

SYDNEY EASTERN CITY PLANNING PANEL COUNCIL ASSESSMENT REPORT

Panel Reference	2017SCL069
DA Number	178/2017
Local Government Area	Strathfield
Proposed Development	Internal fit-out and use of the existing buildings as a tyre recycling facility with an annual capacity of 20,000 tonnes of waste. The proposed development will comprise two defined project stages. Stage 1 will involve installing equipment within the factory warehouse with a view to processing up to 4,999 tonnes of tyres per annum with storage of less than 5 tonnes (or 500 tyres) at any one time. Stage 2 will involve increasing the total processing capacity to 20,000 tonnes per annum.
Street Address	191 Arthur Street, Homebush West
Applicant/Owner	Applicant: Traco Pty Ltd (Contact: Mr. Qasim Ali Munir) Owners: Christopher Minh and Elaine Cao
Number of Submissions	Seven (7)
Regionally Significant Development Criteria - Schedule 7 of SEPP (State and Regional Development) 2011	Waste management facilities or works, which meet the requirements for designated development under Clause 32 <i>Waste management facilities or works</i> of Schedule 3 to the <i>Environmental Planning and Assessment Regulation 2000</i> .
List of All Relevant s4.15(1)(a) Matters	• List all of the relevant environmental planning instruments: s4.15(1)(a)(i) • List any proposed instrument that is or has been the subject of public consultation under the Act and that has been notified to the consent authority: s4.15(1)(a)(ii) • List any relevant development control plan: s4.15(1)(a)(iii) • List any relevant planning agreement that has been entered into under section 7.4, or any draft planning agreement that a developer has offered to enter into under s7.4: s4.15(1)(a)(iv) • List any coastal zone management plan: s79C(1)(a)(v) • List any relevant regulations: s4.15(1)(a)(iv) e.g. Regs 92, 93, 94, 94A, 288 • List all of the relevant environmental planning instruments: s4.15(1)(a)(i) - SEPP 55 – Remediation of Land; - SEPP (Infrastructure) 2007; - SEPP 33 – Hazardous and Offensive Development; - Strathfield Local Environmental Plan 2012; and - Strathfield Direct Section 94 Contributions Plan 2010. • List any proposed instrument that is or has been the subject of public consultation under the Act and that has been notified to the consent authority: s4.15(1)(a)(ii)

	N/A • List any relevant development control plan: s4.15(1)(a)(iii) - Strathfield Consolidated Development Control Plan 2005. • List any relevant planning agreement that has been entered into under section 7.4, or any draft planning agreement that a developer has offered to enter into None. • List any coastal zone management plan: s4.15(1)(a)(v) Not applicable. • List any relevant regulations: s4.15(1)(a)(iv) e.g. Regs 92, 93, 94, 94A, 288 94 – Consent authority may require buildings to be upgraded.
List all documents submitted with this briefing paper	• <i>Integrated Water Cycle Management Report</i>, prepared by Sparks & Partners Consulting Engineers (Ref. 17239), dated 29/11/2017. • <i>Operational Management Plan and Environmental Management System</i>, prepared by Traco Pty Ltd, dated 30/11/2017. • <i>Environmental Impact Statement</i>, prepared by Jackson Environment and Planning Pty Ltd, dated 30/11/2017. • <i>Architectural plans</i>
Report prepared by	Philippa Frecklington – Consultant to Strathfield Council
Report date	4 June 2018

Summary of s4.15 matters	
Have all recommendations in relation to relevant s4.15 matters been summarised in the Executive Summary of the assessment report?	Yes
Legislative clauses requiring consent authority satisfaction	
Have relevant clauses in all applicable environmental planning instruments where the consent authority must be satisfied about a particular matter been listed, and relevant recommendations summarized, in the Executive Summary of the assessment report? <i>e.g. Clause 7 of SEPP 55 - Remediation of Land, Clause 4.6(4) of the relevant LEP</i>	Yes
Clause 4.6 Exceptions to development standards	
If a written request for a contravention to a development standard (clause 4.6 of the LEP) has been received, has it been attached to the assessment report?	Yes
Special Infrastructure Contributions	
Does the DA require Special Infrastructure Contributions conditions (S7.24)? <i>Note: Certain DAs in the Western Sydney Growth Areas Special Contributions Area may require specific Special Infrastructure Contributions (SIC) conditions</i>	Not Applicable
Conditions	
Have draft conditions been provided to the applicant for comment? <i>Note: in order to reduce delays in determinations, the Panel prefer that draft conditions, notwithstanding Council's recommendation, be provided to the applicant to enable any comments to be considered as part of the assessment report</i>	Yes

1. SUMMARY

Property address:	191 Arthur Street, Homebush West
Property description:	Lot A & B in DP 394265
Application lodged with Council:	1 December 2017
Notification period:	12 December 2017 – 25 January 2018
Submissions received:	Seven (7)
Zoning:	IN1 – General Industrial (SLEP 2012)
Type of development:	Designated development
Heritage:	No
Disclosures of political donations/gifts:	Nil
Previous Considerations:	Nil

2. EXECUTIVE SUMMARY

- (i) On 30 May 2017, the Director of Industry Assessments as delegated of the Secretary to the Department of Planning and Environment issued the Secretary's Environmental Assessment Requirements (SEAR) 1153 for the preparation of an Environmental Impact Statement (EIS) for the proposed tyre resource recovery facility at 191 Arthur Street, Homebush West (Required under s5.16 of the Environmental Planning and Assessment Act 1979).
- (ii) On 1 December 2017, Traco Pty Ltd lodged a development application with Council (DA178/2017) for the internal fit-out and use of the existing buildings at 191 Arthur Street, Strathfield as a tyre recycling facility.
- (iii) The proposed development will comprise two defined project stages. Stage 1 will involve installing equipment within the factory warehouse with a view to processing up to 4,999 tonnes of tyres per annum with storage of less than 5 tonnes (or 500 tyres) at any one time. Stage 2 will involve increasing the total processing capacity to 20,000 tonnes per annum.
- (iv) The site has a total area of 6069m². Existing development on the site consists of two (2) buildings up to a maximum of two (2) storeys used for the purposes of machinery storage and office space. Vehicular access to the site is provided from Arthur Street in the south-eastern corner of the site.
- (v) The site is zoned IN1 General Industrial under *Strathfield Local Environmental Plan (SLEP) 2012*. The site is bounded by a light industrial premises to the east at No. 166 Arthur Street and RailCorp land to the north. A warehouse/distribution centre is located opposite the site at No. 177 Arthur Street.
- (vi) Under SLEP 2012, the subject site is zoned IN1 General Industrial. SLEP 2012 defines the proposed use as a *waste or resource management facility*. Since it does not explicitly permit use of the site for this purpose, the proposal for a tyre recycling facility is a prohibited use. Albeit, use of the site for the purpose of a *waste or resource management facility* on land zoned IN1 General Industrial is permitted under *State Environmental Policy (Infrastructure) 2007*. This has the same meaning in the Standard Instrument. The SEPP prevails to the extent of any inconsistencies with SLEP 2012 and therefore the development is permissible land use in the zone.
- (vii) The proposal is classified as *designated development* under Schedule 3 of the *Environmental Planning and Assessment Regulation 2000*, as the proposal involves the recycling of more

than 5,000 tonnes per year of rubber tyres (s9(2)(j)(ii)) and involves *waste management facilities that store, treat, purify or dispose of waste or sort, process, recycle, recover, use or reuse material from waste* within 500m of a residential zone (s32(1)(d)(vi)).

- (viii) The proposal is also *integrated development* under s4.46 of the *Environmental Planning and Assessment Act 1979* (the Act) as the proposal requires an Environment Protection Licence (ss43(a), 47 and 55 of the *Protection of the Environment Operations Act 1997*) to authorise carrying out of scheduled development work (Schedule 1, cl34 - recovery of more than 5000 tonnes of waste tyres) at any premises. Accordingly, the application was referred to the NSW Environmental Protection Authority (EPA).
- (ix) On 15 May 2018, the EPA issued General Terms of Approval. The EPA is satisfied that an Environment Protection License can be issued for the proposal, subject to conditions.
- (x) The application was referred to Roads and Maritime Services who raised no objections to the proposal, subject to conditions, including compliance of the proposed car parking and loading areas with relevant Australian Standards, and preparation of a Construction Pedestrian Traffic Management Plan (CPTMP).
- (xi) The proposal involves excavation up to approximately 2.7m to accommodate an on-site-detention tank for stormwater detention. The proposed excavation is located within 25m of a rail corridor and therefore triggers referral to the chief executive officer of the rail authority for the rail corridor under s86(4) of *State Environmental Planning Policy (Infrastructure) 2007*. Accordingly, the application was referred to Sydney Trains.
- (xii) On 17 May 2018, Sydney Trains raised concerns regarding the proposed stormwater/drainage plan. A revised stormwater management plan has been prepared, which relocates the OSD tank away from the shared boundary with RailCorp land. Concurrence has been provided from Sydney Trains on 5 June 2018, subject to conditions.
- (xiii) No physical disturbance of the site is proposed except for installation of an OSD tank in the landscaped and undeveloped part of the site in the south-western corner adjacent the front boundary. No evidence of contamination or site usage in this area is noted in the EIS which may require a full Stage 2 assessment under *State Environmental Planning Policy No. 55 – Remediation of Land* (SEPP 55).
- (xiv) The application was notified and advertised in accordance with the *Environmental Planning and Assessment Regulations 2000* and Council's Notification Policy with seven (7) submissions received. The main concerns raised relate to odour, health, dust, noise and air pollution impacts; and traffic impacts. It is noted that Cumberland Council was also notified of the application.
- (xv) Council's Development Engineer, Waste Officer, Traffic Engineer, Environmental Health Officer and Trees and Landscaping Officer have raised no objections to the proposal, subject to recommended conditions of consent.
- (xvi) The proposal is considered to be suitable to the site and is not considered to give rise to any unacceptable health and amenity impacts to surrounding development, subject to recommended conditions of consent.
- (xvii) The proposal aligns with the *NSW Waste and Resource Recovery Strategy 2014-2021* policy document.
- (xviii) The application is recommended for approval, subject to recommended conditions of consent.

- (xix) The applicant has been provided with draft conditions of consent as per the recommendation and has accepted these.

3. BACKGROUND

The existing buildings on the site were originally approved for the manufacture of brass and stainless steel fittings in 1969. The factory buildings have since been modified. The most recent approval is for the manufacture, warehousing, packaging and distribution of magazines and similar paper materials (DA 0506/233, approved 24/09/2007). The site is currently vacant.

4. DESCRIPTION OF THE SITE AND LOCALITY

4.1 Physical Features

The subject site is legally described as Lot A and B in DP 394265 and is commonly known as 191 Arthur Street, Homebush West. The site is located on the northern side of Arthur Street at its western end, which forms a cul-de-sac. The site is irregular in shape with non-linear southern frontage totalling 88.94m, northern rear/side boundary of 111.615m, and eastern side boundary of 103.759m. The site has a total area of 6069m².

An existing gum tree is located in the south-western corner of the site and existing screen planting along part of the northern boundary at the rear and part of the eastern side boundary at the front. The site contains an unsealed area of 914m² in the south-western corner of the site, which provides a vehicle turning area. Vehicular access to the site is provided from Arthur Street by an existing 9m wide driveway crossing in the south-eastern corner of the site.

4.2 Topography

The site has a moderate cross fall of approximately 3.5m from east to west and minor fall from rear to front of approximately 300mm.

4.3 Existing buildings and structures

Existing development on the site is comprised of a two (2) storey storage warehouse of 1004m² centrally located on the site with processing warehouse of 1016m² to its rear, and metal building of 447m² to its western side. A gas main, sub-station and water main is located adjacent the front northern boundary.

4.4 Surrounding environment

The subject site adjoins the following properties:

- **North:** Rail corridor, residential zoned land 344m from the sites northern boundary. Residential development to the north-west is located within 500m of the site within Cumberland Council.
- **East** - Warehouse at 161 Arthur Street
- **South** – Warehouse/distribution tenancies at No. 177 Arthur Street
- **South/west** – Rookwood cemetery (Cumberland Council)



Figure 1. Locality Plan (Source: Google Maps).



Figure 2. Aerial view of the subject site (Source: Six Maps).



Figure 3. Configuration of the site showing Lot A and Lot B in DP 394265.



Figure 4. Subject site at No. 191 Arthur Street.



Figure 5. Main entry to the subject site at the western end of Arthur Street. The existing 9m wide driveway crossing is to be retained.



Figure 6. Existing warehouse/distribution centre opposite the site at No. 177 Arthur Street (Lot 23 in DP 1067931).



Figure 7. Adjoining development to the east of the site at No. 161 Arthur Street (Lot 1 in DP 113487).



Figure 8. Intersection of Arthur Street and Railway Street to the east of the site.

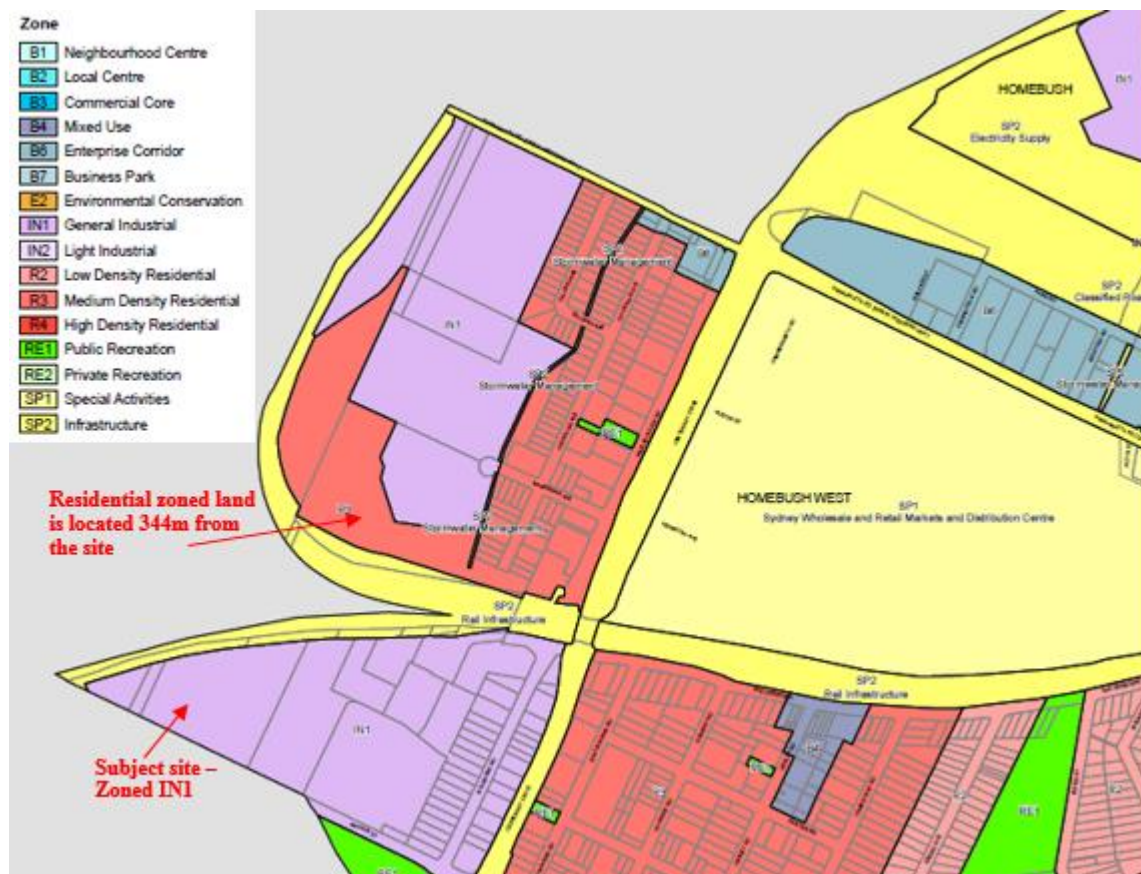


Figure 9. Zoning map (Source: SLEP 2012 Maps).

5. DESCRIPTION OF THE PROPOSED DEVELOPMENT

The application seeks approval for the internal fit-out and use of the existing buildings as a tyre recycling facility. The proposed development will comprise two defined project stages as follows:

Stage 1: Installing equipment within the factory warehouse with a view to processing up to 4,999 tonnes of tyres per annum with storage of less than 5 tonnes (or 500 tyres) at any one time.

Stage 2: Increasing the total processing capacity to 20,000 tonnes per annum.

The proposal also involves the following:

- Use of an existing storage warehouse and processing warehouse with a total of 3,035m² GFA for the purpose of a tyre recycling facility. No increase in floor area is proposed.
- Installation of a new 18m above ground portable weighbridge adjacent to the front office on the southern side of the main building (regulatory requirement under c36 of the *Protection of the Environment Operations (Waste) Regulation 2014*). A second weighbridge is also indicated on the eastern side of the site in association with a secondary loading bay.
- Installation of a fire sprinkler suppression system in the Processing Warehouse and the Storage Warehouse.
- 150mm bunding around the property to avoid off-site water quality impacts in the event of spill or fire.
- Eleven at grade car parking spaces including one (1) disabled car parking space adjacent the front (southern) boundary.
- Replacement of the existing absorption pit (rubble pit) for the treatment of stormwater runoff from the site with a 150m³ OSD tank for containment of storm events of up to 1 in 100 yr ARI. It is also proposed to install 32 *PSORB* filter cartridges in the OSD tank to further treat stormwater prior to discharge and install 16 *Enviro*pod gross pollutant traps for hardstand areas.
- Operating hours:

Operating hours	Proposed	Existing
Operational hours	7am to 11pm Monday to Saturday	7am to 11pm Monday to Friday
Deliveries and dispatch	7am to 5pm Monday to Friday	7am to 3pm Monday to Friday
Staff	A maximum of eight (8) staff on the site at any given time	-

- Retention of the existing 9m wide driveway crossing in the south-east corner of the site accessed from Arthur Street.
- Two (2) loading/unloading bays. The main loading bay is to be located on the southern side of the storage warehouse (loading bay 1) and separate loading bay (loading bay 2) on the eastern side of the building.

6. REFERRALS

6.1 Internal Referrals

Referral body	Comments
Engineering	• No objections are raised, subject to recommended conditions of consent. Key comments: • A special condition is recommended requiring consent to be obtained from Cumberland Council to connect to existing Cumberland Council owned drainage infrastructure in front of the subject site (Conditions 1 & 2). • Water sensitive urban design principles have been incorporated into the stormwater drainage design and Council's requirements have been met. • The submitted concept stormwater plans are feasible.

Waste	- No objections are raised, subject to recommended conditions of consent. Key comments: Condition 39 requires the preparation of a Waste Management Plan (WMP) in accordance with Part H of Strathfield Consolidated Development Control Plan 2005, prior to any occupation of the premises. - The EPA General Terms of Approval stipulates requirements for the processing, handling and storage of waste associated with the development.
Environmental Health Officer	No objections are raised, subject to inclusion of the EPA General Terms of Approval as conditions of consent.
Traffic	- Recommended conditions of consent provided. Key comments: Conditions 27 and 28 are recommended to ensure car parking dimensions, vehicular circulation and aisle widths comply with <i>AS/NZS 2890.1:2004 - Parking facilities: Off-street car parking</i>. Condition 15 is recommended to ensure that the layout and any changes to the proposed car parking and loading areas associated with the subject development (including driveways, grades, turn paths, sight distance requirements in relation to landscaping and/or fencing, aisle widths, aisle lengths, and parking bay dimensions) is in accordance with <i>AS 2890.1-2004: Off-Street Car Parking</i>, <i>AS 2890.6-2009: Off-Street Car Parking for People with Disabilities</i>, and <i>AS 2890.2-2002: Off-Street Commercial Vehicle Facilities</i> for heavy vehicle usage. (RMS requirement). - Imposition of the above conditions addresses the issues raised by Council's Traffic Engineer regarding compliance with the relevant Australian Standards pertaining to access for people with a disability; and parking dimensions, vehicular circulation, and aisle widths for cars and commercial vehicles.
Trees and Landscaping	No objections are raised, subject to recommended conditions of consent to ensure protection of existing trees on the road reserve and on the site.

6.2 External Referrals

Referral body	Comments
Sydney Trains	- Concurrence from Sydney Trains has been obtained, subject to conditions. Key comments: - The application triggers referral to Sydney trains under s86 of SEPP (Infrastructure) 2009 as the proposal involves excavation to a depth greater than 2m within 25m of an adjacent rail corridor. - The stormwater plan has been amended to relocate the OSD tank away from the shared boundary with RailCorp.

	Concerns raised regarding vibration impacts on the adjoining rail corridor have been satisfactorily resolved.
Roads and Maritime Services (RMS)	RMS has raised no objections to the proposal, subject to the inclusion of recommended conditions of consent.
NSW Environment Protection Authority (EPA)	- The EPA has provided General Terms of Approval, which are included within the recommendation (Conditions 15 – 18). Key comments: - The threshold for requiring an Environmental Protection Licence (EPL) from the EPA under the <i>Protection of Environmental Operations (POEO) Act 1997</i> is 5,000 tonnes of waste tyres per annum. The proposed Stage 2 triggers the requirement for an EPL. This requirement is addressed in the General Terms of Approval. - Additional information requested by the EPA on 5th February and 14th February 2018 regarding noise impacts, details of weighbridge specifications, and confirmation of the location and volume of waste has been satisfactorily provided. - No further information was requested in relation to air quality, odour, soil and contaminants, or water quality.

7. SECTION 4.15 CONSIDERATIONS – EP&A ACT, 1979

7.1 Any environmental planning instrument: s4.15(1)(a)(i)

8.1.1. Protection of the Environment Operations (POEO) Act 1997

Environment Protection Licence (EPL)

Pursuant to Clause 43(a), an Environment Protection Licence may be issued to authorise the carrying out of scheduled activities at any premises, as required under section 48.

Scheduled activities outlined under Schedule 1 of the POEO Act relevant to the proposal are outlined below:

(34) Resource recovery

Recover of waste tyres: meaning the receiving of waste tyres from off site and their processing, otherwise than for the recovery of energy.

(41) Waste processing (non-thermal treatment)

Non thermal treatment of waste tyres: meaning the receiving of waste tyres from off site and their processing otherwise than by thermal treatment.

(42) Waste storage

Waste storage: meaning the receiving from off site and storing (including storage for transfer) of waste and involves having on site at any time (other than in or on a vehicle used to transport the tyres to or from the premises) more than 5 tonnes of waste tyres or 500 waste tyres, or involves processing more than 5,000 tonnes of waste tyres per year.'

The proposal is consistent with the scheduled activity definitions above and meets the scheduled activity criteria in that:

- the proposal involves having on site at any time (other than in or on a vehicle used to transport the tyres to or from the premises) more than 5 tonnes of waste tyres or 500 waste tyres, or involves processing more than 5,000 tonnes of waste tyres per year; and
- the proposal involves the storage of more than 5 tonnes of waste tyres or 500 waste tyres on the premises at any time (other than in or on a vehicle used to transport the tyres to or from the premises).

The threshold for requiring an Environmental Protection Licence (EPL) from the EPA under the *Protection of Environmental Operations (POEO) Act 1997* is 5,000 tonnes of waste tyres per annum. The proposed Stage 2 triggers the requirement for an EPL. This requirement is addressed in the General Terms of Approval from the EPA (**Condition 7**).

Integrated development

The proposal is *integrated development* under s4.46 of the *Environmental Planning and Assessment Act 1979* (the Act) as the proposal requires an Environment Protection Licence (ss43(b), 48 and 55 of the *Protection of the Environment Operations Act 1997*) to authorise carrying out of scheduled development work at any premises. Accordingly, the application was referred to the NSW Environmental Protection Authority (EPA).

The EPA has provided General Terms of approval. These are included as conditions of consent (**Conditions 8 to 14**).

Weighbridge

In accordance with Section 36 of the *Protection of the Environment Operations (Waste) Regulations 2014*, a certified weighbridge is proposed to be operational and maintained to the *National Measurement Act 1960*. The licensee (of the EPL) is required to ensure that the weighbridge is calibrated every 12 months and is certified to meet the requirements of the *National Measurement Act 1960*. Calibration records are required to be kept on file for inspection by EPA Officers when requested. This matter is dealt with under the EPL application.

8.1.2. State Environmental Planning Policy (Infrastructure) 2007

Traffic generating development

The proposal is deemed 'traffic generating development to be referred to RMS' under Schedule 3 of SEPP (Infrastructure) 2007. Accordingly, the application was referred to Roads and Maritime Services (Roads and Maritime) in accordance with Clause 104 and Schedule 3 of SEPP (Infrastructure) 2007.

RMS have raised no objections to the proposal, subject to recommended conditions. These are recommended as conditions of consent (**Conditions 15 to 18**).

Permissibility

Pursuant to cl.121 of SEPP (Infrastructure), use of the site for the purpose of a *waste or resource management facility* on land zoned IN1 General Industrial is permitted under *State Environmental Policy (Infrastructure) 2007*.

Division 23 - Waste or resource management facilities

Division 23 of SEPP (Infrastructure) provides controls relating to ‘waste or resource recovery facilities’.

The definition of *waste or resource management facility* has the same meaning in the Standard Instrument (*Strathfield Local Environmental Plan, 2012*) and is defined as follows:

“Waste or resource management facility means any of the following:

- (a) a resource recovery facility,
- (b) a waste disposal facility,
- (c) a waste or resource transfer station,
- (d) a building or place that is a combination of any of the things referred to in paragraphs (a)–(c).”

The proposal is consistent with the definition above.

Sydney Trains

The application triggers referral to Sydney trains under s86 of SEPP (Infrastructure) 2009 as the proposal involves excavation to a depth greater than 2m within 25m of an adjacent rail corridor to accommodate an on-site-detention (OSD) tank.

The submitted stormwater management plan has been amended to relocate the OSD tank following concerns raised by Sydney Trains.

Concurrence has been provided by Sydney Trains, subject to conditions. These are included as conditions of consent (**Condition 19 (i) to (xii)**).

8.1.3. State Environmental Planning Policy No. 55 (SEPP 55) – Remediation of Land

An assessment of the proposal against SEPP 55 has been undertaken in the submitted EIS in accordance with the Secretary’s Environmental Assessment Requirements (SEARs).

The site is sealed and no physical disturbance of the site is proposed except for installation of an OSD tank in the landscaped and undeveloped part of the site adjacent the front boundary in the south western corner. The EIS confirms no evidence of contamination or site usage in the area of the excavation which may require a full stage assessment under SEPP 55.

Therefore, the proposal is acceptable with regards to SEPP 55.

8.1.4. State Environmental Planning Policy No. 33 – Hazardous and offensive development

In delivering the EIS, Jackson Environment and Planning Pty Ltd has undertaken a preliminary hazard analysis and environmental risk assessment against *SEPP 33 Hazardous and Offensive Development* to identify potential risks posed to people, property and the environment.

The study noted that the proposed development involving the receiving, processing / shredding and storage of tyre products in a fully enclosed warehouse environment is not offensive under the *SEP33 Hazardous and Offensive Development Application Guidelines – Applying SEPP 33* (Department of Planning, 2011a). The following guidelines published by the NSW Department of Planning in 2011 have also been considered.

- Hazardous Industry Planning Advisory Paper No 2 - Fire Safety Study Guidelines¹⁴
- Hazardous Industry Planning Advisory Paper No 3 - Risk Assessment¹⁵
- Hazardous Industry Planning Advisory Paper No 4 - Risk Criteria for Land

8.1.5. Strathfield Local Environmental Plan (SLEP) 2012

Clause 1.2(2) Aims

The proposal is consistent with the general aims of SLEP 2012 in that:

- the proposed use is compatible with surrounding land uses;
- the proposal will provide employment opportunities; and
- the proposal will not give rise to any unacceptable environmental impacts.

Permissibility

Under SLEP 2012, the subject site is zoned IN1 General Industrial. SLEP 2012 defines the proposed use as a *waste or resource management facility*. Since it does not explicitly permit use of the site for this purpose, the proposal for a tyre recycling facility is a prohibited use.

Albeit, use of the site for the purpose of a *waste or resource management facility* on land zoned IN1 General Industrial is permitted under *State Environmental Policy (Infrastructure) 2007*. This has the same meaning in the Standard Instrument. The SEPP prevails to the extent of any inconsistencies with SLEP 2012 and therefore the development is permissible land use in the zone.

Zone Objectives

An assessment of the proposal against the objectives of the IN1 General Industrial Zone is included below:

Objectives	Complies
➤ <i>To provide a wide range of industrial and warehouse land uses</i>	Yes
➤ <i>To encourage employment opportunities</i>	Yes
➤ <i>To minimise any adverse effect of industry on other land uses</i>	Yes
➤ <i>To support and protect industrial land for industrial uses</i>	Yes
➤ <i>To minimise fragmentation of valuable industrial land, and provide large sites for integrated and large floorplate activities.</i>	Yes

7.2 Any draft environmental planning instrument: s4.15(1)(a)(ii)

None.

7.3 Any development control plan: s4.15(1)(a)(iii)

8.3.1 Strathfield Consolidated Development Control Plan (SCDCP) 2005:

Part D: Industrial Development

Objectives

The proposal is consistent with the objectives of Part D as follows:

Objectives	Complies
a. <i>To improve the quality of industrial development within the Strathfield Municipality</i>	Yes
b. <i>To ensure the orderly development of industrial sites to minimise their environmental impact while maximising their functional potential</i>	Yes
c. <i>To ensure development is consistent with the principles of ecologically sustainable development</i>	Yes
d. <i>To encourage high quality building design and industrial streetscape aesthetics</i>	Yes
e. <i>To ensure that new industrial development is of a type, scale, height, bulk and character that is compatible with the streetscape characteristics of the surrounding area</i>	Yes

f.	To promote high quality landscape areas which complement the overall development of the site and which assist in enhancing streetscape quality	Yes
g.	To ensure that development will not unreasonably impact upon the amenity of any residential area in the vicinity	Yes
h.	To ensure that traffic generated by industrial development does not adversely impact upon local or regional traffic movements	Yes
i.	To ensure that each development has adequate on-site parking and manoeuvring areas for vehicles	Yes
j.	To encourage employee amenity within industrial developments	Yes

2.9 Parking, access and manoeuvring

Hemanote Consultants Pty Ltd has undertaken a traffic and parking impact assessment, which is detailed in Section 8 of the EIS.

The report applies the off-street parking rate for industrial development at the following rate:

“Warehouses: 1 space per 300m²”.

However, as the proposal involves the internal fit-out of two existing warehouses with recycling plant and equipment to enable the recycling of tyres, the parking rate for ‘industry’ is considered to apply, as follows:

“1 spacer per 50m² GFA where the office component is less than 20% of the total floor area.”

The *“RMS Guide to Traffic Generating Development Version 2.2 2002”* applies for the following parking rate for ‘factories’:

- 1.3 spaces per 100m² GFA. (c/5.14)
- Parking provision is reduced when employee parking demand is substantially less than the recommended rate. (c/5.11.1)

Based on the above, a summary table of the applicable rates under SCDCP 2005 (*Part D: Industrial Development*) and the *RMS Guide to Traffic Generating Development* document is provided below:

Document	Rate	Required no. of spaces (rounded up)	Proposed (Total GFA: 3,035m ²)	Complies
<i>SCDCP 2005 – Part D: Industrial Development</i>	1 space per 50m ² GFA	61 spaces	11 at grade spaces including 1 x accessible space	No
<i>SCDCP 2005 – Part I: Provision of off-street parking facilities</i>	1 space per 55m ² or 1 space per 2 employees, whichever is greater Loading/unloading as per Appendix C	56 spaces	2 loading docks	No
<i>RMS rate</i>	1.3 spaces / 100m ² GFA	40 spaces		No

The variation sought to the on-site car parking requirement is considered acceptable on merit for the following reasons:

- The traffic study contained within the EIS indicates that the proposed on-site parking provision is adequate for the proposed development.

- The *RMS Guide to Traffic Generating Development* indicates that a reduction in parking may be considered where employee parking demand is substantially less than the recommended rate.
- The application proposes a maximum of eight (8) employees on the site at any one time. Therefore, the parking demand is substantially less than the required rate. The proposed number of spaces exceeds maximum staff numbers. The maximum number of staff has been conditioned (**Condition 42**).
- The site is serviced by public transport.

Therefore, the variation sought to the car parking requirement is considered to be acceptable on merit.

Vehicular access to and from the on-site car parking and loading areas will be via the existing driveway crossing accessed from Arthur Street. The 9m wide crossing provides for two (2) way traffic. It is recommended that pedestrian line markings be provided, leading from the on-site car parking spaces to the entrance of the buildings to improve pedestrian safety within the site. A condition to this effect is included within the recommendation (**Condition 29** – recommendation of the traffic study and Council’s Traffic Engineer).

Suitable conditions of consent are recommended to ensure that the layout and any changes to the proposed car parking and loading areas associated with the subject development (including driveways, grades, turn paths, sight distance requirements in relation to landscaping and/or fencing, aisle widths, aisle lengths, and parking bay dimensions) shall be in accordance with AS2890.1-2004, AS2890.6-2009, and AS2890.2-2002 for heavy vehicle usage (**Condition 15** – RMS requirement).

Conditions 27 and 28 are recommended to ensure car parking dimensions, vehicular circulation and aisle widths comply with AS/NZS 2890.1:2004 - *Parking facilities: Off-street car parking*.

In accordance with Section 36 of the *Protection of the Environment Operations (Waste) Regulations 2014*, a certified weighbridge is proposed to be operational and maintained to the *National Measurement Act 1960*. The licensee (of the EPL) is required to ensure that the weighbridge is calibrated every 12 months and is certified to meet the requirements of the *National Measurement Act 1960*. Calibration records are required to be kept on file for inspection by EPA Officers when requested.

2.10.1 Landscaping

A Landscape Plan has been submitted with the application. This is considered acceptable by Council’s Trees and Landscaping Officer. The Landscape Plan shows the retention of existing vegetation on the site including along the northern boundary at the rear, along the eastern side boundary at the front, and in the south-western corner of the site.

Condition 22 is recommended to ensure that all existing street trees including the *Melaleuca quinquenervia* trees on the northern side of the nature strip) and trees on private property that are protected under Council’s controls, are retained.

2.11 Signage

No signage is proposed as part of the application.

Condition 5 is recommended, which requires a separate development application to be submitted for any proposed signage, excluding signs which are classified as being ‘exempt development’.

2.12 Site drainage and water management

Council's engineer is satisfied that the concept stormwater management plan can achieve compliance with Part H of SCDCP 2005.

Condition 25 is recommended, which prescribes that a detailed Stormwater Management Plan (SWMP) in line with Council's Stormwater Management Code is to be prepared and certified by a practicing Chartered Professional Engineer, prior to the commencement of any engineering / drainage works.

2.13 Utilities

Condition 32 prescribes that the applicant must comply with the requirements (including financial costs) of any relevant utility provider (e.g. Energy Australia, Sydney Water, Telstra, RMS, Council etc.) in relation to any connections, works, repairs, relocation, replacements and/or adjustments to public infrastructure or services affected by the development.

2.14 Air, noise and water pollution

A comprehensive *Environmental Impact Assessment* has been submitted with the application in accordance with the SEARs.

The EIS considers the air, noise and water pollution implications of the proposal. The EPA has assessed these implications and considers the proposal to be satisfactory, subject to the imposition of General Terms of Approval as conditions of consent.

Part H: Waste Minimisation and Management

The proposal is satisfactory with regards to Part H of SCDCP 2005, subject to conditions.

Council's Waste Office has offered no objections to the proposal, subject to the preparation of a Waste Management Plan in accordance with Part H of SCDCP 2005, prior to occupation of the premises. A condition to this effect is included within the recommendation (**Condition 39**).

Part N: Water Sensitive Urban Design

Council's engineer has reviewed the proposal and confirmed that water sensitive urban design principles have been incorporated into the stormwater drainage design in accordance with Part N of SCDCP 2005.

Part O: Tree Management

Council's Trees and Landscaping Officer has raised no objections to the proposal.

Condition 22 is recommended to ensure that all existing street trees including the *Melaleuca quinquenervia* trees on the northern side of the nature strip) and existing vegetation on the site is retained and protected.

7.4 4.15 (1)(a)(iia) any planning agreement or draft planning agreement

No planning agreement has been entered into under section 7.4 of the *Environmental Planning and Assessment Act 1979*.

7.5 4.15 (1)(a)(iv) the regulations

Relevant prescribed matters:

- 94 – Consent authority may require buildings to be upgraded.

Compliance with the relevant prescribed matters with regards to fire safety is addressed by the imposition of suitable conditions including **Condition 34**, which requires the existing buildings to be upgraded to comply with the fire safety requirements under the Building Code of Australia (BCA), prior to any occupation of the premises for use as a tyre recycling facility.

7.6 4.15(1)(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

Potential environmental impacts resulting from the proposal have been comprehensively addressed in the submitted EIS, which has been prepared in accordance with the Secretary's Environmental Assessment Requirements.

Health and environmental concerns raised by objectors of residential zoned land within 500m of the site and adjoining distributors of fresh produce includes noise, vibration, smell, fumes, smoke, vapour, steam, soot, ash, dust, waste water, and waste products.

The health/environmental impacts to surrounding development and residential zoned land have been satisfactorily addressed in the submitted EIS. This is validated by the endorsement of the proposal by the EPA, subject to General Terms of Approval.

It is noted that much of the processing within the facility will be performed internally (within the building) and/or enclosed.

Potential noise sources from the proposed development would generally be from movements of vehicles; and tyre recycling equipment including the shredder, conveyors and air compressor. A noise impact assessment has been prepared. Noise receptors at sensitive locations are addressed in the noise assessment. The dominant vibration sources from the proposed development include delivery trucks and fixed plant. This is addressed in detail in Section 10 of the EIS.

With regards to potential water quality impacts, 150mm bunding around the property is proposed to avoid off-site water quality impacts in the event of spill or fire.

Traffic

The submitted traffic and parking report estimates that the proposal will generate a daily traffic generation of 121 vehicles per day and a peak hour traffic generation of 15 vehicles per hour based on the *"RMS Guide to Traffic Generating Development – 2002"*. The estimated traffic generation is considered to be of low impact on existing flows on Arthur Street and the surrounding road network. The traffic generated by the proposed industrial development is not considered to alter the current levels of service and additional traffic can be readily accommodated within the existing road network.

Social and economic impacts

The proposal will contribute to employment opportunities within the industrial precinct by revitalising an existing underutilised asset and creating eight (8) new direct jobs.

In a broader context, the proposal aligns with the NSW Government's waste strategy to reduce solid waste to landfill.

7.7 4.15(1)(c) the suitability of the site for the development

The proposed development is considered to be suitable to the site. The proposal is consistent with the objectives of the IN1 General Industrial zone and will not give rise to any adverse environmental impacts, subject to compliance with the recommended conditions of consent.

7.8 4.15(1)(d) any submissions made in accordance with this Act or the regulations

The application was advertised and notified from 12 December 2017 to 25 January 2018 in accordance with Part L of *Strathfield Consolidated Development Control Plan (SCDCP) 2005*. Seven (7) submissions were received from:

1. Ray Newey, owner of 11 factory units at 177 Arthur Street, Homebush West
2. Raad Property Acquisition No 47 Pty Ltd, 161 Arthur Street, Homebush West
3. Jennifer Jiang, Q4.01/81 Courallie Avenue, Homebush West
4. Emma Slade, 8/177 Arthur Street, Homebush West
5. Edward Man, Building E, Unit 301, 78A Marlborough Road, Homebush West
6. Christine Descallar, Unit 5, 1 Devitt Avenue, Newington
7. Anne Sullivan, EG02,81-86 Courallie Avenue, Homebush West

The submissions raised the following issues:

Issue	Concerns/comments
Amenity, odour, health and noise impacts	• Impact of odours, dust particles and noise impacts on the tenants of factory units at No. 177 Arthur Street. • Impact of odours and dust from the facility on fresh produce and organic certification of fresh produce sold from warehousing/distribution tenancies opposite the site at No. 177 Arthur Street. • Notwithstanding confidence that the EPA and Council will carry out an exhaustive assessment process to determine if approval should be granted, we need to be certain that the amenity, health, access and outlook of the population that will occupy our 35,000m² site at No. 161 Arthur Street are protected should approval be granted. • Adequate measures should be taken to prevent the escape of excessive noise from the recycling activities and doors and windows should be kept closed and suitably sealed. • Adequate measures should be taken to prevent the escape of excessive dust from the recycling activities. • The hours of operation should be limited. • Regular monitoring should be undertaken to ensure compliance with conditions of consent, should the application be approved. • Residential units at 81 Courallie Avenue located within 500m of the proposed tyre recycling facility. Concerns regarding sound pollution, reduced air quality, adverse health impacts to residents. • Toxic fumes, dust and odours from the premises and proximity to nearby residences and primary school students. • Noise produced by the facilities outside of reasonable hours. The DA specifies that the facility will be operating to 11pm, six days a week.
Traffic impacts	• Ability of trucks delivering the tyres to the facility to access and exit the site from within the site, without using the driveways of No. 177 Arthur Street as what previously occurred with Rotary Offset Press, the previous owner.

	All trucks and other vehicles carrying tyres, recycled material and waste product should be parked entirely within the building and no vehicles carrying tyres, recycled materials or waste product should be parked in the street.
Location of works and storage of materials	- All recycling and associated activities shall be carried out entirely within the building. - All tyres, recycled material, waste product and anything associated with the recycling process shall be stored entirely within the building.
Landscaping	The grounds of the building should be adequately landscaped and maintained.
Signage	The building should not be signposted to indicate usage as a recycling facility.
Reduction in residential property value	Reduction in value of residential development in the vicinity due to adverse odours from the facility.
Fire risk	Fire risk/hazard to residential properties located within 500m of the site.

7.9 4.15(1)(e) the public interest

The public interest is served through the detailed assessment of this development application under the relevant local planning controls and legislation and consideration of any submissions received relating to it by Council. The proposed development is not considered to be contrary to the public interest, subject to recommended conditions of consent.

8. SECTION 7.11 CONTRIBUTIONS

Section 7.11 of the EP&A Act 1979 relates to the collection of monetary contributions from applicants for use in developing key local infrastructure.

As no increase in GFA is proposed, no section 94 contribution is payable under the Strathfield Direct Development Contributions Plan 2010-2030.

9. CONCLUSION

The application has been assessed having regard to Section 4.15 of the Environmental Planning and Assessment Act 1979, State Environmental Planning Policy No. 55 – Remediation of Land; State Environmental Planning Policy (Infrastructure) 2007; Strathfield Local Environmental Plan 2012; and Strathfield Development Control Plan 2005 and is considered to be satisfactory for approval, subject to the recommended conditions of consent.

RECOMMENDATION

That Development Application No. 178/2017 for the internal fit-out and use of the existing buildings as a tyre recycling facility with an annual capacity of 20,000 tonnes of waste at 191 Arthur Street, Homebush West be **approved**, subject to the following conditions:

SPECIAL CONDITIONS

1. CUMBERLAND COUNCIL DRAINAGE INFRASTRUCTURE

The drainage infrastructure in Arthur Street, Homebush West in front of the subject site is within Cumberland Council local government area. Accordingly, approval for connection to any drainage/infrastructure shall be obtained from Cumberland Council and any requirements met.

(Reason: Owner's consent is required and to ensure compliance with Cumberland Council's requirements.)

2. WORKS PERMIT – CUMBERLAND COUNCIL

A Works Permit shall be obtained from Cumberland Council at least five (5) working days prior to any works commencing. The approved Works Permit and any approved Construction Traffic Management Plan must be complied with at all times. The permit must be retained on site at all times.

(Reason: Council requirement.)

3. USE OF SEPARATE METAL CLAD BUILDING

The separate metal clad building located on Lot A DP 394265 used for the purpose of storing boxed toilet tissue shall not be used for the storage and processing of waste tyres.

(Reason: The EPA will not permit this area of the premises to be considered as part of an Environmental Protection Licence for the storage and processing of waste tyres.)

4. FIRE SAFETY

Section 11 of the *Environmental Impact Statement* prepared by Jackson Environment and Planning Pty Ltd 30 November 2017 shall be updated to address the fire impacts of the boxed toilet tissue in the separate metal-clad building located on Lot A DP394265. The recommendations contained within Section 11.3.5 shall be updated accordingly and fully complied with, prior to any occupation of the premises.

(Reason: The Fire Safety study does not address the existing boxed toilet tissue in the separate metal-clad building.)

5. SIGNAGE

A separate development application for any proposed signs which are either externally fitted or applied must be submitted for the approval of Council, prior to the erection or display of any such signs. This does not apply to signs which are classified as being 'exempt development'.

(Reason: No details of any signage have been submitted with the application.)

6. STREET LIGHTING

Street lighting shall be provided at the western end of Arthur Street. Prior to obtaining consent from the relevant energy provider, all street lighting shall be designed in

accordance with AS/NZS 1158 – *Road Lighting*. All associated costs shall be borne by the applicant.

(Reason: To improve visibility and safety to workers.)

7. ENVIRONMENT PROTECTION LICENCE

An Environment Protection Licence (EPL) must be obtained, prior to any activities occurring that will exceed the licensing thresholds outlined under Schedule 1 of the *Protection of the Environment Operations (PEO) Act 1997*

(Reason: Threshold under Schedule 1 of the *Protection of the Environment Operations Act 1997*).

EPA GENERAL TERMS OF APPROVAL

8. ADMINISTRATIVE CONDITIONS

A1. Definitions

Any reference to 'waste tyres' in this document means used, rejected or unwanted tyres, including casings, seconds, shredded tyres or tyre pieces.

A2. Information supplied to the EPA

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 DA2017/178 submitted to Strathfield Council on 1 December 2017;
- *Environmental Impact Statement Traco Ply Ltd - Tyre Recycling Facility 191 Arthur St, Homebush West v1.0* prepared by Jackson Environment and Planning Pty Ltd 30 November 2017; and
- all additional documents supplied to the EPA in relation to the development, including:
 - *Architectural plans* prepared by New Way Surveying
 - *Stormwater plans* prepared by Sparks & Partners
 - *Integrated Water Cycle Management Report* prepared by Sparks & Partners
 - *Project Summary for Consultation* prepared by Jackson Environment and Planning
 - *Operational Management Plan and Environmental Management System* prepared by Jackson Environment and Planning
 - *Level 1 Air Quality Assessment (17.1071.FR1V1 dated 18 September 2017)* prepared by Northstar Air Quality Pty Ltd
 - *Noise Impact Assessment* prepared by Waves Consulting 5 April 2018
 - Additional information provided to Strathfield Council on 15 March 2018

A3. Fit and proper person

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.

9. LIMIT CONDITIONS

L1. Pollution of waters

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 to be received at the premises, except the waste expressly referred to in the column titled "Waste" and meeting the definition, if any, in the column titled "Description" in the table below. Any waste received at the premises must only be used for the activities referred to in relation to that waste in the column titled "Activity" in the table below.

Any waste received at the premises is subject to those limits or conditions, if any, referred to in relation to that waste contained in the column titled "Other Limits" in the table below.

This condition does not limit any other conditions in this licence.

Waste	Description	Activity	Other Limits
Waste tyres	As defined in Schedule 1 of the POEO Act in force from time to time.	Waste processing (non-thermal treatment) Waste storage	The maximum amount of tyres processed per annum must not exceed 20,000 tonnes.

- L2.2 The amount of processed and unprocessed waste tyres and products permitted to be stored on the premises at any one time must not exceed 185 tonnes, including a maximum of:
- 80 tonnes of unprocessed, waste tyres;
 - 60 tonne of recycled rubber granules; and
 - 45 tonnes of 30 mesh rubber powder are to be stored at any one time.
- i)
- L2.3 The maximum height of any processed or unprocessed waste tyres stored at the premises cannot exceed 3.7 metres in height above ground level.
- L2.5 All waste processing and waste storage activities must be undertaken inside the buildings.

L3. Hours of operation

Activities at the premises, may only be carried on between 7am to 11pm Monday to Saturday. Deliveries and despatch activities may only be carried on between 7am to 5pm Monday to Friday.

L4. Odour

- L4.1 The licensee must not cause or permit the emission of offensive odour beyond the boundary of the premises.
- L4.2 No condition of this licence (if issued) identifies a potentially offensive odour for the purpose of Section 129 of the Protection of the Environment Operations Act 1997.

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

10. OPERATING CONDITIONS

1) Dust

- 1.1 Activities occurring in or on the premises must be carried out in a manner that prevents or minimises the generation of dust.
- 1.2 The premises must be maintained in a condition which prevents or minimises the emission of dust from the premises.
- 1.3 The licensee must ensure no visible dust leaves the premises.

- 1.4 The licensee must ensure that no material including sediment is tracked from the premises.

2) Processes and Management

- 2.1 No process involving the application of heat (thermal) or chemicals is to be conducted at the premises.
- 2.2 There must be no burning or incineration of waste at the Premises.

3) Waste Management

- 3.1 All waste tyres stockpiled at the Premises must be stored in accordance with the current version of the NSW Fire Brigade Guidelines for Bulk Storage of Rubber Tyres.

4) Emergency Response

- 4.1 The licensee must maintain, and implement as necessary, a current Pollution Incident Response Management Plan (PIRMP) for the premises. The licensee must keep the incident response plan on the premises at all times. The incident response plan must document systems and procedures to deal with all types of incidents (e.g. spills, explosions or fires) that may occur at the premises or that may be associated with activities that occur at the premises and which are likely to cause harm to the environment. The licensee must develop a Pollution Incident Response Management Plan in accordance with the requirements in Part 5.7A of the *Protection of the Environment Operations Act 1997* and associated Regulations.

5) 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.

6) 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.

11. MONITORING AND RECORDING CONDITIONS

1) 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.

2) 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.

12. REPORTING CONDITIONS

Annual Return documents

1) What documents an annual return must 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.

2) 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

- a) in relation to the surrender of a licence - the date when notice in writing of approval of the surrender is given; or

- b) in relation to the revocation of the licence – the date from which notice revoking the licence operates.

3) 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').

4) 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

5) 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.

6) 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.

7) 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.

13. GENERAL CONDITIONS

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

A copy of the license must be kept at the premises or on the vehicle 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.

14. SPECIAL CONDITIONS

1) Financial assurance

The Environment Protection Licence for the premises will be subject to conditions requiring the proponent to provide a financial assurance to the EPA in the form of an unconditional and irrevocable and on-demand guarantee from a bank, building society or credit union operating in Australia as "Authorised Deposit-taking Institutions" under the Banking Act 1959.

RMS CONDITIONS OF CONSENT

- 15.** The layout and any changes to the proposed car parking and loading areas associated with the subject development (including driveways, grades, turn paths, sight distance requirements in relation to landscaping and/or fencing, aisle widths, aisle lengths, and parking bay dimensions) shall be in accordance with *AS 2890.1-2004: Off-Street Car Parking*, *AS 2890.6-2009: Off-Street Car Parking For People With Disabilities*, and *AS 2890.2-2002: Off-Street Commercial Vehicle Facilities* for heavy vehicle usage.
- 16.** All vehicles are to be wholly contained on site before being required to stop.
- 17.** Any bicycle parking associated with the subject development should be in accordance with AS 2890.3 (Bicycle Parking Facilities).
- 18.** A Construction Pedestrian Traffic Management Plan (CPTMP) detailing construction vehicle routes, number of trucks, hours of operation, access arrangements and traffic control should be submitted to Council for approval prior to the issue of a Construction Certificate.

SYDNEY TRAINS CONDITIONS OF CONSENT

19. Conditions of consent:

- (i) Prior to the issue of a Construction Certificate the Applicant is to engage an Electrolysis Expert to prepare a report on the Electrolysis Risk to the development from stray currents. The Applicant must incorporate into the development all the measures recommended in the report

to control that risk. A copy of the report is to be provided to the Principal Certifying Authority with the application for a Construction Certificate.

- (i) A Risk Assessment/Management Plan and detailed Safe Work Method Statements (SWMS) for the proposed works are to be submitted to Sydney Trains for review and comment on the impacts on the rail corridor. The Principal Certifying Authority is not to issue the Construction Certificate until written confirmation has been received from Sydney Trains confirming that this condition has been satisfied.
- (ii) Sydney Trains or Transport for NSW (TfNSW), and persons authorised by those entities for the purpose of this condition, are entitled to inspect the site of the development and all structures to enable it to consider whether those structures have been or are being constructed and maintained in accordance with the approved plans and these conditions of consent, on giving reasonable notice to the principal contractor for the development or the owner or occupier of the part of the site to which access is sought.
- (iii) Prior to the issuing of a Construction Certificate the Applicant is to submit to Sydney Trains a plan showing all craneage and other aerial operations for the development and must comply with all Sydney Trains requirements. If required by Sydney Trains, the Applicant must amend the plan showing all craneage and other aerial operations to comply with all Sydney Trains requirements. The Principal Certifying Authority is not to issue the Construction Certificate until written confirmation has been received from the Sydney Trains confirming that this condition has been satisfied.
- (iv) Copies of any certificates, drawings, approvals/certification or documents endorsed by, given to or issued by Sydney Trains must be submitted to Council for its records prior to the issuing of a Construction Certificate.
- (v) Any conditions issued as part of Sydney Trains approval/certification of any documentation for compliance with the Sydney Trains conditions of consent, those approval/certification conditions will also form part of the consent conditions that the Applicant is required to comply with.
- (vi) Given the development site's location next to the rail corridor, drainage from the development must be adequately disposed of/managed and not allowed to be discharged into the corridor unless prior approval has been obtained from Sydney Trains.
- (vii) Prior to issue of a Construction Certificate, the Applicant shall provide certification from a qualified Geotechnical and Structural Engineers stating that the proposed works are to have no negative impact on the rail corridor and associated rail infrastructure. The Principal Certifying Authority is not to issue the Construction Certificate until written confirmation has been received from Sydney Trains confirming that this condition has been satisfied.
- (viii) During all stages of the development, environmental legislation and regulations are to be complied with.
- (ix) During all stages of the development extreme care shall be taken to prevent environmental harm within the railway corridor. Any form of environmental harm to areas within the railway corridor or legislative non-compliance that arises as a consequence of the development activities shall remain the full responsibility of the Applicant.
- (x) During all stages of the development, extreme care shall be taken to prevent any form of pollution entering the railway corridor. Any form of pollution that arises as a consequence of the development activities shall remain the full responsibility of the Applicant.
- (xi) The applicant shall not at any stage block the corridor access gate on Arthur Street, and should make provision for easy and ongoing 24/7 access by rail vehicles, plant and equipment to support maintenance and emergency activities.

- (xii) An acoustic and vibration assessment is to be submitted to Sydney Trains for review and endorsement, prior to the issue of a Construction Certificate. This assessment shall demonstrate that vibration from the proposed development will not have any adverse impact on the adjoining rail corridor. The Principal Certifying Authority is not to issue the Construction Certificate until written confirmation has been received from Sydney Trains confirming that this condition has been satisfied.

GENERAL CONDITIONS

20. APPROVED PLANS AND REFERENCE DOCUMENTATION

The development, except where modified by a condition(s) of consent, is to be carried out in accordance with the following plans and reference documentation:

Plans affixed with Council's 'Development Consent' stamp relating to Development Consent No. 178/2017:

Drawing No.	Prepared by	Issue / Revision & Date	Date received by Council
A1 / Access Report	Live Elegant Building Designs	A / March 2017	01/12/2017
A1 / Landscape Plan			
A1 / Stage 1 – 4999 TPA Facility			
A1 / Stage 2 – 20,000 TPA Facility			
A1 / First Floor Plan			
A1 / Roof Plan			
A1 / Sections			
A1 / Elevations			
DA4.01 / Stormwater Drainage Plan	Sparks & Partners	Rev 03 / 30.05.2018	23.05.2018

Reference Documentation affixed with Council's 'Development Consent' stamp relating to Development Consent No. 178/2017:

Title / Description	Prepared by	Issue/Revision & Date	Date received by Council
Environmental Impact Statement	Jackson Environment & Planning	30/11/2017	01/12/2017
Operational Management Plan and Environmental Management System	Traco Pty Ltd	30/11/2017	01/12/2017
Integrated Water Cycle Management Report	Sparks + Partners	Issue 001 / 29/11/2017	01/12/2017

In the event of any inconsistency, the conditions of this consent shall prevail.

(Reason: To ensure that the form of the development undertaken is in accordance with the determination of Council.)

21. CONSTRUCTION HOURS

No construction or any other work related activities shall be carried out on the site outside the hours of 7.00 am to 5.00 pm Mondays to Fridays and 8am to 1pm Saturdays.

No building activities are to be carried out at any time on a Sunday or public holiday.

Where the development involves the use of jackhammers/ rock breakers and the like or other heavy machinery, such equipment may only be used between the hours of 7.00 am - 5.00 pm Monday to Friday only.

(Reason: To maintain amenity to adjoining land owners.)

22. LANDSCAPING - TREE PRESERVATION

All existing street trees including the *Melaleuca quinquenervia* trees on the northern side of the nature strip) and trees on private property that are protected under Council's controls, shall be retained except where Council's prior written consent has been obtained. The felling, lopping, topping, ringbarking, wilful destruction or removal of any tree/s unless in conformity with this approval or subsequent approval is prohibited.

(Reason: To ensure the protection of trees to be retained on the site.)

23. BICYCLE STORAGE PROVISION

On-site provision for bicycle storage facilities shall be in accordance with the Strathfield Consolidated Development Control Plan 2005.

(Reason: Compliance with SCDCP 2005 and to encourage sustainable transport options.)

24. BUILDING CODE OF AUSTRALIA - COMPLIANCE WITH

All work must be carried out in accordance with the requirements of the Building Code of Australia (BCA).

(Reason: This is a 'prescribed' condition under clause 98(1) of the Environmental Planning and Assessment Regulation 2000.)

27. CAR PARKING - DISABLED CAR PARKING SPACES

Car parking for people with disabilities shall be provided in accordance with the Building Code of Australia, relevant Australian Standards and with regard to the Disability Discrimination Act 1992.

The above details shall be submitted to and approved by the Principal Certifying Authority prior to occupation of the premises.

(Reason: To ensure adequate parking for persons with a disability.)

28. CAR PARKING - COMPLIANCE WITH AS/NZS 2890.1:2004

Car parking dimensions must comply with the Australian/New Zealand Standard AS/NZS 2890.1:2004 - Parking facilities - Off-street car parking.

(Reason: To ensure compliance with Australian Standards relating to parking of vehicles.)

29. CAR PARKING - VEHICULAR CIRCULATION, AISLE AND RAMP WIDTHS

The aisle widths, internal circulation, ramp widths and grades of the car park shall comply with the Roads and Traffic Authority Guidelines and AS/NZS 2890.1:2004 - Off-Street Car Parking Code.

All vehicles shall enter and depart the site in a forward direction.

Pedestrian line markings shall be provided, leading from the on-site car parking spaces to the entrance of the buildings to improve pedestrian safety within the site.

(Reason: To ensure compliance with Australian Standards relating to manoeuvring, access and parking of vehicles, and to comply with RMS requirements.)

CONDITIONS TO BE SATISFIED PRIOR TO THE COMMENCEMENT OF ANY WORKS

25. STORMWATER MANAGEMENT PLAN - CERTIFICATION REQUIREMENT

A detailed Stormwater Management Plan (SWMP) in line with Council's Stormwater Management Code is to be prepared and certified by a practicing Chartered Professional Engineer on the National Professional Engineer's Register (NPER) at Engineers Australia and submitted to the Principal Certifying Authority and Council, prior to the commencement of any engineering/drainage works. The SWMP is to be based on the approved development as modified by any conditions of consent.

(Reason: To ensure appropriate provision is made for the disposal and management of stormwater generated by the development, and to ensure public infrastructure in Council's care and control is not overloaded.)

26. SYDNEY WATER - STAMPED PLANS PRIOR TO COMMENCEMENT

The approved plans must be submitted to a Sydney Water Quick Check agent or Customer Centre to determine whether the development will affect Sydney Water's sewer and water mains, stormwater drains and/or easements, and if further requirements need to be met. Plans will be appropriately stamped.

For Quick Check agent details please refer to the web site www.sydneywater.com.au (see Building Developing and Plumbing then Quick Check) or telephone 13 20 92. The consent authority or a Certifying Authority must ensure that a Quick Check agent/Sydney Water has stamped the plans before the commencement of work.

(Reason: Compliance with Sydney Water requirements.)

30. SECURITY PAYMENT - DAMAGE DEPOSIT FOR COUNCIL INFRASTRUCTURE

A security (damage deposit) of calculated in accordance with Council's adopted Fees and Charges) shall be paid to Council, prior to any works.

The deposit is required as security against any damage to Council property during works on the site. The applicant must bear the cost of all restoration works to Council's property damaged during the course of this development. All building work must be carried out in accordance with the Building Code of Australia.

Payment may be accepted in the form of cash, bank guarantee, cheque or credit card (financial transactions fees apply). Note: Additional fees apply for the lodgement of a bank guarantee in lieu of cash bond applies in accordance with Council's adopted Fees and Charges.

Any costs associated with works necessary to be carried out to rectify any damages caused by the development, shall be deducted from the Damage Deposit.

Note: Should Council property adjoining the site be defective e.g. cracked footpath, broken kerb etc., this should be reported in writing, or by photographic record, submitted to Council at least seven (7) days prior to the commencement of any work on site. This documentation will be used to resolve any dispute over damage to infrastructure. It is in the applicant's interest for it to be as full and detailed as possible.

The damage deposit shall be refunded upon completion of all works upon receipt of a Final Occupation Certificate stage and inspection by Council.

(Reason: Protection of Council infrastructure.)

31. WORKS ZONE - APPROVAL BY COUNCIL'S TRAFFIC COMMITTEE

An application for a 'Works Zone' must be submitted to and approved by the Strathfield Council Traffic Committee prior to the commencement of any site work that requires a 'Works Zone'.

The suitability of the proposed length and duration of the Works Zone is to be demonstrated in the application for the Works Zone. The application for the Works Zone must be submitted to Council at least six (6) weeks prior to the commencement of work on the site to allow for assessment and tabling of agenda for the Strathfield Council Traffic Committee.

The requirement for a Works Zone may be varied or waived only if it can be demonstrated in the Construction Traffic Management Plan (to the satisfaction of Council) that all construction related activities (including all loading and unloading operations) can and will be undertaken wholly within the site. The written approval of Council must be obtained to provide a Works Zone or to waive the requirement to provide a Works Zone prior to the commencement of any site work.

(Reason: Council requirement.)

32. PUBLIC INFRASTRUCTURE AND SERVICES

The applicant must comply with the requirements (including financial costs) of any relevant utility provider (e.g. Energy Australia, Sydney Water, Telstra, RMS, Council etc.) in relation to any connections, works, repairs, relocation, replacements and/or adjustments to public infrastructure or services affected by the development.

(Reason: To maintain public infrastructure and/or services.)

CONDITIONS TO BE SATISFIED PRIOR TO THE ISSUE OF AN OCCUPATION CERTIFICATE

33. ENGINEERING WORKS (CERTIFICATION OF)

Prior to any occupation of the premises, a Work As Executed (WAE) Plan of all engineering and/or drainage works is to be submitted to the Principal Certifying Authority. The WAE Plan is to be certified by a suitably Qualified Engineer, with Corporate Membership standing in the Institution of Engineers Australia and registered on the National Professional Engineers Register (NPER) under the appropriate professional category, demonstrating that:

- i) the stormwater drainage system; and/or
- ii) the car parking arrangement and area; and/or
- iii) any related footpath crossing works; and/or
- iv) the proposed basement pump and well system; and/or
- v) the proposed driveway and layback; and/or
- vi) any other civil works

have been constructed in accordance with the approved plans and any relevant Standards and Council policies/specifications.

For major works, such as subdivisions, works within the road reserve (requiring separate S138 approval) and as where specified by Council, a Part 4A Certificate will be required. It is strongly recommended that an Engineer supervise all engineering related works.

Where Council is not the Principal Certifying Authority, an electronic copy of the above documents is to be provided to Council, prior to the issue of any Occupation Certificate.

(Reason: Asset management.)

34. FIRE SAFETY UPGRADE - CHANGE OF BUILDING USE

Pursuant to clause 94 of the Environmental Planning and Assessment Regulation 2000, the existing buildings are to be upgraded to comply with the fire safety requirements under the Building Code of Australia (BCA), prior to any occupation of the premises for use as a tyre recycling facility.

Note: The Certifying Authority issuing the Construction Certificate has no power to remove the requirement to upgrade the existing building as required by this condition. Where this condition specifies compliance with performance requirements of the BCA, the Certifying Authority (subject to their level of accreditation) may be satisfied as to such matters. Where this condition specifies compliance with prescriptive (deemed to satisfy) provisions of the BCA, these prescriptive requirements must be satisfied and cannot be varied unless this condition is reviewed under section 82A or amended under section 96 of the Act.

(Reason: Fire safety.)

35. FIRE SAFETY CERTIFICATION

A fire safety certificate shall be obtained in accordance with Part 9, Division 4 of the Environmental Planning and Assessment Regulation 2000, prior to the issue of any Occupation Certificate.

An fire safety certificate is a certificate issued by the owner of a building to the effect that each essential fire safety measure specified in the current fire safety schedule for the part of the building to which the certificate relates:

- i) has been assessed by a properly qualified person; and
- ii) was found, when it was assessed, to be capable of performing to at least the standard required by the current fire safety schedule for the building for which the certificate is issued.

An interim fire safety certificate must be provided before an interim occupation certificate can be used for a building under Clause 153(2) of the Environmental Planning & Assessment Regulation 2000.

A final fire safety certificate must be provided before an interim occupation certificate can be used for a building under Clause 153(1) of the Environmental Planning & Assessment Regulation 2000.

A copy of the fire safety certificate and fire safety schedule shall be:

- i) submitted to Strathfield Council;
- ii) submitted to the Commissioner of the New South Wales Fire Brigade; and
- iii) prominently displayed in the building.

(Reason: Fire safety and statutory requirement.)

36. OCCUPATION OF BUILDING

A person must not commence occupation or use (or change of use where an existing building) of the whole or any part of a new building (within the meaning of section 109H (4) of the Act) unless an Interim Occupation Certificate or Final Occupation Certificate has been issued in relation to the building or part.

The Principal Certifying Authority is required to be satisfied, amongst other things, that:

- i) all required inspections (including each applicable mandatory critical stage inspection) have been carried out; and
- ii) any preconditions to the issue of the certificate required by a development consent have been met.

Note: New building includes an altered portion of, or an extension to, an existing building.

(Reason: Statutory requirement.)

37. STORMWATER - CERTIFICATION OF THE CONSTRUCTED DRAINAGE SYSTEM

The constructed stormwater system shall be certified by a suitably qualified person, in accordance with Council's Stormwater Management Code, prior to the issue of any Occupation Certificate.

(Reason: Adequate stormwater management.)

38. STORMWATER - COVENANT AND RESTRICTION AS TO USER FOR STORMWATER CONTROLLED SYSTEMS

Prior to the issue of any Occupation Certificate, the applicant shall register a Positive Covenant and a Restriction as to User under section 88E and or section 88B of the Conveyancing Act as appropriate in favour of Council, ensuring the ongoing retention, maintenance and operation of the stormwater facility on-site detention and/or pump-out system.

(Reason: To ensure the on-site detention and/or pump system is maintained to an appropriate operational standard.)

39. WASTE MANAGEMENT PLAN

A Waste Management Plan (WMP) in accordance with Part H of Strathfield Consolidated Development Control Plan 2005 is to be submitted to Council for approval, prior to any occupation of the premises.

(Reason: To ensure appropriate management of waste.)

40. VENTILATION SYSTEMS

Any ventilation system is to comply with the following:

- i) The Building Code of Australia;
- ii) Protection of the Environment Operations Act 1997; and
- iii) Australian Standard AS1668-1991.

Details demonstrating compliance with the above are to be submitted to the Principal Certifying Authority, prior to any occupation of the premises.

(Reason: To ensure the ventilation system complies with the relevant requirements / standards.)

CONDITIONS TO BE SATISFIED DURING ONGOING USE OF THE PREMISES

41. FIRE SAFETY ANNUAL STATEMENT

Pursuant to Part 9, Division 5 of the Environmental Planning and Assessment Regulation (as amended) the owner of the building shall provide to Council an Annual Fire Safety Statement from an appropriately qualified person certifying the essential fire safety measures in the building. The Annual Fire Safety Statement shall be submitted within 12 months of the issue of the fire safety certificate, and then on an annual basis.

A copy of the Fire Safety Statement obtained and Fire Safety Schedule shall also be:

- i) Forwarded to the Commissioner of the New South Wales Fire Brigade; and
- ii) Prominently displayed in the building.

(Reason: Fire safety)

42. HOURS OF OPERATION AND MAXIMUM STAFF NUMBERS

Activities at the premises, may only be carried on between 7am to 11pm Monday to Saturday. Deliveries and despatch activities may only be carried on between 7am to 5pm Monday to Friday.

A maximum of eight (8) staff are permitted on the site at any one time.

(Reason: EPA requirement.)

43. LOADING AND UNLOADING - NO OBSTRUCTION OF PUBLIC ROAD OR FOOTWAY

All loading and unloading operations including fork lift trucks or other similar loading, lifting and/or carrying appliances used in conjunction with the premises, shall be carried out wholly within the boundaries of the site, at all times. There shall be no obstruction of any public roadway or footway at any time, without the prior

(Reason: Public safety.)

44. NOISE

The use of the premises shall comply with the requirements of the NSW Environment Protection Authority Industrial Noise Policy 2000 and the Protection of the Environment Operations (Noise Control) Regulation 2008, and shall not give rise to the transmission of offensive noise as defined in the Protection of the Environment Operation Act 1997 (NSW)

Should substantiated complaints or breaches of noise regulations occur, a suitably qualified acoustic consultant shall be engaged by Council to measure noise emanating from the building/premises and to recommend appropriate action. The cost of such an appointment shall be borne by the operator/owner and any works recommended by the acoustic consultant shall also be borne by the operator/owner and carried out within a time frame set by Council.

(Reason: Noise control and amenity.)

45. POLLUTION - COMPLIANCE WITH POEO ACT 1997 GENERALLY

The activities carried out on site shall not constitute a nuisance in relation to noise, air or water pollution as specified under the Protection of the Environment Operations Act 1997.

(Reason: Environmental protection.)

46. WASTE - CONTROL OF LITTER ON PUBLIC FOOTPATH AND ROAD RESERVE

The occupant or person in control of the premises must take all practicable steps to ensure that the area of public footpath or road reserve adjacent to the premises is maintained in a

clean and tidy condition. Where a litter problem arises and the offending material is found to usually include wrappers, containers or the like, and remains of goods or items which it might reasonably be assumed were purchased at the subject premises, the shopkeeper must comply with any direction of Strathfield Council with regard to the regular sweeping, collection and disposal of rubbish.

(Reason: Environmental health.)

47. WASTE REQUIREMENTS FOR INDUSTRIAL WASTE MATERIALS

The applicant shall ensure that industrial waste materials must not be discharged onto the site, or onto neighbouring land or into any road, drain, pipeline or watercourse.

- i) Storage tanks, fuelling areas, product mixing, filling and preparation areas, and the like and wash bays provided for cleaning and maintenance of vehicles, machinery, equipment and the like, must be bunded and all waste water collected and discharged to the sewer in accordance with the requirements of Sydney Water and the EPA.
- ii) Documentary evidence of compliance with the Sydney Water's requirements must be submitted to the Principal Certifying Authority, prior to use or occupation of the building/additions. Vehicles, machinery, equipment or the like, must not be washed or steam cleaned or the like, except in areas provided especially for the purpose in accordance with this condition.
- iii) Where the approval of Sydney Water, in accordance with the requirements of this condition, is not forthcoming, some other method of treatment and removal of wastes must be installed and/or implemented to the satisfaction the Principal Certifying Authority.
- iv) Any overflow or spillage of fuel, oil, solid or liquid chemicals, or the like, must be dealt with in accordance with the requirements for treatment of waste materials as set out in (i) and (ii) of this condition.

(Reason: Environmental health.)

ATTACHMENTS

- *Integrated Water Cycle Management Report*, prepared by Sparks & Partners Consulting Engineers (Ref. 17239), dated 29/11/2017.
- Operational Management Plan and Environmental Management System, prepared by Traco Pty Ltd, dated 30/11/2017.
- *Environmental Impact Statement*, prepared by Jackson Environment and Planning Pty Ltd, dated 30/11/2017.
- Architectural plans