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## **SYDNEY PLANNING PANEL**

### **(Sydney South West)**

SPP No	2016SYW108
DA Number	1650/2016/DA-DE
Local Government Area	Campbelltown
Proposed Development	Use of premises as a waste transfer facility
Street Address	Lot 43 DP 617022 7 Pembury Road, MINTO
Applicant/Owner	Environmental Treatment Solutions/ Bonview Holdings Pty Ltd
Number of Submissions	2
Regional Development Criteria (Schedule 4A of the Act)	Designated development for the purposes of waste management facilities or works
List of All Relevant s79C(1)(a) Matters	<ul style="list-style-type: none"> <li>• Designated Development Provisions of Environmental Planning and Assessment Regulation 2000</li> <li>• Protection of the Environment Operations Act 1997</li> <li>• State Environmental Planning Policy 33 – Hazardous and Offensive Development</li> <li>• State Environmental Planning Policy (Infrastructure) 2007</li> <li>• Campbelltown Local Environmental Plan 2015</li> <li>• Campbelltown Sustainable City Development Control Plan 2015</li> </ul>
Does the DA require Special Infrastructure Contributions conditions (s94EF)?	No
List all documents submitted with this report for the panel's consideration	<ul style="list-style-type: none"> <li>• Environmental Impact Statement (version 4) for the Waste Transfer Facility – 7 Pembury Road, Minto, prepared by Environmental Treatment Solutions, dated 7 February 2017</li> <li>• Site plan prepared by Environmental Treatment Solutions</li> <li>• Warehouse A – Site Plan and Warehouse B – Site Plan (floor plans)</li> </ul>
Recommendation	Approval
Report by	Luke Joseph – Senior Development Planner
Report date	18 April 2017

## Attachments

1. Recommended Conditions of Consent
2. Secretary's Environmental Assessment Requirements
3. Location Plan
4. Zoning Map
5. Site Plan
6. Floor Plans

## Purpose

The purpose of this report is to assist the Sydney South West Planning Panel in its determination of the subject development application pursuant to the *Environmental Planning and Assessment Act 1979*.

## Introduction

This designated development application proposes the use of 7 Pembury Road Minto as a waste transfer facility. The premises would consist of a resource recovery facility for pre-packaged waste containers of up to 1,000 litres in capacity generated by commercial and industrial business activities from around NSW. All storage would be either within cabinets/containers or modular pallet racking. The premises would sort and store hazardous, restricted, solid and liquid class waste streams, such as acids, mercury, arsenic, lead, oil waste, liquid food waste, asbestos and tyres. The premises would store up to 1,000 tonnes per annum of waste classified as dangerous. Wastes are then transported to third-party facilities for disposal.

The application proposes no construction works, as all activities would take place within existing buildings on the site.

The business proposes to operate from 6am to 6pm Monday to Friday and 7am to 5pm on Saturdays, and would employ seven staff initially with a likely increase to 10 staff in the future.

The business would own and operate four vehicles, which are each expected to make one movement out and one movement in per day. There are also expected to be two deliveries/collections from third parties per week using semi-trailers, and five per week by small courier vehicles.

The subject site has an area of 4,050sqm and contains two industrial buildings, car parking areas and a landscaped area at the front of the site. The site is surrounded by other industrial buildings. The nearest residential area is more than 500 metres to the west in St Andrews.

## Background and History

In November 2015, Council granted consent for the use of the subject premises as a waste transfer facility (2113/2015/DA-U). The premises undertakes the storage of hazardous and liquid waste generated by industrial and commercial business activities. The site is currently operating as a waste transfer facility, and the operation of the premises does not currently exceed any of the designated development thresholds for waste management facilities or works, which is enforced by a condition of consent.

2113/2015/DA-U was lodged with the intention of establishing the waste transfer facility expeditiously by obtaining development consent to operate up to the designated development thresholds, whilst the applicant simultaneously applied to the Department of Planning and Environment for Secretary's Environmental Assessment Requirements in order to operate above the designated development thresholds. The only designated development threshold that this application would exceed is the storage and handling of substances that are classified in the Australian Dangerous Goods Code (ADG). Therefore, this application essentially seeks development consent for an existing waste transfer facility to incorporate the storage and handling of ADG-classified substances into its operations.

On 12 November 2015, the NSW Department of Planning and Environment issued the Secretary's Environmental Assessment Requirements (SEARs) in respect of the proposed designated development. These SEARs are attached to this report.

## **Report**

The development has been assessed in accordance with the heads of consideration under Section 79C of the Environmental Planning and Assessment Act 1979, and having regard to those matters the following issues have been identified for further consideration.

### **1. Planning Provisions**

#### **1.1. Designated Development Provisions of Environmental Planning and Assessment Regulation 2000**

Pursuant to Section 32 of Schedule 3 of the Environmental Planning and Assessment Regulation 2000, the proposed development meets the definition of "Waste management facilities or works", as the facility would handle and store substances classified in the Australian Dangerous Goods Code, such as acids, mercury, arsenic, lead, oil waste, liquid food waste, asbestos and tyres. Accordingly, the proposal constitutes designated development. The relevant section of the Regulation is reproduced below, with the relevant sections highlighted:

##### 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.
- (2) This clause does not apply to:
  - (a) development comprising or involving any use of sludge or effluent if:
    - (i) the dominant purpose is not waste disposal, and
    - (ii) the development is carried out in a location other than one listed in subclause (1) (d), above, or
    - (b) development comprising or involving waste management facilities or works specifically referred to elsewhere in this Schedule, or
    - (c) development for which State Environmental Planning Policy No 52—Farm Dams and Other Works in Land and Water Management Plan Areas requires consent

As required by the Regulation, an Environmental Impact Statement (EIS) has been submitted with the application, and the EIS was forwarded to NSW Department of Planning and Environment for public exhibition purposes. The application was publicly exhibited for 30 days, and the two submissions received in response to the public exhibition of the application were forwarded to the NSW Department of Planning and Environment, as required by the EP&A Regulation. Upon receipt of these submissions the Department advised that there are no issues of state or regional significance that apply to the proposal.

Under Schedule 4A of the EP&A Act, designated development for the purpose of waste management facilities or works, which meet the requirements for designated development under clause 23 of Schedule 3 of the EP&A Regulation, is development for which regional panels may be authorised to exercise the consent authority function of Councils.

## 1.2. Protection of the Environment Operations Act 1997

Pursuant to Schedule 1 of the POEO Act 1997, waste storage, meaning the receiving from off site and storing (including storage for transfer) is declared to be a scheduled activity if it exceeds the following thresholds:

- (a) more than 5 tonnes of hazardous waste, restricted solid waste, liquid waste or special waste (other than waste tyres) is stored on the premises at any time, or
- (b) more than 5 tonnes of waste tyres or 500 waste tyres is stored on the premises at any time (other than in or on a vehicle used to transport the tyres to or from the premises), or
- (c) more than the following amounts of waste (other than waste referred to in paragraph (a) or (b)) are stored on the premises at any time:
  - (i) in the case of premises in the regulated area—more than 1,000 tonnes or 1,000 cubic metres,
  - (ii) in the case of premises outside the regulated area—more than 2,500 tonnes or 2,500 cubic metres, or
- (d) more than the following amounts of waste (other than waste referred to in paragraph (a) or (b)) is received per year from off site:
  - (i) in the case of premises in the regulated area—6,000 tonnes,
  - (ii) in the case of premises outside the regulated area—12,000 tonnes.

The applicant has advised that the facility would exceed this criterion. Therefore, the application is required to be referred to the NSW Environmental Protection Authority (EPA)

as integrated development. The application was referred to the EPA, who subsequently issued their General Terms of Approval in respect of the proposal. The conditions specified therein have been included as recommended conditions of consent. The EPA noted that the existing facility has an Environment Protection Licence, and that should consent be granted for the proposed development, the existing Environment Protection Licence would need to be varied prior to the commencement of the new operations, to account for the greater volume and type of waste to be stored and transferred. The applicant will need to make a separate application to the EPA to vary this license, should the Panel grant consent to this proposal.

### **1.3 State Environmental Planning Policy 33 – Hazardous and Offensive Development**

*SEPP 33 states that in determining whether a development is:*

- (a) *a hazardous storage establishment, hazardous industry or other potentially hazardous industry, or*
- (b) *an offensive storage establishment, offensive industry or other potentially offensive industry,*

*consideration must be given to current circulars or guidelines published by the Department of Planning relating to hazardous or offensive development.*

The relevant guidelines in this regard are the Applying SEPP 33 Guidelines. These guidelines state that waste-related industries may be potentially offensive or hazardous (however they are not automatically regarded as potentially offensive or hazardous).

The application was referred to NSW Department of Planning and Environment, specifically the Technical Specialist responsible for hazards. The Technical Specialist reviewed the detailed information within the EIS and requested several clarifications from the applicant, which were subsequently provided.

The NSW Department of Planning and Environment ultimately advised that the risk screening was undertaken by the applicant in accordance with the Department's *Applying SEPP 33 Guidelines*, and advised that the proposed development is not potentially hazardous or offensive. This means that a Preliminary Hazard Analysis is not required to be provided as part of the application. The NSW Department of Planning and Environment recommended that Council impose certain conditions on the development consent to ensure that the development does not become potentially hazardous following approval, and to ensure that the storage and handling of Dangerous Goods within the development will be in accordance with the relevant Australian Standards and EPA requirements. These conditions have been included as recommended conditions of consent.

### **1.4 State Environmental Planning Policy (Infrastructure) 2007**

Pursuant to clause 121 of the Infrastructure SEPP, development for the purpose of a “waste or resource management facility” may be carried out by any person with consent on land within the IN1 General Industrial zone (within which the subject site is located).

A “waste or resource management facility” is defined as a waste or resource transfer station, a resource recovery facility or a waste disposal facility. Each of these terms are separately defined, and are outlined below:

- “Waste or resource transfer station” means 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.

- “Resource recovery facility” means a facility for the recovery of resources from waste, including such works or activities as separating and sorting, processing or treating the waste, composting, temporary storage, transfer or sale of recovered resources, energy generation from waste gases and water treatment, but not including re-manufacture of material or goods or disposal of the material by landfill or incineration.
- “Waste disposal facility” means a facility for the disposal of waste by landfill, incineration or other means, including associated works or activities such as recycling, resource recovery and other resource management activities, energy generation from waste gases, leachate management, odour control and the winning of extractive material to generate a void for disposal of waste or to cover waste after its disposal.

The proposed development involves elements of each of these land uses, all of which are encompassed by the definition of “waste or resource management facility”. In this regard, the proposed development is permissible on the subject site.

## **1.5 Campbelltown (Urban Area) Local Environmental Plan 2015**

The subject site is zoned IN1 General Industrial under the provisions of Campbelltown Local Environmental Plan 2015. The proposed development is defined as a waste or resource management facility, which is not listed as a permissible land use within the IN1 zone and is therefore prohibited. However, the permissibility of the proposal is established under the Infrastructure SEPP, as outlined above.

The proposal is consistent with the objectives of the IN1 zone, which are outlined below:

- 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 provide for a range of facilities and services to meet the day-to-day needs of workers in the area.
- To enable non-industrial land uses that are compatible with and do not detract from industrial and warehouse uses or impact on the viability of existing centres.
- To ensure that any commercial, retail or other non-industrial development is not likely to adversely affect employment generating activities or opportunities.
- To facilitate diverse and sustainable means of access and movement.

## 1.3 Campbelltown (Sustainable City) Development Control Plan 2015

## Part 7 – Industrial Development

Standard	Required	Proposed	Compliance
Car Parking	<p>Off street parking and loading shall be designed in accordance with <i>Australian Standard AS 2890.1 and 2 (as amended)</i>, except as otherwise provided by this Plan.</p> <p>For that part of the gross floor area occupied by office areas, lunch rooms and any associated office storage areas, car parking shall be provided at a rate of one space per 35sqm.</p> <p>For that part of the gross floor area occupied by uses other than office areas, lunch rooms and any associated office storage areas, car parking rates shall be provided in accordance with the following:</p> <ul style="list-style-type: none"> <li>i) a minimum of two (2) spaces (per unit), plus</li> <li>ii) one space for every 100sqm of gross floor area for buildings up to 2000 square metres; plus</li> <li>iii) one space per 250sqm for that part of the building exceeding 2000 square metres in gross floor area.</li> </ul> <p>In addition, one car parking space shall be provided for every 300sqm of outdoor storage space.</p>	<p>The existing car parking is compliant with the relevant Australian Standards.</p> <p>Office areas comprise 85sqm, so 2.4 spaces would be required.</p> <p>Warehouse areas comprise 1,950sqm, so 19.5 spaces would be required.</p> <p>22sqm of outdoor storage space proposed, so 0.07 spaces required.</p> <p>A total of 21.97 spaces would be required, which rounds up to 22.</p> <p>The site only has 19</p>	Yes Satisfactory

		<p>parking spaces, however the proposed use would not significantly increase the demand for parking at the site beyond that of the existing waste transfer facility. Therefore the existing car parking provision is considered to be sufficient.</p>	
<b>Manoeuvring</b>	<p>Sufficient space shall be provided on site so that no vehicle shall be required to make more than a three-point movement to exit the site in a forward direction.</p>	<p>The premises would require the use of semi-trailers, which are not able to manoeuvre on-site and leave the site in a forward direction.</p>	No
<b>Loading</b>	<p>Each industrial factory/unit shall be provided with a loading bay.</p> <p>Provision shall be made for all loading and unloading to take place wholly within the designated loading area.</p> <p>No loading or unloading shall be carried out across parking spaces, landscaped areas, pedestrian aisles or on roadways.</p> <p>Where it is proposed to service the site with articulated vehicles exceeding 12.5m in length, swept turning paths are to be provided for that vehicle type.</p>	<p>Both existing buildings contain loading areas.</p> <p>Infrequent semi-trailer loading would need to take place externally, due to space constraints.</p> <p>No loading or unloading would be carried out across parking spaces, landscaped areas, pedestrian aisles or on roadways.</p> <p>Articulated vehicles are proposed, however they would not be able to manoeuvre on site and leave in a forward direction. This is discussed in detail later in this report.</p>	<p>Yes</p> <p>Satisfactory</p> <p>Yes</p> <p>Satisfactory</p>
<b>Outdoor Storage Areas</b>	<p>No outdoor storage shall occur without development consent.</p> <p>Outdoor storage areas shall not be located between the primary or secondary street boundary and any</p>	<p>Development consent has been sought for the outdoor storage of two Dangerous Goods cabinets, and one area for the storage of flammable gases.</p> <p>Outdoor storage areas would not be located between the primary street boundary and any building.</p>	<p>Yes</p> <p>Yes</p>

	<p>building on the allotment.</p> <p>Outdoor storage areas shall be adequately screened from public view.</p> <p>Goods and materials stored shall not be stacked higher than an approved screening structure.</p> <p>All outdoor storage areas shall be sealed and drained to the storm water system in accordance with any environmental management requirements.</p> <p>Goods shall be stored above the flood planning level.</p>	<p>The stored materials would be within cabinets or concealed a significant distance from the street behind parking spaces.</p> <p>A screening structure would not be required as the stored materials would be within cabinets or concealed a significant distance from the street behind parking spaces.</p> <p>The existing drainage system contains an isolation valve on the main stormwater line to isolate flow in the event of a spill.</p> <p>Council's Technical Services section has confirmed that the subject site does not have a flood planning level.</p>	<p>Yes</p> <p>Yes</p> <p>Yes</p> <p>NA</p>
<b>Waste Management</b>	Industrial development shall make provision for an enclosed on site waste and recycling facility that has adequate storage area to accommodate the waste generated from the development. Adequate provision shall be made for the screening and storage of all industrial waste behind the front building setback.	There is adequate space behind the front building setback for the storage of waste associated with the use of the premises; i.e. not waste received by the premises as part of its operation as a waste transfer facility.	Yes
<b>Environmental Management – Liquid Storage</b>	The storage and handling of flammable and combustible liquids shall be in accordance with Australian Standard 1940 - <i>The Storage and Handling of Flammable and Combustible Liquids and the Environment Protection Authority publication, "Bunding</i>	To be conditioned	Yes

	<p><i>and Spill Management" (as amended).</i></p> <p>All above ground liquid storage facilities, including waste shall be in a covered bunded area that is constructed of impervious materials.</p> <p>Above ground tanks shall be contained in a bunded area that:</p> <ul style="list-style-type: none"> <li>i) is at least 110% of the volume of the tank or the largest tank, where a group of tanks are enclosed; and</li> <li>ii) walls shall be at least 250mm in height.</li> </ul> <p>d) The bunded area of drum storage facilities shall be able to contain 25% of the total volume of all drums and shall have a minimum capacity of at least 400L. Walls shall be at least 250mm in height.</p>	<p>All liquid storage areas would be covered and bunded.</p>	<p>Yes</p> <p>Satisfactory</p>
<b>Environmental Management – Air Quality</b>	<p>Any development that is likely to or capable of generating levels of air emissions exceeding the requirements of the <i>Protection of the Environment Operations Act 1997</i> shall demonstrate appropriate measures to mitigate against air pollution.</p>	<p>The application was referred to the NSW EPA as integrated development. The EPA provided conditions of consent in relation to dust and odour.</p>	<p>Yes</p>
<b>Stormwater Drainage</b> and	<p>Stormwater run-off shall be appropriately channelled into a stormwater drain in accordance with <i>Council's Engineering Design Guide for Development</i></p> <p>All activities with the potential to pollute the stormwater system from a system failure shall be carried out within a covered and bunded area sited, designed and</p>	<p>The existing premises has stormwater infrastructure that connects to Council's stormwater system. An isolation valve is included on the main stormwater line to isolate flow in the event of a spill.</p> <p>All indoor storage of liquid waste would be appropriately bunded. With regard to the proposed outdoor storage of liquids, these are within bunded cabinets. In</p>	<p>Yes</p> <p>Yes</p>

	<p>constructed to Council's satisfaction.</p> <p>Liquid waste and waste water shall either be:</p> <ul style="list-style-type: none"> <li>i) recycled on site;</li> <li>ii) treated and discharged to the sewer in accordance with a trade waste licence issued by Sydney Water; or</li> <li>iii) collected, stored in a covered, bunded area and collected by the Office of Environment and Heritage; and</li> <li>iv) discharged to a licensed waste management facility.</li> </ul>	<p>addition, an isolation valve is included on the main stormwater line to isolate flow in the event of a spill.</p> <p>This application proposes to store the waste on site then transfer it to third parties.</p>	Yes
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### **Loading and Manoeuvring of semi-trailers**

Under the previous application for a waste transfer facility for the site's current operations (2113/2015/DA-U), the applicant advised that semi-trailers would visit the site, however on an infrequent basis. The site has insufficient space to enable a semi-trailer to leave the site in a forward direction, and accordingly, any semi-trailer accessing the site would need to reverse out of the site onto Pembury Road.

The previous application was referred to Council's Traffic section to review this aspect of the proposal. The following information was provided:

*"In making a reversing semi-trailer movement safe for local motorists the Application shall incorporate a Traffic Management Plan. This TMP should have a Traffic Control Plan (TCP) in which two trained traffic controllers (possibly staff) initiates an approved TCP controlling traffic and the movement of the reversing semi-trailer on the road. This TCP will require the deployment of appropriate warning signs.*

*So if the argument is that there is infrequent semi-trailer movement say once in every two days then the developer will have to make the effort in having staff trained to control and supervise the semi-trailer.*

*If a semi-trailer is found reversing into the street without proper management then the development would be in breach of its conditions. By imposing a TMP will discourage frequent movement of semi-trailers as these vehicles are unlikely to turn round within the site. This condition would be similar to that impose on a Construction TMP."*

A condition was imposed on 2113/2015/DA-U in respect of a Traffic Management Plan. The condition reads as follows:

*"Prior to the issue of an occupation certificate, the applicant shall prepare a Traffic Management Plan in respect of the development and obtain approval from Council's Traffic section for the plan.*

The Traffic Management Plan shall incorporate a Traffic Control Plan in respect of semi-trailers reversing onto the road. At a minimum the Traffic Control Plan will require the use of two trained traffic controllers and appropriate warning signs."

However, an occupation certificate was obtained in respect of the development without compliance with this condition having occurred. Accordingly, with regard to the subject proposal, the applicant was requested to incorporate the Traffic Control Plan as part of the application. The Traffic Control Plan was reviewed by Council's Traffic Section and was found to be satisfactory. Accordingly, compliance with the Traffic Control Plan would be enforced by a recommended condition of consent.

## **2. Public Participation**

The application was notified to nearby and adjoining properties. Council has received two submissions (although only one of these is an objection to the proposal) raising the following issues:

### **Issue**

There is already a waste transfer station at No. 13 Pembury Road, which creates problems with parking and rubbish collection because trucks and trailers park in the street and block driveways. There is also often a problematic smell associated with this premises.

### **Comment**

This application does not relate to No. 13 Pembury Road. Whilst there may or may not be issues with parking, rubbish collection and odour associated with that particular premises, this would have no bearing on the operation of the proposed waste transfer station.

The emission of offensive odour is a breach of the Protection of the Environment Operations Act 1997 and can be prosecuted by the Environmental Protection Authority. In terms of trucks parking on the street and preventing rubbish collection, a recommended condition of consent requires that all vehicles associated with the premises be either parked on the site or at another site, and not be parked on the street beyond the times permitted by the Road Rules 2014.

### **Issue**

Due to the nature of the development being very hazardous, we do not want it in our street. There would be adverse safety impacts if there was a fire or explosion at the site.

### **Comment**

The application was referred to NSW Department of Planning and Environment, specifically the Technical Specialist responsible for hazards. The Technical Specialist reviewed the detailed information within the EIS and requested several clarifications from the applicant, which were subsequently provided. The NSW Department of Planning and Environment ultimately advised that the risk screening was undertaken by the applicant in accordance with the Department's *Applying SEPP 33 Guidelines*, and advised that the proposed development is not potentially hazardous or offensive. This means that a Preliminary Hazard Analysis is not required to be provided as part of the application.

The NSW Department of Planning and Environment recommended that Council impose certain conditions on the development consent to ensure that the development does not

become potentially hazardous following approval, and to ensure that the storage and handling of Dangerous Goods within the development will be in accordance with the relevant Australian Standards and EPA requirements. These conditions have been included as recommended conditions of consent.

**Issue**

The proposed development would cause odour issues.

**Comment**

A condition imposed by the NSW Environmental Protection Authority prohibits the emission of any offensive odour from the premises. Failure to comply with this condition would be a breach of this consent and could lead to penalties and legal action. Council and the EPA both have the authority to direct the proprietor to prevent the emission of offensive odour from the premises.

**Issue**

The proposed development would reduce the value of other properties within the street.

**Comment**

No evidence has been provided to substantiate this claim.

**Issue**

This type of business should be run in an isolated area away from other businesses.

**Comment**

Pursuant to the Infrastructure SEPP, development for the purpose of a “waste or resource management facility” may be carried out by any person with consent on land within the IN1 General Industrial zone (within which the subject site is located). In this regard, the proposed development is permissible on the site. The Infrastructure SEPP has no other locational requirements with regard to waste or resource management facilities.

**4. Conclusion**

The application proposes the augmentation of the existing waste transfer facility at 7 Pembury Road Minto to accommodate the storage, handling and transportation of substances that have a Dangerous Goods classification. The application has been assessed against the provisions of Section 79C(1) of the Environmental Planning and Assessment Act, 1979. The proposal has been found to satisfy the relevant State Environmental Planning Policies and the relevant provisions of Campbelltown (Urban Area) Local Environmental Plan 2002. The proposal is generally compliant with the relevant provisions of Campbelltown (Sustainable City) Development Control Plan 2015, and where non-compliances are present, these are considered to be justified.

The application was publicly exhibited and notified to surrounding property owners, and two submissions were received, although only one of these submissions is an objection to the proposal. It is considered that all of the matters raised in the submissions have been addressed through applicable legislation and operational safeguards.

The site's location and zoning make it suitable for the proposed development, and the proposal is considered to be in the broad interests of the general public.

Accordingly, this report recommends the approval of the application.

### **Officer's Recommendation**

That development application 1650/2016/DA-DE proposing the use of 7 Pembury Road, Minto as a waste transfer facility be approved subject to the conditions outlined in Attachment 1.

## Attachment 1 – Recommended conditions of consent

### GENERAL CONDITIONS

The following conditions have been applied to ensure that the use of the land and/or building is carried out in such a manner that is consistent with the aims and objectives of the planning instrument affecting the land.

For the purpose of these conditions, the term 'applicant' means any person who has the authority to act on or benefit of the development consent.

#### 1. Approved Development

The development shall be carried out in accordance with the approved plans and documents listed in the table below, and all associated documentation supporting this consent, except as modified in red by Council and / or any conditions within.

Plan/ Document No.	Version/ Revision	Prepared by	Date
Environmental Impact Statement for the Waste Transfer Facility – 7 Pembury Road, Minto	4	Environmental Treatment Solutions	7 February 2017
Site plan		Environmental Treatment Solutions	Contained within EIS dated 7 February 2017
Warehouse A – Site Plan and Warehouse B – Site Plan (floor plans)			Contained within EIS dated 7 February 2017

#### 2. Building Code of Australia

The site's use must not interfere with the building's ability to comply with the provisions of the *Building Code of Australia*.

#### 3. Deliveries

Vehicles servicing the site shall comply with the following requirements:

- a. All vehicular entries and exits shall be made in a forward direction, with the exception of infrequent semi-trailer deliveries. The Traffic Management Plan (part of the approved Environmental Impact Statement referred to in condition 1) shall be implemented each time a vehicle is required to undertake a reversing manoeuvre to either enter or leave the site.
- b. All vehicles awaiting loading, unloading or servicing shall be parked on site (or on another site operated by the proprietor) and not on adjacent or nearby public roads beyond the times permitted by the Road Rules 2014.
- c. All deliveries to the premises shall be made behind the wire fence and gates on the site.

A traffic sign shall be placed adjacent to the driveway at the entrance of the property advising drivers of the above information. Should the sign be damaged or removed, it shall be replaced within 48 hours.

#### **4. Advertising Signs – Separate DA Required**

This consent does not permit the erection or display of any advertising signs.

Most advertising signs or structures require development consent. You should make separate enquiries with Council prior to erecting or displaying any advertising or signage.

#### **5. Approved External Storage of Goods**

All approved works, storage and display of goods, materials and any other item associated with the approved development must only be undertaken in accordance with the approved plans and documentation referred to in condition 1. Any external works or storage/display of goods, materials or any other item associated with the development undertaken in accordance with the approved plans, must be adequately screened from the public view at all times.

#### **6. Graffiti Removal**

In accordance with the environmental maintenance objectives of 'Crime Prevention Through Environmental Design', the owner/lessee of the building shall be responsible for the removal of any graffiti which appears on the buildings, fences, signs and other surfaces of the property within 48 hours of its application.

#### **7. Unreasonable Noise, Dust and Vibration**

The development, including operation of vehicles, shall be conducted so as to avoid the generation of unreasonable noise, dust or vibration and cause no interference to adjoining or nearby occupants. Special precautions must be taken to avoid nuisance in neighbouring residential areas, particularly from machinery, vehicles, warning sirens, public address systems and the like.

In the event of a noise related issue arising during construction, the person in charge of the premises shall when instructed by Council, cause to be carried out an acoustic investigation by an appropriate acoustical consultant and submit the results to Council. If required by Council, the person in charge of the premises shall implement any or all of the recommendations of the consultant and any additional requirements of Council to its satisfaction.

#### **8. Operating Hours**

The use of the premises shall be limited to:

Monday to Friday	6am - 6pm
Saturday	7am - 5pm
Sunday	Closed

#### **9. Retail Sales**

The direct retail sale of goods from the premises is prohibited.

## **10. Rubbish/Recycling Bin Storage**

The rubbish and recycling bins shall not be stored within vehicle parking, vehicle manoeuvring areas or landscaped areas.

## **11. Environmental Management**

The storage and handling of flammable and combustible liquids shall be in accordance with:

- a. Australian Standard 1940 - The Storage and Handling of Flammable and Combustible Liquids
- b. The Environment Protection Authority publication, "Bunding and Spill Management" (as amended).
- c. AS 1940B1993: The Storage and Handling of Flammable and Combustible Liquids
- d. AS 4326-1995: The Storage and Handling of Oxidising Agents
- e. AS 4452B1997: The Storage and Handling of Toxic Substances
- f. Dangerous Goods Act 1975
- g. AS/NZS 1596:2008 The Storage and handling of LP Gas
- h. AS/NZS 5026:2012 The storage and handling of Class 4 dangerous goods
- i. AS 3780-2008 The storage and handling of corrosive substances
- j. AS/NZS 3833:2007 The storage and handling of mixed classes
- k. AS/NZS 4681:2000 The storage and handling of Class 9 (miscellaneous) dangerous goods and articles
- l. AS 4775-2007 Emergency eyewash and shower equipment
- m. Liquid Storage Guidelines Bunding and Spill Management. Issued June 2007. Updated August 2012. EPA 080/12.

All above ground liquid storage facilities, including waste shall be in a covered bunded area that is constructed of impervious materials.

## **12. Conditions Imposed by NSW Planning and Environment**

- a. The applicant shall ensure that the quantities of Dangerous Goods present at any time on-site or transported to and from the development are below the screening threshold quantities listed in the Department of Planning's *Applying SEPP 33 Guidelines* (January 2011).
- b. The applicant shall store all chemicals, fuels and oils used on-site in accordance with:
  - i. the requirements of all relevant Australian Standards; and
  - ii. the NSW EPA's *Storing and Handling of Liquids: Environmental Protection – Participants Handbook* if the chemicals are liquids.

In the event of an inconsistency between the requirements listed from (a) to (b) above, the most stringent requirement shall prevail to the extent of the inconsistency.

## 13. NSW Environmental Protection Authority – 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 1650/2016/DA-DE submitted to Campbelltown City Council;
- any environmental impact statement titled "Environmental Impact Statement for the Waste Transfer facility 7 Pembury Road, Minto" relating to the development; and
- all additional documents supplied to the EPA in relation to the development, including site plan.

#### 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

L.1.1 Except as may be expressly provided by a licence 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 a licence 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.

#### L3. Noise limits

All operations and activities occurring at the premises must be conducted in a manner that will not cause or permit any offensive noise beyond the boundaries of the premises.

### Operating conditions

#### O1. Odour

The proponent must comply with section 129 of the Protection of the Environment Operations Act 1997. 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.

## O2. Dust

O2.1 Activities occurring at the premises must be carried out in a manner that will minimise emissions of dust from the premises.

O2.2 Trucks entering and leaving the premises that are carrying loads must be covered at all times, except during loading and unloading.

## O3. Stormwater Management

O3.1 A Stormwater Management Scheme must be prepared for the development and must be implemented. Implementation of the Scheme must mitigate the impacts of stormwater run-off from and within the premises. The Scheme should be consistent with the Stormwater Management Plan for the catchment. Where a Stormwater Management Plan has not yet been prepared the Scheme should be consistent with the guidance contained in Managing Urban Stormwater: Council Handbook (available from the EPA).

## O4. Dangerous Goods

O4.1 Substances classified as dangerous goods under the Australian Code for the Transport of Dangerous Goods by Road and Rail must be stored and handled in accordance with the Australian Standard AS3833:2007 'The Storage and Handling of Mixed Classes of Dangerous Goods in Packages and Intermediate Bulk Containers.

### 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.

### **General Conditions**

#### Operating conditions

Activities must be carried out in a competent manner Licensed activities must be carried out in a competent manner. This includes:

- a. the processing, handling, movement and storage of materials and substances used to carry out the activity; and
- b. 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:

- a. must be maintained in a proper and efficient condition; and
- b. 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.

##### What documents must an Annual Return contain?

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

- a. Statement of Compliance; and
- b. Monitoring and Complaints Summary.

A copy of the form in which the Annual Return must be supplied to the EPA accompanies this licence. Before 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.

##### Period covered by Annual Return

An Annual Return must be prepared in respect of each reporting, 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:

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

#### Deadline for Annual Return

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').

Notification where actual load can not be calculated (Licences with assessable pollutants)

Where the licensee is unable to complete a part of the Annual Return by the due date because the licensee was unable to calculate the actual load of a pollutant due to circumstances beyond the licensee's control, the licensee must notify the EPA in writing as soon as practicable, and in any event not later than the due date. The notification must specify:

- a. the assessable pollutants for which the actual load could not be calculated; and
- b. the relevant circumstances that were beyond the control of the licensee.

#### Licensee must retain copy of Annual Return

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.

#### Certifying of Statement of Compliance and Signing of Monitoring and Complaints Summary

Within the Annual Return, the Statement 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.

A person who has been given written approval to certify a Statement of Compliance under a licence issued under the Pollution Control Act 1970 is taken to be approved for the purpose of this condition until the date of first review this licence.

#### Notification of environmental harm

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. Notifications must be made by telephoning the EPA's Pollution Line service on 131 555. The licensee must provide written details of the notification to the EPA within 7 days of the date on which the incident occurred.

## 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. 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.

The request may require a report which includes any or all of the following information:

- a. the cause, time and duration of the event;
- b. the type, volume and concentration of every pollutant discharged as a result of the event;
- c. 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
- d. 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;
- e. action taken by the licensee in relation to the event, including any follow-up contact with any complainants;
- f. details of any measure taken or proposed to be taken to prevent or mitigate against a recurrence of such an event;
- g. 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.

## General conditions

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

A copy of this 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 or operating the vehicle or mobile plant.

## **PRIOR TO COMMENCEMENT OF THE APPROVED USE**

The following conditions of consent must be complied with prior to commencement of the approved use at the site.

### **14. Environmental Management Plan and Environmental Management System**

An Environmental Management Plan and Environmental Management System shall be submitted for the written approval of Council's Manager Environmental Planning prior to the commencement of the approved use.

## **ADVISORY NOTES**

The following information is provided for your assistance to ensure compliance with the Environmental Planning and Assessment Act 1979, Environmental Planning and Assessment Regulation 2000, other relevant Council Policy/s and other relevant requirements. This information does not form part of the conditions of development consent pursuant to Section 80A of the Act.

### **Advice 1. Provision of Equitable Access**

Nothing in this consent is to be taken to imply that the development meets the requirements of the *Disability Discrimination Act 1992* (DDA1992) or *Disability (Access to Premises – Buildings) Standards 2010* (Premises Standards).

Where a Construction Certificate is required for the approved works, due regard is to be given to the requirements of the *Building Code of Australia* (BCA) & the Premises Standards. In this regard it is the sole responsibility of the certifier, building developer and building manager to ensure compliance with the Premises Standards.

Where no building works are proposed and a Construction Certificate is not required, it is the sole responsibility of the applicant and building owner to ensure compliance with the DDA1992.

### **Advice 2. Smoke Free Environment Act**

Nothing in this consent is to be taken to imply that the development meets the requirements of the *Smoke Free Environment Act 2000* (SFEA2000) or the *Smoke Free Environment Regulations 2007* (SFER2007). In the event that the occupier wishes to facilitate smoking within any enclosed public place of the premises (in accordance with clause 6 of the SFER2007), the occupier must first contact NSW Department of Health to ensure that the design and construction of the area proposed to facilitate smoking fully complies with the requirements of the SFEA2000 and the SFER2007.

## Attachment 2 – Secretary's Environmental Assessment Requirements

# Environmental Assessment Requirements

Section 78A (8) of the *Environmental Planning and Assessment Act 1979*.

## Designated Development

<b>SEAR Number</b>	984
<b>Proposal</b>	Development of a waste management facility, capable of storing and processing less than 1000 tonnes of hazardous, restricted and liquid class waste each year.
<b>Location</b>	7 Pembury Road, Minto (Lot 43 DP 617022).
<b>Applicant</b>	Environmental Treatment Solutions Pty Ltd
<b>Date of Issue</b>	November 2015
<b>General Requirements</b>	The Environmental Impact Statement (EIS) must meet the minimum form and content requirements in clauses 6 and 7 of Schedule 2 of the <i>Environmental Planning and Assessment Regulation 2000</i> .
<b>Key Issues</b>	<p>The EIS must include an assessment of all potential impacts of the proposed development on the existing environment (including cumulative impacts if necessary) and develop appropriate measures to avoid, minimise, mitigate and/or manage these potential impacts. As part of the EIS assessment, the following matters must also be addressed.</p> <ul style="list-style-type: none"><li>• <b>strategic context</b> – including:<ul style="list-style-type: none"><li>– a detailed justification for the proposal and suitability of the site for the development;</li><li>– a demonstration that the proposal is consistent with all relevant planning strategies, environmental planning instruments, development control plans (DCPs), or justification for any inconsistencies; and</li><li>– a list of any approvals that must be obtained under any other Act or law before the development may lawfully be carried out.</li></ul></li><li>• <b>waste management</b> – including:<ul style="list-style-type: none"><li>– details of the type, quantity and classification of waste to be received at the site;</li><li>– details of the resource outputs and any additional processes for residual waste;</li><li>– details of waste handling including, transport, identification, receipt, stockpiling and quality control; and</li><li>– the measures that would be implemented to ensure that the proposed development is consistent with the aims, objectives and guidelines in the <i>NSW Waste Avoidance and Resource Recovery Strategy 2014-21</i>.</li></ul></li><li>• <b>hazards and risk</b> – including:<ul style="list-style-type: none"><li>– a preliminary risk screening completed in accordance with <i>State Environmental Planning Policy No. 33 – Hazardous and Offensive Development and Applying SEPP 33</i> (DoP, 2011), with a clear indication of class, quantity and location of all dangerous goods and hazardous materials associated with the development. Should preliminary screening indicate that the project is "potentially hazardous" a Preliminary Hazard Analysis (PHA) must be prepared in accordance with Hazardous Industry Planning Advisory Paper No. 6 - Guidelines for Hazard Analysis (DoP, 2011) and Multi-Level Risk Assessment (DoP, 2011).</li></ul></li><li>• <b>traffic and transport</b> – including:<ul style="list-style-type: none"><li>– details of road transport routes and access to the site;</li><li>– road traffic predictions for the development during construction and operation; and</li><li>– an assessment of impacts to the safety and function of the road network and the details of any road upgrades required for the development.</li></ul></li><li>• <b>air quality and odour</b> – including:<ul style="list-style-type: none"><li>– a description of all potential sources of air emissions and odour;</li></ul></li></ul>

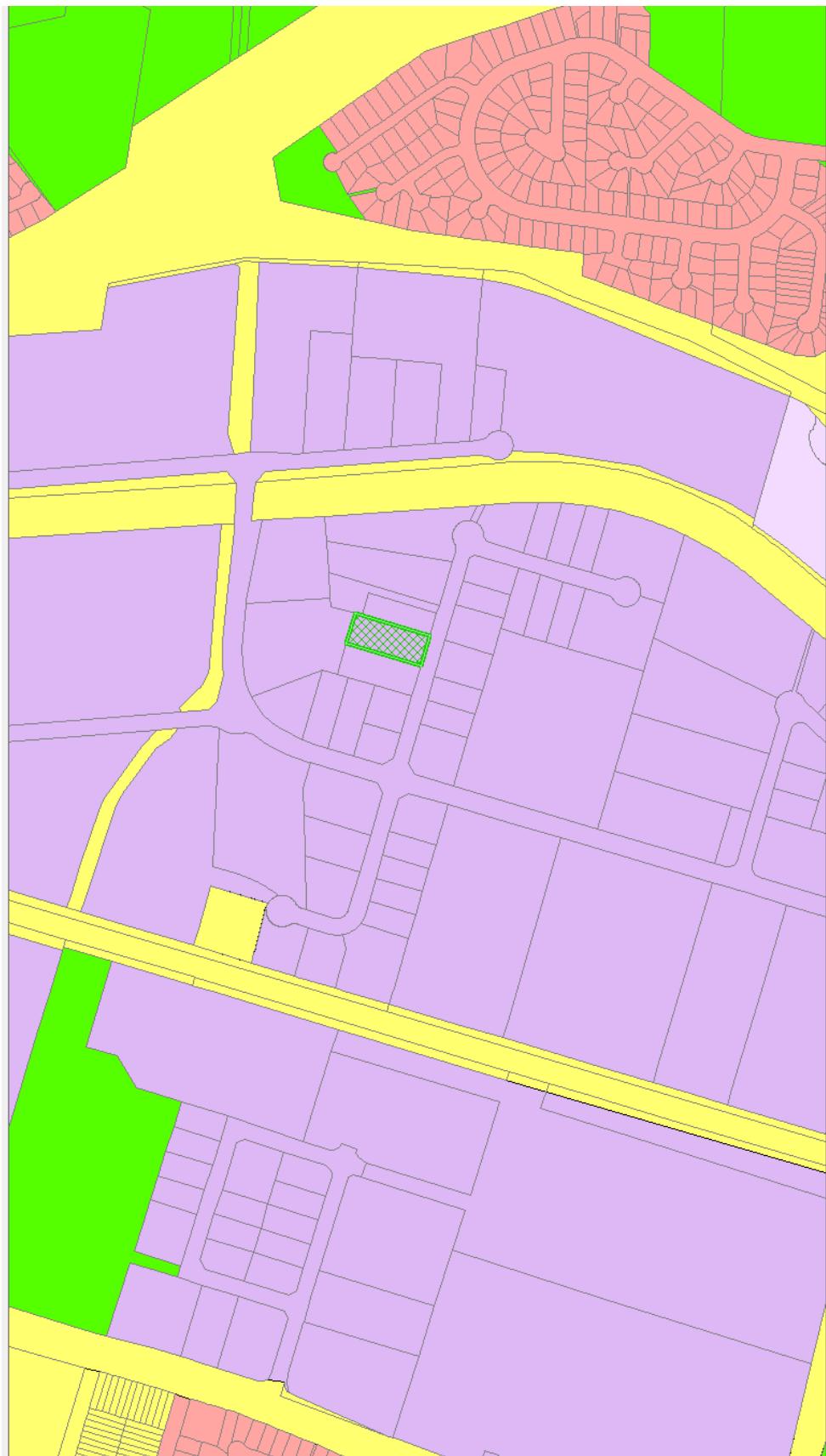
	<ul style="list-style-type: none"> <li>- an air quality impact assessment in accordance with relevant Environment Protection Authority Guidelines; and</li> <li>- a description and appraisal of air quality impact mitigation and monitoring measures.</li> </ul> <ul style="list-style-type: none"> <li>• <b>noise and vibration</b> – including: <ul style="list-style-type: none"> <li>- a description of all potential noise and vibration sources during construction and operation, including road traffic noise;</li> <li>- a noise and vibration assessment in accordance with the relevant Environment Protection Authority Guidelines; and</li> <li>- a description and appraisal of noise and vibration mitigation and monitoring measures.</li> </ul> </li> <li>• <b>soil and water</b> – including: <ul style="list-style-type: none"> <li>- a description of local soils, topography, geology, drainage and landscapes;</li> <li>- the details of stormwater, leachate, and wastewater management;</li> <li>- the details of sediment and erosion controls;</li> <li>- an assessment of impacts to surface and groundwater resources, flooding impacts, and impacts to groundwater dependant ecosystems; and</li> <li>- a description and appraisal of impact mitigation and monitoring measures.</li> </ul> </li> <li>• <b>biodiversity impacts</b> – including a description of any potential vegetation clearing needed to undertake the proposal and any impacts to flora and fauna.</li> <li>• <b>visual</b> – including an impact assessment at private receptors and public vantage points.</li> <li>• <b>heritage</b> – including Aboriginal and non-Aboriginal cultural heritage.</li> <li>• <b>incident management</b> – including: <ul style="list-style-type: none"> <li>- transport incident management; and</li> <li>- technical information on the environmental protection equipment to be installed on the premises such as air, water and noise controls, spill cleanup equipment and fire management and containment measures.</li> </ul> </li> </ul>
<b>Environmental Planning Instruments and other policies</b>	<p>The EIS must assess the proposal against the relevant environmental planning instruments, including but not limited to:</p> <ul style="list-style-type: none"> <li>• <i>Campbelltown (Urban Area) Local Environmental Plan 2002</i>;</li> <li>• <i>State Environmental Planning Policy (Infrastructure) 2007</i>;</li> <li>• <i>State Environmental Planning Policy No. 33 – Hazardous and Offensive Development</i>; and</li> <li>• Relevant development control plans and section 94 plans.</li> </ul>
<b>Guidelines</b>	<p>During the preparation of the EIS you should consult the Department's Register of Development Assessment Guidelines which is available on the Department's website at <a href="http://planning.nsw.gov.au">planning.nsw.gov.au</a> under Development Proposals/Register of Development Assessment Guidelines. Whilst not exhaustive, this Register contains some of the guidelines, policies, and plans that must be taken into account in the environmental assessment of the proposed development.</p>
<b>Consultation</b>	<p>During the preparation of the EIS, you must consult the relevant local, State and Commonwealth government authorities, service providers and community groups, and address any issues they may raise in the EIS. In particular, you should consult with the:</p> <ul style="list-style-type: none"> <li>• Environment Protection Authority;</li> <li>• Roads and Maritime Services;</li> <li>• Campbelltown City Council; and</li> <li>• surrounding landowners and occupiers that are likely to be impacted by the proposal.</li> </ul> <p>Details of the consultation carried out and issues raised must be included in the EIS.</p>
<b>Further consultation after 2 years</b>	<p>If you do not lodge an application under Section 78A (8) of the <i>Environmental Planning and Assessment Act 1979</i> within 2 years of the issue date of these SEARs, you must consult with the Secretary in relation to any further requirements for lodgement.</p>

### Attachment 3 – Location Plan



Location plan with 7 Pembury Road Minto highlighted

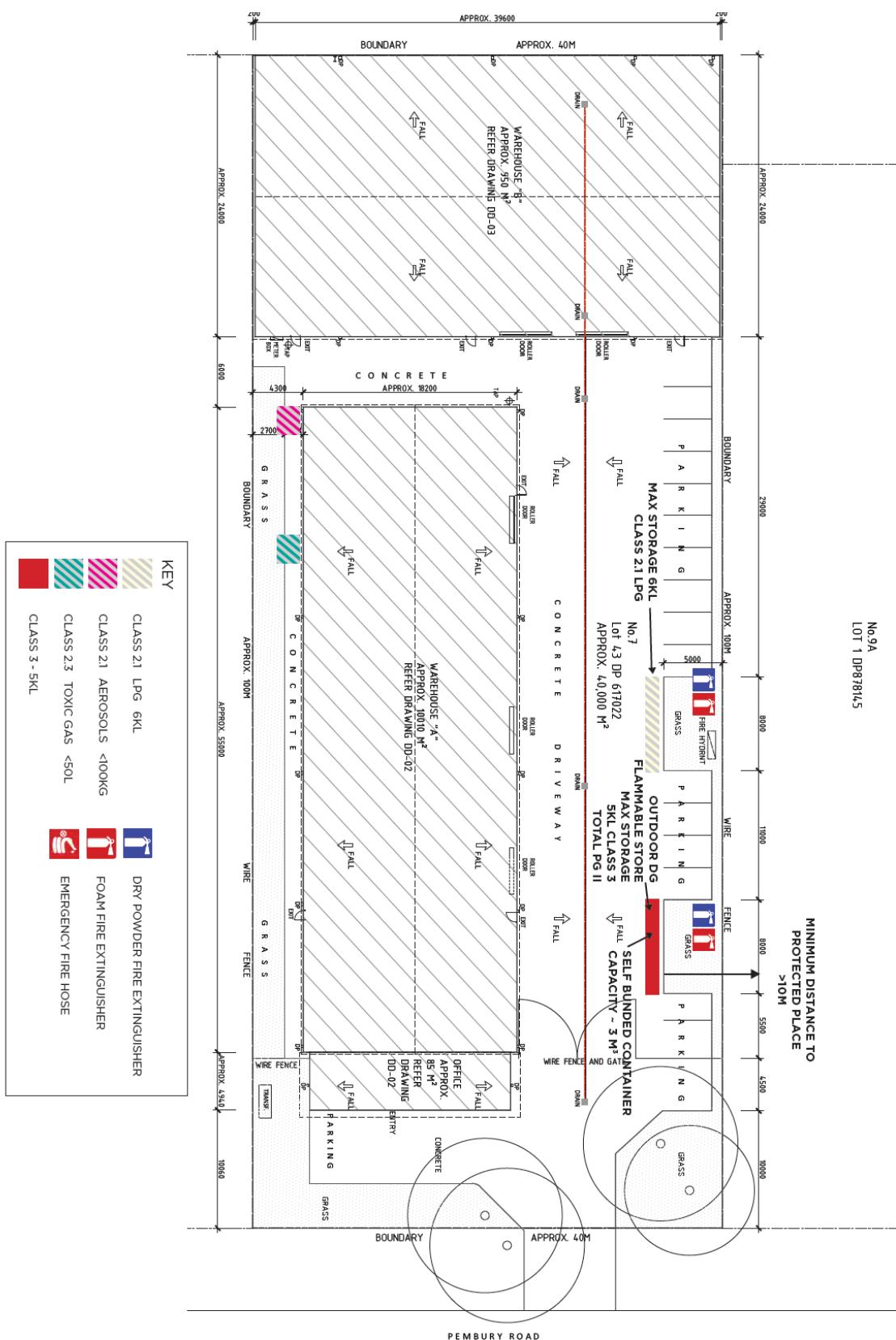
**Attachment 4 – Zoning Map**



7 Pembury Road Minto is show hatched

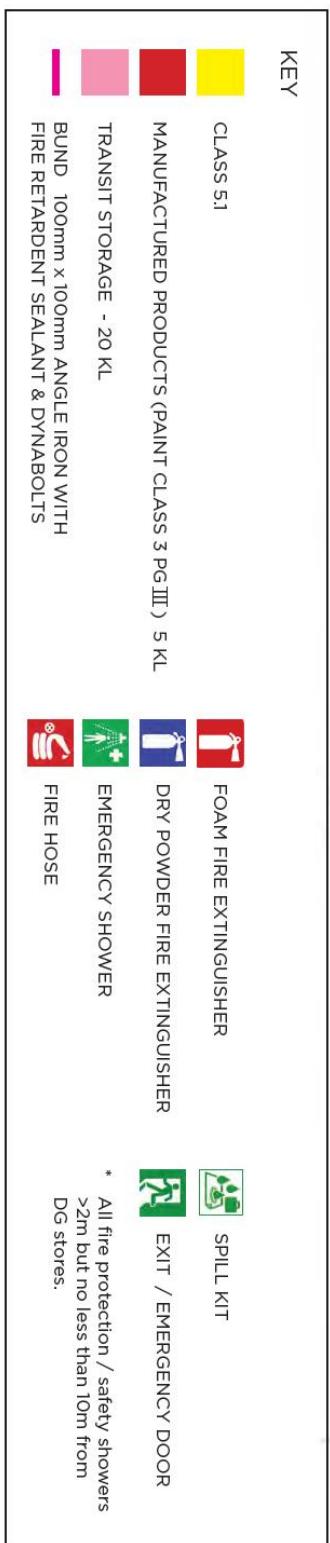
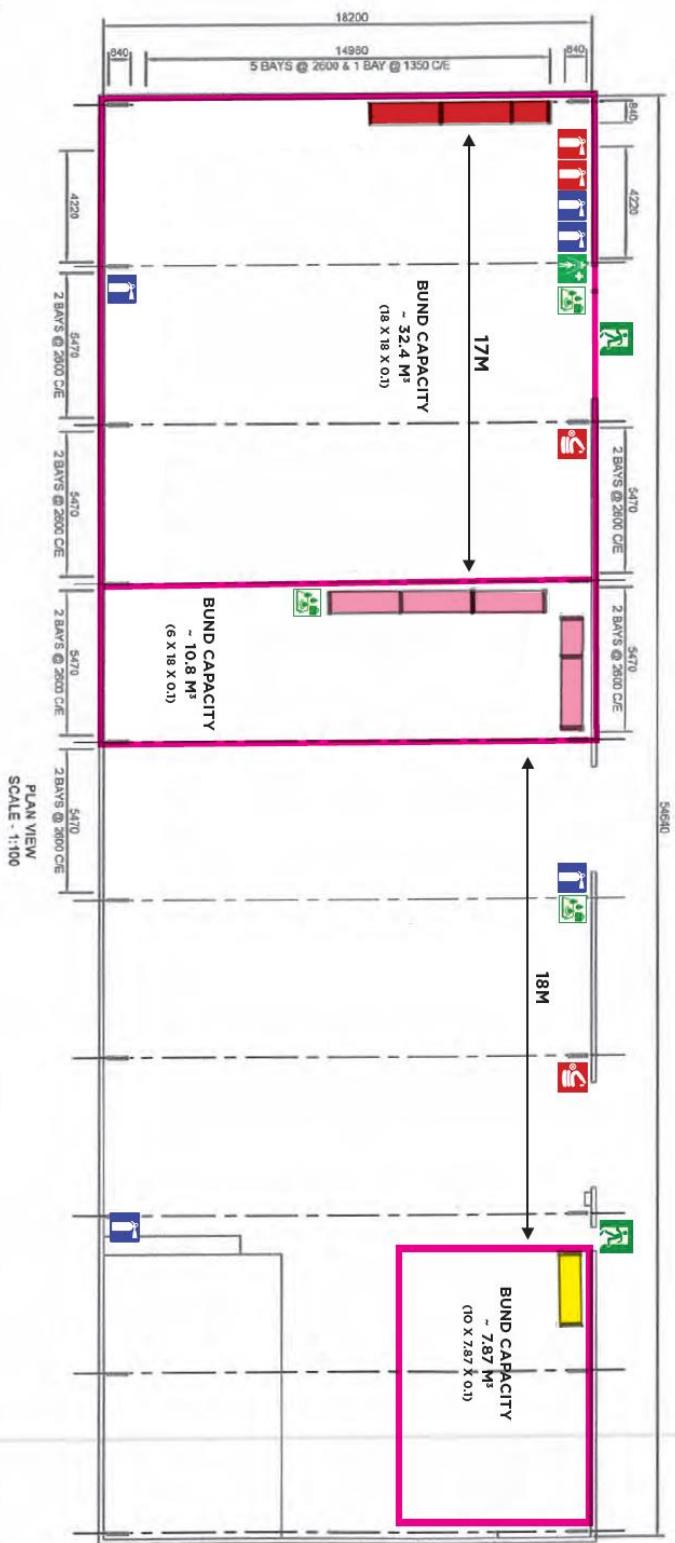
## Attachment 5 – Site Plan

No.9A  
LOT 1 DP878145



## Attachment 6 – Floor Plans

### WAREHOUSE A - SITE PLAN



## WAREHOUSE B - SITE PLAN

