

JOINT REGIONAL PLANNING PANEL (SYDNEY EAST)

Assessment Report and Recommendation Cover Sheet

JRPP No	2016SYE016
DA Number	2015/177
Local Government Area	Strathfield
Proposed Development	Use of an existing industrial site as a waste transfer station capable of separating the following non-putrescible waste: <ul style="list-style-type: none"> • Paper and cardboard; • Mixed metals (steel/tin/aluminium); • Glass; and • Mixed plastics.
Street Address	14-82 Madeline Street, Strathfield South Lot 2 in Deposited Plan 556743
Applicant/Owner	Polytrade Pty Ltd
Number of Submissions	(30) written submissions and one (1) petition containing (455) signatures were received
Regional Development Criteria (Schedule 4A of the Act)	Designated Development: Waste Transfer Station
List of All Relevant s79C(1)(a) Matters	<ul style="list-style-type: none"> • List all of the relevant environmental planning instruments: s79C(1)(a)(i) • State Environmental Planning Policy (Infrastructure) 2007; • State Environmental Planning Policy No. 33 – Hazardous and Offensive Development; • State Environmental Planning Policy 55 – Remediation of Land; • Strathfield Local Environmental Plan 2012; • Strathfield Indirect Development Contributions Plan 2010-2030; and • Strathfield Consolidated Development Control Plan 2005. • List any proposed instrument that is or has been the subject of public consultation under the Act and that has been notified to the consent authority: s79C(1)(a)(ii) N/A

	<ul style="list-style-type: none"> • List any relevant development control plan: s79C(1)(a)(iii) Strathfield Consolidated Development Control Plan 2005: <ul style="list-style-type: none"> ○ Part D – Industrial Development ○ Part H – Waste Management and Minimisation ○ Part I – Off Street Car Parking ○ Part L – Notification • List any relevant 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: s79C(1)(a)(iv) N/A • List any coastal zone management plan: s79C(1)(a)(v) N/A • List any relevant regulations: s79C(1)(a)(iv) eg. Regs 92, 93, 94, 94A, 288 N/A
List all documents submitted with this report for the panel's consideration	Report, copies of submissions and Architectural Plans
Recommendation	Approval
Report by	Sophie Olsen, Acting Manager Planning and Development

SUMMARY

PROPERTY:	14-82 Madeline Street, Strathfield South Lot 2 in Deposited Plan 556743
DA NO.:	2015/177
APPLICATION TYPE:	Waste Transfer Station
REPORT BY:	Sophie Olsen Acting Manager Planning and Development
RECOMMENDATION:	APPROVAL
SUBMISSIONS:	(30) written submissions and one (1) petition containing (455) signatures were received.
ZONING:	IN1 – General Industrial
DATE APPLICATION LODGED:	29 December 2015
APPLICANT:	Polytrade Pty Ltd
OWNER:	LC Investment (Australia) Pty Ltd

INTRODUCTION

Approval is sought for the use of an existing industrial site as a waste transfer station capable of separating the following non-putrescible waste:

- Paper and cardboard;
- Mixed metals (steel/tin/aluminium);
- Glass; and
- Mixed plastics.

It is proposed that the facility will have a maximum throughput of 99,000 tonnes per annum comprising 30,000 tonnes of paper and cardboard and 69,900 tonnes of mixed metals glass and mixed plastics.

The proposal involves the fit out of two (2) existing warehouses and construction of storage bays to be utilised for sorted glass prior to dispatch. An existing third warehouse is to be used for the storage of sorted glass and the existing ancillary office is to be retained. The proposal seeks to utilise an existing weighbridge and install a second weighbridge to monitor the tonnage of waste sorted at the facility.

The proposal seeks consent to operate 24 hours a day, Monday to Saturday, with plant maintenance and cleaning occurring on Sunday between the hours of 4am to 4pm.

The site is located within an area of industrial land within Strathfield South and is well located with respect to the surrounding arterial road network. It is considered that the proposal provides

suitable methods for the management of the site to minimise odour, traffic and noise. The proposal is recommended for approval, subject to conditions.

DESCRIPTION OF THE SITE AND LOCALITY

The Site is located at 14-83 Madeline Street and is legally known as Lot 2 in DP556743. The portion of the site to which the subject proposal relates is identified as Proposed Lot 23A in a subdivision which was approved by Council in 2012 and for which inter-allotment drainage works are currently being undertaken.

The site is zoned IN1- General Industrial under the Strathfield LEP 2012 and is within a large area of industrial land that currently contains uses such as car repair stations, the Sydney Meat Market, freight and logistics depots and a waste transfer station (Aussie Skips). The Cooks River concrete lined canal is located south-east of the subject site.

The site currently benefits from an existing consent and EPA license for the operation of a paper and cardboard recycling facility (DA93/01 and EPA license no. 20576).

The nearest residential properties are located approximately 100m away on the corner of Excelsior Avenue and Chisholm Street.

Figure 1: Aerial photograph of subject site



BACKGROUND

The proposal is categorised as Designated Development under Schedule 3 of the EP&A Regulation 2000 due to the capacity of the facility, the presence of Class 4 Acid Sulfate Soils and the proximity to residential zoned land.

The Secretary's Environmental Assessment Requirements (SEARs) provided for the site are provided at attachment 1. The applicant's EIS addresses these environmental assessment parameters through the following consultant reports:

- Traffic and Parking Impact Assessment;
- Air Quality Impact Assessment;
- Noise Impact Assessment;
- Soil and Water Assessment;
- Seven Part Test and Threatened Species Impact Assessment; and
- Visual Impact Assessment.

These matters have also been considered in the assessment of the proposal as discussed within this report.

ASSESSMENT - Pursuant to Section 79C of the Environmental Planning and Assessment Act, 1979

The application has been assessed pursuant to the heads of consideration of Section 79C of the Environmental Planning and Assessment Act and the relevant matters described in Sub-section (1)(a), (b), (c), (d) and (e) of Section 79C have been considered within this report.

(a) (i) Environmental Planning Instruments:

The following Environmental Planning Instrument's (EPI) are applicable in the assessment of the subject application:

- State Environmental Planning Policy (Infrastructure) 2007;
- State Environmental Planning Policy No. 33 – Hazardous and Offensive Development;
- State Environmental Planning Policy 55 – Remediation of Land;
- Strathfield Local Environmental Plan 2012;
- Strathfield Indirect Development Contributions Plan 2010-2030; and
- Strathfield Consolidated Development Control Plan 2005.

An assessment of the proposal against the relevant provisions of each of these EPI's is provided below.

State Environmental Planning Policy (Infrastructure) 2007

The subject site is zoned IN1 – General Industrial which is classified as a prescribed zone for the purposes of Clause 121 of the SEPP (Infrastructure) 2007 (I SEPP) which prevails over the zoning provisions of the Strathfield LEP 2012 to permit the use of the site as a waste transfer station.

The SEPP defines a ‘waste transfer station’ as follows:

“a facility 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.”

As the proposed use of the site is consistent with this definition and is located within a prescribed zone, the proposal is permissible with consent.

The proposal was required to be forwarded to Roads and Maritime Service (RMS) for comment as the use of the site is considered ‘Traffic Generating Development’ pursuant to Schedule 3 of the I SEPP 2007. In correspondence dated 22 February 2016, RMS indicated that no objection is raised to the proposal on traffic grounds.

In addition to the consideration of the response provided by RMS, Clause 104 of the I SEPP 2007 requires that the following matters be taken into consideration:

- “
- (ii) *the accessibility of the site concerned, including:*
 - (A) *The efficiency of movement of people and freight to and from the site and the extent of multi-purpose trips, and*
 - (B) *The potential to minimise the need for travel by car and to maximise movement of freight in containers or bulk freight by rail, and*
 - (iii) *any potential traffic safety, road congestion or parking implications of the development.* ”

The applicant has undertaken a Traffic Impact Assessment of the proposal and on the request of Council Officers, has prepared a detailed Traffic Plan of Management with the intent of minimising on-site conflicts between incoming waste in garbage trucks and outgoing (sorted) waste generally collected by heavy or articulated vehicles. This is addressed further in the likely impacts discussion below however it is considered that the use of the site will be unlikely to result in additional traffic congestion on the surrounding road network given the existing capacity of nearby roads and the timing of shift changeovers, incoming and outgoing waste.

The proposal includes the line marking of (29) off street parking bays for use by staff and visitors (generally only Council and EPA Officers). The parking provided will be sufficient as changeover times for the shifts of the Materials Recovery Facility (MRF) and Paper and Cardboard Recovery (PCR) facility will be staggered, providing a maximum of (21) employees on-site at any one (1) time.

Given the strategic location of the site within the inner-west of Sydney, well connected to nearby arterial roads, the development is considered reasonably efficient with regard to Clause 104(3)(ii)(A) as it provides a centralised location for the sorting of household and

commercial waste and the collection of baled and sorted waste in larger quantities, and in the case of sorted glass, movement in large quantities via container to Port Botany.

Therefore, granting consideration to the provisions of Clause 104 of the I SEPP, the proposal is considered satisfactory.

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

State Environmental Planning Policy No. 33: Hazardous and Offensive Development (SEPP 33) is a systematic approach for assessing development proposals for potentially hazardous and offensive industry or storage. SEPP 33 introduces performance-based definitions of 'hazardous' and 'offensive' and sets out specific assessment requirements for such proposals.

The provisions of SEPP 33 apply as the proposal is defined as a 'potentially offensive industry' meaning:

“a development for the purposes of an industry which, if the development were to operate without employing any measures (including, for example, isolation from existing or likely future development on other land) to reduce or minimise its impact in the locality or on the existing or likely future development on other land, would emit a polluting discharge (including for example, noise) in a manner which would have a significant adverse impact in the locality or on the existing or likely future development on other land, and includes an offensive industry and an offensive storage establishment.”

Clause 13 of SEPP 33 requires the consent authority to consider:

- (a) current circulars or guidelines published by the Department of Planning relating to hazardous or offensive development, and*
- (b) whether any public authority should be consulted concerning any environmental and land use safety requirements with which the development should comply, and*
- (c) in the case of development for the purpose of a potentially hazardous industry—a preliminary hazard analysis prepared by or on behalf of the applicant, and*
- (d) any feasible alternatives to the carrying out of the development and the reasons for choosing the development the subject of the application (including any feasible alternatives for the location of the development and the reasons for choosing the location the subject of the application), and*
- (e) any likely future use of the land surrounding the development.*

The applicant has undertaken a Hazard and Risk Assessment (screening test) in order to determine whether a Preliminary Hazard Analysis (PHA) of the proposal would be required. The screening test considers the quantity and location of hazardous substances stored on site against thresholds prescribed in the guideline “Applying SEPP 33” prepared by the Department of Planning and Infrastructure (2011). The screening test concludes that a PHA is not required as:

- The proposal seeks to store a maximum 1,000 litres of diesel fuel within a self-bunded diesel tank compliant with AS1940:2004 *The storage and handling of*

flammable and combustible liquids such that it is not considered to be potentially hazardous;

- Maximum of 20 x 20kg cylinders of LPG gas (0.4 tonnes) shall be stored within a separate storage cage within the warehouse. The SEPP prescribes a threshold of more than 10 tonnes being hazardous; and
- Maximum of 2 x 30 litre drums of hydraulic oil are to be stored within a suitably bunded area to minimise risk.

Conditions of consent are to be imposed in order to ensure hazardous substances within the site are appropriately stored to minimise risk to the environment and the community.

Polluting discharge such as odour and noise, which has the potential to cause offence to surrounding uses and residents has also been considered in the assessment of the proposal. The applicant has prepared detailed Acoustic and Air Quality Assessment which has been reviewed by the NSW Environmental Protection Authority (EPA) and independently reviewed on behalf of Council by specialised waste and acoustic consultants. Conditions of consent are recommended requiring the ongoing monitoring of the site in order to minimise impacts on surrounding uses and nearby residents.

Non-Conforming Waste

On the request of Council Officers, the applicant prepared a 'Plan for the Management of Non-conforming Waste' detailing storage locations, methods, frequency and method of collection for materials which are unable to be processed by the site and which may enter the site comingled with deliveries of recyclable material. The Applicant's Waste Management Plan considers both hazardous non-conforming waste and residual waste (garbage) and provides the following methods for management of the site:

- *Contractual commitment with clients to a very low level of contamination through visual checks of bins being collected to allow rejection at the source of collection;*
- *Visual checks at the weighbridge and receival area including detail of the type of collection, registration of the vehicle and weight of load. This allows loads to be rejected prior to unloading within the site;*
- *Mechanical separation of non-conforming/residual waste and relocation to temporary storage area for immediate removal (hazardous) or daily removal (non-hazardous) by contractor. Non-hazardous residual waste is to be collected within 24 hours of receipt at the facility in order to reduce the potential for odour generation or nuisance to nearby businesses/residents (condition to be imposed).*
- *To reduce the occurrence of potential illegal dumping activities, the applicant has committed to the provision of regular security patrols, installation of CCTV cameras and erection of signage to deter dumping.*

Noise and Air Pollution

The applicant has undertaken a detailed Acoustic Assessment and has provided methodology for the management of dust and cleaning within the site. Council has sought the specialist advice of Environmental and Acoustic consultants to independently review the reports prepared by the applicant.

The receival area and sorting of waste for the Materials Recovery Facility (MRF) and Paper and Cardboard Recovery Facility (PCR) are located within the existing warehouses which will assist in insulating noise generated by the use of the site. Further, a warehouse development which is currently under construction with an approximately 11m high boundary wall located directly east of the site will provide an additional acoustic shield between the site and residential properties located to the south-east.

A review of the Acoustic Report was undertaken on behalf of Council by a consultant Acoustic Engineer. Additional information was sought following the initial assessment relating to the amenity criteria used in the report and the operational noise assessment.

The assessment of the Acoustic information accompanying the proposal has indicated that the use of the site is generally satisfactory. As recommended, conditions of consent requiring ongoing acoustic monitoring of the site are recommended in order to ensure the project specific noise criteria, as set in the report, is able to be complied with once the site is fully operational.

As the operation of the facility is to be contained within the existing warehouses on site and covered glass bunkers, the proposal is not considered likely to generate dust. The applicant has indicated that the cleaning methods utilised will be sweeping by way of a specially designed forklift and that dust suppression by way of sprinkler system or otherwise is not required. Given the types of materials to be received at the site, it is agreed that the site would be unlikely to result in dust nuisance.

The methodology discussed above regarding the management of non-conforming waste is considered sufficient to reduce odour nuisance within the site. In the event that the site does result in unacceptable issues regarding odour, additional testing will be undertaken and if required, mitigation measures put in place, following the commencement of site operations. Conditions of consent are recommended regarding this.

State Environmental Planning Policy No. 55 – Remediation of Land

State Environmental Planning Policy No. 55 – Remediation of Land (SEPP 55) requires Council to consider whether the site is suitable in its current state, contaminated state or following the completion of remediation works for the purposes for which development consent is being sought.

The subject site is currently covered by hardstand areas and warehouses. The proposal does not seek to disturb the existing hardstand areas within the site and as such, a Preliminary Site Investigation was not required to be undertaken.

It is further noted that the site is not located in an area of investigation under Part K of the Strathfield Consolidated DCP 2005 (SCDCP 2005) which identifies past known landfill and potentially contaminated sites in the Strathfield local government area. Accordingly, there does not appear to be a need for further investigation of the site.

The site is therefore considered suitable in its current state for the proposed ongoing industrial use and the provisions of SEPP 55 are satisfied.

Strathfield Local Environmental Plan 2012

The site is zoned IN1 General Industrial pursuant to the Strathfield Local Environmental Plan (SLEP), 2012. The zoning provisions of the SLEP prohibit the use of the site as a waste transfer station however the use is made permissible under Clause 121 of SEPP (Infrastructure) 2007.

The proposal is to be contained within the footprint of existing warehouses and office building within the site and does not seek consent for additional floor area. Notwithstanding, existing structures upon the site are within the maximum permitted building height of 12m and FSR of 1:1 as provided by Clauses 4.3 and 4.4. of the SLEP 2012, respectively.

The subject site is identified as having both Class 4 and Class 5 soils. However, as the proposal does not include any excavation works or works likely to lower the water table, an Acid Sulfate Soils Management Plan was not required in accordance with Clause 6.1 of the SLEP 2012.

Overall, the proposed development has been considered with respect to the relevant Clauses of the SLEP, 2012 and is satisfactory.

Section 94 Contributions

Section 94 Contributions are applicable to the proposed development in accordance with the Strathfield Indirect Development Contributions Plan 2010-2030 at a rate of 1% of the Capital Investment Value (\$16,850,000) as follows:

Local Amenity Improvement Levy: \$168,500.00

(ii) Draft Environmental Planning Instruments:

There are no Draft Environmental Planning Instruments applicable to the subject site.

(iii) Development Control Plans:

Part D – Industrial Development of the Strathfield Consolidated Development Control Plan (DCP) 2005

Section	Development Control	Required	Proposed	Compliance
2.2	Contamination	Consideration as to whether the site is potentially contaminated.	Refer to SEPP 55 discussion above.	N/A
2.4	Development Adjoining Residential Zones	Noise to be insulated or minimised.	Refer to discussion of acoustic report above.	Noise generation minimised. Unlikely to impact

Section	Development Control	Required	Proposed	Compliance
		Plant and equipment operating in 'night time' hours to be subject to acoustic report.		residents.
		Shall not cause nuisance to residents by way of hours of operation, traffic, parking, headlight glare, security lighting and the like.	The subject site is buffered from residential development in Strathfield South by the adjoining industrial sites. Based on the information submitted with the application, the operation of the site would be unlikely to disrupt nearby residents or the operation of the local road network.	Acceptable.
2.9/ 2.9.1	Parking, Access and Maneuvering	Design to meet AS 2890.1-1993 and AS2890.2-1989 and provisions of Part I of the SCDCP 2005.	Refer to Part I DCP assessment below.	Refer below
	<i>Note: Car parking calculations to be rounded up.</i>	1/50m ² where office component under 20% of total GFA. Office is 6% of GFA or 459m ² 9.9 (10) spaces required.	Refer below	Refer below
		1/300m ² warehouse GFA. Warehouse: 7,427m ² 24.7 (25) spaces required	(29) spaces provided.	No, refer to likely impacts discussion.
		Delivery and service 1/800m ² GFA up to 8000m ² plus 1 space per 1000m ² thereafter.	Specialised use of the site. Loading/delivery areas are acceptable.	Yes.
		Car parking areas located in front setback area.	Car parking areas within the front setback, screened by shrubs.	Yes.
		Loading/unloading area to be separated to avoid conflict.	Unloading is located to the rear of the site. Loading	Yes and timing of loading/unloading will assist in

Section	Development Control	Required	Proposed	Compliance
			areas are located centrally.	minimising conflict. Refer to Traffic Management Plan and associated conditions of consent.
		Car parking to be landscaped with trees for shading.	Shrubs to be maintained.	Yes.
		No parking shall be located within buildings.	None proposed within buildings.	Yes.
2.9.2/ 2.9.3	Access and Maneuvering	Access via non-residential street.	Access is via non-residential part of Madeline Street. The existing chicane restricts truck access to the residential portion of Madeline Street.	Yes.
		Location of driveways to meet AS2890.1-1993.	Existing driveways utilised.	Existing.
		Separate driveways for ingress and egress where traffic volumes are substantial.	Driveways are acceptable.	Yes.
		Redundant driveways closed off and/or removed.	No redundant driveways.	N/A
		Driveway areas visible to the street shall have a featured surface.	Existing concrete driveways to be utilised.	Existing driveways in good condition.
2.9.4	Site Design	All vehicles to enter and exit in forward direction.	Turning circles provided to demonstrate vehicles are able to enter and exit in a forward direction.	Yes.
		Minimum interference to traffic on adjoining roads.	Installation of a second weighbridge minimises traffic movements on Madeline Street.	Yes, refer to likely impacts discussion.
		All servicing and waste collection to be carried out wholly within the site.	Non-conforming waste to be collected from the northern side of the MRF. Sorted waste to be collected from the southern side of	Yes.

Section	Development Control	Required	Proposed	Compliance
			the warehouse.	
		Entrance and exit points and car parking areas to ensure pedestrian safety within and outside the site.	Staff and visitor parking area located adjacent to office building.	Yes.
		No vehicle maneuvering permitted within buildings.	None proposed.	Yes.
2.9.5	Unloading and Loading	All loading/unloading to take place within the property.	All loading/unloading occurs within the property, behind the building line.	Yes.
		No stormwater pits shall be located in loading/unloading areas.	Existing drainage pits are located in the northern corner of the site, separated from the receival areas for the MRF and PCR.	Yes.
		Loading/unloading areas to be screened from the street.	Screened behind building line.	Yes.
2.10	Landscaping and Fencing	Continuous deep soil landscaped area min. 2.0m in width is required to the street frontage with continuous tree canopy and coverage of shrubs and/or groundcovers.	Existing, established screening shrubs located along the street frontage are to be retained.	Acceptable.
		Outdoor seating + lunch areas are to be provided and enhanced by landscaping.	Lunch room provided within the south-western corner of Building 1	Additional outdoor lunch area to be provided subject to condition.
2.10.2	Fencing	Solid fences 1.0m max in height to street frontages.	Existing chainwire fencing to be retained.	Acceptable.
2.14.2	Noise Pollution	Buildings designed to minimise transmission of noise.	Acoustic report indicates that the development will operate with minimal acoustic impacts on surrounding properties.	Yes.
2.14.3	Water Pollution	Type/Volume and Storage of Chemicals to be provided with DA.	Addressed under SEPP33 discussion.	Yes.
		Only clean water	Sweeping proposed	Yes and pit to be

Section	Development Control	Required	Proposed	Compliance
		discharged to stormwater system.	rather than hosing of sorting areas to minimise runoff.	installed to manage leachate.
		Internal floors graded/drained	Internal floors of warehouse to be sealed with steel plates. Little, if any, water present within the warehouses.	Yes.

Part H – ‘Waste Management and Minimisation’ of the Strathfield Consolidated Development Control Plan (DCP) 2005

A detailed discussion of the proposed management of non-conforming and residual waste has been provided above. Compliance with the methodologies outlined in the applicant’s ‘Plan for the Management of Non-Conforming Waste’ will be enforced by way of conditions of consent.

(iiia) Planning Agreements (or draft agreements):

The proposed development is not subject to a planning agreement pursuant to Section 93F of the Environmental Planning and Assessment Act 1979.

(iv) Matters Prescribed by the Regulations

Clause 92 of the Environmental Planning and Assessment Regulation requires Council to take into consideration the provisions of the Government Coastal Policy and the relevant Australian Standard for the demolition of buildings in the determination of a development application.

Having regard to these prescribed matters, the proposed development is not located on land subject to the Government Coastal Policy as determined by Clause 92 (1) (a) (i) and does not involve the demolition of a building for the purposes of Australian Standard (AS) 2601 – 1991: The Demolition of Structures.

(v) Any Coastal Zone Management Plan:

The NSW Government projects sea levels to rise by 40cm in 2050 and by 90cm in 2100 above the relative mean sea level in 1990. These planning benchmarks are to be considered in the assessment of development applications through the applicable coastal zone management plan or alternatively the provisions of the *NSW Coastal Planning Guideline: Adapting to Sea Level Rise*.

The proposed development is located on a site that is not subject to flooding attributed to either Powell’s Creek or Cook’s River and is therefore not required to be considered under the provisions of the *NSW Coastal Planning Guideline: Adapting to Sea Level Rise*.

(b) Likely Impacts:

Traffic

Concern was initially raised regarding the additional traffic movements along Madeline Street and conflicts that may result from the shared use of the one (1) existing weighbridge for both vehicles delivering to the site and collecting sorted waste from the site. To resolve this, the applicant has indicated that a second weighbridge will be provided on the southern side of Building 1 to accommodate vehicles collecting sorted waste from the MRF and PCR. The provision of a second weighbridge within the site is favourable as it will reduce unnecessary additional vehicle movements along Madeline Street, will ensure all vehicles are properly weighed to ensure compliance with maximum annual tonnages and EPA licensing restrictions and will provide a contingency plan in the event of the primary weighbridge at the entry to the MRF/PCR malfunctioning or requiring repair.

Conflict between vehicles delivering to the site (garbage trucks) and those collecting sorted waste from the site, which include articulated vehicles, was raised as a potential issue for the operation of the premise. In response, the applicant submitted a Traffic Plan of Management which includes a timetabling of traffic movements throughout the day and particularly during “peak periods” which are deemed to be 8am to 11am.

The traffic modelling provided by the applicant indicates that on average during peak periods (8am to 11pm), there will be one (1) garbage truck arriving and one (1) departing every 6 minutes, equating to approximately ten (10) per hour, with a maximum of three (3) trucks on site at any one (1) time. The applicant has indicated that all waste being delivered to the site will be received between 7.00am and 3.30pm whilst a maximum of eight (8) vehicles would access the site throughout the day to pick up sorted waste by way of curtainside trucks, container trucks, truck and dog and articulated vehicles.

The applicant has designated waiting areas within the property in order to ensure any vehicle queueing is able to occur within the property boundary. The swept path diagrams provided for the various vehicles accessing the site have been provided within the Traffic Management Plan and successfully demonstrate that the required vehicles can be manoeuvred within the site.

The proposal provides a total of (29) car parking spaces where Part D of the SCDGP 2005 would require a minimum of (35) parking spaces to accommodate demand generated by a warehouse and office development of a similar area to that proposed on the site. The parking rates provided by Council’s DCP are generic and do not accommodate for the specific nature of the proposed use of the site as a waste management facility.

The applicant has indicated that the site will accommodate a total of (21) employees at any one (1) time, with staggered starting times for the shifts within the MRF and PCR to ensure sufficient parking is available at shift change over. The applicant has also indicated that as a result of the nature of the use, only EPA and Council Officers are the regular “visitors” to the site that may contribute to the demand for car parking.

Consequently, the proposed departure of six (6) car parking spaces is considered unlikely to noticeably impact the availability of parking in the local area.

Air Quality

The SEARs provided by the Minister prior to the preparation of the EIS which was required to support the application noted that the impact of the proposed use of the site on local air quality should be addressed. Consequently, the applicant submitted a detailed Acoustic Report and an Odour Impact Assessment which consider the proposed use of the site.

These reports have been considered in the assessment of the application, and, subject to the imposition of specific conditions of consent relating to site operation and noise monitoring, it has been determined that the proposed use will be unlikely to adversely impact local air quality by way of noise generation, dust and odour. Such mitigating measures are detailed within the Plan of Management prepared by the Applicant and have been specified in the conditions of consent recommended below.

(c) Suitability of the Site:

The proposed development is permissible on the site, subject to the provisions of the SEPP (Infrastructure) 2007 and through a detailed assessment it has been demonstrated that the use of the site as a waste management facility will not unreasonably impact surrounding industrial uses and nearby residences.

(d) Submissions:

The application and plans were notified in accordance with Part L of the Strathfield Consolidated DCP 2005 from 12 January 2016 to 26 February 2016. A total of (30) written submissions and one (1) petition containing (455) signatures were received.

The concerns raised in the submissions are outlined and discussed below:

1. Management of odour, vermin, pests and non-conforming waste

Suitable conditions are to be imposed in order to ensure the site is appropriately managed and maintained to minimise the presence of vermin and pests. The daily removal of non-conforming and residual waste and restriction on the storage capacity for sorted waste will further reduce the risk of the site harbouring vermin and/or other insects and pests and will minimise odour generation.

2. Traffic

It is recognised that the Traffic Impact Assessment initially submitted with the application contained an error as it indicated that vehicles would access the site from the residential portion of Madeline Street. This is inaccurate as an existing concrete chicane restricts rigid trucks from accessing the residential portion of Madeline Street. As such, garbage trucks and heavy vehicles accessing the site will be

required to enter via Cosgrove Road and will not traverse the residential portion of the street.

Council's Traffic Engineer and the Roads and Maritime Services (RMS) have considered the proposed use of the site and have raised no objection to the proposal on traffic grounds. Council's Traffic Engineer has indicated that the surrounding roads and intersections are capable of accommodating additional traffic movements which will be generated by the site.

Conditions of consent are also recommended restricting the frequency and type of vehicular movements to and from the site and to enforce compliance with the Traffic Management Plan to minimise impact on nearby residential and industrial properties.

3. Noise

The impact of the development on the acoustic environment has been assessed and discussed within this report. Ongoing acoustic monitoring will be undertaken following the commencement of the use to ensure the project specific noise criteria is met.

4. Hours of Operation of Existing PCR Use

The objector notes that the existing facility often operates contrary to the permitted hours of operation within the existing development consent for the site. Council has addressed this with the site operator and is regularly monitoring the site for compliance with conditions of consent.

The operation of the business at other sites within Australia is not considered indicative of how the subject site will operate and is not a relevant planning matter for consideration under Section 79C of the Environmental Planning and Assessment Act 1979.

5. Impact on Cooks River

Conditions of consent are to be imposed in order to ensure leachate and runoff from the site is appropriately managed and does not discharge into the Cooks River.

6. Dust

The proposed use of the site is unlikely to generate dust given the types of materials to be processed and the closed nature of the facility. Notwithstanding, suitable conditions of consent are recommended to ensure air quality is regularly monitored and if necessary, require appropriate measures are put in place to mitigate the generation of dust.

7. Storage of Sorted Materials

A condition of consent is to be imposed to restrict the quantity of sorted materials which are permitted to be stored on site to 4,200 tonnes at any one (1) time. This

condition follows discussions with the EPA and is a substantial reduction from the 13,000 tonnes requested by the Applicant, which is deemed a more reasonable volume of storage.

8. Capacity of Facility

The proposed capacity of the facility (maximum 99,900 tonnes) has been considered by the EPA in their assessment of the proposal. The capacity has been deemed appropriate and, as demonstrated in the discussion throughout this report, will be able to be accommodated within the site without adversely impacting residential amenity and local traffic.

9. Extent of Community Consultation

The proposal was notified in accordance with the EP&A Regulations and Part L of Council's Development Control Plan. Properties within a 500m radius of the site were notified, advertisements were placed in the Inner West Courier and a sign was affixed to the frontage of the property. Copies of the EIS were made available to download from Council's website and were available to view at Council's Customer Service Centre and the Department of Planning and Environment.

The Applicant indicated that additional community consultation was taken prior to the lodgement of the application in August 2015.

10. Impact on Sydney Meat Market (1-21 Madeline Street)

The proposed use is permissible on the site and subject to compliance with conditions regarding the removal of residual waste within 24 hours of receipt, will be unlikely to generate odour. Conditions of consent regarding the appropriate management of the site to minimise vermin are also recommended to ensure the use of the site is able to occur alongside existing nearby industrial uses and residential properties.

(e) Public Interest:

The public interest is best served by the consistent application of the requirements of the relevant Environmental Planning Instruments (EPI's), development control plans and by Council ensuring that any adverse effects on the surrounding properties and the environment are minimised.

As the proposed development satisfies these requirements, approval of the application is not contrary to the public interest.

DESIGNATED DEVELOPMENT

The proposal is categorised as Designated Development under Schedule 3 of the EP&A Regulation 2000 due to the capacity of the facility, the presence of Class 4 Acid Sulfate Soils and the proximity to residential zoned land.

The Secretary's Environmental Assessment Requirements (SEARs) for the Environmental Impact Statement (EIS) prepared by the applicant required consideration of the following matters:

- Strategic Context including a justification for the location of the facility and suitability of the site, planning assessment and list of approvals required;
- Waste management measures;
- Hazard and risk management;
- Air quality and odour assessment;
- Noise and vibration assessment;
- Soil and water analysis;
- Traffic and transport assessment;
- Biodiversity analysis;
- Visual impact assessment and
- Consideration of the impact on cultural heritage.

The proposal was also required to obtain a license from the NSW EPA and therefore is deemed 'Integrated Development' under the POEO Act. A referral was made to the EPA and conditions of consent were provided on 15 April 2016. These are included in the recommended conditions below.

EXTERNAL REFERRALS

The proposal was forwarded to Roads and Maritime Authority under the provisions of SEPP (Infrastructure) 2007, the NSW Police (Flemington LAC), Ausgrid, Sydney Water and the EPA. No objections were raised however conditions of consent were recommended and have been included below.

INTERNAL REFERRALS

The application was forwarded to Council's Development Engineer, Drainage Engineer, Building Surveyor and Tree Coordinator for comment and aside from the imposition of standard conditions of consent, no objections were raised.

CONCLUSION

The proposed use of the site is permissible in the subject zone and is consistent with the relevant statutory controls provided by SEPP (Infrastructure) 2007, SEPP 33 – Hazardous and Offensive Development, SEPP 55 – Remediation of Land and the SLEP 2012.

Whilst the development seeks a departure from Council's minimum off-street parking requirements under the Strathfield Consolidated Development Control Plan 2005, the applicant has sufficiently justified the numeric departure based on the specialised nature of the use, the number of employees and the infrequent number of visitors to the site.

Within this report it has been demonstrated that the site is able to function as a waste management facility without adversely impacting residential amenity or the functioning of existing local and regional roads. The proposal will provide a waste transfer and sorting facility within a good strategic location in the Sydney Metropolitan Region and is recommended to be granted approval.

RECOMMENDATION

That DA2015/177 for the use of an existing industrial site as a waste transfer station capable of separating non-putrescible waste at 14-82 Madeline Street, Strathfield South be APPROVED subject to the following conditions:

CONDITIONS OF CONSENT

PART B - OTHER CONDITIONS

Plans

1. The development shall be completed in accordance with the approved plans and documents listed below, prior to the building being used or occupied, and subject to any amendments "in red" and any variation as required by conditions of this consent:

Site Plan Dwg No. 110616-1 prepared by 3Third Angle Projection received by Council 22 July 2016.

Air Quality Impact Assessment prepared by SLR Report Number 610.14992-R3

Noise Impact Assessment prepared by SLR Report Number 610.14992-R1

SLR Noise Response_260516SL_Reviewv2 dated 8 June 2016

Glass Recycling Plan Drawings 200 – 209 (inclusive) Project No. A6516-00 prepared by Redwave Glass Recycling received by Council 29 December 2015

Glass Bunkers Section and Elevation prepared by Redwave Glass Recycling received by Council 29 December 2015

Soil and Water Assessment prepared by SLR Report Number 610.14992-R4

Environmental Impact Statement prepared by MRA Consulting Group received by Council 29 December 2015

Plan of Management of Non-Conforming Waste prepared by MRA Consulting Group dated 8 July 2016

Traffic Plan of Management prepared by MRA Consulting Group dated 11 July 2016

2. A Construction Certificate must be obtained either from Council or a privately accredited person before commencement of any construction associated with this consent.
3. The Principal Certifying Authority must be appointed prior to work commencing to supervise the work and authorise occupation/use of the building when completed.
4. A copy of the endorsed stamped plans and specifications, together with a copy of the Development Consent, Construction Certificate and any approved Traffic Management Plan are to be retained on site at all times.

Special Conditions

5. The permitted hours of operation for the use of the site shall be as follows:

Type of Activity		Hours Permitted	Days Permitted
(a)	Paper and Cardboard Recycling Facility (PCR)	Shift 1: 7am to 3pm	Monday to Saturday
		Shift 2: 4pm to 4am	Monday to 4am Sunday
	Cleaning only	Shift 3: 11pm to 7am	Monday to 7am Sunday
(b)	Materials Recycling Facility	Shift 1: 4am to 4pm	4am Monday to 4am Sunday
		Shift 2: 4pm to 4am	
(c)	Cleaning and Plant Maintenance	4am to 4pm	Sunday

6. The site is permitted to operate a waste transfer station capable of separating the following non-putrescible waste:
 - (a) Paper and cardboard;
 - (b) Mixed metals (steel/tin/aluminium);
 - (c) Glass; and
 - (d) Mixed plastics.
7. A maximum of 99,900 tonnes of waste per annum is permitted to be processed by the subject site, comprising 69,000 tonnes of mixed recyclable materials and 30,000 tonnes of paper and cardboard.
8. A maximum of 4,200 tonnes of sorted waste is permitted to be stored on site at any one (1) time.
9. The site operator shall undertake an **acoustic auditing program upon commencement** of the proposed use. The program shall be as follows:

- (a) Council shall be advised in writing (14) days in advance of the commencement date of the use;
 - (b) The acoustic auditing program shall comprise:
 - i. Stage 1: an initial acoustic audit shall be carried out within a period of 40 days from the date of commencement of operations;
 - ii. Stage 2: an acoustic audit shall be carried out within six (6) months from the date of commencement of operations; and
 - iii. Stage 3: a final acoustic audit shall be carried out within ten (10) months from the date of commencement of operations.
 - (c) Each audit report shall be undertaken by an independent Acoustic Consultant in order to verify compliance (or otherwise), with the acoustic criteria set out in the Acoustic Report prepared by SLR Consulting Australia Pty Ltd (referred to in Condition 1 above). The acoustic audit reports shall be undertaken by a suitably certified, independent third party acoustic consultant and be submitted to Strathfield Municipal Council for consideration; and
 - (d) Should the acoustic audit reports identify that the noise generated by the site operations do not comply with the project specific criteria nominated in the Acoustic Report prepared by SLR Consulting Australia Pty Ltd measures shall be immediately put in place to ameliorate those non-compliances, including reduced operating hours as necessary.
10. **Within (60) days of the commencement of operation**, the site operator shall engage a suitably qualified Environmental Consultant to undertake an odour audit to benchmark the site against industry best practice and to provide mitigation measures to minimise impact on adjoining uses. This Odour Audit shall be submitted to Council.
11. **Prior to the issue of a Construction Certificate**, amended plans shall be prepared and submitted to the Principal Certifying Authority providing a designated outdoor lunch area with fixed seating and shade/pergola (maximum height 3.5m).
12. Full compliance shall be demonstrated with all relevant licensing conditions provided by the Environment Protection Authority at all times.

General

13. The building and glass bunkers shall not be occupied or used until the development has been completed in accordance with the conditions of this consent, construction has been completed in accordance with the Construction Certificate and an Occupation Certificate (including an Interim Occupation Certificate=) has been issued by the Principal Certifying Authority.
14. **Prior to the issue of a Construction Certificate**, photographs documenting any existing damage to the kerb and gutter and footpaths adjacent to the property shall be submitted to the consent authority. In the absence of this documentation, the applicant is liable for all damage that occurs to Councils' assets.

15. All exhaust and other emissions including noise from the premises shall comply with the provisions of the Protection of the Environment Operations Act 1997 and Regulations.
16. The applicant or any contractors carrying out works in public or Council controlled lands shall have public liability insurance cover to the value of \$10million and shall provide proof of such cover to Council prior to carrying out works.

Financial Matters

17. In accordance with the provisions of Section 94A(1) of the Environmental Planning and Assessment Act 1979 and the Strathfield Indirect Development Contributions Plan 2010-2030, a contribution in the form of cash, cheque or credit card (financial transaction fee applies) shall be paid to Council for the following purposes:

Local Amenity Improvement Levy	\$168,500.00
--------------------------------	---------------------

The total amount of the contribution is valid as at the date of determination and is subject to quarterly indexation. The amount of the contribution under this condition shall be indexed in accordance with clause 4.12 of the Strathfield Indirect Development Contributions Plan 2010-2030.

The required contribution shall be paid **prior to the issue of a Construction Certificate.**

Parking/Traffic Matters

18. A total of (29) off-street parking spaces, hardpaved, linemarked, labelled and drained, shall be provided in accordance with the approved plans.

These spaces shall only be used for the parking of motorcycles, sedans, utilities, vans and similar vehicles up to two (2) tonne capacity.
19. All employees shall park their vehicles on site at all times.
20. All vehicles associated with the approved use shall be parked within the parking spaces on the site and not on adjacent footpath, access driveways or landscaped areas.
21. All vehicles entering and leaving the site shall be driven in a forward direction only and shall be completely contained within the site prior to stopping.
22. On-site circulation areas within the site shall be kept clear at all times and shall not be used for vehicular queueing, staff parking or materials storage.
23. The individual driveways shall be clearly marked with pavement arrows and signposting: Car Entry/Exit only, Truck Entry/Exit only, etc. as required.

24. A 'STOP' sign shall be installed at the exit point of all driveways to control and regulate exiting vehicles.
25. All driveways shall be separated from landscaped areas by a minimum 150mm high by 150mm wide concrete kerb or similar.
26. The off-street car parking spaces together with access driveways shall be freely available at all times to employees and customers.
27. Vehicles accessing the site are not to utilise the portion of Madeline Street south of the existing chicane at any time.
28. The following maximum traffic movements are permitted within the site:

		Material Delivery	Collection of Sorted Waste
Paper	Cardboard	33	5
Recycling Facility (PCR)			
Materials Recovery Facility		45	9
Total		78	14

29. All material delivery to the site shall be completed by 3:30pm, Monday to Saturday. No material is to be received on Sunday.
30. A maximum of one (1) material collection vehicle (semi-trailer, curtain side or truck and dog) is permitted on the site at any one (1) time.
31. Materials received at the premise are permitted to be delivered by garbage trucks, utes, vans and tabletop trucks. All materials received are to be via contract only. Material delivery to the site by members of the public is not permitted at any time.
32. Vehicles delivering to the site and collecting sorted waste are not permitted to queue on the public roadway at any time.

Site Operation

33. A maximum of (16) employees shall be present within the site at any one time comprising two (2) office staff and (14) personnel working within the Materials Recovery Facility (MRF) and the Paper and Cardboard Recovery (PCR) facility.
34. Two (2) x weighbridges capable of weighing articulated vehicles shall be installed and maintained in working order within the site at all times. These weighbridges are to only be utilised in conjunction with the approved operations and are not to be made available to the public or other businesses at any time.
35. The delivery and despatch of goods, material and the like to and from the premises shall only take place between the hours permitted under condition 5. At no time is waste to be accepted during cleaning hours or on Sundays.
36. All operations/activities shall be carried out wholly within the building.

37. Baled and sorted waste is not to be stored externally to the building at any time.
38. Any proposed lighting of the site shall be designed, located or shielded to ensure the amenity of the surrounding area is not adversely affected by light overspill and details shall be submitted and approved by the Principal Certifying Authority **prior to the issue of a Construction Certificate.**
39. All areas where oil petroleum and the like may be deposited shall be sealed and drained to an oil arrestor of sufficient size to separate these deposits from collected water prior to discharge.
40. Waste oil shall be stored in a covered and suitably bounded area pending regular removal to a waste oil recycler.
41. A maximum 1,000 litres of diesel fuel is permitted to be stored within the site at any time. The diesel fuel shall be stored within a self-bunded diesel tank compliant with *AS1940:2004 The storage and handling of flammable and combustible liquids* such that it is not considered to be potentially hazardous.
42. A maximum of 20 x 20kg cylinders of LPG gas (0.4 tonnes) is permitted to be stored within the site at any time. The LPG gas cylinders shall be stored within a separate storage cage within the warehouse.
43. A maximum of 2 x 30 litre drums of hydraulic oil are to be stored within a suitably bunded area to minimise risk.
44. Building 3 shall only be used for the storage of sorted, baled materials and is not to be used for sorting of materials at any time.
45. The discharge of surface water from the site (including that from within the building) shall be in accordance with the requirements of Council and Sydney Water. Details shall be submitted to and approved by the Principal Certifying Authority **prior to the issue of a Construction Certificate.**
46. A “24 hour Hotline” service shall be established at full cost to the applicant to allow any persons affected by site-related activities to make enquiries about such activities or register a complaint. This service shall allow affected persons to make contact via telephone and email. The service shall be operational at all times and a logbook of complaints shall be kept and be available for review by Council upon request.
47. The display of signage, other than signage which is approved by this consent or signage which is exempt development, is strictly prohibited.
48. Bunding or other pollution control devices shall be installed and maintained to ensure there will be no water borne pollutants discharging or likely to be discharged into any natural water course, stormwater or sewerage drainage system.

49. Leachate from the Materials Recovery Facility (MRF) and the Paper and Cardboard Recovery (PCR) facility shall be captured by a 'fluid only outlet' and discharged, through a trade waste agreement, to the sewer. Leachate is not be discharged from the site into the stormwater system at any time.
50. Appropriate measures shall be put in place to minimise vermin, pests and birdlife accessing the site.
51. A CCTV security system shall be installed within the property to discourage the dumping of illegal waste. Appropriate signage discouraging illegal dumping and noting the CCTV camera is to be affixed to the property to ensure it is clearly visible from the public domain.

Construction Matters

52. The proposed development shall comply with the Building Code of Australia and details demonstrating compliance shall be submitted to the Principal Certifying Authority for approval **prior to the issue of a Construction Certificate.**
53. All construction, demolition and excavation work shall be restricted to 7am and 5pm (Eastern Standard Time) on Mondays to Saturdays (inclusive) and prohibited on Sundays and public holidays.
54. The owner of the adjoining allotment of land is not liable for any part of the cost of work carried out, whether carried out on the allotment of land being excavated or on the adjoining allotment of land.

Building Matters

55. Identification numbers are to be clearly displayed at the front of the premises and be easily visible from the street.

Fire Safety Measures

56. Upon completion of works a final fire safety certificate is to be issued from a properly qualified person in respect of each essential fire safety measure installed within the building and specified in the fire safety schedule. The final fire safety certificate shall be provided **prior to the issue of an Occupation Certificate.**
57. Each 12 months after the installation of essential fire or other safety measures, the owner of a building must submit an Annual Fire Safety Statement for the building to Council. In addition a copy of the statement must be given to the NSW Fire Commissioner and a copy displayed prominently in the building.

Air Quality

58. Any non-conforming waste accepted onto the premise shall be managed strictly in accordance with the endorsed Plan of Management prepared by MRA Consulting dated 8 July 2016.

59. All residual waste accepted into the Materials Recovery Facility (MRF) and the Paper and Cardboard Recovery (PCR) facility shall be removed from the site within 24 hours of receipt.
60. Full compliance shall be given to the recommendations contained in the endorsed acoustic consultant's report.
61. Any noise generated on the premises from the use at any time shall not have any detrimental effect on the occupants of any nearby residential dwellings.
62. In the event of Council receiving complaints regarding air pollution or odour from the premises, the person(s) in control of the premises shall at their own cost arrange for an environmental investigation to be carried out (by a suitably qualified person) and submit a report to Council specifying the proposed methods for the control of odour emanating from the premises. Such measures are to be installed at no cost to Council and may require further development consent from Council.
63. In the event of Council receiving complaints regarding excessive noise, the person(s) in control of the premises shall at their own cost arrange for an acoustic investigation to be carried out (by a suitably qualified person) and submit a report to Council specifying the proposed methods for the control of noise emanating from the premises. Such measures are to be installed at no cost to Council and may require further development consent from Council.

Police

64. A panic or duress alarm shall be located at the location. This would include either a duress alarm at the front counter of the reception area or in the manager's office.
65. An internal alarm system shall be included at the office area at the location. An alarm with motion detectors, red switches and siren are designed to act as a deterrent and are very effective.
66. Warning signs should be strategically posted around the perimeter of the property, particularly near entry points to warn intruders of security measures.
67. Security fences should be installed around the perimeter of the waste management site to clearly define the property boundaries and restrict access. Gates should be secured with quality locks that comply with the Australian Standards, Lock sets, AS: 4145 to restrict access. Fences and gates should be maintained in good condition and should be checked regularly to assist with the protection of the property.
68. A security guard/caretaker shall monitor the premises when the site is closed.

Integrated Development – EPA General Terms of Approval

Administrative conditions

A1. Information supplied to the EPA

A1.1 Except as expressly provided by these general terms of approval, works and activities must be carried out in accordance with the proposal contained in:

- the development application 2015/177 submitted to Strathfield Council on 29 December 2015;
- *Environmental Impact Statement - 14-82 Madeline Street, Strathfield South: Upgrade of site to include new Materials Recycling Facility - Recyclecare Services Pty Ltd, 14 December 2015* relating to the development;
- all additional documents supplied to the EPA in relation to the development, including Development Application No.2011/193, Soil and Water Assessment Report No 610.14992-R4, Noise Impact Assessment Report No 610.14992-R1, Air Quality Impact Assessment Report No 610.14992-R3, Redwave design drawings A6516-00 (09/07/2015); and
- Polytrade responses to concerns submitted to Strathfield Council on 28 March 2016, including *Polytrade_Response to Submissions_DS240316* and *Polytrade_EPA response 280316*.

A2. Fit and Proper Person

A2.1 The applicant must, in the opinion of the EPA, be a fit and proper person to hold a licence under the *Protection of the Environment Operations Act 1997*, having regard to the matters in s.83 of that Act.

Limit conditions

L1. Pollution of waters

L1.1 Except as may be expressly provided by a licence issued under the *Protection of the Environment Operations Act 1997* in relation of the development, section 120 of the *Protection of the Environment Operations Act 1997* must be complied with in and in connection with the carrying out of the development.

L2. Waste

L2.1 The licensee must not cause, permit or allow any waste generated outside the premises to be received at the premises for storage, treatment, processing, reprocessing or disposal or any waste generated at the premises to be disposed of at the premises, except as expressly permitted by an Environment Protection Licence issued by the EPA under the *Protection of the Environment Operations Act 1997*.

L2.2 This condition only applies to the storage, treatment, processing, reprocessing or disposal of waste at the premises if it requires an Environment Protection Licence under the *Protection of the Environment Operations Act 1997*.

L2.3 The amount of waste permitted to be received at the premises per year must not exceed 30,000 tonnes of paper and cardboard; and 69,900 tonnes of mixed metals, glass and mixed plastics.

L3. Noise limits

L3.1 Noise generated at the premises must not exceed the noise limits in the Table below.

Location	Noise Limits dB(A)
----------	--------------------

	Day LAeq (15 minute)	Evening LAeq (15 minute)	Night LAeq (15 minute)	Night LA1 (1 minute)
17 Excelsior Avenue	45	42	42	58
150 Dean Street	41	40	40	54
79 Madeline Street	40	37	37	52

L3.2 For the purpose of condition L3.1;

- Day is defined as the period from 7am to 6pm Monday to Saturday and 8am to 6pm Sunday and Public Holidays.
- Evening is defined as the period 6pm to 10pm.
- Night is defined as the period from 10pm to 7am Monday to Saturday and 10pm to 8am Sunday and Public Holidays.

L3.3 The noise limits set out in condition L3.1 apply under all meteorological conditions except for the following:

- (a) Wind speeds greater than 3 metres/second at 10 metres above ground level.
- (b) Stability category F temperature inversion conditions and wind speeds greater than 2 metres/second
- (c) at 10 metres above ground level; or
- (d) Stability category G temperature inversion conditions.

L3.4 For the purposes of condition L3.3:

- (a) Data recorded by a meteorological station installed on site must be used to determine meteorological
- (b) conditions; and
- (c) Temperature inversion conditions (stability category) are to be determined by the sigma-theta method
- (d) referred to in Part E4 of Appendix E to the NSW Industrial Noise Policy.

L3.5 To determine compliance:

- (a) with the Leq(15 minute) noise limits in condition L3.1, the noise measurement equipment must be located:
 - approximately on the property boundary, where any dwelling is situated 30 metres or less from the property boundary closest to the premises; or
 - within 30 metres of a dwelling façade, but not closer than 3m, where any dwelling on the property is situated more than 30 metres from the property boundary closest to the premises; or, where applicable
 - within approximately 50 metres of the boundary of a National Park or a Nature Reserve.
- (b) with the LA1(1 minute) noise limits in condition L3.1, the noise measurement equipment must be located within 1 metre of a dwelling façade.
- (c) with the noise limits in condition L3.1, the noise measurement equipment must be located:
 - at the most affected point at a location where there is no dwelling at the location; or
 - at the most affected point within an area at a location prescribed by conditions L3.5(a) or L3.5(b).

L3.6 A non-compliance of condition L3.1 will still occur where noise generated from the premises in excess of the appropriate limit is measured:

- at a location other than an area prescribed by conditions L3.5(a) and L3.5(b); and/or
- at a point other than the most affected point at a location.

L3.7 For the purposes of determining the noise generated at the premises the modification factors in Section 4 of the NSW Industrial Noise Policy must be applied, as appropriate, to the noise levels measured by the noise monitoring equipment.

Additions to Definition of Terms of the licence

- NSW Industrial Noise Policy - the document entitled "New South Wales Industrial Noise Policy published by the Environment Protection Authority in January 2000."
- Noise means 'sound pressure levels' for the purposes of conditions L3.1 to L3.7.

L4. Potentially offensive odour

L4.1 No condition of this licence identifies a potentially offensive odour for the purposes of section 129 of the Protection of the Environment Operations Act 1997.

Note: Section 129 of the Protection of the Environment Operations Act 1997, provides that the licensee must not cause or permit the emission of any offensive odour from the premises but provides a defence if the emission is identified in the relevant environment protection licence as a potentially offensive odour and the odour was emitted in accordance with the conditions of a licence directed at minimising odour.

Operating conditions

O1. Odour

O1.1 Any waste received that is received at the premises that is determined to be unsuitable for processing due to the presence of putrescible material must be removed from the premises within 48 hours of receipt.

O2. Dust

O2.1 Activities must be carried out in a manner that minimises the generation of dust.

O2.2 The premises must be maintained in a condition which prevents the emission of dust from the premises.

O2.3 Activities occurring in or on the premises must be carried out in a manner that will minimise the generation, or emission of air pollutants from the premises.

O2.4 The licensee must ensure that no material, including sediment or oil, is tracked from the premises.

O2.5 Trucks entering and leaving the premises that are carrying loads must be covered at all times, except during loading and unloading.

O3. Processes and management

O3.1 Any waste for processing or storage at the premises must be assessed and classified in accordance with the *EPA Waste Classification Guidelines* as in force from time to time.

O3.2 Each type of waste stored on site for recovery/recycling must be stockpiled separately.

O3.3 There must be no burning or incineration of waste at the premises.

O3.4 Clean stormwater must be diverted around 'dirty' areas of the site.

O3.5 All waste processing and storage must be inside the buildings.

O4. Emergency Response

O4.1 The licensee must prepare, maintain and implement as necessary, a current Pollution Incident Response Management Plan (PIRMP) for the premises.

NOTE: The licensee must develop their PIRMP in accordance with the requirements in Part 5.7A of the Protection of the Environment Operations Act 1997 (the POEO Act) and the POEO Regulations.

Reporting conditions

R1.1 The applicant must provide an annual return to the EPA in relation to the development as required by any licence under the Protection of the Environment Operations Act 1997 in relation to the development. In the return the applicant must report on the annual monitoring undertaken (where the activity results in pollutant discharges), provide a summary of complaints relating to the development, report on compliance with licence conditions and provide a calculation of licence fees (administrative fees and, where relevant, load based fees) that are payable. If load based fees apply to the activity the applicant will be required to submit load-based fee calculation worksheets with the return.

Special Conditions

E1.1 By 6 months from the commencement of operations approved by the development consent, the proponent must submit a dust and odour audit report to the EPA's Senior Manager Waste Operations. The dust and odour audit report must address the following:

- (a) A summary of any dust and/or odour complaints received and actions taken to reduce odour emissions where complaints are verified;
- (b) Benchmark the design and management practices at the facility against industry best practice for minimising dust and/or odour emissions. This should include, but not be limited to, fast close roller doors
- (c) Using the results of (a) and (b), if it is identified that the facility requires additional dust and/or odour mitigation measures the report must include:
 - Proposed mitigation works and/or management practices to ensure that dust and/or odour is minimised as far as is practicable; and
 - A timetable for the implementation of these works.

Operating conditions

Activities must be carried out in a competent manner

Licensed activities must be carried out in a competent manner.

This includes the processing, handling, movement and storage of materials and substances used to carry out the activity and the treatment, storage, processing, reprocessing, transport and disposal of waste generated by the activity.

Maintenance of plant and equipment

All plant and equipment installed at the premises or used in connection with the licensed activity:

- Must be maintained in a proper and efficient condition; and
- Must be operated in a proper and efficient manner.

Monitoring and recording conditions

Recording of pollution complaints

The licensee must keep a legible record of all complaints made to the licensee or any employee or agent of the licensee in relation to pollution arising from any activity to which this licence applies.

The record must include details of the following:

- the date and time of the complaint;
- the method by which the complaint was made;
- any personal details of the complainant which were provided by the complainant or, if no such details were provided, a note to that effect;
- the nature of the complaint;
- the action taken by the licensee in relation to the complaint, including any follow-up contact with the complainant; and
- if no action was taken by the licensee, the reasons why no action was taken.

The record of a complaint must be kept for at least 4 years after the complaint was made. The record must be produced to any authorised officer of the EPA who asks to see them.

Telephone complaints line

The licensee must operate during its operating hours a telephone complaints line for the purpose of receiving any complaints from members of the public in relation to activities conducted at the premises or by the vehicle or mobile plant, unless otherwise specified in the licence.

The licensee must notify the public of the complaints line telephone number and the fact that it is a complaints line so that the impacted community knows how to make a complaint. This condition does not apply until 3 months after this condition takes effect.

Reporting conditions

Annual Return documents

The licensee must complete and supply to the EPA an Annual Return in the approved form comprising:

1. a Statement of Compliance,
2. a Monitoring and Complaints Summary,
3. a Statement of Compliance - Licence Conditions,
4. a Statement of Compliance - Load based Fee,
5. a Statement of Compliance - Requirement to Prepare Pollution Incident Response Management Plan,
6. a Statement of Compliance - Requirement to Publish Pollution Monitoring Data,
7. a Statement of Compliance - Environmental Management Systems and Practices; and
8. a Statement of Compliance - Environmental Improvement Works.

At the end of each reporting period, the EPA will provide to the licensee a copy of the form that must be completed and returned to the EPA. An Annual Return must be prepared in respect of each reporting period, except as provided below.

Note: The term "reporting period" is defined in the dictionary at the end of this licence. Do not complete the Annual Return until after the end of the reporting period.

Where this licence is transferred from the licensee to a new licensee:

- (a) the transferring licensee must prepare an Annual Return for the period commencing on the first day of the reporting period and ending on the date the application for the transfer of the licence to the new licensee is granted; and
- (b) the new licensee must prepare an Annual Return for the period commencing on the date the application for the transfer of the licence is granted and ending on the last day of the reporting period. Note: An application to transfer a licence must be made in the approved form for this purpose.

Where this licence is surrendered by the licensee or revoked by the EPA or Minister, the licensee must prepare an Annual Return in respect of the period commencing on the first day of the reporting period and ending on:

- (a) in relation to the surrender of a licence - the date when notice in writing of approval of the surrender is given; or
- (b) in relation to the revocation of the licence - the date from which notice revoking the licence operates.

The Annual Return for the reporting period must be supplied to the EPA by registered post not later than 60 days after the end of each reporting period or in the case of a transferring licence not later than 60 days after the date the transfer was granted (the 'due date').

The licensee must retain a copy of the Annual Return supplied to the EPA for a period of at least 4 years after the Annual Return was due to be supplied to the EPA.

Within the Annual Return, the Statements of Compliance must be certified and the Monitoring and Complaints Summary must be signed by:

- (a) the licence holder; or
- (b) by a person approved in writing by the EPA to sign on behalf of the licence holder.

Written report

Where an authorised officer of the EPA suspects on reasonable grounds that:

- (a) where this licence applies to premises, an event has occurred at the premises; or
- (b) where this licence applies to vehicles or mobile plant, an event has occurred in connection with the carrying out of the activities authorised by this licence, and the event has caused, is causing or is likely to cause material harm to the environment (whether the harm occurs on or off premises to which the licence applies), the authorised officer may request a written report of the event.
- (c) The licensee must make all reasonable inquiries in relation to the event and supply the report to the EPA within such time as may be specified in the request.
- (d) The request may require a report which includes any or all of the following information:
 - i. the cause, time and duration of the event;
 - ii. the type, volume and concentration of every pollutant discharged as a result of the event;
 - iii. the name, address and business hours telephone number of employees or agents of the licensee, or a specified class of them, who witnessed the event; and
 - iv. the name, address and business hours telephone number of every other person (of whom the licensee is aware) who witnessed the event, unless the licensee has been unable to obtain that information after making reasonable effort;

- v. action taken by the licensee in relation to the event, including any follow-up contact with any complainants;
- vi. details of any measure taken or proposed to be taken to prevent or mitigate against a recurrence of such an event;
- vii. any other relevant matters.

The EPA may make a written request for further details in relation to any of the above matters if it is not satisfied with the report provided by the licensee. The licensee must provide such further details to the EPA within the time specified in the request.

Notification of environmental harm

Notifications must be made by telephoning the EPA's Environment Line service on 131 555.

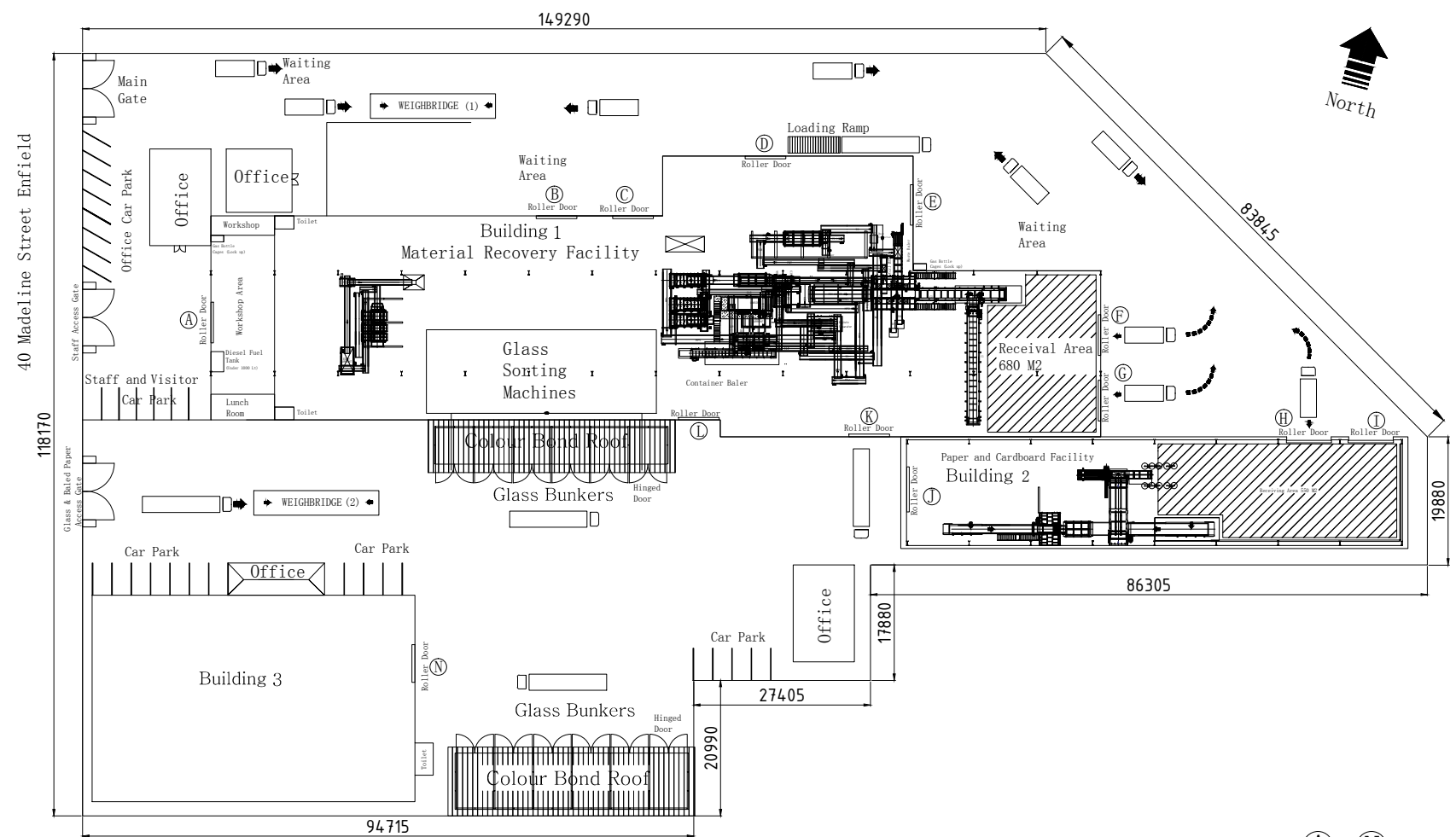
Note: The licensee or its employees must notify the EPA of incidents causing or threatening material harm to the environment immediately after the person becomes aware of the incident in accordance with the requirements of Part 5.7 of the Act

The licensee must provide written details of the notification to the EPA within 7 days of the date on which the incident occurred.

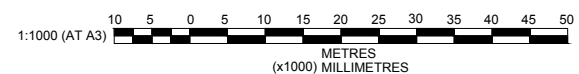
Copy of licence kept at the premises or on the vehicle or mobile plant

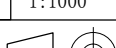
A copy of the EPA licence must be kept at the premises or on the vehicle or mobile plant to which the licence applies. The licence must be produced to any authorised officer of the EPA who asks to see it.

The licence must be available for inspection by any employee or agent of the licensee working at the premises.



- Ⓐ = Ⓝ Roller Door
- ⓧ Bins for Residual/ Non-Conforming Waste
- Ⓜ Incoming Waste Truck
- Ⓜ 40 Foot Container Truck /Semi-trailer/Truck and Dog



POLYTRADE RECYCLING				14-82 Madeline Street South Enfield	
For	Material Recovery Facility(MRF) Enfield Site				
Project				Edition	
				Approved	
Designed		Job No.		Scale	1:1000
Drawn		Dwg No.	110616-1	3Third Angle Projection	
Checked		Date	10-07-2016		