
Proposal: Use of existing industrial premises as a sludge de-watering plant

Location: Lot 7, DP 238072, No. 7 Long Street, Smithfield

Proponent: Mr B King

**Capital
Investment
Value:** \$150,000

File No: DA 2015/529/1

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Holroyd City Council

RECOMMENDATION

1. That the application proposing the use of an existing industrial premises as a sludge de-watering plant be approved subject to conditions as outlined in Attachment E of this report.
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SUPPORTING DOCUMENTS

AT-A Site Locality Plan
AT-B Architectural Plans
AT-C Environmental Impact Statement
AT-D NSW EPA General Terms of Approval
AT-E Draft Conditions of Consent

EXECUTIVE SUMMARY

This development application proposes the use of an existing industrial premises as a sludge de-watering plant. The proposal is classified as ‘Designated Development’ as it is captured within Schedule 3 of the Environmental Planning and Assessment Regulation 2000, and falls under the definition ‘Waste management facilities or works’.

The proposal is also classified as ‘Integrated Development’ as it requires an Environmental Protection License (EPL) to authorise the carrying out of a scheduled activity at the subject premises. Under Schedule 1 of the Protection of the Environment Operations Act 1997, the proposal is defined as ‘Waste processing (non-thermal treatment)’.

In this regard, the Secretary’s Environmental Assessment Requirements (SEARs) were sought and an Environmental Impact Statement (EIS) was prepared (Refer Attachment C). The EIS was assessed by the NSW Environmental Protection Authority (EPA) and General Terms of Approval have been issued.

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

In accordance with the Environmental Planning & Assessment Regulation 2000 with regard to Designated Development and Integrated Development, the application was placed on public exhibition for 37 days (1 additional week due to Christmas period), which included letters to adjoining and surrounding owners and occupiers, an advertisement in the local paper and a notice on the site. In addition, a copy of the Development Application and EIS was forwarded to the Department of Planning for exhibition. No submissions were received.

The application was referred internally to Council's Development Engineering Section, Traffic Section, Environmental Health Unit and Waste Management Section. In addition, the application was referred externally to the NSW Environmental Protection Authority, the NSW Department of Primary Industries – Water, Sydney Water and Endeavour Energy. All issues raised by the internal and external bodies have been satisfactorily resolved and no further objections have been raised, subject to the implementation of conditions. As indicated above, the EPA have provided their General Terms of Approval.

The application is referred to the Sydney West Joint Regional Planning Panel for consideration pursuant to Clause 23G of the Environmental Planning & Assessment Act 1979, as the proposal is defined as a 'waste management facility or works', which meets the requirements for Designated Development.

Based on an assessment of the development as amended, it is considered that the proposal is appropriate for the site and for the locality and will have minimal impact on the surrounding environment. It is therefore recommended that the application be approved subject to conditions as outlined in Attachment E of this report.

SITE DESCRIPTION AND LOCALITY

The subject site is legally described as Lot 7, DP 238072, No. 7 Long Street, Smithfield.

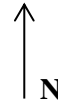
The site is regular in shape and has an area of 2,654.09sqm. The site contains a two storey industrial building, with a factory floor area including amenities of approximately 940sqm and a first floor mezzanine level office area of approximately 110sqm (total GFA of 1145sqm including stairs). To the rear of the building is hard-stand for the purpose of car parking and vehicle manoeuvrability. An easement for electricity transmission traverses the site above the rear hardstand area.

It is unclear when the building was first constructed. Council's records indicates a number of industrial uses since the 1980s. The last approval on Council's system is for the use of the site for the manufacture of tubular pallets (Development Consent No. 89/342) issued by Council on 12 December 1989.

The site is bordered by other similar type developments, being single and two storey industrial buildings characteristic of the Smithfield Industrial area, and is located approximately 240 metres to the west of the Cumberland Highway. The nearest residential development is located approximately 365 metres to the south of the site. The site is zoned IN1 General Industrial.



Locality Plan (Source: Cumberland Council IFM, 2016)



PROPOSAL

This application proposes the use of the existing industrial premises as a sludge de-watering plant. Specific details of the proposed development as provided by the applicant are provided below:

- Installation of a Sludge Management Unit (SMU) in the existing industrial building. This facility will process sludge material from road and construction sites across Sydney.
- Instead of the typical process of dry excavation, excavation is undertaken through the use of high pressure water. This process is non-destructive, however, as a by-product, the abovementioned sludge is produced
- Currently, the proponent operates a mobile SMU. It is proposed to install a SMU within the subject premises to operate as a fixed facility.
- The proponent already holds an Environmental Protection License (EPL No. 20519) for their mobile SMU. It is proposed to treat approximately 140,000 litres of sludge per day. This equates to approximately 50,000 tonnes per year.
- The sludge dewatering plant is considered to be an innovative environmental solution to the processing and cleaning of sludge waste by way of separation of sediments and liquids through containerised vibrating dewatering screens and high pressure filtering technologies. There are no contaminants or hazardous by-products created and the process does not generate significant noise emissions. The resulting by-products would be filter cake (inert soil) and treated water, both of which would be sent back to the origin site for reuse or recycled at construction sites for dust suppression or similar uses.

- The sludge is removed from the construction site and delivered to the subject site via truck and contained within storage tanks prior to processing. The material is then processed via filtration. The processed material (filter cake and cleaned water) is either reused or recycled. The water might be used for dust suppression or it might be disposed to sewer. The filter cake is either returned to the site of origin or disposed of as general waste.
- The plant would operate 24 hours a day 7 days a week, however, trucks delivering raw material to the site and processed material from the site would operate only during the hours of 8.00am to 4.00pm, with 1 to 2 HRV truck movements per hour.
- There are nine (9) car parking spaces provided on site, which would accommodate employee numbers and a large turning area at the rear to facilitate HRV truck movements.
- There are no physical building works to be undertaken, just the installation of plant and equipment.

SECTION 79C OF THE EP&A ACT

The application has been assessed against the relevant matters for consideration under Section 79C(1) of the *Environmental Planning and Assessment Act, 1979* as amended. The assessment is as follows:

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

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

(a) *the provisions of:*

(i) *Any environmental planning instrument*

Environmental Planning & Assessment Regulation 2000 – Schedule 3 Designated Development

The proposal is classified as ‘Designated Development’ as it is captured within Schedule 3 of the Environmental Planning & Assessment Regulation 2000 (‘the Regulation’), and falls under the definition of ‘Waste management facilities or works’, as the development proposes to recycle more than 1,000 tonnes of sludge per year.

In accordance with the requirements of the Environmental Planning & Assessment Act (‘the Act’) and Schedule 2 of the Regulation, an Environmental Impact Statement (EIS) has been prepared having regard to the Secretary’s Environmental Assessment Requirements (SEARs). It is considered that the preparation of the EIS has met the Secretary’s Environmental Assessment Requirements and the provisions under Schedule 2 of the Regulation. The findings of the EIS are discussed later in this report.

In addition to the above, the Development Application and supporting documents were publicly exhibited as per the requirements of the Act with regard to Designated Development for a period of 37 days (1 additional week due to Christmas holiday period). No submissions were received.

Environmental Planning & Assessment Act 1979 – Integrated Development

Pursuant to Section 91 of the Act, the proposed development requires an Environmental Protection License (EPL) to authorise the carrying out of a scheduled activity at the subject premises. Under Schedule 1 of the Protection of the Environment Operations Act 1997, the proposal is defined as ‘Waste processing (non-thermal treatment)’.

The proposal is identified as ‘Nominated Integrated Development’ and in accordance with the provisions for Advertised Development under the Regulation, the application was publicly exhibited for a period of 37 days. No submissions were received.

The Development Application and supporting documentation, including the EIS, were forwarded to the NSW Environmental Protection Authority (EPA), and the EPA has issued their General Terms of Approval. An Environmental Protection License (EPL) is required to be obtained prior to operation of the facility.

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

The proposal involves the treatment of waste sludge into reusable and recyclable by-products. In order to achieve this, only minor quantities of chemicals classed as ‘dangerous goods’ will be used. In accordance with the Secretary’s Environmental Assessment Requirements (SEARs), a risk screening of the proposal was undertaken as documented within the Environmental Impact Statement (EIS). The EIS illustrates the classifications, quantities and locations of chemicals used in the operation of the proposed development. SEPP 33 is not triggered, and the proposed development is not defined as either a ‘potentially hazardous industry’ or a ‘hazardous storage establishment’.

State Environmental Planning Policy No. 55 – Remediation of Land

Clause 7 of SEPP 55 provides that the consent authority must not consent to the carrying out of any development on land unless it has considered whether the land is contaminated. If the land is found to be contaminated, the Consent Authority must be satisfied that the land is suitable in its contaminated state or can and will be remediated in order for it to be suitable for the purpose for which the development is proposed.

The proposed development is for the use of an existing industrial building and thus the nature of the land use is not changing and will continue to be used for industrial purposes. In addition, there are no building works proposed, just a change in industrial use to a new activity. Council considers the site to be suitable for the proposed use.

State Environmental Planning Policy (Infrastructure) 2007

Clause 45

In accordance with Clause 45, the application was forwarded to Endeavour Energy given the site is affected by an easement for electricity transmission. There are no structures within the easement. Car parking and vehicle manoeuvrability are able to be undertaken within the easement. Endeavour Energy has raised no objection to the proposed change of use.

Division 23 (Clauses 120-123)

Pursuant to Division 23 (Waste or Resource Management Facilities) of SEPP (Infrastructure) 2007 the proposed sludge dewatering facility is defined as a '*resource recovery facility*', meaning 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.

Section 121 of the SEPP states that a '*waste or resource management facility*', meaning a waste or resource transfer station, a resource recovery facility, or a waste disposal facility is permissible in the IN1 – General Industrial Zone, being a prescribed zone. On this basis, the proposed development being a Waste Management Facility is permissible on the subject site, being within the within the IN1 – General Industrial Zone.

Greater Metropolitan Regional Environmental Plan No. 2 – Georges River (deemed SEPP)

The subject site is contained within the Georges River REP catchment. The Georges River Catchment has the potential to be adversely affected by a range of activities carried out on land within the Catchment.

It is considered that the proposed development is consistent with the aims, objectives and planning principles of the REP. In particular, the proposed development will not adversely affect the environmental quality of the catchment as all activities are contained inside a bounded area within the building.

Holroyd Local Environmental Plan 2013

The subject site is zoned IN1 General Industrial pursuant to the provisions of the Holroyd Local Environmental Plan 2013. The proposed development is defined as a 'general industry' under HLEP 2013, as provided below:

general industry means a building or place (other than a heavy industry or light industry) that is used to carry out an industrial activity.

industrial activity means the manufacturing, production, assembling, altering, formulating, repairing, renovating, ornamenting, finishing, cleaning, washing, dismantling, transforming, processing, recycling, adapting or servicing of, or the research and development of, any goods, substances, food, products or articles for commercial purposes, and includes any storage or transportation associated with any such activity.

It is considered that the proposed development involves the recycling of a good, substance or product for a commercial purpose. A 'general industry' is permissible within the zone with development consent.

heavy industry means a building or place used to carry out an industrial activity that requires separation from other development because of the nature of the processes involved, or the materials used, stored or produced, and includes:

- (a) hazardous industry, or
- (b) offensive industry.

It may also involve the use of a hazardous storage establishment or offensive storage establishment.

light industry means a building or place used to carry out an industrial activity that does not interfere with the amenity of the neighbourhood by reason of noise, vibration, smell, fumes, smoke, vapour, steam, soot, ash, dust, waste water, waste products, grit or oil, or otherwise, and includes any of the following:

- (a) high technology industry,
- (b) home industry.

Having regard to the above definition, the proposed development is not considered to be either a heavy industry or a light industry.

The objectives of the IN1 zone are as follows:

- *To provide a wide range of industrial and warehouse land uses.*
- *To encourage employment opportunities.*
- *To minimise any adverse effect of industry on other land uses.*
- *To support and protect industrial land for industrial uses.*
- *To enable other land uses that provide facilities or services to meet the day to day needs of workers in the area.*

Clause 2.3(2) provides that Council must have regard to the objectives for development in a zone when determining a Development Application in respect of land within the zone.

The proposed development is considered to be consistent with the objectives of the zone as it adds to the range of industrial land uses within the Smithfield Industrial Estate, it encourages employment, and the EIS process provides for the mitigation of any adverse effects of the development on adjoining and surrounding land uses.

An assessment against the relevant LEP clauses is provided in the table below:

Standard	Required/Permitted	Provided	Compliance
4.1	Minimum subdivision lot size - 1,200sqm	N/A	N/A
4.3	Height of Buildings - No maximum	No works proposed	N/A
Standard	Required/Permitted	Provided	Compliance
4.4	Floor Space Ratio - No maximum	No works proposed	N/A
4.6	Exceptions to development standards	N/A	N/A
5.9	Preservation of Trees or Vegetation	Vegetation within front setback is insignificant, but maintained nonetheless.	Yes
5.10	Heritage	N/A	N/A
6.1	Acid Sulfate Soils	The site is not affected by ASS	N/A
6.4/6.7	Flood Planning and Stormwater Management	The site is subject to the 1% AEP and PMF. Council's Flood Engineer and Development Engineer has reviewed the proposed use and raises no objection.	Yes
6.5	Terrestrial Biodiversity	There is no evidence of any terrestrial biodiversity on the site.	Yes

6.8	Salinity	The site is located on lands identified as being affected by moderate salinity.	To be conditioned
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Holroyd Development Control Plan 2013

The Holroyd Development Control Plan (DCP) 2013 came into effect on 5 August 2013 replacing the Holroyd DCP 2007. The DCP provides guidance for the design and operation of development within Holroyd to achieve the aims and objectives of *Holroyd Local Environmental Plan 2013*.

The following table provides an assessment of the proposed development against the relevant controls under Holroyd Development Control Plan 2013:

Part A – General Controls			
Standard	Required/Permitted	Provided	Compliance
2.4	Access VC to be reconstructed if in poor condition, damaged or design doesn't comply (check on site)	Existing VC to be widened to facilitate truck movements as per the requirements of Council's Traffic Section. A draft condition to this effect has been included within the draft conditions of consent.	Yes To be conditioned
3.0	Car Parking Factories (including amenities) 1 space per 70m ² of GFA + 1 per 40m ² of GFA of offices. 940sqm of factory floor space / 70sqm = 13.4 110sqm office / 40sqm = 2.75 Total = 16.15 or 17 spaces rounded up	9 dedicated car parking spaces provided. In accordance with the last approval, 11 spaces were required to be provided. The proposal includes the provision of 9 spaces, however, there is room for more if required. Given the nature of the use however, particularly the number of staff at the site at any one time, the number of parking spaces provided is considered satisfactory. Council's Traffic Section has raised no objection to the proposal.	Considered satisfactory
3.3	Dimensions of Car Parking Facilities, Gradients, Driveways, Circulation and Manoeuvring.	Council's Traffic Engineer has assessed the submitted plans and documentation and has advised that the proposal is acceptable, subject to conditions requiring the widening of the driveway.	Yes To be conditioned

3.5	Driveways Driveways shall be setback a minimum of 1m from the side boundary.	The widened driveway will need to make provision for a 1m offset on the eastern side.	Yes To be conditioned
3.6	Accessible parking - 2 spaces per 100 spaces - 1 space per adaptable unit	1 accessible space within front setback area.	Considered satisfactory
7.4	Stormwater Management	Existing stormwater drainage system in place	Yes
11	Site Waste Minimisation and Management Plan (SWMMP)	Council's Waste Officer has reviewed the proposed waste and recycling arrangements and SWMMP and has advised that they are acceptable.	Yes
Part D –Industrial Controls			
Standard	Required/Permitted	Provided	Compliance
1.0	Subdivision	N/A – Existing lot and building	N/A
2.2	Site Layout	N/A – Existing lot and building	N/A
2.3	Amenity Impacts on Nearby and Adjoining Zones	The closest residential dwelling is located 365m to the south of the subject site. Given that truck movements to and from the site are contained to during the hours of 8.00am and 4.00pm, and all activities after hours will be contained within the confines of the building, it is considered unlikely that any adverse amenity impacts would occur to nearby residences.	Yes
2.4	Building Design and Appearance	N/A - Use of existing building only	N/A
2.5	Setbacks Required setbacks – 15 metres	N/A – Setbacks of existing building comply	N/A
2.6	Parking and Vehicular Access	Satisfactory as illustrated in Part A above	Yes
2.8	Fences	N/A – No change to existing fencing	N/A
3	Landscaping	The existing front setback area of the site is considered to be appropriately landscaped	Yes

		and is consistent with adjoining and surrounding industrial development, therefore no need to upgrade.	
5	<p>Pollution Control</p> <ul style="list-style-type: none"> - Air and Water Pollution - Refuse and Trade Waste - Hazardous Goods and Chemicals 	<p>As indicated in the EIS, both air and water pollution is considered to be minimal. Given the nature of the sludge material, there will be no dust generated. In addition, the waste sludge will be captured via a 'sucker' truck and then transported to the subject site and stored within tanks prior to processing. There is no ability for the waste material to enter the stormwater system.</p> <p>Waste generated by the process will be re-used or disposed to sewer or general landfill.</p> <p>The EIS illustrates the classifications, quantities and locations of chemicals used in the operation of the proposed development. SEPP 33 is not triggered, and the proposed development is not defined as either a 'potentially hazardous industry' or a 'hazardous storage establishment'.</p>	<p>Yes</p> <p>Yes</p> <p>Yes</p>

As demonstrated above, the proposal is considered to comply with the requirements of Part A and D of the Holroyd DCP 2013.

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

N/A

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

The matters relating to Designated Development and Integrated Development, particularly with regard to the preparation of an EIS and the public exhibition requirements for both types of development, are considered to be satisfied. The findings of the EIS are discussed in the table below.

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

Environmental Impacts

In accordance with Section 78A of the Act and Schedule 2 of the Regulation, an Environmental Impact Statement (EIS) has been prepared and submitted in support of the proposed development.

The EIS states that the objectives of the proposal are:

- *To establish a permanent site to process slurry material from infrastructure, rail, road and construction sites across Sydney;*
- *To provide an innovative environmental solution to the management of slurry waste by way of separation of sediments and liquids through containerised vibrating dewatering screens and high pressure filtering technologies; and*
- *To use a technology that allows by-products of the treatment process to be reused, recycled or returned to the environment. This results in less truck movements, less material ending up in landfill, improvements in resource recovery, water savings and reductions in costs to businesses.*

The main components of the EIS include information relating to the proposed development, justification for the proposal, an assessment against key environmental planning instruments and a discussion of the potential impacts relating to the use as a Waste Management Facility. The EIS is provided at Attachment C to this report.

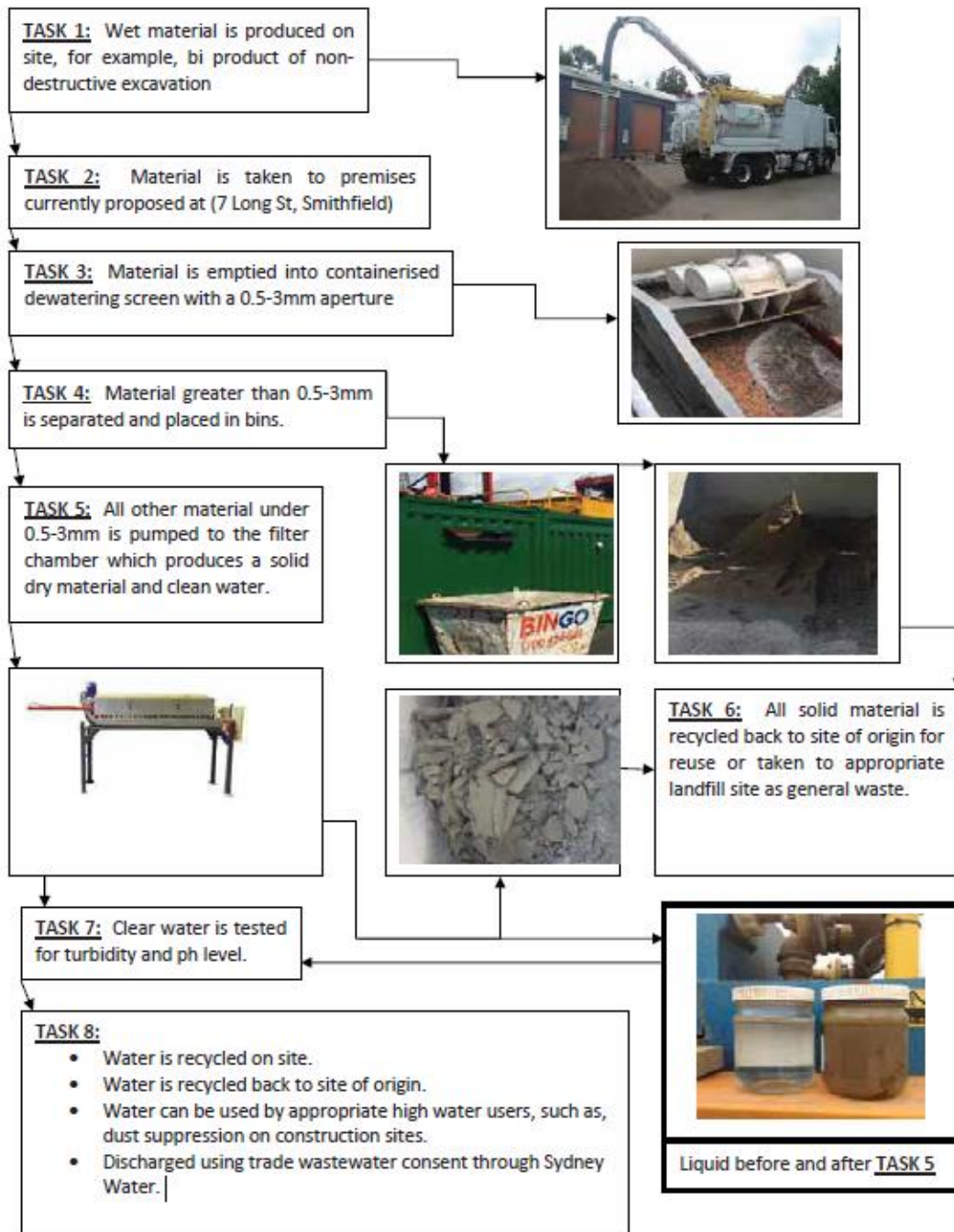
Proposed Development

Currently, the dewatering process is undertaken in a mobile Sludge Management Unit (SMU) at various construction sites across Sydney. The proposed development involves the installation of a permanent SMU within the existing industrial building located on the subject site.

Sludge is removed from a construction site into a ‘sucker’ truck and transported in sealed bins or bulk tankers. Once at the site, the sludge is emptied into a hopper in the SMU. The sludge undergoes a filtration process to separate sediments and liquids. No contaminants or hazardous by-products are produced, only filter cake and treated water.

The treated water is tested for turbidity and pH level. It may be reused for dust suppression or disposed to sewer. The filter cake is transferred to skip bins and would usually be transported back to the site of origin or disposed of as general waste.

A diagrammatic flowchart of the proposal is provided below:



Source: EIS prepared by Benbow Environmental, November 2015

The EIS identifies the main environmental issues associated with Waste Management Facility as follows:

- Air quality
- Noise
- Soil and Water
- Waste management
- Hazards and Risk
- Traffic and Transport

Section 8 of the EIS provides a succinct summary of the impacts, controls and recommended mitigation measures. This summary is replicated below:

Environmental Aspect	Potential Impact	Recommended Safeguards and Controls
Air Quality	Dust, particulates, greenhouse gas emissions and impact of these emissions on nearby private receptors considered negligible. Negligible potential odour.	<ul style="list-style-type: none"> • Dewatering operations undertaken within enclosed building • Filter cake stored in skip bins within enclosed building • Covered, designated waste bins
Noise	Annoyance due to noise generated by the use of equipment on site, and vehicles entering the site.	<ul style="list-style-type: none"> • All operational activities undertaken within an enclosed building • No further noise controls considered necessary
Soil and Water	Contamination of stormwater run-off and off-site impacts on nearby waterways and subsequently groundwater.	<ul style="list-style-type: none"> • Stored in bins • Testing of tradewaste prior to discharge • Licensed transport vehicles • Spill kits
Waste Management	Potential environmental and off-site impacts associated with an incident or recurring incidents involving the incoming waste and generation of waste products.	<ul style="list-style-type: none"> • Incoming waste procedure • Waste classification procedure • Bunded, enclosed building • Bunded, roofed water tanks • Bunded, roofed chemical storage areas • Testing of tradewaste prior to discharge • Licensed transport vehicles • Spill kits
Flora and Fauna	No threatened species or native vegetation on or close to site.	<ul style="list-style-type: none"> • None required.
Hazards and Risk	Incident involving the release of sludge. Hazards and risk involving chemicals and fire are minor due to the limited quantities stored and nature of the materials and processes proposed.	<ul style="list-style-type: none"> • Incoming waste procedure • Waste classification procedure • Bunded, enclosed building • Bunded, roofed water tanks • Bunded, roofed chemical storage areas • Testing of tradewaste prior to discharge • Licensed transport vehicles • Spill kits • Fire services & equipment
Heritage	No heritage items on or close to site.	<ul style="list-style-type: none"> • None required.
Traffic and transport	Existing road network would support the minor increased in traffic associated with the development.	<ul style="list-style-type: none"> • None required.
Visual	Changes due to proposed development negligible to visual appearance of site.	<ul style="list-style-type: none"> • None required.

Project Justification

The EIS justifies the project with the following reasons.

- *Recycling of wastes into products that have the potential to be reused is of vital importance to the wider community of Sydney and is strongly encouraged.*
- *The facility provides a permanent site to process waste generated by many construction projects across the Sydney area.*
- *The process provides an environmental solution to the processing of slurry producing reusable bi-products. Approval of the operations and allowing a facility that accepts this waste for recycling need to be supported.*
- *The site is not in a sensitive land use area.*
- *The development is a permitted use with consent.*
- *The development is a beneficial use as it fulfils the principles of ecologically sustainable development and is to be encouraged.*
- *The development generates local employment.*
- *The existing site has ample room available to house the operations.*

Alternatives to the proposal

The EIS identifies the alternatives to the proposal as follows:

There are alternatives and these relate to the type of development that is proposed, the type of processes undertaken and the location of the site.

The usual alternatives that exist are to choose another site or choose another process or do nothing.

The site suits DEMAST as it is readily accessible to a major arterial roadway, it is already fully developed and is well separated from residential areas so that a 24/7 operation readily complies with noise criteria.

Alternative sites in other local government areas would also be suitable.

Alternative processes also exist in terms of dewatering sludge such as a vacuum press rather than a filter press. However a filter press is ideally suited to sludge dewatering and is less prone to malfunction.

The 'do nothing' alternative does not warrant detailed discussion as it deprives the community of a more sustainable solution to dewatering construction sites and being able to do this at a central facility rather than solely relying on mobile units to assist infrastructure projects and building construction activities.

EIS Conclusion

The EIS concludes the following:

The environmental assessment process has enabled the potential impacts to be evaluated and control strategies devised to ensure compliance with regulatory standards would be achieved.

The use of a site that is already developed with buildings and infrastructure in place is a major advantage. Being readily able to prevent the rise of amenity impacts on the residential community is also a benefit of this site.

The development is considered to be suited to this site and the request is made that approval be granted.

Evaluation of EIS

Based on an assessment of the proposal against the relevant environmental controls, and having regard to the General Terms of Approval provided by the NSW Environmental Protection Authority (EPA), it is considered that the operation of the proposed waste management facility can be undertaken without adverse environmental impact.

It is considered that the EIS has satisfactorily addressed the Secretary's Environmental Assessment Requirements, and has identified all the key environmental issues associated with the proposal as well as provided appropriate recommendations for their mitigation.

Council has identified similar issues to the EIS, which are briefly discussed below.

Waste management

The facility processes waste material, known as sludge, which is generated through a non-destructive excavation process as part of the demolition of construction sites. High-pressure water is used to excavate soil, instead of traditional mechanical process, which can damage services and the like.

All waste generated by this process is recyclable. Water is extracted from the sludge through a filtration process. The treated waste water is then re-used for the purpose of dust suppression on subsequent building sites. Waste water could also be released to sewer and in this regard, a trade waste agreement will be required. Sydney Water was consulted as part of the EIS process and no objection was raised to the development, subject to the applicant obtaining a trade waste agreement. Standard conditions of consent to this effect have been included with the draft conditions of consent. Council also consulted with Sydney Water who provided their standard 'Tap in' condition.

Once the water is extracted, the sediment is then turned into filter cake. This filter cake can be returned to the site of origin or disposed of as general waste.

As identified above, the waste management component was assessed by the NSW EPA for the purposes of Integrated Development and their General Terms of Approval have been provided. The applicant will still need to obtain an Environmental Protection License (EPL) for the carrying out of a scheduled activity at the subject premises. This has been included as a condition of consent.

Council's Environmental Health Unit has also assessed the EIS having regard to the General Terms of Approval provided by the EPA and also raise no objection to the development.

Air and Water Pollution

As indicated in the EIS, both air and water pollution is considered to be minimal. Given the nature of the sludge material, there will be no dust generated. In addition, the waste sludge will be captured via a 'sucker' truck and then transported to the subject site and stored within tanks prior to processing. There is no ability for the waste material to enter the stormwater system. Again, both the EPA and Council's Environmental Health Unit has assessed this aspect of the development and consider it to be satisfactory.

Noise Pollution

With regard to acoustic management, an acoustic assessment was undertaken by Benbow Environmental as part of the EIS process. Benbow has concluded that, given operations are wholly conducted within the existing building, noise levels generated are low and over the significant separation distances to residences, noise levels would not be audible. Noise generated by truck movement has not been evaluated given that truck movements (1-2 per hour) are only proposed to occur between the hours of 8.00am and 4.00pm.

Council's Environmental Health Unit has the acoustic assessment and considers the noise generated by the development meets the noise criteria within the Industrial Noise Policy (INP) and is satisfactory.

Traffic Impact

Truck movements to and from the site would consist of 1-2 movements per hour between the hours of 8.00am and 4.00pm utilising a Heavy Rigid Vehicle (HRV). The traffic report submitted in support of the development concluded that the proposal will be a low traffic generator and there will be a very low impact on the surrounding road system.

Council's Traffic Section has assessed the traffic report and considered the development to be satisfactory subject to a widening of the driveway. Standard conditions of consent to this effect have been included with the draft conditions of consent.

Flooding and Stormwater Management

Whilst Council's mapping system indicates that the site is affected by the 1% AEP flood event, the extent of flood does not affect the existing building. Council's Development Engineering Section raises no objection to the proposed change of use.

(c) the suitability of the site for the development

There are no known constraints which would render the site unsuitable for the proposed development. The above assessment indicates that the proposed development can be contained within the confines of the subject building and truck movements to and from the site can be accommodated, subject to a widening of the vehicular crossing. The site is considered suitable for the proposed development.

(d) any submissions made

In accordance with the Act and the Regulation with regard to Designated Development and Integrated Development, the application was placed on public exhibition for 37 days (1 additional week due to Christmas period), which included letters to adjoining and surrounding owners and occupiers, an advertisement in the local paper and a notice on the site. In addition, a copy of the Development Application and EIS was forwarded to the Department of Planning for exhibition. No submissions were received during this period.

(e) the public interest

It is considered that the positive benefits of the proposal, such as employment generation and waste recycling outweigh any potential negative impacts that may arise as a result of the proposal. As such, it is considered that the proposal is in the public interest.

INTERNAL REFERRALS

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

Development Engineering Section	No objection, subject to conditions
Traffic Management Section	No objection, subject to conditions
Environmental Health Unit	No objection, subject to conditions
Waste Management Section	No objection

EXTERNAL REFERRALS

Comments were also sought from a number of external authorities, as provided below:

NSW EPA	No objection, subject to conditions
NSW Department of Primary Industries – Water	No objection
Sydney Water	No objection, subject to conditions
Endeavour Energy	No objection, subject to conditions

CONCLUSION & RECOMMENDATION

As identified above, the proposed development is within an IN1 General Industrial zone. The proposed development is defined under the Holroyd LEP 2013 as a General Industry and the development is permissible with consent. The proposed development is also permissible under SEPP Infrastructure within the IN1 General Industrial zone and is defined as a ‘waste or resource management facility’

The facility processes waste material, known as sludge, which is generated through a non-destructive excavation process as part of the demolition of roads and construction sites. High-pressure water is used to excavate soil, instead of traditional mechanical process, which can damage services and the like.

In accordance with the Environmental Planning & Assessment Regulation 2000 with regard to Designated Development and Integrated Development, the application was placed on public exhibition for 37 days (1 additional week due to Christmas period), which included letters to adjoining and surrounding owners and occupiers, an advertisement in the local paper and a notice on the site. No submissions were received.

An Environmental Impact Statement (EIS) was prepared in accordance with requirements of the Environmental Planning & Assessment Act 1979 and Schedule 2 of the Environmental Planning and Assessment Regulation 2000. It is considered that the EIS has satisfactorily addressed the Secretary’s Environmental Assessment Requirements, and has identified all the key environmental issues associated with the proposal as well as provided appropriate recommendations for their mitigation. The NSW Environmental Protection Authority and Council’s Environmental Health Unit has assessed the proposed development and consider it to be satisfactory.

The sludge dewatering plant is considered to be an innovative environmental solution to the processing and cleaning of sludge waste by way of separation of sediments and liquids through containerised vibrating dewatering screens and high pressure filtering technologies.

Based on an assessment of the development, it is considered that the proposal is appropriate for the site and for the locality and will have minimal impact on the surrounding environment. It is therefore recommended that the application be approved subject to conditions as outlined in Attachment E of this report.