complies
9.1. Lot Frontage	30 metres required	52 metres to Redfern Street	Yes
9.1. Lot size	The Torrens Title subdivision of any allotment within the Wetherill Park or Bonnyrigg precincts must be no less than 930m ² .	No subdivision is proposed	N/A
9.1.2 Setbacks	The minimum setback for all land within Wetherill Park, other than those roads described immediately above is to be 10 metres, all of which is to be landscaped.	The proposed buildings will not alter or encroach the existing building setbacks to Redfern Street.	N/A
9.2.3 Loading facilities	To ensure new development does not adversely intrude on pedestrian and vehicle amenity, applicants will need to demonstrate that loading for their activity can either be carried out: <ul style="list-style-type: none"> a. on-site without interfering with the efficient operation of the premises (including its car park); or b. gain access to an on- 	<u>Existing factory building:</u> An existing loading area is located within the subject building adjacent to the roller shutter door located along the western building elevation. Review of the submitted plans has revealed that this loading area is sufficient in size to	Yes

	street loading zone at the front or side of their premises.	<p>accommodate for a heavy rigid vehicle.</p> <p><u>Semi-enclosed awning:</u> The semi-enclosed awning structure proposed along the northern property boundary will be open along its southern elevation to allow for trucks to be side loaded within the adjoining hardstand area.</p> <p>The proposed loading areas will be provided on site and will not cause any obstructions to the manoeuvring areas within the subject property.</p>	
9.2.4 On-site manoeuvring	Adequate on-site manoeuvring is to be provided to enable a large rigid truck to enter and leave the site in a forward direction.	<p>The proposal has been designed so that all truck (semi-trailers and heavy rigid vehicles) movements will enter and exit the site in a forward direction.</p> <p>Council's Traffic engineer has assessed the application and has confirmed that sufficient manoeuvring area is provided on site for trucks to carry out a reverse manoeuvre in order to enter and exit in a forward direction.</p> <p>All trucks shall enter via the northernmost access driveway and exit via the southern driveway.</p>	Yes
9.2.6 Pedestrian Movement	Pedestrian access through car parking areas should be	Can be covered as a condition of	Yes

	clearly marked, and where possible emphasised by the use of raised and textured surfaces.	development consent.	
9.3 Advertising Signs	<p>Approval is required for advertising signs.</p> <p>Clause 9.3.1(a) and 9.3.1(b) are relevant:</p> <p>a) Total advertising area of up to 0.5 square metres for every metre of lineal street frontage is permitted. On corner allotments, the largest street frontage only can be used to calculate the advertising area allowed. This means that for a property with a frontage of 30 metres the total maximum advertising area for signs of any permitted kind will be 15 square metres of total advertising area.</p> <p>b) No single sign may be permitted to exceed an area of 30 square metres.</p>	No advertising signage is proposed.	N/A
9.4.2 Fencing	<p>a) For fencing along the front boundary or a boundary facing a classified (arterial) road, the requirements are:</p> <p>i) a maximum height of 2.4 metres on the boundary line</p> <p>ii) solid construction up to 600 mm above natural ground level</p> <p>iii) be constructed in an open style, such as powder-coated wrought iron pickets and be of dark colour</p> <p>iv) for security fencing, only palisade fencing made from metal is permitted.</p> <p>b) Fencing requirements along the side or rear boundaries are:</p> <p>i) maximum height is 2.4 metres on the boundary line</p> <p>ii). constructed in an open</p>	The site is already fenced in manner to comply with the DCP requirements.	Yes and can be covered as a condition of consent.

	style such as powder-coated wrought iron pickets or chain wire.		
9.4.3 Building materials	All development applications for new buildings or extensions or renovations involving the external cladding of existing buildings must be accompanied by details of the building construction and the materials to be used on external facades. This is necessary to ensure that the new buildings are harmonious in form and style with existing and intended development. To minimize discomfort from glare and reflected heat, external glass is not to exceed 20% reflectivity.	Building materials and schedule of colours has been detailed on the submitted building elevations and will be consistent with the existing buildings located on site. No glazing is proposed.	Yes
9.4.4 Hours of operation	Where industrial properties are within 500 metres of residential properties, industrial operating hours will generally be restricted within the range of 7.00am to 6.00pm Monday to Friday and 7.00am to 12.00 noon on Saturdays with no operations on Sunday.	The closest residential property is located more than 500 metres from the subject land. The existing and proposed operating hours are 24 hours per day seven days a week. Given that the site is centrally located within the existing Wetherill Park Industrial Precinct and is not in close proximity to residential development the proposed operating hours are considered acceptable in these circumstances.	Yes

The above compliance table demonstrates that the application is considered satisfactory with the controls stipulated within Fairfield City Wide DCP, 2013: Chapter 9 – Industrial Development.

8(b). Chapter 12 - Car Parking, Vehicle and Access Management

The below table provides a brief assessment summary against the relevant controls stipulated within Chapter 12 of DCP 2013:

Criteria	Development Control	Proposed	Compliance
Chapter 12 Car parking, Vehicle and Access Management	To be determined by a car parking survey of a comparable facility	The applicant has provided a Traffic and Parking Impact Assessment Report.	Considered Satisfactory (see below)
Resource Recovery Facility			

A total of twenty-four (24) car parking spaces are proposed on site. The applicant has submitted a parking assessment report in support of the application in order to demonstrate that the existing facility has sufficient parking to accommodate for the proposal. The report includes a survey of the existing staff and parking demand and concludes that the car parking spaces provided will be occupied by employees only and there would be no visitors from the general public. On this basis, it is argued within the report that the parking demand of the development would be generated by the maximum number of employees to be on site at any time. A total of twenty-two (22) employees will be on site at any one time.

The report indicates that the subject development is to upgrade and increase the processing capacity of an existing purpose built facility that provides specialised waste consolidation processes and will not result in an increase of staff on site.

Based on the proposed staffing levels the report concludes that the facility requires a maximum of 22 spaces and therefore the twenty-four (24) spaces are considered adequate.

The Report has been reviewed by Council's Traffic Engineer who has raised no concern in relation to the number of proposed car spaces provided on site and confirmed that the applicant has adequately demonstrated that sufficient car parking facilities will be provided to accommodate the development.

Having regard to the above, it is considered that the subject development is consistent with the objectives of Chapter 12 of the DCP 2013 given that the number of car spaces provided on site will meet the parking demand of the proposed development. The proposed number of car parking spaces is therefore considered acceptable in these circumstances.

INTERNAL REFERRALS

During the assessment process, comments were sought from a number of sections within Council, as detailed below:

Building Control Branch	No concern has been raised.
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Development Engineering	No concern has been raised.
Environmental Management Branch (EMB)	EMB is satisfied with the information submitted and raises no concern to the proposal, subject to conditions of Consent.
Traffic Section	Traffic Section has reviewed the parking assessment and turning circles and raise no concern to the proposal, subject to conditions.

EXTERNAL REFERRALS

During the assessment process, comments were sought from a number of external bodies who were considered to have an interest in the proposed development. Detailed below are the comments received from those external bodies.

Department of Planning and Environment

Pursuant to section 81 of the Environmental Planning and Assessment Regulation 2000, Council is required to forward all submissions to the Department of Planning and Environment. The Application was notified in accordance with Environmental Planning and Assessment Regulation 2000. During the notification process no submissions were received.

The Department advised that in the absence of any submissions, the Department is satisfied that the proposal is of local significance and therefore does not raise any objection to the proposal.

Roads and Maritime Service (RMS)

The application is required to be referred to Roads and Maritime Services pursuant to State Environmental Planning Policy (Infrastructure) 2007 as waste facilities are defined as Traffic Generating Development (Schedule 3 of the SEPP). RMS raised no objections subject to conditions of Consent.

Environmental Protection Authority (EPA)

As mentioned above, in accordance with Section 91 of the Environmental Planning and Assessment Act, the proposed development is defined as Integrated Development and requires approval from the EPA under the Protection of the Environment Operations (POEO) Act 1997.

The EPA has advised that the department can issue a licence for the proposal subject to conditions. In addition, the proponent has applied to modify the existing licence.

PUBLIC NOTIFICATION

In accordance with the Environmental Planning and Assessment Regulation 2000, the application was placed on public exhibition for thirty (30) days from Thursday 19th January to Saturday 18th February 2017. The application was notified via written

notification to the surrounding and affected owners and occupiers and an advertisement was placed within the local paper and at the site for a period of thirty (30) days. In addition the Application was forwarded to the Department of Planning and Environment for inspection.

No submissions were received during the exhibition period.

SECTION 79C CONSIDERATIONS

The proposed development has been assessed and considered having regard to the matters for consideration under Section 79C of the Environmental Planning and Assessment (EP&A) Act 1979 and no issues have arisen that would warrant the application being refused on planning grounds. The following is a brief assessment of the proposal with regard to Section 79C.

(1) **Matters for consideration—general**

In determining a development application, a consent authority is to take into consideration such of the following matters as are of relevance to the development the subject of the development application:

(a) the provisions of:

(i) Any environmental planning instrument

This report has demonstrated that the proposed development is permissible within the General Industrial IN1 zone pursuant to the provisions of the Fairfield Local Environmental Plan 2013 (FLEP).

Consideration of the development under the provisions of SEPP 55 – Remediation of Land has been found to be satisfactory.

(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 Director-General has notified the consent authority that the making of the proposed instrument has been deferred indefinitely or has not been approved), and

There is currently no draft environmental planning instrument of relevance that affects this site.

(iii) any development control plan

The proposed development complies with the provisions of Fairfield City Wide Development Control Plan 2013 - Chapter 9 – Industrial Development

It is considered that the proposed car parking facilities are sufficient to accommodate the proposed use and therefore the subject development is consistent with the objectives of the car parking controls stipulated within Chapter 12 –Car parking, Vehicle access and Management.

(iii) any planning agreement that has been entered into under section 93F, or any draft planning agreement that a developer has offered to enter into under section 93F, and

Not applicable

(iv) the regulations (to the extent that they prescribe matters for the purposes of this paragraph),

The proposed development is identified as a 'waste management facility' defined under Part 32 of Schedule 3 of the EP&A Regulations 2000. Given that the subject application is seeking approval to process up to 75, 000 tonnes of recyclable waste products, the proposed development is defined as Designated Development.

Pursuant to Clause 78A(8) of the EP&A Act, 1979, a development application for the purpose of Designated Development is to be accompanied by an Environmental Impact Statement (EIS). The development application has been submitted with an EIS in accordance with the Secretary's Environmental Assessment Requirements (SEARs).

(b) the likely impacts of the development, including environmental impacts on both the natural and built environments, and social and economic impacts in the locality

Water Pollution

A Water Impact Assessment Report was submitted in support of the application which identifies three main sources of pollutants including oil and fuel spills from vehicles, leaks from sewer pipes and combustion products from fire suppression water. A Pollution Incident Response Plan has also been submitted with the application which outlines the processes and procedures to be put in place to minimise the risk of pollutants contaminating the stormwater, actions to be taken if a pollution incident occurs, notification procedures, an inventory of pollutants and staff training requirements.

The development also proposes to install bunding within the factory building and a gross pollution trap within the north-eastern corner of the site, which will remove gross pollutants, suspended sediments, nutrients, heavy metals and hydrocarbons from stormwater runoff before being discharged to stormwater. In the event of a fire, water will be diverted towards a 115,000 litre underground firewater storage tank so that stormwater, potentially contaminated with firefighting chemicals are not discharged to the stormwater system.

The risk of stormwater contamination during demolition, excavation and construction will be minimised by removing chemicals/fuels off-site until works are completed, stopping work during rain periods, promptly removing demolition waste and by implementing the Sediment Control and Soil Erosion Plan.

Council's Environmental Management Section has assessed the submitted application and has raised no concern in relation to potential water pollution of the proposed building alterations and additions and processing of plastic film products on site.

Noise Pollution

A Noise Impact Assessment was submitted in support of the application demonstrating that the proposed development complies with the Industrial Noise Policy and indicates that the site is located approximately 600 metres from the closest residential property.

Given that the subject site is located within the existing Wetherill Park Industrial Precinct, the operating hours of the existing facility are to remain unchanged and that there are no new proposed activities on the site that will lead to unacceptable noise pollution, the subject development is unlikely to result in any unreasonable noise impacts on the surrounding locality. Further, the Noise Impact Assessment has been assessed by Council's Environmental Management Officer who has raised no concern in relation to the potential noise impacts of the proposed development.

Air Pollution

A Level 1 Air quality Assessment has been submitted in accordance with the Approved Methods for the Modelling and Assessment of Air Pollutants in NSW and outlines the potential air based emissions of the operation of the proposed development.

The Assessment Report indicates that the potential air based emissions will be of minimal impact given that the plant machinery and associated processes are enclosed within the factory building.

Further, the report outlines the following management measures to be implemented to reduce impacts to air quality during the construction and operations phase of the proposal:

- Baling machinery located wholly within the subject building;
- Raw recyclable materials and products to be stored within the factory building, no external storage;
- Only finished baled products to be stored within the semi-enclosed awning structure;
- Maintain integrity of concrete and bitumen trafficable surfaces to limit potential for dust to be generated;
- Use wet cleaning methods or mechanical road sweepers to prevent the build-up of dust on site road surfaces;

Council's Environmental Management Officer has assessed the development application and has advised that the discharge of dust and air based emissions comply with the relevant EPA requirements in relation to air pollutants. In addition to this the Environmental Management Officer has confirmed that the applicant has adequately demonstrated that the air based emissions of the proposed development is unlikely to adversely impact air

quality or human health given the context of the site and that it is not located in close proximity to residential development.

Traffic Impact

An initial assessment of the application raised significant concern that the traffic generation of the proposed development would result in unreasonable and adverse impacts on the surrounding road network. Further, Council's Traffic Engineer raised concern that insufficient area is provided on site to accommodate the number of service vehicles to be on site at any one time. On this basis, assessment of the Application revealed that the proposal would result in an over-intensification of the existing site operation. Accordingly, the site would not be considered suitable to accommodate the proposed use.

In response, the applicant amended the application to reduce the proposed maximum processing capacity from 99, 000 to 75, 000 tonnes per year, submitted a revised Traffic Impact Assessment Report and an Operational Traffic Plan of Management in support of the application. The Traffic Impact Assessment Report indicates that the traffic generated by the development has decreased as a result of the reduced processing capacity of the site.

Further, the Plan of Management includes management practices and procedures in order to mitigate and minimise potential traffic impacts, which includes the following measures:

- All storage to occur wholly within the confines of the subject building and proposed awning;
- Limiting the maximum handling capacity of the site to 75, 000 tonnes per year;
- Scheduling a maximum number of deliveries/pick-ups to be carried out on site on an hourly basis.

Council's Traffic Engineer has assessed the amended application and has raised no concern in relation to the traffic generation and number of vehicles required to service the site based on the reduced processing capacity of the facility. Further, Council's Traffic Engineer has advised that the amended proposal is unlikely to result in any adverse impacts on the surrounding road network. On this basis, the amended Application has demonstrated that the traffic generated by the proposed development will be reduced as well as the number of vehicles proposed to service the site at any one time.

Having regard to the above, it is considered that the subject site is suitable to accommodate the proposed development and is therefore considered acceptable in these circumstances.

In terms of traffic generation, Council's Traffic Engineers have reviewed the documentation submitted with the application and concluded that the traffic generated by the development will not create a significant impact on Redfern Street and the surrounding road network.

Amenity

It is considered that the proposal is unlikely to result in any adverse impact upon the amenity of the locality. There are no residential properties in the immediate locality and on this basis the seven day, 24 hour a day, operational characteristics of the proposal are unlikely to affect residential amenity. The proposal is not considered to adversely impact air quality based on the proposed air pollution mitigation measures and waste materials will be collected by an accredited waste service provider and recycled off-site.

Social and Economic Impacts

The proposed development will increase the efficiency of the existing operations on the site and add to the importance of Wetherill Park as one of the main employment areas in the Greater Sydney Region.

The proposal will have a positive economic impact in the locality and the region.

The proposal has negligible social impacts.

(c) the suitability of the site for the development

The site is considered suitable for the proposed development. There are no known constraints which would render the site unsuitable for the proposed development.

(d) any submissions made

No submissions were received during the exhibition period.

(e) the public interest

Having regard to this assessment the proposed development is considered to be in the public interest and warrants approval.

SECTION 94A DEVELOPMENT CONTRIBUTIONS

The proposed development has an estimated construction cost of \$15,150.15. In accordance with Fairfield City Councils adopted S94A contribution plan this requires payment of a development contribution of \$15,150.15. A condition of development consent has been imposed which specifies this amount is payable.

CONCLUSION

The subject site is within the Zone IN1 General Industrial zone as stipulated within the Fairfield City Council Local Environmental Plan 2013. The proposal is permissible within the zone, subject to consent.

This assessment of the application has considered all relevant requirements of s79C of the Act and finds that there would be no significant adverse or unreasonable impacts associated with the development on the locality.

The application was referred to Council's Building Control Branch, Traffic Section, Environmental Management Branch and Development Engineering Branch for comments and/or conditions. No concerns are raised to the proposal subject to conditions of consent. The application was also referred to the Environmental Protection Authority, Roads and Maritime Services and the Department of Planning and Environment for approval in accordance with the EP&A Regulation 2000. No objection was raised and General Terms of Approval were issued by the EPA.

Accordingly, it is recommended that the application be approved, subject to conditions outlined in Attachment F of this report.

RECOMMENDATION

1. That the proposed alterations and additions to an existing waste transfer station used to consolidate waste paper and cardboard and modifications to the operation of the facility to include the recycling of plastic film products and process up to 75,000 tonnes of waste per year, including reconfiguration of on-site car parking, construction of retaining walls and filling at the rear of the site be approved in Attachment F of this report.