



# Environmental Impact Statement

WASTE MANAGEMENT FACILITY

84 PERCIVAL ROAD  
SMITHFIELD

5 NOVEMBER 2019



## QUALITY ASSURANCE

<b>Project:</b>	Environmental Impact Statement: Waste Management Facility
<b>Address:</b>	84 Percival Road, Smithfield
<b>Council:</b>	Cumberland
<b>Author:</b>	Think Planners
<b>Personnel:</b>	Schandel Fortu: Director

## Certification

I certify that I have prepared the content of this EIS and to the best of my knowledge it is in accordance with Schedule 2 of the Environmental Planning and Assessment Regulation 2000, contains all available information that is relevant to the environmental assessment of the development to which this statement relates and the information contained in the statement is neither false nor misleading.

Date	Purpose of Issue	Rev	Reviewed	Authorised
August 2019	Issued for comments	A	LK	SF
10 September 2019	Issued for consultation	B	SF	SF
5 November 2019	Final issue	C	SF	SF

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## EXECUTIVE SUMMARY

This Environmental Impact Statement has been prepared by Think Planners on behalf of Sydney Smithfield Metal Recyclers for the development at 84 Percival Road, Smithfield.

The submission to Cumberland Council comprises an Environmental Impact Statement (EIS) for a Development Application under Part 4 of the Environmental Planning and Assessment Act 1979.

The current use of the land is a commercial and residential building supplies business known as Fast Stud which has operated from the premises for many years. This proposal does not involve construction of a new warehouse building but the change of use to a scrap metal waste transfer station. There are minimal building works included in the proposal. The proposed works include:

- Demolition of the existing outbuilding at the rear of the site
- Modifications to the existing car parking area
- Construction of a weighbridge
- Installation of operating machinery for the metal recycling processes being undertaken on the site.

The proposed development comprises a scrap metal waste transfer station where material is accepted from scrap metal customers which are brought to the site in trucks and in skip bins which are then taken into the warehouse building or to the rear yard for sorting.

The scrap metal material is then sorted into the following main categories metal, copper, steel and aluminium. The site will be operated by 8 employees who will control the operations and the hours of operation at 7am to 4pm Monday to Friday with Saturday operation from 7am to 1pm. Sydney Smithfield Metal Recyclers do not own any trucks, and as such all material coming to the site is via customers own vehicles.

Approximately 20,000 tonnes per year would be accepted at the site and there will be storage of up to 100 tonnes at any one time. There is no processing of the scrap metal to occur on the site rather only sorting and compacting to on-sell to other businesses. There will be no crushing or screening to take place on the site.

The proposed development is designated development as it is a waste management facility or works located within 500 m of a residential zone and requires an Environmental Impact Statement to accompany the development application. The proposed activities are not scheduled under the Protection of the Environment Operations Act, 1997 and therefore do not require an Environment Protection Licence.

Situated within Smithfield industrial precinct, the subject land parcel is located on the western side of Percival which is directly across Jumal Place. The site is ideally located within proximity of various employment opportunities within the suburbs of Western Sydney.

The subject site can be best described a large rectangular land parcel with an average site depth of approximately 233m, a frontage from Percival Road of 26.56 and a total site area of 6,195.7m<sup>2</sup>. The site adjoins industrial premises to both side boundaries and the Prospect Reservoir to its rear boundary.

The proposal triggers the requirements for an Environmental Impact Statement as Clause 32 within schedule 3 of the Environmental Planning and Assessment Regulation 2000 indicates that a waste management facility becomes designated development when the proposal qualifies for use classification under clause 1(b), 1(d(v)) and 1(d(vi)) which is demonstrated below.

**Clause 1(b):**

- *that sort, consolidate or temporarily store waste at transfer stations or materials recycling facilities for transfer to another site for final disposal, permanent storage, reprocessing, recycling, use or reuse and:*
  - (i) *that handle substances classified in the Australian Dangerous Goods Code or medical, cytotoxic or quarantine waste, or*
  - (ii) *that have an intended handling capacity of more than 10,000 tonnes per year of waste containing food or livestock, agricultural or food processing industries waste or similar substances, or*
  - (iii) *that have an intended handling capacity of more than 30,000 tonnes per year of waste such as glass, plastic, paper, wood, metal, rubber or building demolition material, or*

**Clause 1(d)(v)**

- (v) *on a floodplain, or*

**Clause 1(d)(vi)**

- (vi) *within 500 metres of a residential zone or 250 metres of a dwelling not associated with the development and, in the opinion of the consent authority, having regard to topography and local meteorological conditions, are likely to significantly affect the amenity of the neighbourhood by reason of noise, visual impacts, air pollution (including odour, smoke, fumes or dust), vermin or traffic.*

The Secretary's Environment Assessment Requirements (SEARs) were issued on 10 May 2019. This submission is in accordance with the Department's guidelines for applications lodged under Part 4 of the EP&A Act and addresses the issues raised in the SEARs.

Having regard to the benefits of the proposal and considering the absence of adverse environmental, social or economic impacts, the application is submitted to Council for assessment. Think Planners Pty Ltd recommends the approval of the application, subject to necessary, relevant and appropriate conditions of consent.

## ENVIRONMENTAL IMPACT STATEMENT

### INTRODUCTION

This Environmental Impact Statement accompanies a Development Application that is to be submitted to Cumberland Council.

This EIS has been prepared in accordance with the requirements of Part 4 of the Environmental Planning and Assessment Act, Schedule 2 of the Environmental Planning and Assessment Regulation 2000 (EP&A Regulation), and the requirements of the Secretary of the Department of Planning and Environment for the preparation of this EIS, that were received.

This submission to Cumberland Council comprises an Environmental Impact Statement (EIS) for a Development Application under Part 4 of the Environmental Planning and Assessment Act 1979.

The proposal seeks to reuse the existing warehouse building on the site to operate a scrap metal recycling facility. There are minimal building works proposed however it is proposed to demolish an existing outbuilding at the rear of the site, provide car parking and the construction of a weighbridge 84 Percival Road, Smithfield.

Accordingly, the proposal triggers the requirements for an Environmental Impact Statement as Clause 32 within schedule 3 of the Environmental Planning and Assessment Regulation 2000 indicates that a waste management facility becomes designated development when the proposal qualifies for use classification under clause 1(b), 1(d(v) and 1(d(vi)).

The Secretary's Environment Assessment Requirements (SEARs) were issued on 10 May 2019. This submission is in accordance with the Department's guidelines for applications lodged under Part 4 of the EP&A Act and addresses the issues raised in the SEARs.

The Environmental Impact Statement should be read in conjunction with the supporting information and plans accompanying this statement.



## SUMMARY OF THE PROPOSAL

The proposed works are sought for development consent for the following:

- Change of use to a scrap metal recycling facility
- Demolish existing outbuilding at the rear of the site
- Provide car parking spaces
- Construction of a weighbridge.

It is proposed to change the use of the existing commercial and residential building supplies business into a metal recycling yard noting there will be separation of copper from cables as well as compaction. The owners of the business will be taking the metal scraps from consumers and then on-sell this to a metal recycling yard where the metal can be sorted.

On arrival of the consumer to the site, they will be required to weigh the vehicle loaded and will have to weigh again once they have unloaded in order to work out the weight of the metals delivered to the site. On this weight worked out, the business owner can then purchase the material and the correct price. The specifications for the weighbridge have been prepared and submitted to council for determination. The metal storage area will be located within the warehouse and to the rear of the property, as shown on the proposed site plan. When the metal substance has accumulated, a truck will be used to transport the metals to a specific metal recycling yard.

A total of 8 employees will be controlling the whole business. The hours of operation are 7am to 4pm Monday - Friday and 7am to 1pm Saturday.

Architectural plans for the development that have been prepared by Dvyne Design, are contained in Appendices.

## THE PROPONENT

The proposal proponent is Metal Top Recycling Pty Ltd, which is an existing organisation which is planning to open another on relocating to the proposed site. Metal Top Recyclers are a leading Sydney based company specialising in scrap metal processing. The company comprises of the following services:

- Servicing for all types of Metals including (E.g. Aluminium, brass, copper, lead, nickel, stainless steel and zinc).
- Buy and recycle scrap metals, including both ferrous and non-ferrous metals.

## PROJECT TEAM

Think Planners Pty Ltd has prepared this Environmental Impact Statement on behalf of Metal Top Recyclers. Further organisations have contributed specialist studies as part of the environmental assessment process. These are demonstrated in the table below.

Document/ Plan	Consultant
Architectural Plans	Dvyne Design
Weighbridge Specifications	Ultrahawke
Noise Impact Assessment	Benbow Environmental
Air Quality Impact Assessment	Benbow Environmental
Waste Management	Benbow Environmental
Soil and Water	Benbow Environmental
Flood Study Report	BMB Engineers
Fire and Incident Management	Benbow Environmental
Hazards and Risk	Benbow Environmental
Biodiversity	Benbow Environmental
Visual Amenity	Think Planners
Traffic and Parking Assessment	ML Traffic Engineers
Town Planning	Think Planners
Strategic Context	Think Planners
Suitability of the Site	Think Planners
Need for the Proposal	Think Planners
Analysis of Alternatives	Think Planners

## NEED FOR THE PROPOSAL

The site is located within the Cumberland Local Government Area which is experiencing rapidly increasing growth in both residential and employment. This means the construction industry is extremely busy with new buildings under construction as well as old building being renovated a refurbished, this coupled with the ever expanding population means there is a high demand for scrap metal recycling.

The proposal is desirable land use activity as demonstrated by the key objectives and need for the proposal below:

- Facilitating the recycling of segregated materials (e.g. Aluminium, Brass, Copper and scrap steel).
- Provide a commercial return, thereby contributing to the economy of NSW.
- Provide employment for 8 people within the waste recycling and transfer facility during normal operations with additional employees/contractors during extended operating hours.

Recycling in Australia results in a wide variety of tangible and measurable environmental benefits compared to landfill disposal. Environmental benefits include energy savings, avoidance of greenhouse gas emissions, water savings, avoidance of waste, and significant reductions in natural resource use, eutrophication and airborne pollutants. Environmental benefits are most apparent in the two significant stages of the waste process which are avoided: extraction of raw materials and disposal of waste to landfill.

## ANALYSIS OF FEASIBLE ALTERNATIVES

### **Option 1 -This Proposal**

Option 1 is as detailed within this EIS Report and accompanying documents and is considered to be the best option as it utilises land to be leased that has already owned by the client and will provide a purpose built site for the recovery of and sorting of building and demolition material, in an industrial area without significant adverse environmental impacts.

### **Option 2 - Alternate Design**

Option 2 would entail an alternate design utilising different parts of the site for the building or proving an outside scrap metal recycling facility. The existing warehouse which previously provided building materials is already equipped with holding areas for a variety of materials so changing the use to a scrap metal recycling business is reasonable seamless. Designing and constructing a new building is not a viable alternative when the building is already existing. As part of the design and siting exercise for the building alternative options for the siting of buildings and facilities on the site were explored, however the design team considered that the proposed option that focuses on utilising existing infrastructure, buildings and fit out will provide the most functional use of the site.

### **Option 3 - Alternate Sites**

The site and surrounding properties are zoned IN1 with many containing large industrial premises that are utilised for manufacturing and warehousing. Other sites within the immediate precinct could potentially be utilised for the business but the current site is available for lease by the proponent. In fact, Metal Top already operates a scrap metal recycling facility from 109 Woodpark Road Smithfield. The site at 109 Woodpark Road has become too small for the expanding operation and a bigger land holding is needed to ensure the scrap metal recycling service is provided.

## CONSEQUENCE OF NOT CARRYING OUT THE DEVELOPMENT

The consequences of not establishing the facility include:

- continued use of general waste facilities for the disposal of scrap metal material that can be sustainably recycled.
- increased use of non-renewable resources including all metals including (E.g. Aluminium, brass, copper, lead, nickel, stainless steel and zinc).
- increased demand for landfill facilities in the Sydney basin.

## RESPONSE TO SEARS

In accordance with section 78A(8A) of the EP&A Act, the Secretary of the Department of Planning and Environment issued the requirements for the preparation of the EIS on 30 September 2015. A copy of the Secretary's Environmental Assessment Requirements (SEAR's) is attached with the report – Attachment 1.

The following table provides a detailed summary of the individual matters listed in the SEARs and identifies where each of these requirements has been addressed in this report and the accompanying technical studies.

Response to SEARs Table	
Secretary's Requirements	Comment
The Environmental Impact Statement (EIS) must address the Environmental Planning and Assessment Act 1979 and meet the minimum form and content requirements in clauses 6 and 7 of Schedule 2 of the Environmental Planning and Assessment Regulation 2000.	This Environmental Impact Statement will address the Environmental Planning and Assessment Act 1979 and meets the minimum form and content requirements in clauses 6 and 7 of Schedule 2 of the Environmental Planning and Assessment Regulation.
The EIS must include an assessment of all potential impacts of the proposed development on the existing environment (including cumulative impacts if necessary) and develop appropriate measures to avoid, minimise, mitigate and/or manage these potential impacts. As part of the EIS assessment the following matters must also be addressed:	It is evident below that all potential impacts of the proposed development on the existing environment are provided as part of the Environmental Impact Statement with detail provided throughout this table.
<ul style="list-style-type: none"> <li>• Strategic context including: <ul style="list-style-type: none"> <li>- A detailed justification for the proposal and suitability of the site for the development.</li> </ul> </li> </ul>	The proposed works on site are considered suitable due to the context of the subject land parcel and the mere fact that the site remains to be an industrial land use and is of sufficient size



<ul style="list-style-type: none"> <li>- A demonstration that the proposal is consistent with all relevant planning strategies, Environmental Planning Instruments, Development Control Plans (DCPs), or justification for any inconsistencies</li> <li>- A list of any approvals that must be obtained under any other Act or law before the development may lawfully be carried out.</li> </ul>	<p>and scale to accommodate the proposed scrap metal recycling warehouse</p> <p>It is evident that the proposal is consistent with key Environmental Planning Instruments and Development Control Plans. Further detail is provided throughout this report. Refer to <b><i>“Considerations of Planning”</i></b> for detail.</p> <p>Noted. There are no other approvals required to operate the proposed scrap metal recycling business.</p>
<ul style="list-style-type: none"> <li>• Suitability of the site - including: <ul style="list-style-type: none"> <li>- A detailed justification that the site can accommodate the proposed processing capacity, having regard to the scope of the operations and its environmental impacts and relevant mitigation measures.</li> <li>- Floor plans depicting and proposed internal layout, including the location of machinery and equipment.</li> </ul> </li> </ul>	<p>As per the above mentioned, the proposed works on site are considered suitable due to the context of the subject land parcel and the mere fact that the site remains to be an industrial land use and is of sufficient size and scale to accommodate the proposed scrap metal recycling warehouse. Further detailed discussion is provided in the main body of this report.</p> <p>The floor plans demonstrated the proposed internal layout and location of the machinery and equipment.</p>
<ul style="list-style-type: none"> <li>• Waste management- including: <ul style="list-style-type: none"> <li>- Details of the type, quantity and classification of waste to be received at the site</li> <li>- Details of the resource outputs and any additional processes for residual waste</li> <li>- Details of waste handling including, transport, identification, receipt, stockpiling and quality control</li> <li>- The measures that would be implemented to ensure that the proposed development is consistent with the aims, objectives and guidelines in the NSW Waste Avoidance and Resource Recovery Strategy 2014-21.</li> </ul> </li> </ul>	<p>A Waste Management Plan has been prepared by a qualified consultant. See attachment 2 for further details.</p>
<ul style="list-style-type: none"> <li>• Traffic and transport- including: <ul style="list-style-type: none"> <li>- A traffic and transport assessment prepared in accordance with Roads and</li> </ul> </li> </ul>	

<p>Maritime Services and Transport for NSW Guidelines</p> <ul style="list-style-type: none"> <li>- Details of road transport routes and access to the site</li> <li>- An assessment of impacts to the safety and function of the road network and the details of any road upgrades required.</li> </ul>	<p>Traffic Impact Assessment has been prepared by a qualified consultant. See attachment 2 for details.</p>
<ul style="list-style-type: none"> <li>• Soil and water- including: <ul style="list-style-type: none"> <li>- An assessment in accordance with ASSMAC Guidelines for the presence and extent of acid sulfate soils (ASS) and potential acid sulfate soils (PASS) on the site and, where relevant, appropriate mitigation measures.</li> <li>- The details of stormwater, leachate, and waste management</li> <li>- The details of sediment and erosion controls</li> <li>- An assessment of flood risk on site</li> <li>- An assessment of impacts to surface and groundwater resources, flooding impacts, and impacts to groundwater dependent ecosystems</li> <li>- A description and appraisal of impact mitigation and monitoring measures.</li> </ul> </li> </ul>	<p>Soil and Water Assessment has been prepared by a qualified consultant – see Attachment 2. It is evident that the proposed soil and water impacts are considered minor with recommended safeguards in place.</p> <p>A preliminary Acid Sulfate Soil Assessment – see Attachment 2 was undertaken as part of the soil and water assessment.</p>
<ul style="list-style-type: none"> <li>• Air quality- including: <ul style="list-style-type: none"> <li>- A description of all potential sources of air and odour emissions</li> <li>- An air quality impact assessment in accordance with relevant Environment Protection Authority guidelines</li> <li>- A description and appraisal of air quality impact mitigation and monitoring measures.</li> </ul> </li> </ul>	<p>Air Quality Assessment (see Attachment 2) has been prepared by a qualified consultant.</p> <p>The air quality assessment identified that odour levels are not predicted to exceed the EPA criteria on site for the proposal. It is evident the potential for dust emissions from the proposed development are expected to be negligible.</p>
<ul style="list-style-type: none"> <li>• Noise and vibration- including: <ul style="list-style-type: none"> <li>- A description of all optional noise and vibration sources during construction and operation, including road traffic noise</li> <li>- A noise and vibration assessment in accordance with the relevant Environment Protection Authority guidelines</li> </ul> </li> </ul>	<p>Noise Impact Assessment (see Attachment 2) has been prepared by a qualified consultant.</p> <p>The Noise Impact Assessment includes identifying the methodology of the assessment, existing environment, impact assessment and potential management measures.</p> <p>It can be seen the proposal will have an insignificant noise emission will be well kept to a bare minimum during construction and operation.</p>

<ul style="list-style-type: none"> <li>- A description and appraisal of noise and vibration mitigation and monitoring measures</li> </ul>	
<ul style="list-style-type: none"> <li>• Fire and incident management- including:             <ul style="list-style-type: none"> <li>- Technical information on the environmental protection equipment to be installed on the premises such as air, water and noise controls, spill clean-up equipment, fire management (including the location of fire hydrants and water flow rates at the hydrants) and containment measures.</li> <li>- Details of the size and volume of stockpiles and their arrangements to minimise fire spread and facilitate emergency vehicle access.</li> </ul> </li> </ul>	<p>Fire and incident management is addressed (see Attachment 2) by a qualified consultant. Prevention and protection measure will be implemented to minimise any form of risk.</p>
<ul style="list-style-type: none"> <li>• Hazards and risk- including:             <ul style="list-style-type: none"> <li>- A preliminary risk screening complete in accordance with State Environmental Planning Policy No. 33 – Hazardous and Offensive Development and Applying SEPP 33 (DoP, 2011), with clear indication of class, quantity and location of all dangerous goods and hazardous materials associated with the development. Should preliminary screening indicate that the project is 'potentially hazardous' a Preliminary Hazard Analysis (PHA) must be prepared in accordance with Hazardous Industry Planning Advisory Paper No.6 – Guidelines for Hazard Analysis (DoP, 2011) and Multi-Level Risk Assessment (DoP, 2011).</li> </ul> </li> </ul>	<p>Hazards and Risks Assessment (see Attachment 2) have been prepared by a qualified consultant. It is evident that the report has been prepared in conjunction with SEPP No. 33 and does not exceed thresholds within the SEPP.</p>
<ul style="list-style-type: none"> <li>• Biodiversity - including:             <ul style="list-style-type: none"> <li>- A description of any potential vegetation clearing needed to undertake the proposal and any impacts to flora and fauna,</li> </ul> </li> </ul>	<p>Considering the industrial context, the site is substantially devoid of vegetation and is not identified as containing significant native vegetation or fauna. As such it can be seen, there is no impact to flora and fauna because the site is located within an established industrial precinct meaning no flora or fauna being affected. Further details are again provided in Attachment 2.</p>
<ul style="list-style-type: none"> <li>• Visual - including:</li> </ul>	<p>It is evident that there is no significant impact visually. The overall visual impacts of the proposal will be minimal with the existing</p>

- An impact assessment at private receptor and public vantage points.

building retained, the addition of car parking at the front of the site and weighbridge visible from Percival Road remaining unchanged.

From an internal perspective the existing warehouse is not visible from Percival Road or from neighbouring industrial properties adjacent to the site.

Lastly, the proposal is located within an established industrial area, meaning the vast majority of works being carried out are appropriate within an industrial context and will have no significant impact on private receptors and public vantage points.

The EIS must assess the proposal against the relevant environmental planning instruments, including but not limited to:

- Greater Metropolitan Regional Environmental Plan No. 2- Georges River Catchment
- State Environmental planning Policy (Vegetation in Non-Rural Areas) 2017
- State Environmental Planning Policy No 19- Bushland in Urban Areas
- State Environmental Planning Policy (Infrastructure) 2007;
- State Environmental Planning Policy No.33 Hazardous and Offensive Development;
- State Environmental Planning Policy No.55 – Remediation of Land;
- Holroyd Local Environmental Plan 2013; and
- Relevant development control plans and section 94 plans.

It is evident that the proposal is consistent with key Environmental Planning Instruments and Development Control Plans. Further detail is provided throughout this report. Refer to ***“Considerations of Planning”*** for detail.

During the preparation of the EIS, you must consult with the relevant local, State or Commonwealth Government authorities, service providers, community groups and affected landowners. In particular you must consult with:

- Environment Protection Authority
- Office of Environment and Heritage
- Department of Industry
- Water NSW;
- Transport for NSW;
- Fire and Rescue NSW;

It is evident that the proposal has consulted with the relevant local, State or Commonwealth Government authorities, service providers, community groups and affected landowner, with further detail provided throughout this Environmental Impact Statement.

- Cumberland Council;
- Roads and Maritime Services; and
- the surrounding landowners and occupiers that are likely to be impacted by the proposal.

Details of the consultation carried out and issues raised must be included in the EIS.

*The EIS must describe the consultation process and the issues raised and identify where the design of the development has been amended in response to these issues. Where amendments have not been made to address an issue, a short explanation should be provided.*

#### **Further Consultation after 2 years**

If you do not lodge an application under Section 4.12 (8) of the Environmental Planning and Assessment Act 1979 within 2 years of the issue date these SEARs, you must consult further with the Planning Secretary in relation to any further requirements for lodgement. Noted.

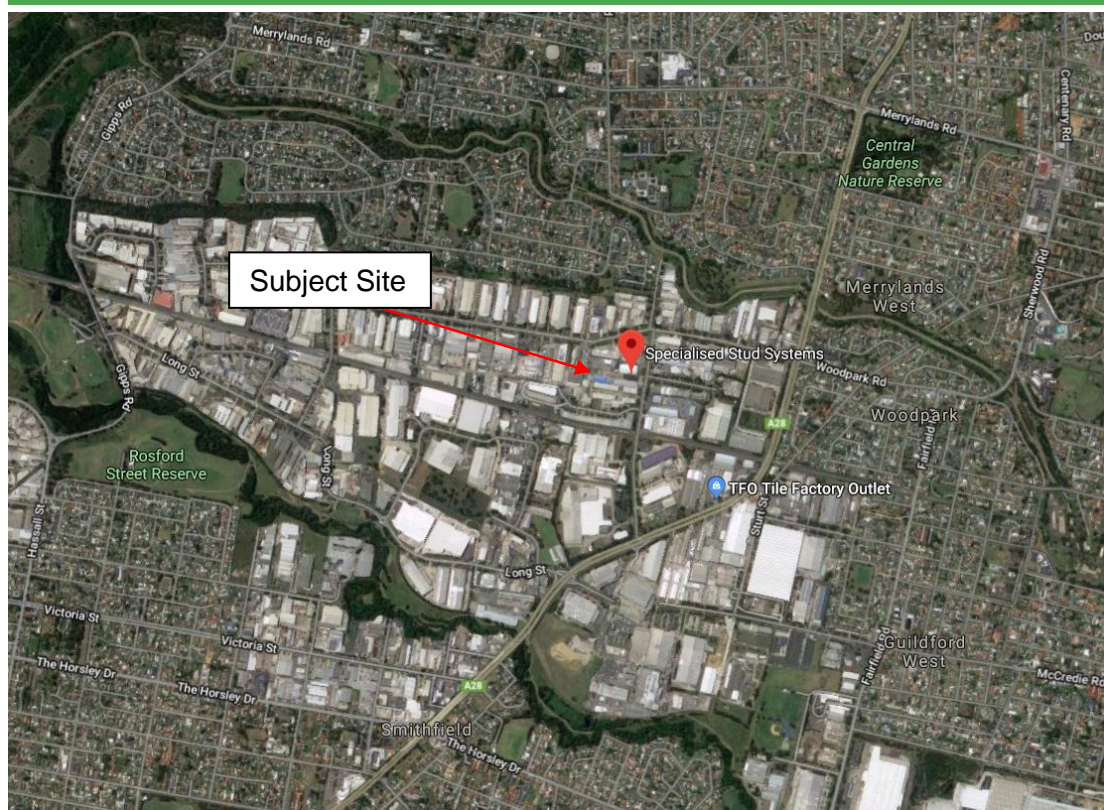


## SITE CONTEXT

### SITE LOCATION

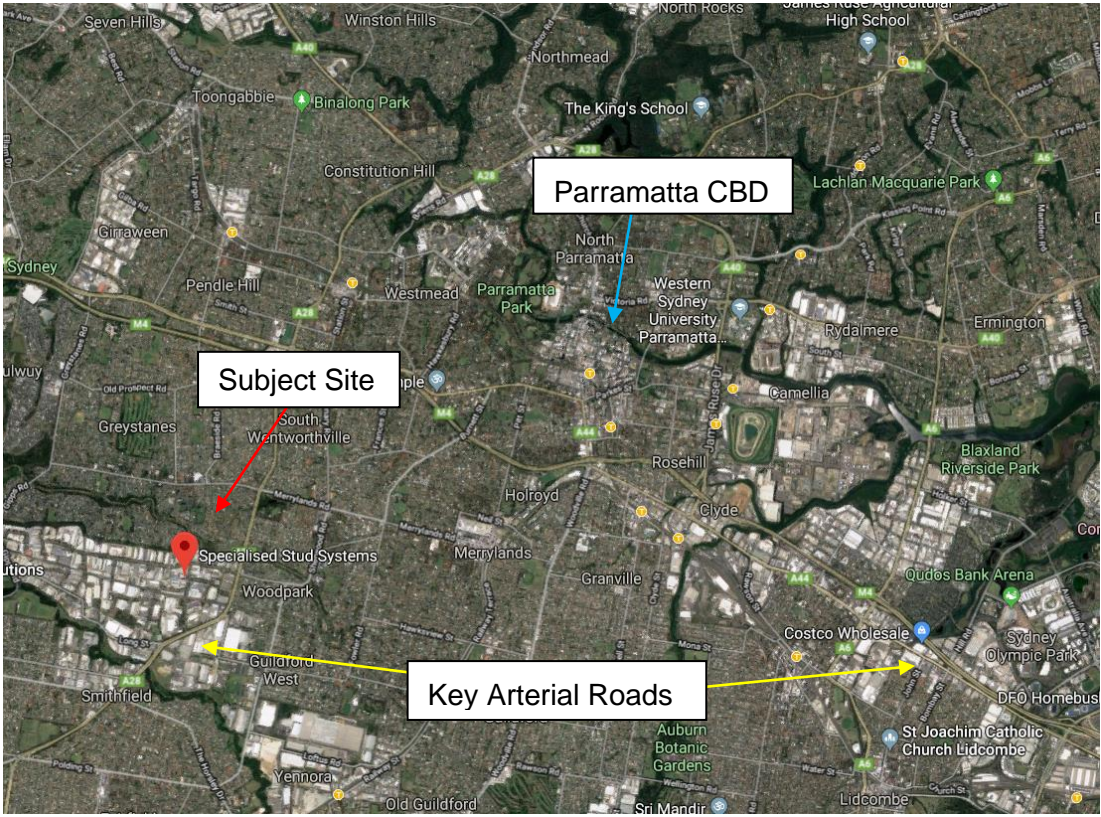
Situated within Smithfield industrial precinct, the subject land parcel is located on the western side of Percival which is directly across Jumal Place. The industrial area is currently undergoing a revitalisation, with a number of industrial properties being redeveloped, as the location is ideally suited within proximity of employment opportunities within the suburbs of Western Sydney.

Figure 1: Aerial Map of Industrial Estate (Source: Google Map)



The proposal will make available additional employment opportunities within the locality both during the construction and operational phase. This is illustrated by the broader aerial map in the following page.

**Figure 2: Broader Aerial Map of the Subject Area (Source: Google Maps)**



Photographs are provided in the following pages that give context to the locality.



**Photograph 1: Shows the existing streetscape along Percival Road looking south**



## SITE DESCRIPTION

The subject site is legally described as Lot 1 DP 555910 though more commonly known as 84 Percival Road, Smithfield.

The subject site can be best described a large rectangular land parcel with an average site depth of approximately 233m, a frontage from Percival Road of 26.56 and a total site area of 6,195.7m<sup>2</sup>. It is evident the previous use of the land is a commercial and residential building supplies company (FAST STUD) which has been in operation for many years.

Photographs are provided below and overleaf that give context to the relationship of the development site with adjoining developments.



Photograph 2: Shows the entrance driveway and building on site from Percival Rd



Photograph 3: Shows the proposed area allocated for the weighbridge

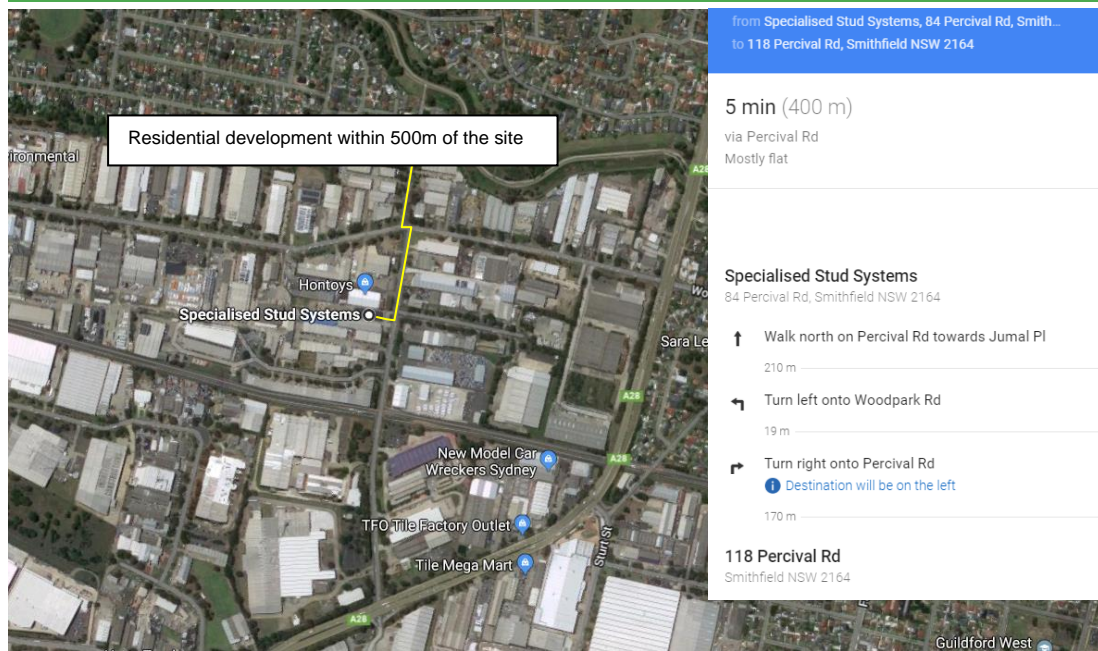




Photograph 4: shows the view along the western portion of the site towards Prospect Reservoir at the rear of the site



Photograph 5: Shows the subject site is part of the proposal







**Photograph 6: Shows the residential property which triggers the proposal to be Designated Development**



The development site can be described as a large regular shaped land parcel bounded by a mix of industrial and warehouse buildings to its western, southern and eastern boundaries, as illustrated by an aerial map of the subject site within the following page.

The aerial extract on the following page outlines the boundary of the development site.



Figure 3: Aerial Map of Subject Site (Source: Six Maps)



## SURROUNDING DEVELOPMENT

The site is in the Smithfield Industrial area, that typically comprises larger industrial/warehouse premises containing a single occupier interspersed by sites containing a number of tenancy and a range of smaller industrial uses.

## SURROUNDING ROAD NETWORK

The site has access to Percival Road that it a local industrial road that accommodate parking on both sides of the road and allows vehicles to travel in each direction without interruption. Percival Road connects to Woodpark Road Street that is a sub arterial road that connects to the Cumberland Highway (A24).

The surrounding road and public transport network are described in more detail within the Traffic and Parking Assessment Report prepared by (refer to Appendix 2).

## DETAILED DESCRIPTION OF PROPOSAL

### OVERVIEW

The development application is seeking approval to demolish an existing outbuilding at the rear of the site, provide car parking area in the front, construction of a weighbridge and change of use into a scrap metal recycling warehouse at 84 Percival Road, Smithfield.

The proposed works are sought for development consent for the following:

- Change of use of the existing land into a scrap metal recycling warehouse
- Demolish existing outbuilding at the rear of the site
- Provide car parking spaces
- Construction of a weighbridge.

### DEMOLITION AND SITE CLEARING

The site currently contains a warehouse building that is currently being utilised to accommodate a commercial and residential materials business. The rest of the site comprises concreted manoeuvring areas and open storage areas.

A small strip of low level landscaping is provided on site within the front setback area. The concrete manoeuvring and open storage areas on the site are in a good condition and are intended to remain.

The existing outbuilding towards the rear of the site will be demolished with material recycled/ disposed of in accordance with the submitted Waste Management Plan – see Attachment 2.

### SITE ACCESS

The site has been designed with separate access and egress points to allow all traffic to enter and exit the site in a forward direction.

Vehicles entering the site will utilise the driveway fronting Percival Road with the driveway being the main entry and exit point on site.

## SITE FUNCTION AND OPERATION

Metal Top Recycling is an existing organisation which is planning on establishing a new business at the proposed site. Metal Top Recyclers are a leading Sydney based company specialising in scrap metal processing. The company comprises of the following services:

- Servicing for all types of Metals including (E.g. Aluminium, brass, copper and stainless steel and zinc)
- Buy and recycle scrap metals, including both ferrous and non-ferrous metals
- Get paid for all scrap metal by helping you dispose or recycle.

On arrival of the consumer to the site, they will be required to weigh the vehicle loaded and will have to weigh again once they have unloaded in order to work out the weight of the metals delivered to the site. Once this weight worked out, the business owner can then purchase the material and the correct price. The specifications for the weighbridge have been prepared and submitted to council for determination. The metal storage area will be located within the warehouse and to the rear of the property, as shown on the proposed site plan. When the metal substance has accumulated, a truck will be used to transport the metals to a specific metal recycling yard.

The site will operate between 7am to 4pm Monday - Friday and 7am to 1pm Saturday.

The following waste will not be accepted at the site:

- Special waste (including clinical and related waste; asbestos waste; whole loads of waste tyres; or anything classified as special waste under an EPA gazettal notice) as defined in EPA (2014a) Step 1;
- Liquid waste as defined in EPA (2014a) Step 2;
- Wastes pre-classified as hazardous waste as defined in EPA (2014a) Step 3;
- General solid waste (putrescible) as defined in EPA (2014a) Step 3;
- Waste possessing hazards as defined in EPA (2014a) Step 4; and
- Waste that requires chemical assessment to determine its classification.
- No odorous waste will be accepted by the facility.

Moreover, handling and inspection processes will be implemented prior to entry to check that waste delivered to the site does not contain materials that cannot be accepted. Should non-acceptable materials be found through the inspection process, the vehicle will either be turned away or that portion of the load not accepted. When

these materials are found during sorting, they will be segregated and stored in a covered bin in the building, prior to removal from site for disposal as appropriate to the nature of the material.

## **OPERATING HOURS**

The proposal will have a total of 8 employees will be controlling the whole business. The hours of operation are 7am to 4pm Monday - Friday and 7am to 1pm Saturday.

## **LANDSCAPING AND PUBLIC DOMAIN**

Landscape details are included in the architectural plans for the site have been prepared and are included in Attachment 3.

The landscape details includes plantings at the front of the site and within the carparking area at the front of the site. Landscaping is consistent with the landscaping provided in the precinct.

## **PARKING**

Currently, the subject allotment has 5 car spaces at the front of the property. The proposal aims to improve the car parking situation by redesigning the front layout in order to allow for 9 car spaces (1 being accessible parking) to comply with council's parking requirements. Noting there are also 3 parking spaces for staff located at the rear of the warehouse building.

## **INFRASTRUCTURE AND SERVICES**

The site is currently serviced for water, sewage, power and telecommunications. Given the nature of the proposal it is not considered that any of these services will need to be amplified to cater for the demand of this proposal.



## CONSULTATION

### GENERAL

Consultation has occurred on the project since inception and will continue as the assessment of the application progresses and throughout the entire development project. The purpose of the consultation process to date has been to inform and seek feedback from key stakeholders.

The key stakeholders engaged with as part of the consultation process were.

- Surrounding landowners and occupiers
- Environmental Protection Authority
- Office of Environment and Heritage
- Department of Industry
- Water NSW
- Transport NSW
- Fire and Rescue
- Cumberland Council
- Roads & Maritime Services.

### COMMUNITY CONSULTATION

The community consultation commenced with a letter box drop to all surrounding occupiers on 2 October 2019. A copy of this letter is provided in Attachment 4. A dropbox link containing the draft Environmental Impact Statement was set up and the link provided to the consultees to access. The dropbox link contained the following documents:

-  Draft Architectural Plans\_84 Percival Road Smithfield
-  Draft Environmental Impact Statement Supporting Reports\_84 Percival Rd Smithfield
-  Draft Environmental Impact Statement Waste Management Facility\_84 Percival Rd Smithfield
-  Draft Noise Impact Assessment\_84 Percival Road Smithfield
-  Draft Overland Flow Flood Study Report\_84 Percival Road Smithfield

The nearby properties included in the letter box drop have been identified in the map provided in Attachment 5.

#### **ENVIRONMENTAL PROTECTION AUTHORITY**

An email was sent to the EPA on 2 October 2019 enclosing a link to the copy of draft reports and asking for feedback. An email was received on 8 October 2019 stating the EPA did not have any comments to provide. A copy of the reply is provided in Attachment 6.

#### **OFFICE OF ENVIRONMENT AND HERITAGE**

An email was sent to the Office of Environment and Heritage on 2 October 2019 enclosing a copy of draft reports and asking for feedback, however as at the time of preparation of this EIS, no reply was received to this email that encouraged further engagement.

Notwithstanding this the EIS and relevant subconsultant reports appropriately addresses issues raised as part of the SEARS consultation process

#### **DEPARTMENT OF INDUSTRY**

An email was sent to the Department of Industry on 2 October 2019 enclosing a copy of draft reports and asking for feedback, however as at the time of preparation of this EIS, no reply was received to this email that encouraged further engagement.

Notwithstanding this the EIS and relevant subconsultant reports appropriately addresses issues raised as part of the SEARS consultation process

#### **WATER NSW**

An email was sent to Water NSW on 2 October 2019 enclosing a copy of draft reports and asking for feedback, however as at the time of preparation of this EIS, no reply was received to this email that encouraged further engagement.

Notwithstanding this the EIS and appendices appropriately addresses issues raised as part of the SEARS consultation process.

#### **FIRE AND RESCUE NSW**

An email was sent to Fire and Rescue NSW on 2 October 2019 enclosing a copy of draft reports and asking for feedback, however as at the time of preparation of this EIS, no reply was received to this email that encouraged further engagement.

Notwithstanding this the EIS and appendices appropriately addresses issues raised as part of the SEARS consultation process.

## **TRANSPORT FOR NSW**

An email was sent to the TfNSW on 2 October 2019 enclosing a link to the copy of draft reports and asking for feedback. An email was received on 8 October 2019 stating the TfNSW did not have any comments to provide. A copy of the reply is provided in Attachment 6.

## **CUMBERLAND COUNCIL**

Prior to the proponent becoming aware that an EIS was required for the development, a development application was lodged to Cumberland Council which was rejected on December 12, 2018.

The letter concluded that the proposal must be accompanied by an Environmental Impact Statement as the proposal qualifies for 'designated development' as per Clause 51 of the Environmental Planning and Assessment Regulations 2000.

## **ROADS AND MARITIME SERVICES**

An email was sent to the RMS on 2 October 2019 enclosing a copy of draft reports and asking for feedback, however as at the time of preparation of this EIS, no reply was received to this email that encouraged further engagement.

Notwithstanding this the EIS and appendices appropriately addresses issues raised as part of the SEARS consultation process.



## PUBLIC CONSULTATION

There were no submissions received from the public during the exhibition period which concluded on Thursday 17 October 2019 at 5pm. Noting that no phone calls were received during this time or email contact during the notification period.

## PLANNING CONTROLS

### STATUTORY CONTROLS

The relevant Statutory Planning Controls include:

- Environmental Planning and Assessment Act 1979
- Environmental Planning and Assessment Regulation 2000
- State Environmental Planning Policy No. 55 – Remediation of Land
- State Environmental Planning Policy (Infrastructure) 2007
- State Environmental Planning Policy No. 33 – Hazardous and Offensive Development
- Holroyd Local Environmental Plan 2013.

### POLICY CONTROLS

The applicable policy control documents include:

- Holroyd Development Control Plan 2013.

## CONSIDERATION OF PLANNING CONTROLS

The following summarises the relevant planning controls in relation to the proposal and the compliance of each.

### ENVIRONMENTAL PLANNING AND ASSESSMENT ACT 1979

The EP&A Act provides, the legislative framework for the assessment and approval of development in NSW. In accordance with Division 4.1 of Part 4 of the EP&A Act, this Environmental Impact Statement has been prepared in to address both the Secretary's Environmental Assessment Requirements and the general provisions of Schedule 2 of the EP&A Regulations.

### ENVIRONMENTAL PLANNING AND ASSESSMENT REGULATION 2000

The EIS has addressed the specific criteria within clause 6 and clause 7 of Schedule 2 of the EP&A Regulation including the principles of ecologically sustainable development in Section 7.

### STATE ENVIRONMENTAL PLANNING POLICY NO. 55 REMEDIATION OF LAND

Clause 7 of SEPP 55 provides:

*(1) A consent authority must not consent to the carrying out of any development on land unless:*

*(a) it has considered whether the land is contaminated, and*

*(b) if the land is contaminated, it is satisfied that the land is suitable in its contaminated state (or will be suitable, after remediation) for the purpose for which the development is proposed to be carried out, and*

*(c) if the land requires remediation to be made suitable for the purpose for which the development is proposed to be carried out, it is satisfied that the land will be remediated before the land is used for that purpose.*

It is evident the site does not require any remediation to allow its continued use for industrial purposes, the provisions of SEPP 55 are considered to be satisfied.

## STATE ENVIRONMENTAL PLANNING POLICY INFRASTRUCTURE 2007

In accordance with clause 45, it is not anticipated that Council will refer the application to an electricity supply authority as works will not occur within 5m of an exposed overhead electricity power line.

In accordance with clause 86, the application is not anticipated that the development will be referred to Trains NSW as the proposal does not involve excavation greater than 2m in depth within 25m of a rail corridor.

The development site is not located within proximity to a classified road and as a result it is not necessary to consider the provisions of Clause 102 of the SEPP that requires a consent authority to consider the impact of arterial roads on buildings used for residential purposes.

Clause 104 identifies a number of types of development that require concurrence from Roads and Maritime Services where development is identified as 'traffic generating development'. The current proposal is identified as traffic generating development by schedule 3 of the SEPP as it considered to be a development for the purpose recycling facility. Accordingly, the proposal is required to be referred to the RMS for comment.

Division 23 and clauses 120 – 123 of the SEPP contains planning controls for Waste or Resource Facilities with clause 121 permitting a Resource Recovery Facility with development consent in an IN1 General Industrial Zone. It is noted that Holroyd LEP 2013 also permits a Resource Recovery Facility with development consent in an IN1 zone.

## STATE ENVIRONMENTAL PLANNING POLICY NO. 33 HAZARDOUS AND OFFENSIVE DEVELOPMENT

The Secretary's Environmental Assessment Requirements indicate that consideration should be made as to whether the proposed facility is considered a hazardous or potentially hazardous industry pursuant to State Environmental Planning Policy 33 (SEPP 33).

Certain activities may involve handling, storing or processing a range of substances which in the absence of locational, technical or operational controls may create an off-site risk or offence to people, property or the environment. Such activities would be defined as potentially hazardous or potentially offensive.

For development proposals classified as 'potentially hazardous industry' the policy establishes a comprehensive test by way of a preliminary hazard analysis (PHA) to determine the risk to people, property and the environment at the proposed location and in the presence of controls.

Under SEPP 33, a preliminary risk screening of a proposed development is required to determine if the development is potentially hazardous and whether further analysis and assessment is required. The Department of Planning document Applying SEPP 33 Hazardous and Offensive Development Application Guidelines (2011), outlines the details of the determination as to the classification of the proposed facility under SEPP 33.

Industries or projects determined to be hazardous or potentially hazardous would require the preparation of a Preliminary Hazard Analysis (PHA) in accordance with Clause 12 of SEPP 33. No further assessment under SEPP 33 is required for projects not considered potentially hazardous following a SEPP 33 Risk Assessment.

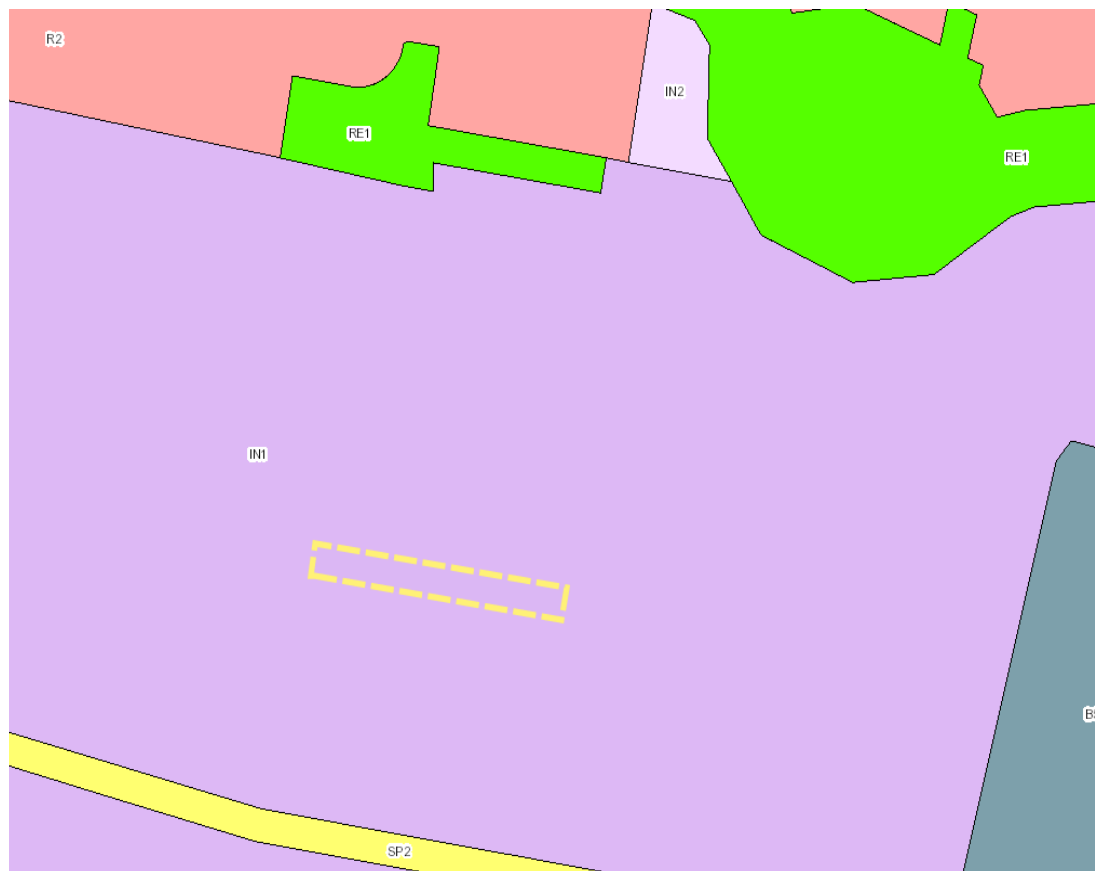
An assessment against Applying SEPP 33 was conducted as part of the Environmental Risk assessment which found that the facility is not potentially hazardous. Further, the facility will not pose a significant risk to or have a significant adverse impact on human health, life, property or the biophysical environment. The facility will not be a potentially hazardous or offensive industry and, therefore, a Preliminary Hazard Assessment is not required.

#### **HOLROYD LOCAL ENVIRONMENTAL PLAN 2013**

As shown on the zoning map extract in the following page, the development site is zoned IN1 General Industrial under the provision of the Holroyd Local Environmental Plan 2013.



Figure 7: Zoning Map Extract (NSW Planning Portal)



It is evident that council rejected the application on grounds that the proposed works are within schedule 3 of the Environmental and Planning assessment regulation 2000. The proposal is consistent with the following definition.

### 32 Waste management facilities or works

- (1) Waste management facilities or works that store, treat, purify or dispose of waste or sort, process, recycle, recover, use or reuse material from waste and:
- (a) that dispose (by landfilling, incinerating, storing, placing or other means) of solid or liquid waste:
    - (i) that includes any substance classified in the Australian Dangerous Goods Code or medical, cytotoxic or quarantine waste, or
    - (ii) that comprises more than 100,000 tonnes of “clean fill” (such as soil, sand, gravel, bricks or other excavated or hard material) in a manner that, in the opinion of the consent authority, is likely to cause significant impacts on drainage or flooding, or

- (iii) that comprises more than 1,000 tonnes per year of sludge or effluent, or*
- (iv) that comprises more than 200 tonnes per year of other waste material, or*
- (b) that sort, consolidate or temporarily store waste at transfer stations or materials recycling facilities for transfer to another site for final disposal, permanent storage, reprocessing, recycling, use or reuse and:*
  - (i) that handle substances classified in the Australian Dangerous Goods Code or medical, cytotoxic or quarantine waste, or*
  - (ii) that have an intended handling capacity of more than 10,000 tonnes per year of waste containing food or livestock, agricultural or food processing industries waste or similar substances, or*
  - (iii) that have an intended handling capacity of more than 30,000 tonnes per year of waste such as glass, plastic, paper, wood, metal, rubber or building demolition material, or*
- (c) that purify, recover, reprocess or process more than 5,000 tonnes per year of solid or liquid organic materials, or*
- (d) that are located:*
  - (i) in or within 100 metres of a natural waterbody, wetland, coastal dune field or environmentally sensitive area, or*
  - (ii) in an area of high watertable, highly permeable soils, acid sulphate, sodic or saline soils, or*
  - (iii) within a drinking water catchment, or*
  - (iv) within a catchment of an estuary where the entrance to the sea is intermittently open, or*
  - (v) on a floodplain, or*
  - (vi) within 500 metres of a residential zone or 250 metres of a dwelling not associated with the development and, in the opinion of the consent authority, having regard to topography and local meteorological conditions, are likely to significantly affect the amenity of the neighbourhood by reason of noise, visual impacts, air pollution (including odour, smoke, fumes or dust), vermin or traffic.*
- (2) This clause does not apply to:*
  - (a) development comprising or involving any use of sludge or effluent if:*
    - (i) the dominant purpose is not waste disposal, and*
    - (ii) the development is carried out in a location other than one listed in subclause (1)*
  - (d), above, or*
  - (b) development comprising or involving waste management facilities or works specifically referred to elsewhere in this Schedule, or*
  - (c) (Repealed)*

The most accurate definition with the Holroyd Local Environmental Plan 2012 Dictionary is a 'Resource Recovery Facility' which is permissible with consent within the subject site and the proposal is consistent with the definition contained within the LEP:

**resource recovery facility** means a building or place used for the recovery of resources from waste, including works or activities such as separating and sorting, processing or treating the waste, composting, temporary storage, transfer or sale of recovered resources, energy generation from gases and water treatment, but not including re-manufacture or disposal of the material by landfill or incineration.

**Note: Resource recovery facilities are a type of waste or resource management facility—see the definition of that term in this Dictionary.**

The table below provides detail on the development standards relevant to the current proposal as well as other relevant LEP provisions.

Holroyd Local Environmental Plan 2013 – Compliance Table			
Clause	Controls	Comment	Complies
<b>Zoning</b>	IN1 General Industrial	<p>The most accurate definition within the Holroyd Local Environmental Plan 2013 Dictionary is a 'Resource Recovery Facility' which is permissible with consent within the subject site and the proposal is consistent with the definition contained within the LEP:</p> <p><b>Note: Resource recovery facilities are a type of waste or resource management facility—see the definition of that term in this Dictionary.</b></p>	<b>Yes</b>
<b>Part 2 Permitted or Prohibited Development</b>			
<b>2.3</b>	Zone Objectives and Land Use Table	The proposal is consistent with the zone objectives of the IN1 General Industrial and will provide additional employment opportunities for the local area.	<b>Yes</b>
<b>Part 4 Principal Development Standards</b>			
<b>4.3</b>	Height of Buildings	No maximum height limit is identified for the subject site under the Holroyd Local Environmental Plan 2013.	<b>N/A</b>
<b>4.4</b>	Floor Space Ratio:	No FSR controls apply to the site. Not applicable. Noting there are also no additional buildings proposed.	<b>N/A</b>



Part 5 Miscellaneous Provisions			
5.10	Heritage Conservation	There are no heritage restrictions on the site or within its immediate vicinity. Not applicable.	N/A
Part 6 Additional Local Provisions			
6.1	Acid Sulfate Soils	The subject site is not identified as containing Acid Sulfate Soils.	N/A
6.2	Earthworks	<p>Only minor excavation is required for the weighbridge installation.</p> <p>The proposal will not adversely affect or disrupt drainage and flood patterns, flood storage or soil stability in the area. Further details can be found in the Flood Assessment provided in Attachment 2.</p> <p>It is considered unlikely due to the location of the site as well as previous development that excavation will lead to the disturbance of relics.</p>	Yes
6.4	Flood Planning	The subject site is identified as being flood prone and it is identified as conveying overland flows. The site is located within a low flood risk precinct. As outlined in the flood report prepared by BMB Engineers, the development appropriately responds to this constraint.	Yes
6.5	Terrestrial Biodiversity	The subject site is not identified as containing Biodiversity Land under the Holroyd Local Environmental Plan 2013. Not applicable.	N/A
6.6	Riparian Land and Watercourses	The subject site is not identified as containing Riparian Land and Waterways under Holroyd Local Environmental Plan 2013. Not applicable.	N/A
6.7	Stormwater Management	A Stormwater Management Plan has been prepared and is attached as part of this application	Yes

## HOLROYD DEVELOPMENT CONTROL PLAN 2013 – PART A GENERAL CONTROLS

The table below provides detail on the development standards relevant to the current proposal.

Holroyd Development Control Plan 2013 – Part A General Controls Compliance Table			
Clause	Controls	Comment	Complies
<b>3. Car Parking</b>			
		Car parking rates are to be provided in accordance with section 3 of this DCP.	<b>Yes</b>
<b>9. Managing External Road Noise and Vibration</b>			
		The development site is located within an industrial area. The noise emitted from the site is acceptable within an industrial area. Refer to Noise Impact Assessment in Attachment 2.	<b>N/A</b>
<b>11. Waste Management</b>			
		A Waste Management Plan is attached as part of this application – see attachment 2.  Appropriate waste facilities will be provided for the proposal. See attached waste management plan for detail.	<b>Yes</b>
<b>12. Services</b>			
		The development site is well serviced by water and sewer.	<b>Yes</b>

## HOLROYD DEVELOPMENT CONTROL PLAN 2013 – PART D INDUSTRIAL CONTROLS

The table below provides detail on the development standards relevant to the current proposal.

Holroyd Development Control Plan 2013 – Part D Industrial Controls Compliance Table			
Clause	Controls	Comment	Complies
<b>2. Design Guidelines</b>			
<b>2.1</b>	Site Area, Frontage and Gross Floor Area	A minimum street frontage width of 24m is required. The proposal has an existing	<b>N/A</b>

		industrial use on site. As such this clause is considered irrelevant.	
2.5	Setbacks	<p>Not including existing vehicular driveways, the front façade is to be landscaped that will contribute towards screening at-grade car parking area, softening the built form and positively contribute to the cohesiveness and visual appreciation of the existing streetscape along Percival Road.</p> <p>Proposed front setbacks is consistent with setback established by existing industrial buildings within the industrial estate. The proposal also provides landscaped side and rear setbacks greater than 1m. Complies.</p> <p><u>Setbacks for Specific Street Frontages</u> The DCP requires land zoned IN2 located west of Holroyd Road to provide a front setback of 15m. The proposal is located within the IN1 zone. As such this control is not applicable.</p>	<p>N/A</p> <p>Yes</p> <p>N/A</p>
2.6	Parking and Vehicular Access	<p><u>Parking Spaces</u> Proposed dimensions for the internal and at-grade car parking spaces, are consistent with Council control. See plan for detail.</p> <p>The proposed car parking area is considered appropriate and will satisfactorily service the traffic and parking needs of the proposal.</p> <p>Car parking spaces are to be appropriately dimensioned in accordance with Council controls and will permit the safe movement and parking of vehicles on site. See attached plans for detail.</p> <p><u>Access &amp; Circulation</u> It is considered that the vehicular access and exit points are clearly defined and provide for the safe and efficient movement of vehicular traffic on site and entering and exiting the site. It is noted that all vehicles can enter and exit the site in a forward direction.</p>	<p>Yes</p> <p>Yes</p>

	<p><u>Loading/Unloading Areas</u></p> <p>The loading and unloading area for trucks is located in the rear hardstand area. Moreover, it can be seen as evident via the architectural plans, there will be a loading/unloading area inside the building for private vehicles.</p> <p>All vehicles can enter and exit the site in a forward direction.</p> <p>Loading dock and loading area are to be appropriately dimensioned in accordance with Council controls and will permit the safe loading and unloading on site. See attached plans for detail.</p> <p><u>Service Areas</u></p> <p>A Waste Management Plan is attached as part of this application. Appropriate waste facilities are provided for the proposal.</p> <p><u>Design of Paved Areas</u></p> <p>Noted.</p>	<p><b>Yes</b></p> <p><b>Yes</b></p> <p><b>Yes</b></p>
<b>3. Landscaping of Industrial Sites</b>		
	<p>Noting there are no building works proposed on the site and the proposal is for a change of use, thus these provisions are not relevant to the proposal.</p> <p>The development will continue to include the continuous landscape strip of along the site's front setback as previously approved for this land.</p>	<p><b>Yes</b></p>
<b>5. Pollution Control</b>		
	<p><u>Air Pollution</u></p> <p>The proposed use of the warehouse buildings will not result in the emission of toxins or pollutants. Furthermore, waste including the emission of air pollution is to be managed during the demolition and construction stages of the development. See attached waste management plan for detail.</p> <p><u>Water Pollution</u></p> <p>Appropriate measures will be undertaken during the construction and construction phase of the development application to ensure that all soil materials will be contain on the site. Appropriate erosion</p>	<p><b>Yes</b></p> <p><b>Yes</b></p>

and sediment control measures such as the use of sediment fencing will be undertaken to minimise erosion during the demolition and construction phase of the proposal.

An Erosion and Sediment Control Plan is attached as part of this application.

Noise Pollution

The subject site is located within an established industrial area. The operation of a 'warehouse or distribution centre' does not involve noise emission beyond that typically experienced within an industrial area.

**Yes**

Refuse and Trade Waste

Noted.

**Yes**

Hazardous Goods and Chemicals

The operation does not involve the storage and/or use of hazardous goods or chemicals. Not relevant.

**N/A**

## OTHER LEGISLATIVE REQUIREMENTS

### ENVIRONMENTAL PROTECTION & BIODIVERSITY CONSERVATION ACT 1999

There are no flora or fauna species listed under the EPBC Act 1999 located within the works area.

### NATIVE VEGETATION ACT 2003

The site is not identified as containing any significant native vegetation.

Therefore, the provisions of the Act are not relevant to the current proposal.

### HERITAGE ACT 1977

The proposal will not unduly impact any heritage item listed on the State Register or any item listed on a Heritage and Conservation Register.

### CONTAMINATED LAND MANAGEMENT ACT 1997

There is nothing in the works area that indicates a contaminating land use and no reason to suspect contamination of the works area.

### PROTECTION OF THE ENVIRONMENT OPERATIONS ACT 1997

This Act is the primary piece of legislation regulating pollution control and waste disposal in NSW. Section 48 of the POEO Act requires an EPL to undertake scheduled activities at a premise. Scheduled activities are defined in Schedule 1 of the POEO Act and include the following premise-based activities that apply to the facility:

Metallurgical activities - capacity to process more than 150 tonnes of scrap per day or 30,000 tonnes per year (if not carried out wholly indoors) or 50,000 tonnes per year (if carried out wholly indoors).

The proposed facility will not store more than 100 tonnes of waste at the site and as such it is below the threshold of 1000 tonnes of waste storage.

It is evident, under the POEO Act a license will not be required.

### SOIL CONSERVATION ACT 1938

This Act is the primary piece of legislation conserving soil and water resources in NSW. Provided appropriate mitigation measures are implemented the relevant provisions of the Act would be complied with.

### NATIONAL PARKS AND WILDLIFE ACT 1974

This Act provides the National Parks and Wildlife Service the power to issue stop work orders if it considers an activity is likely to significantly affect protected fauna, native plants or their environment. The Act also regulates site of archaeological and cultural significance. Provided appropriate mitigation measures are implemented the relevant provisions of the Act would be complied with.

#### **NOXIOUS WEEDS ACT 1993**

This Act emphasises the importance in managing the control of noxious weeds. There are no approvals or permits under the Act however the Act provides that occupiers of land must control noxious weeds under their management.

Provided appropriate mitigation measures are implemented the relevant provisions of the Act would be complied with.

#### **WASTE AVOIDANCE AND RESOURCE RECOVERY ACT 2001**

This Act seeks to minimise the consumption of natural resources and the final disposal of waste by encouraging the avoidance of waste and re-use and recycling of waste in accordance with ESD principles.

This proposal is very consistent with the requirements of the act as the premises aims to support the recycling of waste that would otherwise often end up in the general waste stream.

Given this, the relevant provisions of the Act will be complied with.

#### **PROTECTION OF THE ENVIRONMENT OPERATIONS (WASTE) REGULATION 2005**

This Regulation provides requirements in relation to disposal of waste, record-keeping, payments, transportation, and special requirements for hazardous waste.

As outlined in the Operational Management Plan, appropriate mitigation measures are proposed to ensure that the relevant provisions of the Act will be complied with.

#### **WATER MANAGEMENT ACT 2000**

The NSW Water Management Act 2000 (WM Act) regulates the use and interference with surface and groundwater in NSW where a water sharing plan (WSP) has been implemented.

Section 91(2) of the WM Act requires an activity approval for the carrying out of a controlled activity in, on or under waterfront land. The facility does not include works within 40m of a watercourse and an activity approval is not required.

## COMMONWEALTH LEGISLATION

Under the Commonwealth Environment Protection and Biodiversity Conservation Act 1999 (EPBC Act), actions that may have a significant impact on a matter of national environmental significance (MNES) are 'controlled actions' and require approval from the Commonwealth. MNES include world heritage properties, wetlands of international importance, and listed threatened species and ecological communities. The facility will not have any significant impacts on any MNES.

## NSW STATE PRIORITIES

There are 18 state priorities for NSW that will assist with growing the economy by delivering infrastructure, protect the vulnerable and improve health, increasing education and public services across NSW.

This proposal is consistent with relevant state priorities as it will:

- Create approximately jobs through the ongoing employment for staff when operating;
- Provide employment opportunities for all including people of different racial backgrounds, religious beliefs and with all abilities.

Overall, it is considered that the proposed development is entirely consistent with the goals and objectives set out within the *NSW State Priorities*.

## A PLAN FOR GROWING SYDNEY

A Plan for Growing Sydney outlines the State Government's plan to deliver homes, jobs and infrastructure to support a growing population. Key directions described in the Plan relate to accelerating housing supply and urban renewal across Sydney, with a focus on providing homes in areas well serviced by existing or planned infrastructure.

The Plan identifies that there is a significant gap between current housing production and future housing needs and that it is critical to remove the barriers to increased housing production to facilitate accelerated housing supply. The Plan explains that the Government intends to work with councils and the development sector to put in place flexible planning controls which enable housing development in feasible locations.

A Plan for Growing Sydney will also provide a framework for strengthening the global competitiveness of Sydney, in order to facilitate strong investment and jobs growth.



The planning proposal is consistent with the objectives and actions of A Plan for Growing Sydney.

## SECTION 4.15 ASSESSMENT

The following sub sections assesses the key issues outlined in the SEARS and assesses the likely impacts of the development in accordance with Section 4.15(1)(b) of the Environmental Planning and Assessment Act 1979.

### TRAFFIC AND TRANSPORT

The traffic impacts of the proposal have been considered by

A traffic and parking impact assessment has been prepared by ML Traffic Engineers and is provided within Attachment 2 to this EIS. The assessment concludes that:

- There is sufficient onsite car and truck spaces are provided on site to meet parking demand
- The proposal would generate low trips in the weekday AM and PM peak hours
- Additional trips from the proposal can be accommodated at nearby intersections without significantly affecting intersection performance, delays or queues
- There are no traffic engineering reasons why a planning permit for the proposal should be refused.

For further details please refer to Attachment 2 of this report.

### DUST MANAGEMENT

There is likely to be some minor quantities of dust that are generated during the demolition of the existing brick outhouse and excavation as well as construction of the weighbridge. There are no other changes to site infrastructure that are proposed therefore dust potential during construction works is low.

There will be limited potential for dust to be generated during the operations because the nature of incoming material and the processing to be undertaken. There are no proposed operations that would create additional dust such as crushing or grinding. It is recommended that regular sweeping occur in all external areas to ensure the risk of dust pollution is managed.

### CRIME PREVENTION THROUGH ENVIRONMENTAL DESIGN

CPTED is the term that encompasses the philosophical theory and practical application of design practices for buildings and places that seek to prevent crime. A building or place designed with CPTED principles in mind achieves –

- deterring crime by increasing the perception and chance of crime being detected, witnessed, challenged or criminals captured;
- making the opportunities for crime occurrence more difficult; and

- limiting or concealing opportunities for crime.

The NSW Police Force describe the “Safer by Design” approach in the following manner:

*Crime Prevention through Environmental Design (CPTED) is a crime prevention strategy that focuses on the planning, design and structure of cities and neighbourhoods. It reduces opportunities for crime by using design and place management principles that reduce the likelihood of essential crime ingredients (law, offender, victim or target, opportunity) from intersecting in time and space.*

*Predatory offenders often make cost-benefit assessment of potential victims and locations before committing crime. CPTED aims to create the reality (or perception) that the costs of committing crime are greater than the likely benefits. This is achieved by creating environmental and social conditions that:*

*Maximise risk to offenders (increasing the likelihood of detection, challenge and apprehension);*

*Maximise the effort required to commit crime (increasing the time, energy and resources required to commit crime);*

*Minimise the actual and perceived benefits of crime (removing, minimising or concealing crime attractors and rewards); and*

*Minimise excuse making opportunities (removing conditions that encourage/facilitate rationalisation of inappropriate behaviour).*

*CPTED employs four key strategies. These are territorial re-enforcement, surveillance, access control and space/activity management. All CPTED strategies aim to create the perception or reality of capable guardianship.*

The four key strategies have been applied to the development proposal and analysis and commentary is provided in below.

### **Surveillance**

Crime can be reduced by providing opportunities for effective surveillance. In areas with high levels of natural and passive surveillance potential offenders are deterred from committing a crime. Natural and passive surveillance in relation to the proposal needs to be understood at the macro / site level and the individual occupant level.

### Macro / Site Level

The following passive surveillance attributes are demonstrated in the proposal:

- Sight lines from the public spaces (roads and pathways) are generally to the external outer edges of the proposed buildings and driveway entrances. The site lines are clear and are not overly complicated or blocked by landscaping.
- Landscaping provides for designation of spaces without creating “blind” spots or concealment areas.
- The ‘eyes on the street’ approach to the street frontage will serve to discourage anti-social behaviour.
- Concealment opportunities are limited and appropriate lighting will be provided to publicly accessible areas.

### **Access control**

The use of physical and symbolic barriers to attract, channel or restrict the movement of people assists in minimising opportunities for crime and increases the effort required to commit a crime.

The proposal provides:

- The design allows for ease in clearly marking entrance points and way finding features such as pathways, lighting and signage
- Security fencing around part of the site to limit the number of access points to the site.

### **Territorial reinforcement**

Places that are well maintained and designed are often more regularly visited and endowed with a sense of community ownership. Accordingly, well used spaces reduce crime opportunities. In this regard, the proposal provides:

- Delineating between public and restricted areas through the use of landscaping and fencing etc.

### **Space / Activity Management**

Well maintained and cared for spaces discourage crime as they tend to be more actively used and unwelcome persons are readily identified. In this regard, the proposal provides:

- Dedicated staff responsible for site cleanliness, rapid repair of vandalism and graffiti, the replacement of lighting and the regular maintenance of the site.

In conclusion, having regard to the design of the proposal; its inter-relationship with the public domain and noting that the design of the development proposal incorporates CPTED measures and demonstrably improves the safety of staff, while at the same time diminishing opportunities for crime.

The safer by design theory has been appropriately applied at the design stage, ensuring the proposal will not necessitate retro fitting post construction, which tends to be more costly and less effective.

## NOISE

A noise impact assessment is included in Attachment 2 which has assessed the potential noise emissions from the proposal. The proposal includes construction of a weighbridge and a change in the existing land use to a scrap metal recycling facility that would accept scrap metal from consumers and store this either in the external rear yard or within the existing warehouse to be onsold to a metal recycler.

No crushing or screening will take place at the site. A compactor will be located in the rear yard that would be used. The maximum storage capacity would be 100 tonnes at any one time.

The noise impact assessment was undertaken in accordance with the following guidelines:

- NSW Environment Protection Authority Noise Policy for Industry 2017
- Department of Environment, Climate Change and Water NSW Road Noise Policy 2011
- Department of Environment, Climate Change and Water NSW Interim Construction Noise Guideline 2009
- British Standard BS 7385 - Part 2: 1993 'Evaluation and measurement for vibration in buildings'.

The nearest receivers and noise criteria were identified. The site operations were modelled using the predictive noise software, Sound Plan. The activities proposed by the proponent were found to be within the framework of the NSW Noise Policy for Industry. The noise generating scenario is predicted to comply with the project specific noise levels at all receivers. Recommendations for noise controls are included in the noise assessment provided in Attachment 2.

Compliance with the guidelines set out in the NSW Road Noise Policy was predicted at all considered receptors. No significant construction noise or vibration impacts are expected. Construction is recommended to take place during standard construction hours. There are no further noise mitigation measures needed for the proposal.



## FLOODING

This application is provided with a full floor study – see Attachment 2. The site is affected by local overland flow flooding which is considered in detail in the report by BMB Engineers.

The flood study report assesses the impacts on flooding behaviour due to the proposal. Hydraulic modelling and analysis of the worst case scenario found that as the footprint of the proposed development does not encroach the 1% AEP flood extent, there will be no changes in the existing 1% AEP flood behaviour in the post development scenario. Only a small part of the site at the south-western corners is affected by the 1% AEP overland flooding.

The proposal will not cause any significant impacts on the existing flooding characteristics of the site and the surrounds.

## VISUAL

The visual character of the surrounding land in all direction is industrial, as the site is located within a large industrial precinct. The dominant visual features in the vicinity are industrial uses and factory units. There are minimal building works proposed which are limited to the demolition of the existing outbuilding and the installation of a weighbridge.

The building being demolished from the rear yard is not visible from the public domain and as such the resultant visual impact is negligible. The installation of the weighbridge will be slightly visible when viewing the site from Percival Road however again the resultant visual impact is negligible. An example of the proposed weighbridge is provided in the following page.

As there are largely no works being carried out to the main warehouse building the overall visual impact is minimal. There are proposed new landscape plantings along the front setback which seek to enhance the site.



Figure 8: Example of weighbridge installation



## ECOLOGICALLY SUSTAINABLE DEVELOPMENT

The EP&A Regulation lists 4 principles of ecologically sustainable development to be considered in assessing a project. They are:

- The precautionary principle;
- Intergenerational equity;
- Conservation of biological diversity and ecological integrity; and
- Improved valuation and pricing of environmental resources.

These principles are discussed below:

### **Precautionary Principle**

The precautionary principle means if there are threats of serious or irreversible damage, lack of full scientific certainty should not be used as a reason for postponing measures to prevent environmental degradation.

The environmental impacts associated with the proposed development are detailed throughout this EIS and have been identified and quantified to an adequate degree of certainty. To ensure that the development is carried out in ways that factors in precautionary approaches, mitigating measures have been proposed where considered necessary to prevent detrimental impacts from occurring.

### **Intergenerational Equity**

Intergenerational equity requires that the present generation should ensure that the health, diversity and productivity of the environment is maintained or enhanced for benefit of future generations. The requirement for equity between generations binds or integrates the other principles of ecologically sustainable development. Intergenerational equity implies that the present generation should ensure that its local environment is maintained or enhanced for the benefit of future generations. As described above, the proposed development will not result in significant impacts on the receiving environment.

The facility will recycle metals that would otherwise be sent to lower order uses or landfill and will extend the benefits provided by existing landfills for current and future generations. Recycled materials will largely be reused in construction projects that will also benefit current and future generations.

### **Conservation of biological diversity and ecological integrity**

Biological diversity refers to the diversity of genes, species, populations, communities and ecosystems and the linkages between them. Biological resources provide food, many medicines, fibres and industrial products. Maintenance of biological diversity will ensure life support functions and can be considered a 'minimal' requirement for intergenerational equity. The proposed development does not impact on biological diversity or ecological integrity, as the site is already substantially cleared.

### **Improved valuation, pricing and incentive mechanisms**

This principle is a component of "intergenerational equity" and establishes the need to determine economic values for services provided by the natural environment, such as the atmosphere's ability to receive emissions, cultural values and visual amenity. The value of the environmental resources affected by the proposal has been acknowledged and provided for through the examination of environmental consequences of the

proposal and identification of mitigation measures to address potential impacts, including any short term construction impacts.

## **SOCIAL IMPACTS**

The provision of a resource recovery facility on the site is considered to have positive social benefits. It will provide opportunities for waste to be diverted from landfill and recycled and reused. It will ensure the site continues to provide employment opportunities. Given this, the proposal is considered to have substantial positive social impacts.

## **CONTRIBUTIONS**

The Holroyd Indirect Section 94A Contribution plans apply to the site and indicates that a contribution equivalent to 1% of the proposed cost of development is required to be paid.

## **WASTE**

A Waste Management Plan has been prepared which identifies the likely waste streams to be generated during the construction phase of the development. The Waste Management Plan outlines measures to avoid the generation of unnecessary waste, minimise the volume of waste to be collected, and maximize the recycling, reuse and recovering waste generated by the proposed works

## **CUMULATIVE IMPACTS**

This section considers the potential cumulative impacts that may arise as a result of the proposal. The cumulative impact assessment combines the residual impacts of the proposal with the impacts of existing and approved development on site and in the immediate locality. Given the proximity of the proposal to other industries, certain impacts such as dust, traffic, noise, and water quality are likely to contribute to existing environmental impacts from other facilities in the locality.

The potential for cumulative impacts has been assessed by the individual technical studies prepared as part of this EIS. In this regard, cumulative impacts have been assessed and incorporated into the mitigation measures with no significant cumulative impacts identified. Where applicable, the technical studies have adopted a worst case scenario approach to enable a conservative precautionary outcome.

The following technical studies assessed cumulative impacts within the context of the proposal and other industries:

- Noise: Predicted noise impacts are cumulative in that they account for background noise emissions, to which predicted noise levels emanating from the proposal were added. A comparison of predicted noise emissions from the

proposal against measured daytime, evening and night time (morning shoulder) noise levels at representative residences and other receivers shows that proposed operations would not significantly increase cumulative noise generation.

- **Air quality:** Through utilising appropriate mitigation measures, the proposal would have a limited impact on air quality, either as deposited dust or suspended dust concentrations. There is no predicted increase in the occurrence of exceedances of air quality criteria. No odour causing waste would be accepted at the facility and accordingly no odour emission is predicted.
- **Traffic:** The traffic assessment considers cumulative impacts by undertaking baseline traffic counts combined with an analysis of existing and predicted vehicle movements associated with the site. Vehicle movements associated with the proposal would not have a significant impact on the levels of service or capacity of the existing road network indicating that cumulative impacts would be minor and acceptable.
- **Water Cycle Management:** The soil and water assessment indicate that cumulative impacts would be minimal, and likely to result in an improvement in water quality. The proposal is not predicted to increase the volume or intensity of stormwater discharging from the site. Similarly, modelling predicts that additional stormwater quality measures proposed would improve the quality of stormwater discharge from the site and reduce the likelihood of negative cumulative impacts on the catchment.

## ENVIRONMENTAL ASSESSMENT

### ENVIRONMENTAL IMPACTS

The Environmental Risk Assessment (ERA) establishes a residual risk by reviewing the significance of environmental impacts and the ability to manage those impacts. The ERA for the project has been adapted from Australian Standard AS4369.1999 Risk Management and Environmental Risk Tools.

### ENVIRONMENTAL MANAGEMENT PLAN - CONSTRUCTION PHASE ACTIVITIES

During construction, appropriate environmental safeguards shall be implemented.

The developer's contractor prior to the commencement of construction shall prepare an Environmental Management Plan (EMP) covering the construction phase.

The EMP for the construction phase will be structured as follows:

#### **Chapter 1 - Introduction.**

A description of the project and the objectives of the EMP will be provided.

#### **Chapter 2 - Environmental Management Planning.**

Environmental issues and aspects summarised in this EIS, as well as the any issues relevant to obtaining the approval of other regulatory authorities will be detailed.

#### **Chapter 3 - Management Strategies and Implementation.**

The environmental protection measures will be documented, when and how they are to be implemented and who is ultimately responsible for undertaking particular actions. Awareness, training and emergency response requirements will also be addressed in this chapter.

#### **Chapter 4 - Monitoring & Measuring Environmental Impacts.**

The process for monitoring the performance and compliance with the EMP will be documented. The process for reporting and managing breaches of the plan will be specified.

#### **Chapter 5 - Communication Strategy.**

The process for addressing public complaints or concerns will be detailed. Methods for communicating with interested stakeholders as may be required from time to time, will also be addressed.

A copy of the prepared construction environmental management plan will be provided to Cumberland Council prior to works commencing.

## CONSTRUCTION MITIGATION MEASURES

Mitigation measures and environmental safeguards for the proposal are listed below. These safeguards would minimise the potential adverse impacts of the proposal discussed previously in this EIS. This section of the report is prepared consistent with the requirement of Schedule 2 Part 7(1)(e) to provide a compilation of the measures proposed to mitigate any adverse effects of the development on the environment during the construction phase:

Construction Mitigation Measures Table	
<b>Landscape and Trees</b>	<b>Adequate Mitigation</b>
Existing vegetation not identified for removal is to be retained and protected at all times. Contractors working under the drip-line of existing trees identified for retention are to visually monitor the digging of trenches to ensure that significant root systems are not damaged. Visual monitoring is to be carried out of the trench excavations. Storage of materials, equipment, and vehicles is to be away from the existing trees that are to be retained.	<b>Yes</b>
<b>Erosion and sedimentation</b>	<b>Adequate Mitigation</b>
Erosion and sediment control measures are to be implemented and maintained to: Prevent sediment moving off-site and sediment laden water entering any water course, drainage lines, or drain inlets Reduce water velocity and capture sediment on site Minimise the amount of material transported from site to surrounding pavement surfaces Divert clean water around the site ,	<b>Yes</b>
Erosion and sedimentation controls are to be checked and maintained at least on a weekly basis (including clearing of sediment from behind barriers). Controls are also to be inspected before, during and after heavy rainfall events.	<b>Yes</b>
Work areas are to be stabilised progressively during the works.	<b>Yes</b>
<b>Acoustic Environment</b>	<b>Adequate Mitigation</b>
Works to be carried out during normal work hours (i.e. 7am to 6pm Monday to Friday; 8am to 1pm Saturdays).	<b>Yes</b>
<b>Amenity Impacts</b>	<b>Adequate Mitigation</b>
Inform adjoining landowners of the schedule and scope of works prior to works commencing.	<b>Yes</b>



## ENVIRONMENTAL MANAGEMENT PLAN - OPERATIONAL PHASE

Mitigation measures and environmental safeguards for the proposal are listed below and, in the reports, contained in the appendices to this EIS. These safeguards would minimise the potential adverse impacts of the proposal discussed previously in this EIS. This section of the report is prepared consistent with the requirement of Schedule 2 Part 7(1)(e) to provide a compilation of the measures proposed to mitigate any adverse effects of the development on the environment during its operation:

EMP- Operational Phase Table	
Air	Adequate Mitigation
Potential emissions of dust <ul style="list-style-type: none"> <li>External operations limited to unloading, loading and stockpiling of scrap metal.</li> <li>One external stockpile to be located at the centre of the external hardstand area.</li> <li>Regular sweeping of external hardstand area.</li> </ul>	Yes
Noise	Adequate Mitigation
<ul style="list-style-type: none"> <li>Hours of operation limited to 7am to 4pm Monday to Friday and 7am to 1pm Saturdays.</li> </ul>	Yes
Water and Soil	Adequate Mitigation
<ul style="list-style-type: none"> <li>First flush system including oil and grit (sediment) separator.</li> <li>Connection of unsealed area to the existing easement at the rear of the site allowing clean stormwater to discharge to the street stormwater system.</li> <li>Clearly marked stormwater drain in the front car park with the words "Stormwater drain – do not pollute".</li> </ul>	Yes
Waste	Adequate Mitigation
<ul style="list-style-type: none"> <li>Segregated and designated storage bins and bays for appropriate storage of waste.</li> <li>Licensed waste contractors for waste collection.</li> <li>Records for all incoming and outgoing loads.</li> <li>Unexpected finds protocol.</li> </ul>	Yes
Hazards and Risk	Adequate Mitigation
Diesel storage Fire risk <ul style="list-style-type: none"> <li>Diesel storage tank to be self bunded and stored in accordance with AS1940-2017</li> <li>Hydrocarbon spill kit located in accessible area close to self bunded diesel tank</li> <li>Control of ignition sources including "no smoking" policy</li> <li>Adequate fire protection equipment including fire extinguishers, fire hose reels and fire hydrants</li> <li>Forklift driver training</li> </ul>	Yes

<ul style="list-style-type: none"> <li>Emergency plan, evacuation plan and emergency response training.</li> </ul>	
<b>Traffic and Parking</b>	<b>Adequate Mitigation</b>
<ul style="list-style-type: none"> <li>The driveway width would be increased to 5.5m to allow 2 way traffic.</li> <li>Traffic lights to be installed for weighbridge operation to enable safe one way travel into and out of the rear external operational areas.</li> <li>9 car parking spaces would be provided.</li> </ul>	<b>Yes</b>
<b>Biodiversity</b>	<b>Adequate Mitigation</b>
<ul style="list-style-type: none"> <li>No removal of existing vegetation.</li> <li>Implement landscaping (gardens at site frontage) as shown on the site plan.</li> </ul>	<b>Yes</b>
<b>Environmental Management</b>	<b>Adequate Mitigation</b>
<ul style="list-style-type: none"> <li>Preparation of an Environmental Management Plan for the site that contains a spill procedure, incoming load inspection/unexpected finds procedure, stormwater management and weighbridge records.</li> <li>Sign at the front of the site detailing accepted waste types.</li> </ul>	<b>Yes</b>

## CONCLUSION

Following a review of the relevant planning controls, it is concluded that the proposed development is consistent with the objectives, planning strategies and detailed controls of these planning documents. Consideration has been given to the potential environmental and amenity impacts that are relevant to the proposed development and this report addresses these impacts.

The proposed development has been assessed in accordance with the provisions of Section 79C of the EP&A Act 1979 and is generally consistent with the relevant objectives and planning controls.

Having regard to the benefits of the proposal and considering the absence of adverse environmental, social or economic impacts, the application is submitted to Council for assessment and granting of development consent. Think Planners Pty Ltd recommends the approval of this Development Application subject to necessary, relevant and appropriate conditions of consent.

## ATTACHMENTS

1. Planning Secretary's Environmental Assessment Requirements – SEARs.
2. Environmental Assessments to Support an Environmental Impact Statement for Proposed Metal Recycling Facility – 84 Percival Road Smithfield
3. Architectural and Landscape Plans
4. Community and stakeholder engagement letter
5. Community consultation map
6. Consultation responses
7. Weighbridge Specifications.



**Industry Assessments**

Contact: Bianca Thornton

Phone: (02) 8217 2040

Email: [bianca.thornton@planning.nsw.gov.au](mailto:bianca.thornton@planning.nsw.gov.au)

Ms Schandel Fortu  
Director  
Think Planners  
PO Box 121  
Wahroonga NSW 2076

EF19/15152  
SEAR 1327

Email: [schandel@thinkplanners.com.au](mailto:schandel@thinkplanners.com.au)

Dear Ms Fortu

**Scrap Metal Waste Transfer Station (Waste Management Facility)  
84 Percival Road, Smithfield (Lot 1 DP 555910)  
Planning Secretary's Environmental Assessment Requirements (SEAR) 1327**

Thank you for your request for the Planning Secretary's Environmental Assessment Requirements (SEARs) for the preparation of an Environmental Impact Statement (EIS) for the above development proposal. I have attached a copy of these requirements.

In support of your application, you indicated that your proposal is designated development under Part 4 of the *Environmental Planning and Assessment Act 1979*.

The Department has consulted with the Roads and Maritime Services as required by Schedule 3 of State Environmental Planning Policy (Infrastructure) 2007. A copy of their requirements for the EIS are attached.

The Department has also consulted with Transport for NSW, the Environment Protection Authority, the Department of Industry and the Office of Environment and Heritage. A copy of their additional requirements for the EIS are attached.

If any integrated approvals are identified before the Development Application (DA) is lodged, you must undertake direct consultation with the relevant agencies, and address their requirements in the EIS.

If your proposal contains any actions that could have a significant impact on matters of National Environmental Significance, then it will require an additional approval under the Commonwealth *Environment Protection and Biodiversity Conservation Act 1999* (EPBC Act). This approval is in addition to any approvals required under NSW legislation. If you have any questions about the application of the EPBC Act to your proposal, you should contact the Commonwealth Department of the Environment and Energy on (02) 6274 1111.

Should you have any further enquiries, please contact Bianca Thornton, Planning Services, at the Department on the details above.

Yours sincerely

 10/5/19

Chris Ritchie

**Director**

**Industry Assessments**

as delegate of the Planning Secretary

# Planning Secretary's Environmental Assessment Requirements

Section 4.12(8) of the *Environmental Planning and Assessment Act 1979*.  
Schedule 3 of the *Environmental Planning and Assessment Regulation 2000*.

## Designated Development

<b>SEAR Number</b>	1327
<b>Proposal</b>	Establishment of a waste transfer station for scrap metal with a processing capacity of up to 400 tonnes per annum and a maximum storage capacity of 100 tonnes at any one time.
<b>Location</b>	84 Percival Road, Smithfield (Lot 1 DP 555910), in the Cumberland local government area.
<b>Applicant</b>	Think Planners
<b>Date of Issue</b>	10 May 2019
<b>General Requirements</b>	The Environmental Impact Statement (EIS) must meet the minimum form and content requirements in clauses 6 and 7 of Schedule 2 of the <i>Environmental Planning and Assessment Regulation 2000</i> .
<b>Key Issues</b>	<p>The EIS must include an assessment of all potential impacts of the proposed development on the existing environment (including cumulative impacts if necessary) and develop appropriate measures to avoid, minimise, mitigate and/or manage these potential impacts. As part of the EIS assessment, the following matters must also be addressed:</p> <ul style="list-style-type: none"> <li>• <b>strategic context</b> – including: <ul style="list-style-type: none"> <li>– a detailed justification for the proposal and suitability of the site for the development</li> <li>– a demonstration that the proposal is consistent with all relevant planning strategies, environmental planning instruments, development control plans (DCPs), or justification for any inconsistencies</li> <li>– a list of any approvals that must be obtained under any other Act or law before the development may lawfully be carried out.</li> </ul> </li> <li>• <b>suitability of the site</b> – including: <ul style="list-style-type: none"> <li>– a detailed justification that the site can accommodate the proposed processing capacity, having regard to the scope of the operations and its environmental impacts and relevant mitigation measures</li> <li>– floor plans depicting and proposed internal layout, including the location of machinery and equipment.</li> </ul> </li> <li>• <b>waste management</b> – including: <ul style="list-style-type: none"> <li>– details of the type, quantity and classification of waste to be received at the site</li> <li>– details of the resource outputs and any additional processes for residual waste</li> <li>– details of waste handling including, transport, identification, receipt, stockpiling and quality control</li> <li>– the measures that would be implemented to ensure that the proposed development is consistent with the aims, objectives and guidelines in the <i>NSW Waste Avoidance and Resource Recovery Strategy 2014-21</i>.</li> </ul> </li> <li>• <b>traffic and transport</b> – including: <ul style="list-style-type: none"> <li>– a traffic and transport assessment prepared in accordance with Roads and Maritime Services and Transport for NSW guidelines</li> <li>– details of road transport routes and access to the site</li> </ul> </li> </ul>

	<ul style="list-style-type: none"> <li>- road traffic predictions for the development during construction and operation</li> <li>- an assessment of impacts to the safety and function of the road network and the details of any road upgrades required for the development.</li> <li>• <b>soil and water</b> – including: <ul style="list-style-type: none"> <li>- an assessment in accordance with ASSMAC Guidelines for the presence and extent of acid sulfate soils (ASS) and potential acid sulfate soils (PASS) on the site and, where relevant, appropriate mitigation measures</li> <li>- the details of stormwater, leachate, and wastewater management</li> <li>- the details of sediment and erosion controls</li> <li>- an assessment of flood risk on the site</li> <li>- an assessment of impacts to surface and groundwater resources, flooding impacts, and impacts to groundwater dependant ecosystems</li> <li>- a description and appraisal of impact mitigation and monitoring measures.</li> </ul> </li> <li>• <b>air quality</b> – including: <ul style="list-style-type: none"> <li>- a description of all potential sources of air and odour emissions</li> <li>- an air quality impact assessment in accordance with relevant Environment Protection Authority guidelines</li> <li>- a description and appraisal of air quality impact mitigation and monitoring measures.</li> </ul> </li> <li>• <b>noise and vibration</b> – including: <ul style="list-style-type: none"> <li>- a description of all potential noise and vibration sources during construction and operation, including road traffic noise</li> <li>- a noise and vibration assessment in accordance with the relevant Environment Protection Authority guidelines</li> <li>- a description and appraisal of noise and vibration mitigation and monitoring measures.</li> </ul> </li> <li>• <b>fire and incident management</b> – including: <ul style="list-style-type: none"> <li>- technical information on the environmental protection equipment to be installed on the premises such as air, water and noise controls, spill clean-up equipment, fire management (including the location of fire hydrants and water flow rates at the hydrants) and containment measures</li> <li>- details of the size and volume of stockpiles and their arrangements to minimise fire spread and facilitate emergency vehicle access.</li> </ul> </li> <li>• <b>hazards and risk</b> – including: <ul style="list-style-type: none"> <li>- a preliminary risk screening completed in accordance with State Environmental Planning Policy No. 33 – Hazardous and Offensive Development and Applying SEPP 33 (DoP, 2011), with a clear indication of class, quantity and location of all dangerous goods and hazardous materials associated with the development. Should preliminary screening indicate that the project is "potentially hazardous" a Preliminary Hazard Analysis (PHA) must be prepared in accordance with Hazardous Industry Planning Advisory Paper No. 6 - Guidelines for Hazard Analysis (DoP, 2011) and Multi-Level Risk Assessment (DoP, 2011).</li> </ul> </li> <li>• <b>biodiversity</b> – including a description of any potential vegetation clearing needed to undertake the proposal and any impacts to flora and fauna.</li> <li>• <b>visual</b> – including an impact assessment at private receptors and public vantage points.</li> </ul>
<b>Environmental Planning Instruments and other policies</b>	<p>The EIS must assess the proposal against the relevant environmental planning instruments, including but not limited to:</p> <ul style="list-style-type: none"> <li>• Greater Metropolitan Regional Environmental Plan No 2–Georges River Catchment</li> <li>• State Environmental Planning Policy (Infrastructure) 2007</li> <li>• State Environmental Planning Policy (Vegetation in Non-Rural Areas) 2017</li> <li>• State Environmental Planning Policy No 19–Bushland in Urban Areas</li> <li>• State Environmental Planning Policy No 33–Hazardous and Offensive Development</li> <li>• State Environmental Planning Policy No 55–Remediation of Land</li> </ul>



	<ul style="list-style-type: none"> <li>• Holroyd Local Environmental Plan 2013</li> <li>• relevant development control plans and section 94 plans.</li> </ul>
<b>Guidelines</b>	<p>During the preparation of the EIS you should consult the Department's Register of Development Assessment Guidelines which is available on the Department's website at <a href="https://www.planning.nsw.gov.au/Assess-and-Regulate/Development-Assessment/Industries">https://www.planning.nsw.gov.au/Assess-and-Regulate/Development-Assessment/Industries</a>. Whilst not exhaustive, this Register contains some of the guidelines, policies, and plans that must be taken into account in the environmental assessment of the proposed development.</p>
<b>Consultation</b>	<p>During the preparation of the EIS, you must consult the relevant local, State and Commonwealth government authorities, service providers and community groups, and address any issues they may raise in the EIS. In particular, you should consult with the:</p> <ul style="list-style-type: none"> <li>• Environment Protection Authority</li> <li>• Office of Environment and Heritage</li> <li>• Department of Industry</li> <li>• Roads and Maritime Services</li> <li>• WaterNSW</li> <li>• Transport for NSW</li> <li>• Fire &amp; Rescue NSW</li> <li>• Cumberland Council</li> <li>• the surrounding landowners and occupiers that are likely to be impacted by the proposal.</li> </ul> <p>Details of the consultation carried out and issues raised must be included in the EIS.</p>
<b>Further consultation after 2 years</b>	<p>If you do not lodge an application under Section 4.12(8) of the <i>Environmental Planning and Assessment Act 1979</i> within 2 years of the issue date of these SEARs, you must consult with the Planning Secretary in relation to any further requirements for lodgement.</p>

9 May 2019

Roads and Maritime Reference: SYD19/00514/01 (A27304671)  
Planning & Environment Ref: SEAR 1327

Director – Resource & Energy Assessment  
Department of Planning & Environment  
GPO Box 39  
Sydney NSW 2001

Attention: Bianca Thornton

Dear Sir/Madam

**SEARS REQUEST FOR CONSTRUCTION OF A WEIGHBRIDGE & CHANGE OF USE OF  
EXISTING LAND AS SCRAP METAL RECYCLING WAREHOUSE  
84 PERCIVAL ROAD, SMITHFIELD**

Reference is made to Department's correspondence dated 16 April 2019 requesting Roads and Maritime Services (Roads and Maritime) to provide details of key issues and assessment requirements regarding the abovementioned development for inclusion in the Secretary's Environmental Assessment Requirements (SEARs).

Roads and Maritime has reviewed the submitted information and noted that the proposal is for construction of a weighbridge & change of use of existing land as scrap metal recycling warehouse. Roads and Maritime would require the following issues to be included in the transport and traffic impact assessment of the proposed development:

1. Daily and peak traffic movements likely to be generated by the proposed development including the impact on nearby intersections and the need/associated funding for upgrading or road improvement works (if required). The following intersection should be included in the assessment:
  - Cumberland Highway & Percival Road.
2. Details of the proposed accesses and the parking provisions associated with the proposed development including compliance with the requirements of the relevant Australian Standards (i.e.; turn paths, sight distance requirements, aisle widths, etc.).
3. Proposed number of car parking spaces and compliance with the appropriate parking codes.

**Roads and Maritime Services**

4. Details of service vehicle movements (including vehicle type and likely arrival and departure times).
5. Roads and Maritime requires an assessment of the likely toxicity levels of loads transported on arterial and local roads to / from the site and, consequently, the preparation of an incident management strategy for crashes involving such loads, if relevant.

Any inquiries in relation to this Application can be directed to Ahsanul Amin, A/Senior Land Use Planner on 8849 2762 or [development.sydney@rms.nsw.gov.au](mailto:development.sydney@rms.nsw.gov.au).

Yours sincerely,



Pahee Rathan  
**Senior Land Use Assessment Coordinator**  
**Sydney Division – North West Precinct**

Bianca Thornton  
Planning Officer  
Industry Assessment  
Department of Planning and Environment  
GPO Box 39  
SYDNEY NSW 2001

Dear Ms. Thornton

**Request for input – Scrap Metal Waste Transfer Station (Waste Management Facility) – 84 Percival Road, Smithfield – SEAR 1327**

Thank you for your email dated 16 April 2019 requesting Transport for NSW (TfNSW) to provide input to the Secretary's Environmental Assessment Requirements (SEARs) for the subject proposed development.

The relevant documentation has been reviewed and comments for inclusion in the SEARs have been provided in **Attachment A**.

These comments should be included in conjunction inputs provided by Roads and Maritime Services.

If you have any further questions, please don't hesitate to contact Billy Yung, Senior Transport Planner, at [billy.yung@transport.nsw.gov.au](mailto:billy.yung@transport.nsw.gov.au). I hope this has been of assistance.

Yours sincerely



6/5/2019

Mark Ozinga  
**Principal Manager, Land Use Planning and Development  
Freight, Strategy and Planning**

CD19/03213

## **Policies and Standards**

The detailed traffic and transport assessment should address the relevant planning provisions, goals and strategic planning objectives in the following:

- Future Transport Strategy 2056;
- A Plan for Growing Sydney;
- NSW State Priorities;
- Guide to Traffic Generating Developments (Roads and Maritime Services);
- Austroads Guide to Traffic Management Part 12: Traffic Impacts of Development; and
- NSW Freight and Ports Plan 2018-2023.

## **Consultation**

The proponent should consult with Roads and Maritime Services/TfNSW during the preparation of a detailed traffic and transport assessment.

## **Detailed Traffic and Transport Assessment**

The detailed traffic and transport assessment should include, but not be limited to, the following:

- Details of the existing traffic and transport information of key transport routes, site access, internal roadways, infrastructure works and parking as follows:
  - Daily and peak hour light and heavy vehicle movements, public transport services, pedestrian and cyclist connections to the surrounding area.
  - Performance of surrounding road network including intersections using appropriate traffic modelling and analysis to the satisfaction of Roads and Maritime Services/TfNSW.
  - Details of on-street parking, loading zones, bicycle and pedestrian facilities including pedestrian crossings, bicycle parking.
- Details of all traffic types (including vehicle type and the likely arrival and departure times) and traffic volumes likely to be generated by the proposed development (based on types of heavy vehicle anticipated to be used in relation to the proposed processing and storage capacity), and also including a description of haul routes.
- An assessment of the predicted impacts of this traffic on road safety and the capacity of the road network, including consideration of cumulative traffic impacts at key intersections using SIDRA or a similar traffic model as prescribed by Roads and Maritime Services/TfNSW.

- Details on heavy vehicle and service vehicle transport routes, description of vehicle access routes used to access key freight locations/routes and the impacts on nearby intersections; vehicle type, and likely arrival and departure times
- Details of any upgrading or road improvement works required to accommodate the proposed development and/or maintaining the surrounding road network over time.
- Detailed plans of the proposed site layout, including the internal road network, pedestrian network, truck marshalling, turning path diagrams depicting vehicles entering, exiting and maneuvering through the site, staging, driver facility areas and parking provision on-site in accordance with the relevant Australian Standards.
- Detailed plans demonstrating how all vehicles (for construction and operation) awaiting loading, or unloading or servicing can be accommodated on the site to avoid queuing in the street network, noting that the preliminary architectural plan indicates the proposed parking and weighbridge to be located close to the proposed site access.
- Proposed access and intersection treatments and sight distance requirements at the entrance to the site are to be in accordance with the Austroads Guide to Road Design and Roads and Maritime Services Supplements. Details of intersection improvements with the increased vehicle movements to the site.
- Details of safety assessment at the site, with the increased vehicle movements to the site.
- Preparation of a draft Construction Traffic Management Plan which includes:
  - Details of vehicle routes, number of trucks, hours of operation, access management and traffic control measures for all stages of construction;
  - Assessment of cumulative impacts associated with other construction activities;
  - An assessment of road safety at key intersections;
  - Details of anticipated peak hour and daily truck movements to and from the site;
  - Details of access arrangements for workers to and from the site, emergency vehicles and service vehicle movements;
  - Details of temporary cycling and pedestrian access during construction;
  - An assessment of traffic and transport impacts during construction and how these impacts will be mitigated for any associated traffic, pedestrians, cyclists and public transport operations.

## Bianca Thornton

---

**From:** Raelene West  
**Sent:** Thursday, 18 April 2019 10:06 AM  
**To:** Bianca Thornton  
**Subject:** FW: Request for Input: Scrap Metal Waste Transfer Station (Waste Management Facility) – 84 Percival Road, Smithfield – SEAR 1327

Hi Bianca,

Thankyou for sending this proposed development through to the EPA for consideration.

From the attached documentation provided, it appears the activities that are occurring on site consist of 'receiving metals from consumers and placed on a truck and sold onto a larger metal recycling yards'. The throughput is estimated to be approximately 20,000 tonnes per year.

This is below the threshold to require licensing for the following activity under Schedule 1 of the *Protection of the Environment Operations Act 1997*:

**26 Metallurgical activities** – *Scrap metal processing*, meaning the crushing, grinding, shredding or sorting (but not smelting) of scrap metal of any kind

Criteria for Scrap metal processing: Capacity to process more than 150 tonnes of scrap per day or 30,000 tonnes per year (if not carried out wholly indoors) or 50,000 tonnes per year (if carried out wholly indoors)

The EPA will not be providing SEARs for this proposed development.

Should you have any further questions, please contact me.

Kind Regards,  
Raelene

**Raelene West**

**Senior Operations Officer – Waste Compliance**

Waste and Resource Recovery Branch, NSW Environment Protection Authority

+61 2 9995 5996

[raelene.west@epa.nsw.gov.au](mailto:raelene.west@epa.nsw.gov.au) [www.epa.nsw.gov.au](http://www.epa.nsw.gov.au) [@NSW\\_EPA](https://twitter.com/NSW_EPA)

**Report pollution and environmental incidents 131 555 (NSW only) or +61 2 9995 5555**





## Bianca Thornton

---

**From:** Marnie Stewart on behalf of OEH ROG Greater Sydney Region Planning Unit Mailbox  
**Sent:** Tuesday, 23 April 2019 4:39 PM  
**To:** Bianca Thornton  
**Subject:** Request for Input: Scrap Metal Waste Transfer Station (Waste Management Facility) – 84 Percival Road, Smithfield – SEAR 1327

Hi Bianca

OEH has reviewed the relevant information and has no comments at this stage of the process.

If you have any questions please do not hesitate to call.

Regards, Marnie

Marnie Stewart  
Senior Project Officer – Planning  
Communities and Greater Sydney  
Office of Environment and Heritage  
T: 02 9995 6868

## Bianca Thornton

---

**From:** kirstyn.goulding@crowland.nsw.gov.au on behalf of Lands Ministerials  
<lands.ministerials@industry.nsw.gov.au>  
**Sent:** Monday, 6 May 2019 3:00 PM  
**To:** Bianca Thornton  
**Subject:** Request for Input: Scrap Metal Waste Transfer Station (Waste Management Facility) – 84 Percival Road, Smithfield – SEAR 1327

Hi

DoI Crown Lands has no comments for this proposal.

Thanks  
Kirstyn

Lands Ministerial Unit  
NSW Department of Industry - Crown Lands  
Level 4, 437 Hunter Street, NEWCASTLE NSW 2300  
E: [lands.ministerials@industry.nsw.gov.au](mailto:lands.ministerials@industry.nsw.gov.au) W: [www.industry.nsw.gov.au](http://www.industry.nsw.gov.au)

Please contact Kirstyn Goulding on (02) 4920 5058 for any inquiries



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## Bianca Thornton

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**From:** John Galea <john.galea@dpi.nsw.gov.au>  
**Sent:** Monday, 29 April 2019 9:47 AM  
**To:** Bianca Thornton  
**Cc:** Landuse Ag  
**Subject:** RE: Request for Input: Scrap Metal Waste Transfer Station (Waste Management Facility) – 84 Percival Road, Smithfield – SEAR 1327

Hello Bianca,

NSW DPI Agriculture will not be providing SEARs for this project.  
It is located within the industrial heart of Smithfield with very little agriculture occurring in its vicinity.

Kind regards  
John

J.G.

---

**John Galea**

Agriculture Land Use Planning Officer  
DPI Agriculture | Strategic Programs

NSW Department of Primary Industries  
Level 12 | 10 Valentine Avenue | Parramatta NSW 2124  
T: +61 427 647 642 |  
E DPI: [landuse.ag@dpi.nsw.gov.au](mailto:landuse.ag@dpi.nsw.gov.au)  
W: [www.industry.nsw.gov.au](http://www.industry.nsw.gov.au)

Agriculture Land Use Planning information and guidelines are available at:  
<http://www.dpi.nsw.gov.au/agriculture/lup>  
<<http://www.dpi.nsw.gov.au/agriculture/resources/lup>>



Department of  
Primary Industries



Driving economic growth and increasing the value of primary industries in NSW

**Bianca Thornton**

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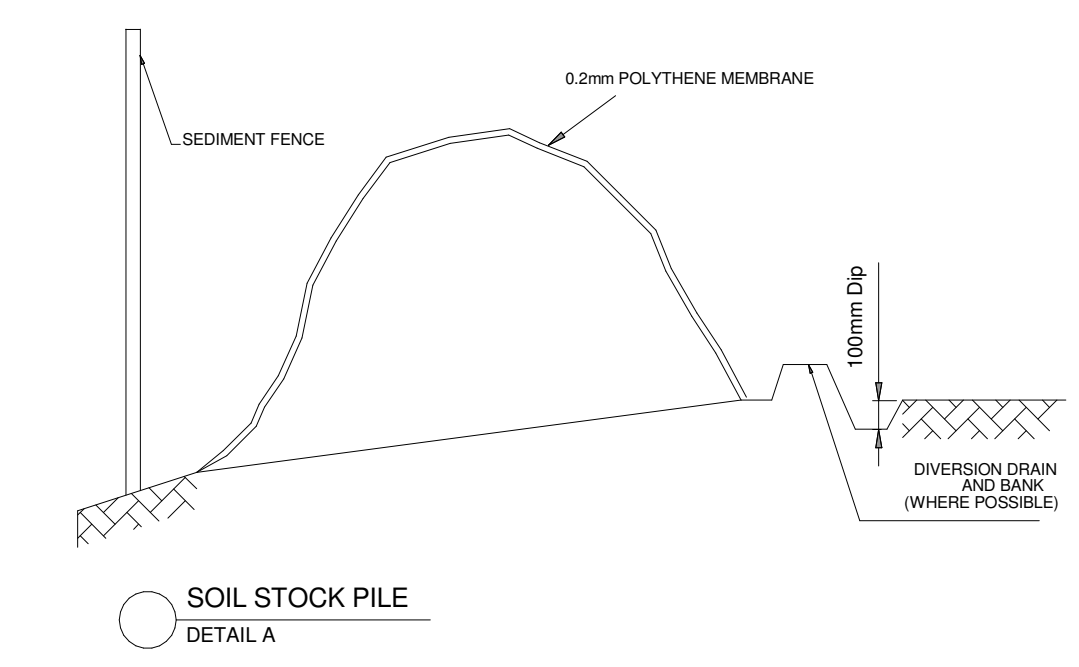
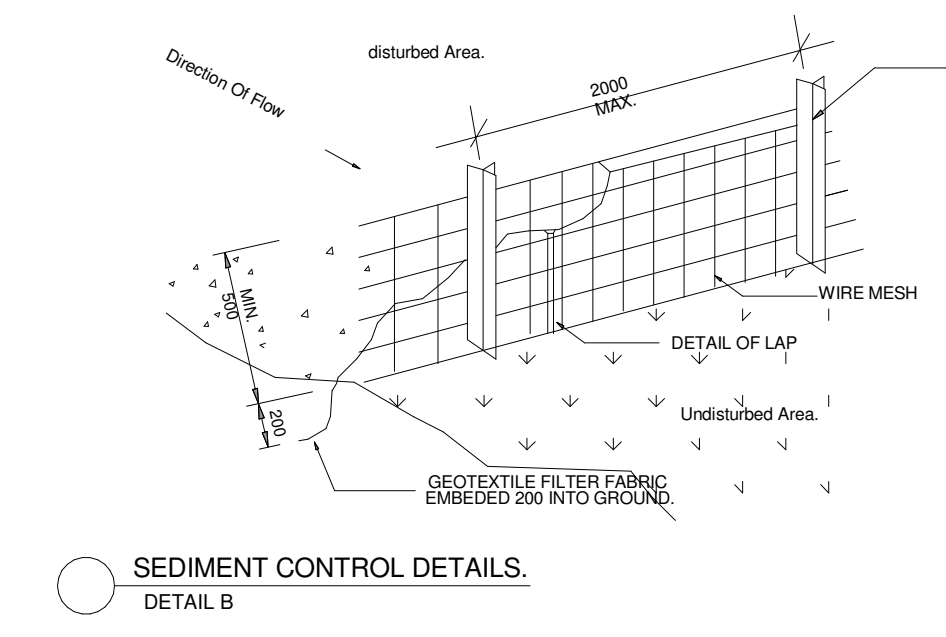
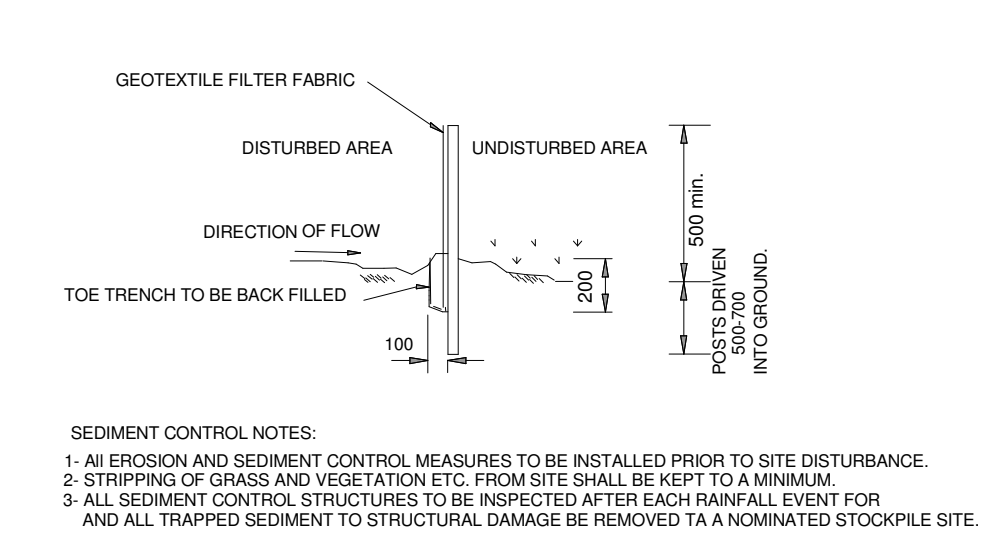
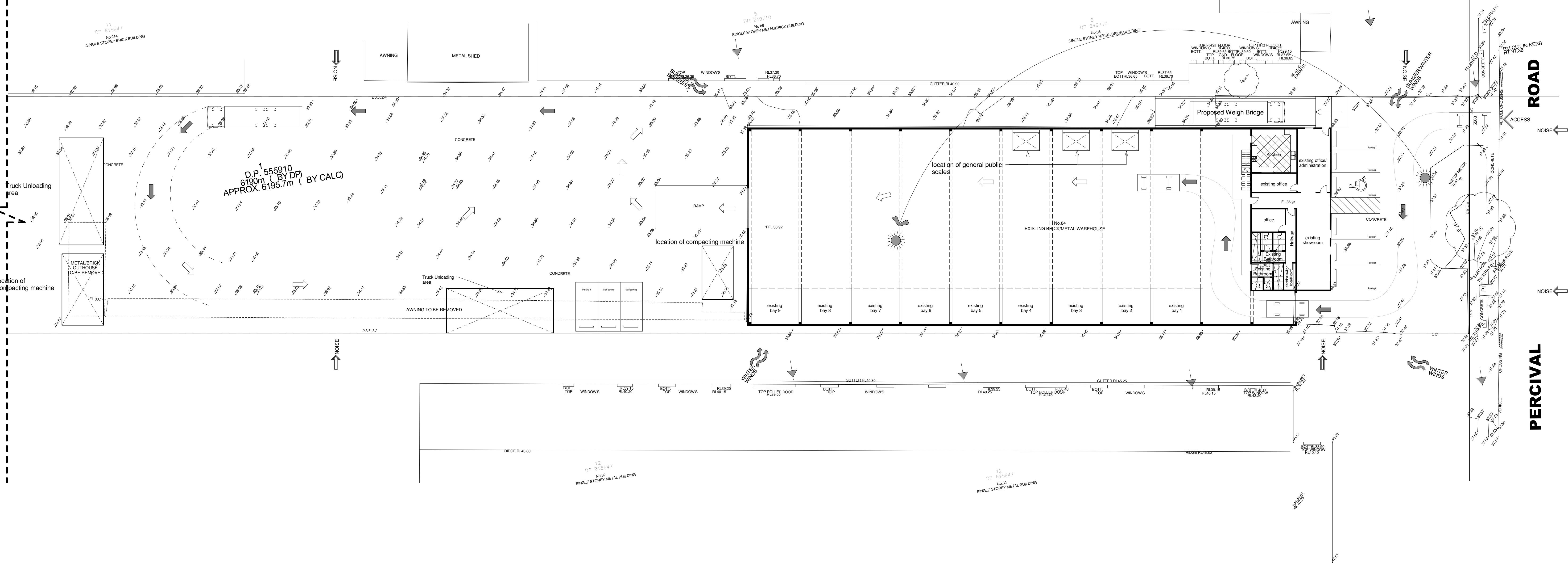
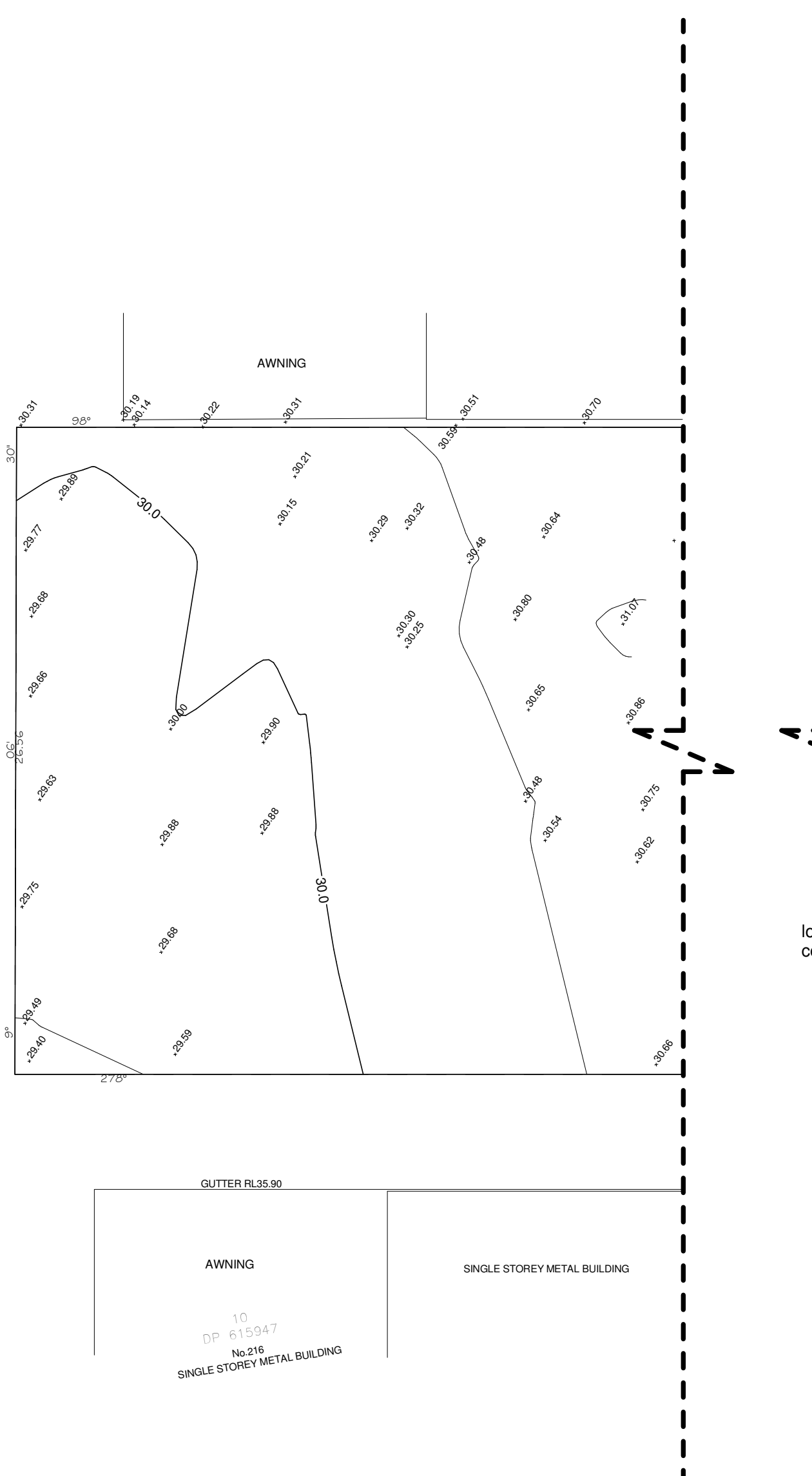
**From:** alistair.drew@industry.nsw.gov.au on behalf of Landuse Enquiries  
<landuse.enquiries@dpi.nsw.gov.au>  
**Sent:** Thursday, 18 April 2019 11:13 AM  
**To:** Bianca Thornton  
**Subject:** Fwd: Request for Input: Scrap Metal Waste Transfer Station (Waste Management Facility) – 84 Percival Road, Smithfield – SEAR 1327  
**Attachments:** Architectural Plans.pdf; Form A - SEAR 1327.pdf; Preliminary Statement of Environmental Effects - 84 Percival Road Smithfield.pdf

Hi Bianca,


FYI DPI Fisheries have no comments on the above proposal.


Regards,

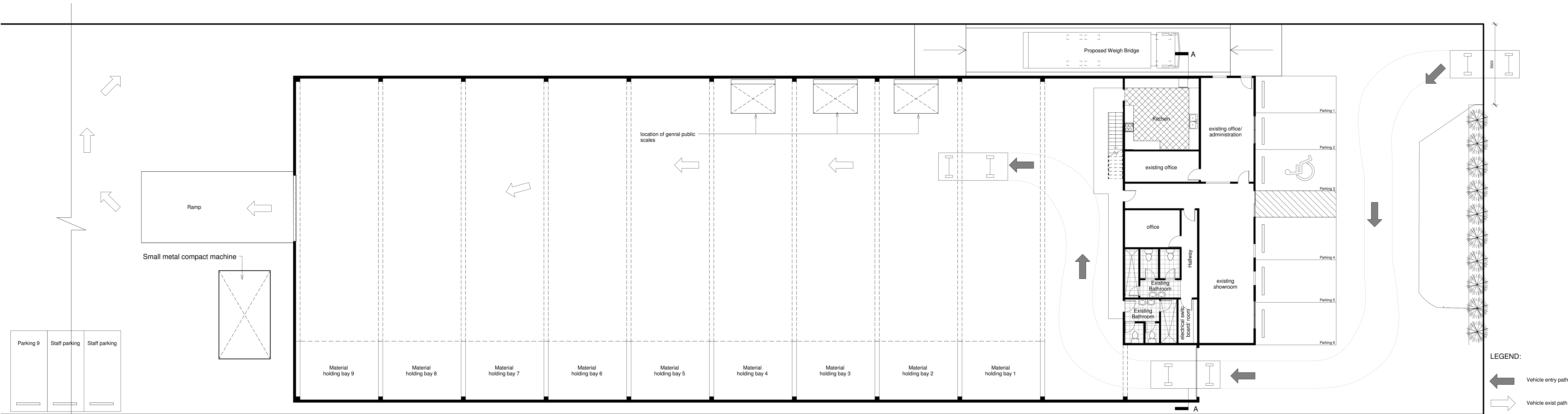
Alistair



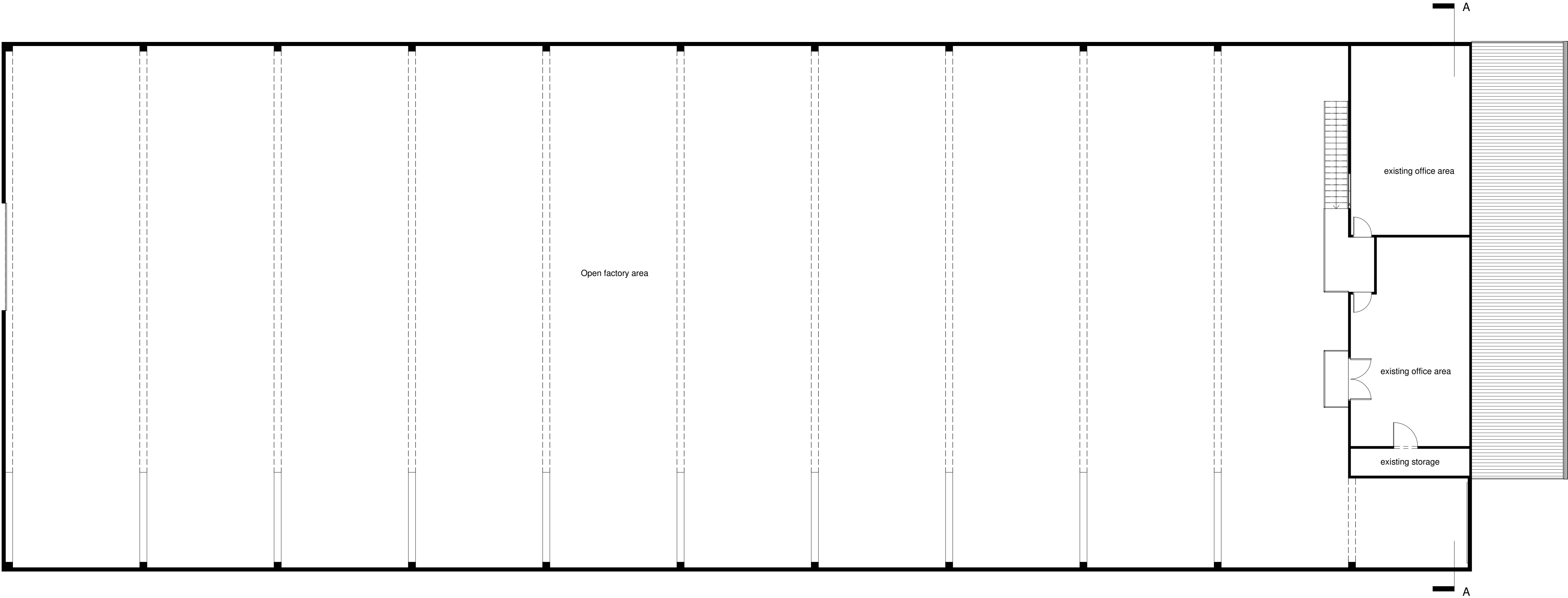
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 Vehicle entry path

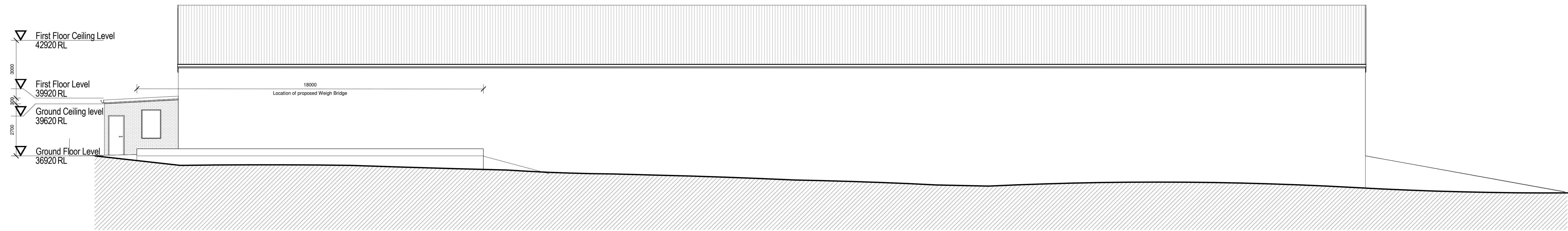
 Vehicle exist path



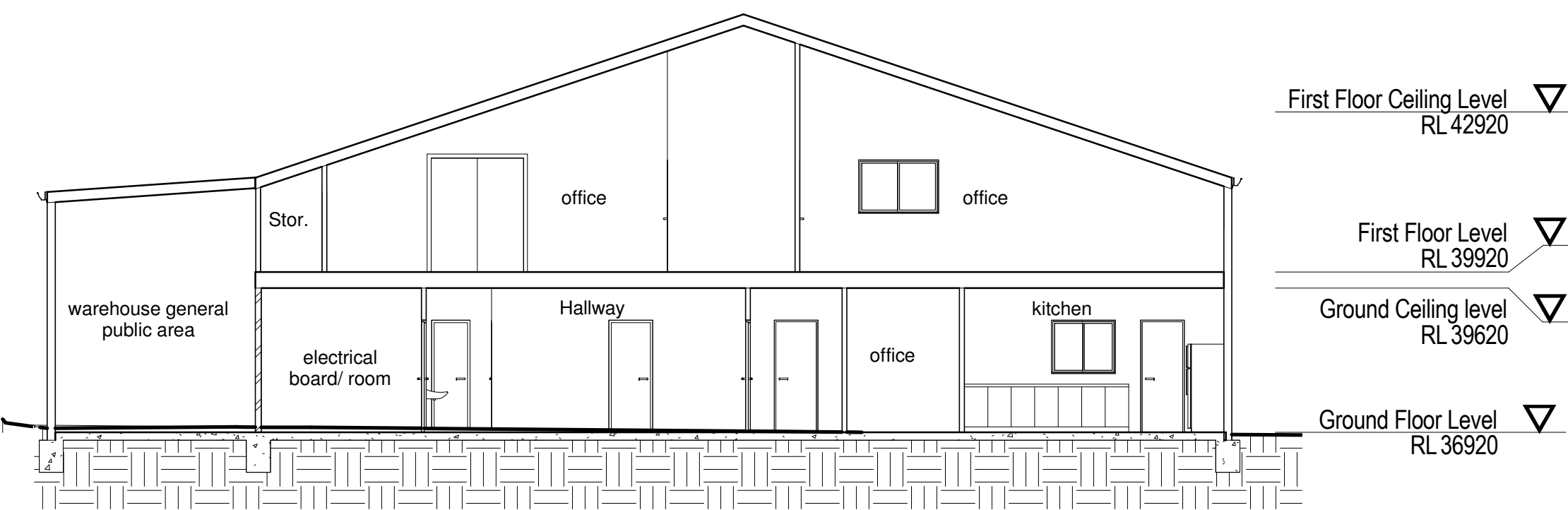
1 Ground Floor Level  
1 : 100



2 First Floor Level  
1 : 100



3 North Elevation  
1 : 100



4 Section A-A  
1 : 100

d

d

d

vyne design

design plans + construction

ACN 106 027 418 ABN 68 106 027 418

126 Hawksview Street Guildford NSW 2161

Telephone 61 02 9721 1111 Facsimile 61 02 9721 1100

jack@dvynedesign.com.au

JOB DESCRIPTION

Factory Change of Use

AT

84 Percival Road,  
Smithfield

DRAWING TITLE

PLANS/ ELEVATION / SECTION

CLIENT DETAILS

Mr. Arif Muradi

GENERAL NOTES

DO NOT SCALE THESE DRAWINGS, READ ALL DEMENSIONS SHOWN. ALL DEMENSIONS, NOTES ON ALL PLANS AND CONSENT DOCUMENTS MUST BE CHECKED AND VERIFIED BY THE CONTRACTOR PRIOR TO ANY COMMENCEMENT OF ANY BUILDING WORKS ONSITE, TO CLARIFY ANY DISCREPANCIES BETWEEN ALL PLAN DRAWINGS AND DOCUMENTATION RELEVANT TO THE PROPOSAL / SITE WORKS. GROUND LEVELS MAY VARY DUE TO SITE CONDITIONS.

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DRAWN	MD
DATE	SEP 18
CHECKED	JACK
SCALE	1:100
JOB NUMBER	1847-00
NUMBER IN SET	A02
ISSUE	B

ISSUE	AMENDMENT	BY	DATE
A	DA SUBMISSION	MD	SEP 18
B	DRIWEWAY WIDTH	MD	SEP 19

2 October 2019

Dear Sir or Madam

## **CONSULTATION FOR PROPOSED WASTE MANAGEMENT FACILITY AT 84 PERCIVAL ROAD SMITHFIELD**

Think Planners on behalf of Sydney Smithfield Metal Recyclers is preparing an Environmental Impact Statement that will accompany a future Development Application that will be lodged with Cumberland Council.

The application will involve the change of use of the existing warehouse building to operate a scrap metal recycling business with the following minor building works:

- Demolition of the existing outbuilding at the rear of the site
- Modifications to the existing car parking area
- Construction of a weighbridge
- Installation of operating machinery for the metal recycling processes being undertaken on the site.

The proposed development comprises a scrap metal waste transfer station where material is accepted from scrap metal customers which are brought to the site in trucks and in skip bins which are then taken into the warehouse building or to the rear yard for sorting.

The material will be sorted on site with recyclables and waste transported from the premises to businesses that will further process the recycled material or alternative materials that cannot be further recycled will be taken to a waste disposal facility.

The premise has an anticipated capacity of approximately 20,000 tonnes of non-putrescible construction waste per annum and storage of up to 100 tonnes at any one time.

The scrap metal material is then sorted into the following main categories metal, copper, steel and aluminium. The site will be operated by 8 employees who will control the operations and the hours of operation at 7am to 4pm Monday to Friday with Saturday operation from 7am to 1pm.

To assist with gaining your input into the proposal, you are invited to review and comment on the draft Environmental Impact Statement and supporting technical reports which can be reviewed at the following dropbox link:



<https://www.dropbox.com/sh/m2yinciamr9mg0/AADfoMZIZwhMbYHORBV5tW79a?dl=0>

If you are not the owner of the premises, you are requested to pass this letter onto the owner.

The exhibition period commences on Thursday 3 October and will close on Thursday 17 October 2019 at 5pm.

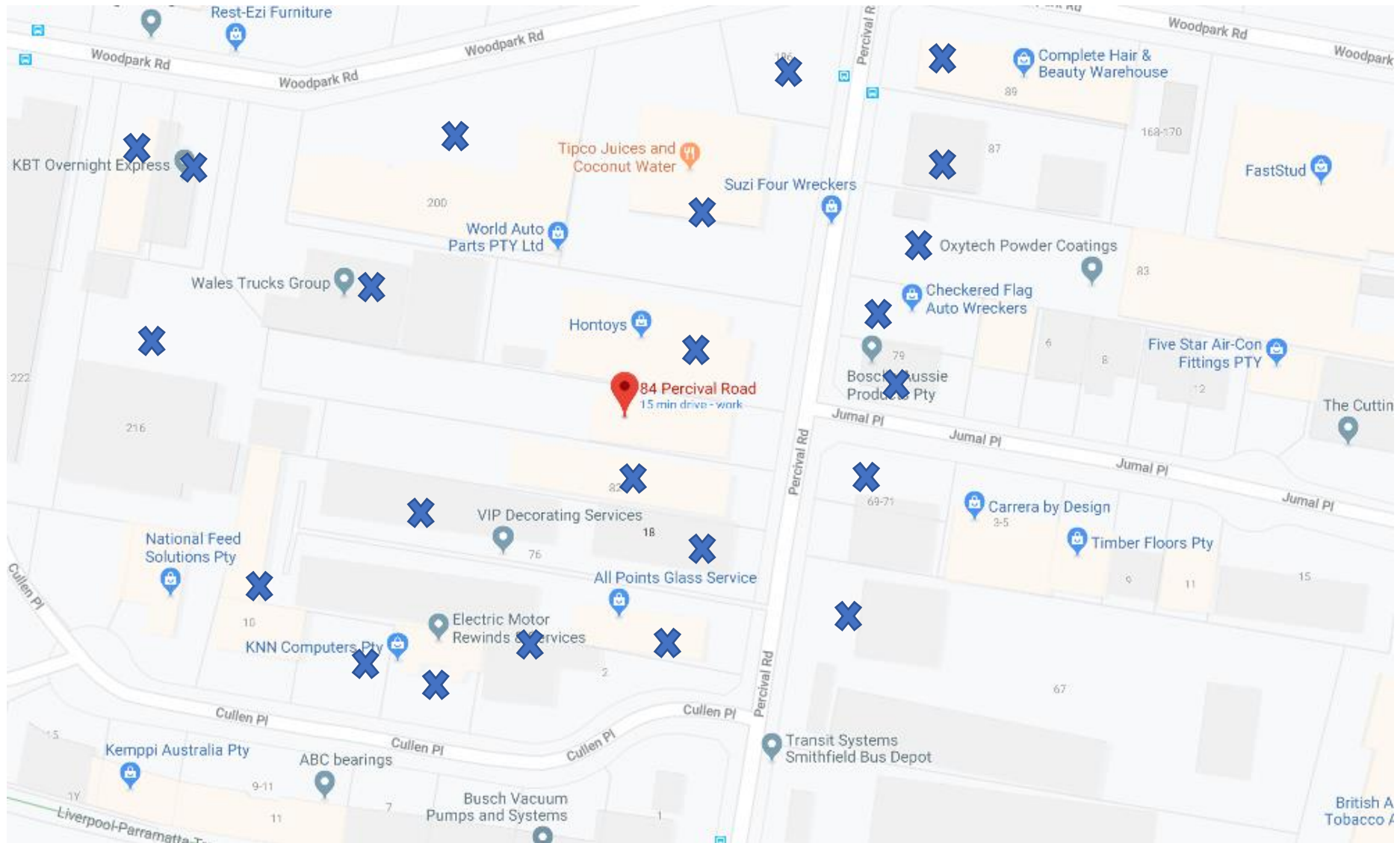
If you wish to provide feedback, you are welcome to send me an email at [schandel@thinkplanners.com.au](mailto:schandel@thinkplanners.com.au)

It is also noted that once the Development Application is lodged, that Cumberland Council will formally notify you of the proposal and provide you with a further opportunity to comment of the proposal.

Should you require any further information, I can be contacted on 02 9687 8899 or [schandel@thinkplanners.com.au](mailto:schandel@thinkplanners.com.au).



Schandel Fortu  
Director  
**Think Planners Pty Ltd**  
Mays Hill Gate House Parramatta Park  
PO BOX 121  
WAHROONGA NSW 2076



✕ Identifies where the letter was dropped.

## Schandel Fortu

---

**From:** kirstyn.goulding@crowland.nsw.gov.au on behalf of Lands Ministerials  
<lands.ministerials@industry.nsw.gov.au>  
**Sent:** Tuesday, 8 October 2019 1:39 PM  
**To:** Schandel Fortu  
**Subject:** Re: Draft EIS Consultation for Waste Management Facility at 84 Percival Road Smithfield

Hi Scandel

DPIE Crown Lands has no comments in regards to the EIS for this proposal.

Thanks  
Kirstyn

### Lands Stakeholder Relations

Team telephone numbers: Rebecca Johnson, Principal Project Officer, 4920 5040; Kirstyn Goulding, Administration Officer - Customer Liaison, 4920 5058; Kim Fitzpatrick, Senior Project Officer, 4920 5015, Deb Alterator, Project Support Officer 4920 5172

Crown Lands | Department of Planning, Industry and Environment

E [lands.ministerials@industry.nsw.gov.au](mailto:lands.ministerials@industry.nsw.gov.au)

Level 4, 437 Hunter Street Newcastle NSW 2295

[www.dpie.nsw.gov.au](http://www.dpie.nsw.gov.au)



*The Department of Planning, Industry and Environment acknowledges that it stands on Aboriginal land. We acknowledge the traditional custodians of the land and we show our respect for elders past, present and emerging through thoughtful and collaborative approaches to our work, seeking to demonstrate our ongoing commitment to providing places in which Aboriginal people are included socially, culturally and economically.*

On Wed, Oct 2, 2019 at 3:10 PM Schandel Fortu <[schandel@thinkplanners.com.au](mailto:schandel@thinkplanners.com.au)> wrote:

Dear Kirstyn Goulding

Please find attached letter for your consideration.

We would be happy to discuss the proposal with your at your convenience.

Please do not hesitate to contact me.

Kind regards, Schandel.

**Schandel Fortu**

**Director**

**P:** 0430 807 921

[www.thinkplanners.com.au](http://www.thinkplanners.com.au)



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## Schandel Fortu

---

**From:** Belinda Lake <Belinda.Lake@epa.nsw.gov.au>  
**Sent:** Tuesday, 8 October 2019 3:30 PM  
**To:** Schandel Fortu  
**Subject:** FW: Draft EIS Consultation for Waste Management Facility at 84 Percival Road Smithfield [ ref:\_00D7F6iTix.\_5007FrFT7H:ref ]  
**Attachments:** 19 October\_Notification Letter\_84 Percival Road Smithfield.pdf; image001.jpg

Dear Schandel

Thankyou for sending this request for consultation for the proposed development through to the EPA for consideration.

On 18/4/19, the EPA provided comments to the Department of Planning stating that the throughput of the proposed development was estimated to be approximately 20,000 tonnes per year.

As such, it was determined to be below the threshold to require licensing for the following activity under Schedule 1 of the *Protection of the Environment Operations Act 1997*:

**26 Metallurgical activities** – *Scrap metal processing*, meaning the crushing, grinding, shredding or sorting (but not smelting) of scrap metal of any kind

Criteria for Scrap metal processing: Capacity to process more than 150 tonnes of scrap per day or 30,000 tonnes per year (if not carried out wholly indoors) or 50,000 tonnes per year (if carried out wholly indoors)

At this time, the EPA advised that it would not be providing SEARs for this proposed development.

I have reviewed the documentation you have submitted on 2/10/2019 and supporting documentation, and note that throughput for the proposed development is unchanged and the EPA restates that it will not be providing input into this development.

Should you have any further questions, please contact me.

Regards  
Belinda

**Belinda Lake**

Unit Head – Waste Compliance

Waste & Resource Recovery, NSW Environment Protection Authority

P: 02 9995 5753

M: 0436 654 024

Monday – Thursday (only)

[belinda.lake@epa.nsw.gov.au](mailto:belinda.lake@epa.nsw.gov.au) [www.epa.nsw.gov.au](http://www.epa.nsw.gov.au) [@NSW EPA](#) [EPA YouTube](#)

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*I acknowledge and respect the Traditional Custodians of the land on which I work and live.*

----- Forwarded Message -----

**From:** Schandel Fortu [schandel@thinkplanners.com.au]

**Sent:** 02/10/2019 15:12

**To:** [info@epa.nsw.gov.au](mailto:info@epa.nsw.gov.au)

**Subject:** Draft EIS Consultation for Waste Management Facility at 84 Percival Road Smithfield

Dear Sir or Madam

Please find attached letter for your consideration.

We would be happy to discuss the proposal with your at your convenience.

Please do not hesitate to contact me.

Kind regards, Schandel.

**Schandel Fortu**

**Director**

**P:** 0430 807 921

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PLEASE CONSIDER THE ENVIRONMENT BEFORE PRINTING THIS EMAIL



17 October 2019

Roads and Maritime Reference: SYD19/00514/02 (A29545054)

Think Planners Pty Ltd  
Po Box 121  
Wahroonga NSW 2076

Attention: Schandel Fortu

Dear Sir/Madam

**DRAFT EIS REQUEST FOR WASTE MANAGEMENT FACILITY - 84 PERCIVAL ROAD, SMITHFIELD**

Reference is made to your correspondence dated 2 October 2019 requesting Roads and Maritime Services (Roads and Maritime) to provide comment in relation to the proposal associated with 84 Percival Road, Smithfield.

Roads and Maritime advises that the comments provided in the previous Roads and Maritime's letter dated 9 May 2019 remains applicable. Further assessment will be provided when the EIS is referred to Roads and Maritime.

Any inquiries in relation to this Application can be directed to Reynaldo Bito-on via [development.sydney@rms.nsw.gov.au](mailto:development.sydney@rms.nsw.gov.au)

Yours sincerely,

A handwritten signature in black ink, appearing to read 'Pahee'.

Pahee Rathan  
**A/ Senior Manager Land Use Assessment  
North West Precinct**



## Schandel Fortu

---

**From:** Billy Yung <Billy.Yung@transport.nsw.gov.au>  
**Sent:** Thursday, 17 October 2019 3:29 PM  
**To:** Schandel Fortu  
**Cc:** Mark Ozinga  
**Subject:** RE: Draft EIS Consultation for Waste Management Facility at 84 Percival Road Smithfield

Hi Schandel

Thanks for getting in touch with us regarding the subject matter. A preliminary review on the draft EIS was undertaken and there is no comment offered at this stage.

Please note the response provided above are informal and of a Pre-DA nature based on the draft EIS provided in your earlier email. It should not be interpreted as binding upon TfNSW, and should not be taken to constitute express or implied approval of any particular building design and may change following formal assessment of a submitted development application from the consent authority.

Thank you again for the opportunity to provide feedback on the subject matter.

Kind regards,  
Billy

Billy Yung  
Senior Transport Planner | Land Use Planning & Development  
Customer Strategy & Technology  
**Transport for NSW**

T 02 8922 1052 | M 0481 905 670  
Level 26, 477 Pitt Street, Haymarket, NSW, 2008



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Get on board with Opal at [opal.com.au](https://opal.com.au)

SENSITIVE: NSW GOVERNMENT

---

**From:** Schandel Fortu [mailto:schandel@thinkplanners.com.au]  
**Sent:** Wednesday, 2 October 2019 3:05 PM  
**To:** Billy Yung <Billy.Yung@transport.nsw.gov.au>  
**Subject:** Draft EIS Consultation for Waste Management Facility at 84 Percival Road Smithfield

Dear Billy Yung

Please find attached letter for your consideration.

We would be happy to discuss the proposal with you at your convenience.

Please do not hesitate to contact me.

Kind regards, Schandel.

**Schandel Fortu**

**Director**

P: 0430 807 921

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