Environmental Impact Statement

Development Application

74-76 Seville Street, Fairfield East, 2165

30 July 2019

HAMPTONS PROPERTY SERVICES Pty Ltd

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Project No.	2018101
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Site Address	74-76 Seville Street, Fairfield East, 2165
Document Name	Environmental Impact Statement
Prepared By	

Date	Document Name	Authorisation	
		Name/Position	Signature
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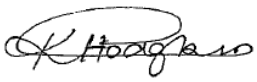
30 July 2019	Rep001(Final)	Kristy Hodgkinson *Director*	

In the event that this document is not signed, this is not representative of a final version of the document, suitable for assessment purposes.

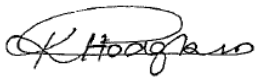
RELIANCE ON CONSULTANT INFORMATION

As part of undertaking this project, Hamptons has relied on the professional advice provided by third party consultants. No responsibility is taken for the accuracy of the information relied upon by these consultants assisting the project. It is assumed that each of the consultants has made their own enquiries in relation to technical matters forming part of their expertise.

Declaration under Schedule 2, Part 3 of the Environmental Planning and Assessment Regulation 2000

Table 1 provides the relevant details having regard to Section 6, Schedule 2, of the Environmental Planning & Assessment Regulation 2000.

Table 1: Form of Environmental Impact Statement

Name	Kristy Hodgkinson Director, Hamptons Property Services Pty Ltd
Qualification	Bachelor of Town Planning (Hons, Class 1)
Address	PO Box 954 Edgecliff NSW 2027
Responsible Person	Ilias Hassani, Hassani Investments Pty Ltd & Hussain Group Investments Pty Ltd
Address of the Site	74-76 Seville Street, Fairfield East NSW 2165
Legal Description of the Site	Lot 10 in Deposited Plan 1090834
Description of Activity	Change of use to operate a waste transfer station and resource recovery facility
Declaration	This EIS has been prepared in accordance with Schedule 2 of the Regulation and contains all available information that is relevant to the environmental assessment of the development, activity or infrastructure to which the statement relates. The information contained in the statement is neither false nor misleading.
Signature	
Date	30 July 2019

EXECUTIVE SUMMARY

Hamptons Property Services (Hamptons) has been retained by Hassani Investments Pty Ltd & Hussain Group Investments Pty Ltd (*the **Applicant***) in relation to the site known as at 74-76 Seville Street, Fairfield East (the ***site***), located in the local government area of Fairfield.

The DA seeks consent to operate a *Waste Transfer Station* and a *Resource Recovery Facility*, with associated administration and other facilities at site (the ***facility***).

This Environmental Impact Statement (EIS) accompanies a development application (DA) for the proposal under Part 4 of the NSW Environmental Planning and Assessment Act 1979 (***EP&A Act***). It has been prepared in accordance with the EP&A Act and the Environmental Planning and Assessment Regulation 2000 (***EP&A Regulation***) and addresses the requirements of the relevant government agencies as described in the Secretary's Environmental Assessment Requirements (***SEARs***), which are included at **Appendix 1**.

The Site

The site is located at 74-76 Seville Street, Fairfield East and is legally described as Lot 10 in Deposited Plan 1090834. The site is located on the southern side of Seville Street and has a site area of approximately 12,682m^2.

Existing on the site are two buildings fronting the street, a parcel dock to the east, a large complex built to the boundary to the southern and south-western boundary and associated car parking spaces. A fuel pump is located in the central section of the site, adjacent to the car parking spaces. Vehicular and pedestrian access is from Seville Street, with three vehicular cross overs extending directly south, with a separate entry for cars and an ingress and egress for trucks and larger vehicles. The site is entirely paved with the exception of landscaped areas fronting the street.

The site was previously used as '*freight transport facility*' and the use has ceased.

Designated Development

This application is designated development in accordance with section 4.10 of the EP&A Act. The assessment of the proposal is set out below.

Schedule 3 of the EP&A Regulation provides the types of uses that may be classified as 'designated development'. Schedule 3 provides for *Waste management facilities* and includes the following:

32 **Waste management facilities or works**

.....

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:....

(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….

(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 maximum intended handling capacity of the business activity will be approximately 15,000 tonnes (or less) per year of waste such as metal, rubber, plastic, glass etc., and is therefore below the threshold.

The site is located within 100 m of Burns Creek, which is a natural waterway and is also located within 500m of a residential zone. On this basis, the application is classified as designated development.

The proposed uses are permissible in the IN1 General Industrial Zone with development consent from Fairfield City Council (the ***Council***). However, application will be determined by the relevant Joint Regional Planning Panel as the works fall within Schedule 7 of the State Environmental Planning Policy (State & Regional Development). This is in accordance with Clause 4.5(b) of the EP&A Act.

Proposed Development

It is proposed to use the existing site as a *waste transfer station* and *resource recovery facility*. These uses are separately defined land uses in the LEP, however, in this case, they will operate together within the facility in this instance. No building works are proposed to facilitate the development and the proposal involves use of the existing facilities on site. This application seeks consent for the installation of two new business identification signs and replacement of an existing signage on the front facade. In addition to this, additional wayfinding and statutory signage will be installed.

A general arrangement plan of the proposal is provided at **Appendix 2.**

The proposal will employ approximately 25 - 35 personnel with a maximum of 25 staff present on the site at any given time.

The operational hours will be 7:00am to 5:00pm, Monday to Friday and 7:00am to 3:00pm on Saturdays. The site will not operate on Sundays, nor public holidays.

Operational Details

The proposed operation of facility generally comprises of the following:

- delivery of used motor vehicles to the site
- dismantling of vehicles to recover the engines and gear box, including temporary storage of such materials
- subsequent sale and transport of recovered resources by wholesale businesses, with no on-site retail sales to the general public;
- separation of waste material during dismantling process, including fuel, coolant fluids, engine oils, etc., and temporary storage awaiting subsequent collection of waste material for offsite recycling and/or landfill.

The activities on site will involve delivery of used motor vehicles, which are then dismantled to recover the engines and gear boxes of the vehicles. The cars will be stored and dismantled within the existing buildings. Any liquids or oils obtained during the dismantling process will be stored in a container that will be collected by a waste management, recycling and industrial services company.

A waste management company, nominated by the operator will also collect items such as used oily rags, oily water and used engine and lubricant oil and will provide suitable containers for the storage of such fluids to ensure that the operation of the site has no adverse environmental impacts.

The recovered engines and gearboxes are transferred offsite for either distribution or sale. Any other parts or waste materials identified as a result of the dismantling of the cars will be placed within the body of the car which is transported off-site to the relevant scrap yard. It is not proposed to compost, crush or shred any waste onsite.

Handling Capacity

A maximum of 40 cars will be located on the site at any one time, including cars that are delivered to the site for recovery, as well those that have been dismantled and are awaiting collection. The maximum handling capacity of the facility at any one time will be no more than 15,000 tonnes per.

Only 'special waste' which includes waste tyres and 'pre-classified general solid (non-putrescible) waste' as defined by the Environment Protection Authority Waste Classification Guidelines - Part 1: Classification of Waste (Waste Classification Guidelines) (EPA 2014) will be accepted at the site. No liquid, hazardous, restricted solid waste or general solid waste (putrescible), as defined in the Waste Classification Guidelines will be accepted.

Access Arrangements

In terms of vehicular and pedestrian access, no changes are proposed to the existing arrangements and the *status quo* will remain. Vehicular access is from Seville Street, *via* the existing driveways. However, the site

is proposed to be operated in a controlled arrangement for occupational health and safety reasons, with public access to the site restricted to the administration building located at the front of the site.

Assessment of Environmental Effects

The SEARs require that consideration be given to the following matters:

- Strategic context
- Suitability of the site
- Waste Management
- Hazard and risk – Preliminary risk screening and flood assessment
- Air Quality
- Noise and vibration
- Soil and water
- Fire and incident management
- Traffic and parking
- Detailed internal floor plans
- Biodiversity Development Assessment Report (BDAR)
- Aboriginal Cultural Heritage Assessment

All of the aforementioned matters have been addressed in detail in this EIS. The outcomes are that the proposal will not result in adverse impacts on natural, physical, social and economic conditions. Where there are perceived or potential adverse impacts, appropriate strategies have been put forward for the purpose of mitigating these impacts.

The EIS also extensively addresses the relevant environmental planning instruments applying to the development application. Again, the application is deemed acceptable having regard to the provisions of these.

Mitigation measures are provided having regard to the technical advice obtained in preparing this application. These contemplate the operational aspects associated with the proposed use. It is anticipated that these measures would be utilised as the basis for future conditions of consent and the Applicant accepts these being imposed for that purpose. Specifically, the mitigation measures have been reviewed by the operator who has confirmed that these are achievable.

Justification

The Applicant purchased the site because it is located in an existing industrial area and is readily accessible to light and heavy vehicles. The site was previously used as a freight transport facility and there are a range of industrial and commercial businesses in the surrounding area, such that the activity will be compatible with surrounding land uses.

The key findings and justification to operate a facility at the subject site are summarised below:

1. the location of the site and the size of the facility will support the efficient management of waste for the wider metropolitan region
2. the use is suitable on land zoned for industrial purposes in the Sydney Metropolitan area and minimal environmental impacts would result as the proposal involves use of the existing facilities on site, amounting to sustainable reuse of existing resources
3. ease of access to road corridors such as the M4 Motorway and proximity to Woodville Road will result in efficient logistics transfer and, most importantly, avoid traffic impacts that might otherwise have resulted from trucks travelling through residential areas
4. provide socio-economic benefits through employment and stronger industrial activity to support the existing precinct
5. have only minor or negligible environmental and social amenity impacts with the implementation of the recommended mitigation and management measures as nominated in by the relevant consultant disciplines

The technical studies have identified that:

- as the proposal will not adversely affect threatened species, populations or ecological communities, the application does not require concurrence
- the proposal is subject to section 4.46 of the Act, as integrated development, which may result in the need for general terms of approval to be issued by NSW Environment Protection Authority (***NSW EPA***).

The development represents a sound and economic use of an existing premises and the use is acceptable in the context of the zoning of the land, which permits waste recycling facilities. The proposal may be implemented with limited impact on the neighbouring industrial community and should be embraced for its benefit to employment and to the local economy.

The proposal satisfies the objective of the zone and is within the public interest.

We welcome the opportunity to work with the community and the consent authority during assessment of the development application.

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1. INTRODUCTION

Hamptons Property Services (Hamptons) has been retained by Hassani Investments Pty Ltd & Hussain Group Investments Pty Ltd (*the **Applicant***) in relation to the site known as at 74-76 Seville Street, Fairfield East (the ***site***), located in the local government area of Fairfield.

The site is located in the IN1 General Industrial zone, pursuant to the Fairfield Local Environmental Plan 2013 (the LEP). The site was previously used as '*freight transport facility*' and, following the recent sale of the property, the use has been ceased. This Development Application (DA) seeks consent to operate a *Waste Transfer Station and a Resource Recovery Facility*, with associated administration and other facilities existing on site (the ***facility***). The proposed use of the site is permissible with development consent from Fairfield City Council (the Council) (Clause 1.6 LEP).

The implementation of the project will generate employment opportunities for the local government area of Fairfield and contribute to the NSW State government targets for resource recovery. In addition, the reuse of the existing building is an environmentally sound outcome and effective use of existing resources. For these reasons, and given the limited environmental impacts attributable to the proposed development, the application should be supported.

The application is made pursuant to Section 4.10 of the Environmental Planning & Assessment Act 1979 (the ***EP&A Act***) for designated development. The use is classified, in accordance with Schedule 3, as *Waste management facilities or works*. As a site is located within the proximity of a natural waterbody and within 500m of a residential zone, the application falls within this categorisation.

To aid in the assessment of the application, Secretary Environmental Assessment Requirements (***SEARs***) have therefore been provided by the Department of Planning, Industry & Environment (***DPIE***) to assist in preparing this Environmental Impact Statement (***EIS***).

The table below sets out the specialist reports that accompany this EIS. For the purpose assessing the impact of the proposed development, these reports should be read in conjunction with this EIS. Hamptons also recognises the significant contribution that has been made by each discipline in this regard.

Table 1: Specialist Disciplines

Discipline	Specialist	Appendix
Secretary Environmental Assessment Requirements		1
Architectural Drawings & Survey Plan	Wayne Wilson and NGEO Surveyors	2
Air Quality Impact Assessment	SLR Consulting	3
Noise and Vibration Assessment	SLR Consulting	4
Preliminary Site Investigation	SLR Consulting	5
Targeted Environmental Investigation	KPMG SGA Property Consultancy	6
Water Management Assessment	SLR Consulting	7

Waste Management Plan	SLR Consulting	8
Fire Engineering and Dangerous Goods Concept Report	Lote Consulting	9
Fire Safety Statement and Schedule	Fire Protection Specialist Company	10
Traffic and Transport	Varga Traffic Planning	11
Flood Risk Assessment	SLR Consulting	12
Preliminary Biodiversity Assessment	SLR Consulting	13
Aboriginal Due Diligence Assessment	OzArk Environment & Heritage	14

Having regard to the relevant statutory requirements, this EIS is set out as follows:

- **Chapter 2** provides a detailed description of the site and its history, and describes the areas surrounding this.
- **Chapter 3** describes the project objectives, an overview, and a detailed description of, the proposal, activities and works linked to the proposed use, the statutory framework of permissibility, designated development, concurrence and integrated development assessment roles and what other alternatives have been considered in preparing this application.
- **Chapter 4** address the SEARs that have been provided by DPIE and how the proposal responds to these matters; this is generally addressed through technical reports by specialist disciplines
- **Chapter 5** provides an assessment of the proposal having regard to the relevant environmental planning instruments and how the proposal responds to these.
- **Chapter 6** stipulates mitigation measures having regard to each of the technical disciplines, during the operational phases of the development to ensure that environmental impacts associated with the proposed use are minimised and managed accordingly.
- **Chapter 7** concludes this EIS.

The Applicant welcomes the opportunity to work with the Consent Authority during their consideration of the application.

2. THE SITE & SURROUNDING LOCALITY

The site is located at 74-76 Seville Street, Fairfield East and is legally described as Lot 10 in Deposited Plan 1090834. The site is located on the southern side of Seville Street and has an area of approximately 12,682m^2 with a street frontage of 63.4m.

Existing on the site are two buildings fronting the street, a parcel dock to the east, a large complex built to the boundary to the southern and south-western boundary and associated car parking spaces. A fuel pump is located in the central section of the site, adjacent to the car parking spaces. Vehicular and pedestrian access is provided from Seville Street, *via* three vehicular crossovers extending directly south, with a separate entry for cars and an ingress and egress for trucks and larger vehicles. The site is entirely paved, with the exception of landscaped areas fronting the street.

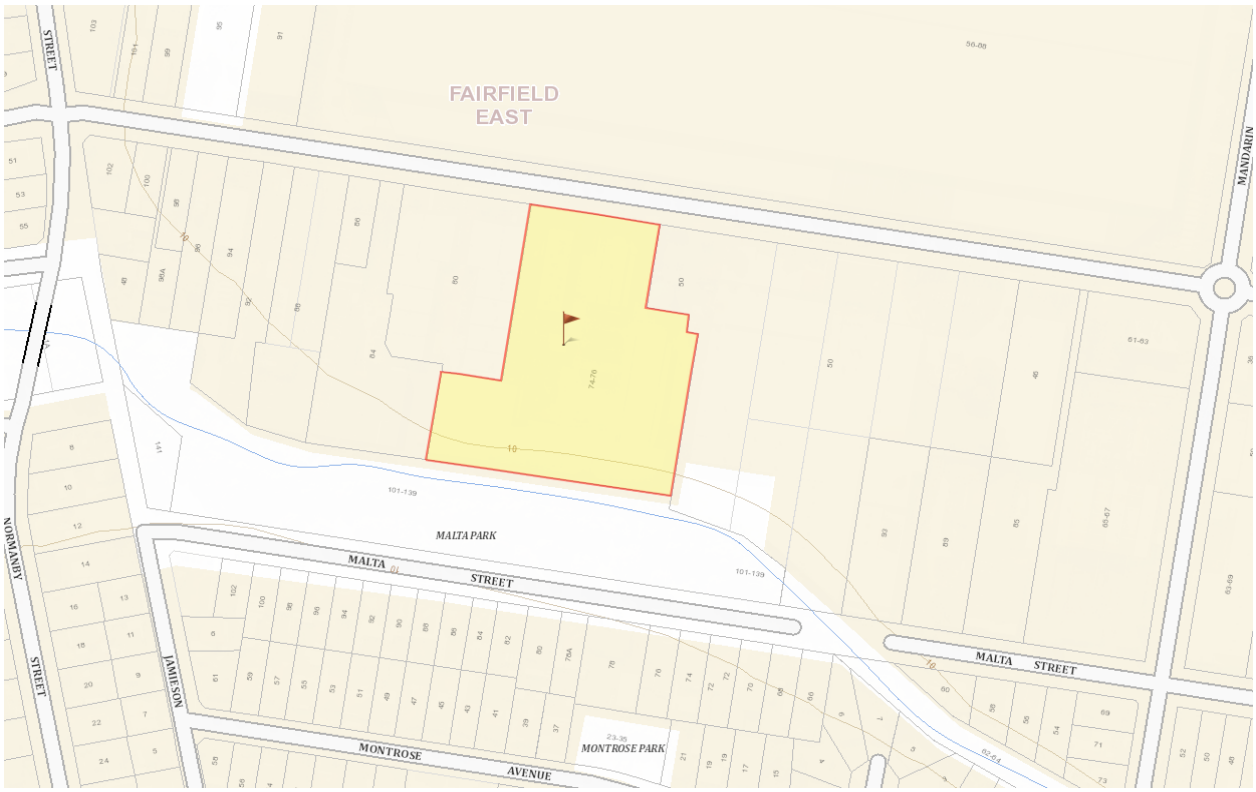
The site was previously used as '*freight transport facility'.* This use has ceased following the recent sale of this property. The site is just located off Woodville Road and only minutes away from the M4 Motorway and Henry Lawson Drive.

Table 2, below, provides the key information relating to the site. The information was obtained from Section 10.7 Certificate No. 49282/2018, dated 15 August 2018.

Table 2: Site details

Property Address	**74-76 Seville Street, Fairfield East**
Legal Description	Lot 10 in Deposited Plan 1090834
Zoning	IN1 General Industrial zone
Critical Habitat	No
Environmental Heritage/Conservation Area	No
Coastal Protection	No
Mine Subsidence	No
Road Widening or Realignment	No
Hazard Risk Restriction (other than flooding)	No
Flood related development controls	Yes, the land is within the floodplain and identified as being partly within a Medium Flood Risk Precinct and partly within a Low Flood Risk Precinct as a result of mainstream flooding and overland flooding.
Land Reservation Acquisition	No
Biodiversity Certified Land	No
Bushfire Prone Land	No
Biobanking agreements	No
Property Vegetation Plans	No

Figure 1: Site Location, site outlined in red and shaded yellow



Source: https://maps.six.nsw.gov.au/

Figure 2: Aerial Photograph, site outlined in red and shaded yellow

Source: https://maps.six.nsw.gov.au/

Photograph 1: Views of the site, looking south from Seville Street

Car park Entrance

Ingress for trucks and large vehicles

Egress for trucks and large vehicles

Title Certificate

In terms of restrictions on title, the site is burdened by the following easements:

- an easement, 5.485m wide along the south-eastern boundary to drain water
- easements for electricity purposes, fronting the street.

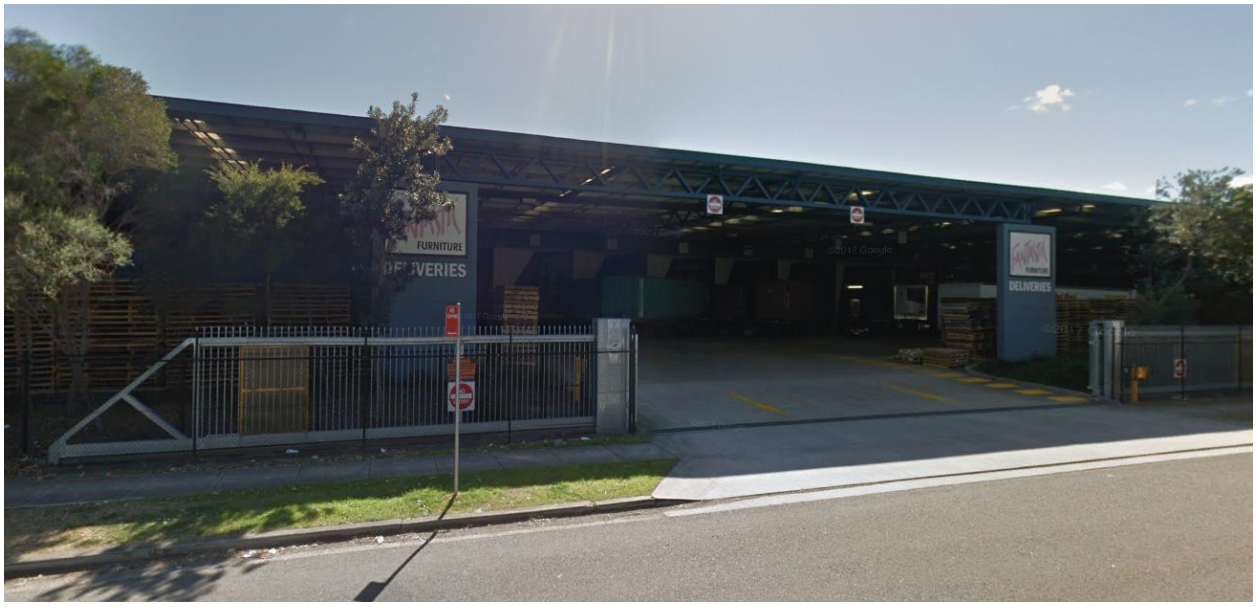
The site benefits from an easement for support that is 0.16m wide along the interface with Strata Plan 18014 (80 Seville Street).

The proposed uses will have no impact on the easements and the existing arrangements will continue to apply.

Surrounding Context

In terms of the site context, the site is located in a general industrial area. To the north is a large bulky goods retailing premises operated by Fantastic Furniture which occupies the majority of the block.

Photograph 2: Bulky goods premises (71 Seville Street), located on the northern side of Seville Street



The property to the north-west, at 80 Seville Street, is a strata development and comprises of multiple warehouse units. To the south-west, at 84 Seville Street, is a general industry facility for photo frames. Further west and south of the site are other warehousing and manufacturing uses. Beyond the industrial area is an established, low-density residential area that is located approximately 120m from the site.

Photograph 3: View of 80 Seville Street, located to the north-west of the site

Photograph 4: View of 50 Seville Street, looking south east from Seville Street

To the east of the site is a large warehouse and manufacturing unit operated by Cello Paper. The built form along the southern side of the street generally comprises large industrial and warehouse buildings with one to storey building heights.

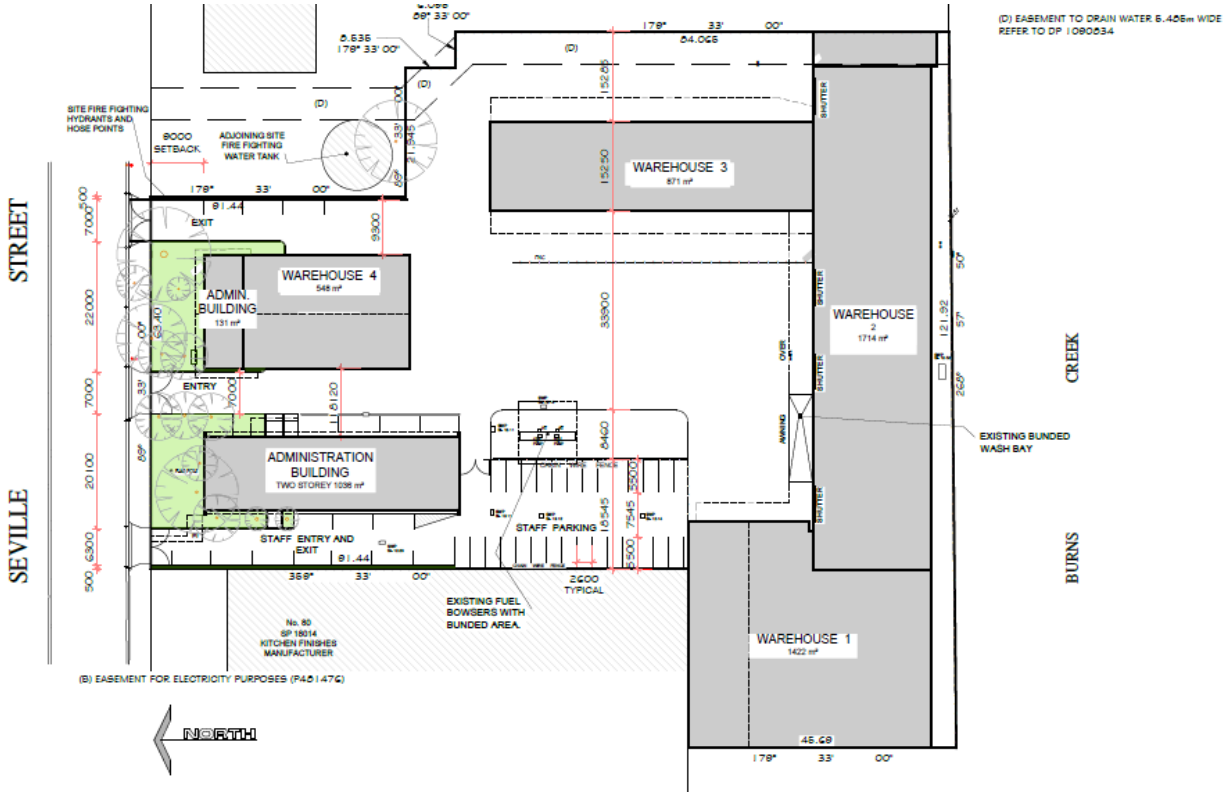
Photograph 5: View of the creek from the rear of the site

The southern boundary of the site adjoins Burns Creek and a park that are classified as 'riparian land'. Beyond this, to the east, are residential low density dwellings. The nearest sensitive receivers are residential properties located to the west and south of the site.

Photograph 6: Residential development along Matla Street

The plan depicts the proposed use of the existing buildings on site, together with approximate distances to surrounding dwelling areas and the riparian land to the northwest.

Figure 3: Existing Site Plan (Source: Wayne Wilson)



Natural Conditions

This section discusses the natural conditions affecting the site and the surrounding locality.

Topography

The topography of the land and the surrounding area is relatively flat with the natural ground surface generally sloping towards Burns Creek. The topography of the local area within five kilometres from the site ranges from approximately 0 m to 70 m Australian Height Datum (AHD).

Geology and Hydrogeology

The Preliminary Site Investigation Assessment, included in **Appendix 5** and provides the following in relation to geology and hydrogeology conditions, in terms of existing conditions:

> *A review of the Penrith 1:100,000 geological map from the NSW Department of Industry, Resources & Energy indicated that the site is underlain by 'Shale, carbonaceous claystone, claystone, laminate, fine to medium-grained lithic sandstone, rare coal and tuff' incorporating the Middle Triassic Bringelly Shale of the Wianamatta group.*[1]

In terms of the hydrogeology, *the regional aquifer(s) can be described as 'porous, extensive aquifers of low to moderate productivity'.*

Climate and Meteorology

The Air Quality Impact Assessment at **Appendix 3** provides the following in relation to local wind speed and direction that influence the dispersion of air pollutants:

> *Relatively low frequency of winds from the north-northeast direction (blowing air emissions from the Project Site towards the nearest sensitive receptors) was recorded. The annual frequency of calm wind conditions was recorded to be approximately 19.1% for the years analysed.*
>
> *The seasonal wind roses indicate that:*
>
> - *In summer, winds are predominantly light to moderate (between 1.5 m/s and 8 m/s) and blow from the northeast to south directions, with few winds from the south-southwest to north-northeast. Calm wind conditions were observed to occur 14.1% of the time during summer.*
> - *In autumn, winds are predominantly moderate (between 5.3 m/s and 8 m/s) and blow almost evenly from all directions, without any particular direction dominating. Relatively low frequency of winds from the north-northeast to east directions was recorded. Calm wind conditions were observed to occur 23.7% of the time during autumn.*
> - *In winter, wind speeds are predominantly light (between 1.5 m/s and 5.3 m/s). The majority of winds blew from between the southwest and north-northwest (potentially carrying air emissions from Project Site to the nearest sensitive receptors), with very few winds from the northeast quadrant. Calm wind conditions were observed to occur 20.9% of the time during winter.*

[1] Preliminary Site Investigation, SLR Consulting Australia, Page 10

- *In spring, winds are predominantly light to moderate (between 1.5 m/s and 8 m/s) and blow almost evenly from all directions, without any particular direction dominating. Calm wind conditions were observed to occur 17.5% of the time during spring.* [2]

The report goes on to discuss about temperature and states the following:

> *The mean maximum temperatures for Bankstown Airport range from 17.3°C in winter to 28.5°C in summer, while mean minimum temperatures range from 5.1°C in winter to around 18.3°C in summer. Maximum temperatures above 46°C and minimum temperatures less than -4°C have been recorded.*[3]

It is noted that, SLR Consulting, has relied upon the dataset of Bankstown Airport Automatic Weather Station (AWS) for the purposes of this assessment as it is located approximately 5 km to the south-southeast of the site, being the closest station.

Water Quality & Stormwater Management

The existing water quality and stormwater management conditions are described in the Water Management Assessment included in **Appendix 7** and provides the following:

> *The site has been previously filled and is generally flat, with minor falls across pavements to direct water to the existing stormwater system.*
>
> *No significant excavation or ground reshaping is proposed as part of the development proposal, and the existing site is impervious, so there is no potential to impact on the following:*
>
> - *Soils;*
> - *Erosion;*
> - *Potential Acid Sulfate Soils; and*
> - *Groundwater behaviour.*[4]

Flora & Fauna

In terms of the natural conditions pertaining to the site, the Preliminary Biodiversity Assessment Report (BDAR) has been undertaken for the site (**Appendix 13)** provides the following in terms of flora and vegetation conditions:

> *The vast majority of the site comprises either buildings or concrete hardstand. There are a few small landscaped areas including a predominately grassed area (comprising Couch Cynodon dactylon) at the street frontage and a series of narrow garden beds around the carpark (see Photo 1 and Photo 2). These areas contain planted vegetation comprising exotic species such as Umbrella Tree Schefflera actinophylla, Dragon Tree Dracaena marginata, Cotoneaster Cotoneaster glaucophyllus,*

[2] Air Quality Impact Assessment, SLR Consulting Australia, Page 13 - 14

[3] Air Quality Impact Assessment, SLR Consulting Australia, Page 16

[4] Water Management Assessment, SLR Consulting Australia, Page 11

Chinese Photinia Photinia serratifolia and various exotic palms; as well as a few native planted trees Broad-leaved Paperbark Melaleuca quinquenervia and Lilly Pilly Acmena smithii.

The ground layers are predominately collecting exotic grasses and weed species including Prairie Grass Bromus catharticus, Rhodes Grass Chloris gayana, African Lovegrass Eragrostis curvula, Panic Veldtgrass Ehrharta erecta, Lamb's Tongue Plantago lanceolata and Black-berry Nightshade Solanum nigrum. No stands or patches of native vegetation are present on the Development Site during the site inspection is included in Appendix A.

Several environmental weeds were recorded in low abundance on the site and were mostly entering the southern boundary of the site from the adjoining riparian corridor.

- *Green Cestrum Cestrum parqui is listed as a noxious weed under the 'Schedule of Trees and plants that can be removed without the need for a permit from Council' within the Fairfield DCP 2013.*
- *The Cocos Palm Syagrus romanzoffiana is listed as undesirable within the Fairfield DCP 2013.*
- *The Potato Vine Anredera cordifolia and Green Cestrum Cestrum parqui, are listed Priority Weeds under the Biosecurity Act 2015 for the Greater Sydney Region (DPI 2019d).*

According to available regional scale vegetation mapping data, the Development Site is not mapped as containing native vegetation. [5]

The report then goes on to discuss about the existing fauna habitat on site and outlines the following:

There are no fauna habitat features within the Development Site. There are no large or hollow-bearing trees, no suitable foraging resources (other than one or two planted lilly pilly and paperbark trees) and an inspection of the building and warehouse awnings found these features to be unsuitable for microchiropteran bat ('micro-bat') roosting. No fauna species or evidence of fauna was observed on the Development Site during the site inspection.

Opportunistic records of several common species of fauna were made along the adjoining riparian corridor during the site inspection. Native fauna species recorded include the Eastern Water Dragon, Australian White Ibis, Superb Fairy-wren, Red-browed Finch and Noisy Miner. The Indian Myna and Red-whiskered Bul Bul, both exotic bird species, were also seen within the riparian corridor. [6]

The report also considers the potential impacts on any critical habitats, protected species, threatened species, populations, endangered ecological communities or their habitats and provides the following in relation to this:

A search of the NSW Bionet Atlas (licenced search conducted on the 28th of February 2019) detected 76 threatened species previously recorded within a 10 kilometre radius of the site, comprising one amphibian, 32 birds, 12 mammals, two gastropods and 29 plants. Two endangered populations of plants, one endangered population of animal and 28 threatened ecological communities have also been previously recorded within 10 km of the site.

[5] Preliminary Biodiversity Assessment, SLR Consulting Australia, Page 11 - 13

[6] Preliminary Biodiversity Assessment, SLR Consulting Australia, Page 14

No threatened plants or animals were recorded during the site inspection, and given the disturbed nature of the site and evidence of historical and ongoing maintenance and disturbance it is unlikely that any threatened species occur. The vegetation and soils of the Development Site are introduced, buried, disturbed and/or highly modified from their original state and hence do not represent suitable habitat for any threatened plant species. There are no habitat features (such as hollows, watercourses, or foraging resources) suitable for threatened species of fauna, including those recorded by the NSW BioNet Atlas Search.

There is no native vegetation within the Development Site and therefore the site does not contain any threatened ecological communities. The vegetation lining Burns Creek, which adjoins the southern boundary of the site, is likely to represent an example (albeit severely degraded and modified) of River-flat Forest EEC, which is listed under Schedule 2 (Part 2) of the BC Act. The proposal will not impact on any of the native vegetation along Burns Creek, furthermore the vegetation on the northern bank of the creek which abuts the Development Site boundary contains very little native vegetation and is heavily weed infested, thus is considered to represent this community in very poor condition.[7]

Riparian Zone of Burns Creek

In terms of the riparian zone of Burns Creek, the preliminary BDAR provides the following:

None of the riparian vegetation along Burns Creek occurs within the Development Site, other than a portion of the canopy of some White Cedar Melia azedarach and weeds such as Green Cestrum Cestrum parquii, Potato Vine Anredera cordifolia and Moth Vine Araujia sericifera that are growing over the fence.

The vegetation outside the site fence and down the moderately steep bank to the edge of the creek comprises largely exotic weeds with a very low abundance of native plants such as one specimen of Lilly Pilly Syzygium sp. and White Wattle Acacia linifolia. A row of White Cedar and exotic Poplar just outside the site boundary indicate that this bank had perhaps been historically landscaped and has re-colonised with weeds.

On the opposite side of the creek, the vegetation on the southern creek bank comprises a relatively diverse suite of native plants, including a canopy of native eucalypts, casuarinas, paperbarks and wattles, with a native shrub and ground layer. This area and other riparian land along Malta Road form the Malta Street Reserve and despite some weeds and rubbish the vegetation is obviously maintained as natural vegetation.[8]

[7] Preliminary Biodiversity Assessment, SLR Consulting Australia, Page 18

[8] Preliminary Biodiversity Assessment, SLR Consulting Australia, Page 14

3. THE PROPOSED DEVELOPMENT

Project Objectives

The project objectives for the change of use to operate a waste transfer station and resource recovery facility at the subject site are as follows:

1. To provide a much-needed waste facility, of appropriate scale that will support the efficient management of vehicular waste for the wider metropolitan region;
2. To increasingly contribute to the economy of both the state and locally, through employment generation as well as the use of existing local facilities, services and industries.
3. To provide a suitable use for an industrially zoned site in the Sydney Metropolitan area with minimal environmental impacts, as the proposal involves use of the existing facilities on site, without material change to the existing built form that may otherwise result in wasted materials, resulting in a poor sustainability outcome;
4. To ensure that the operation of proposed use occurs in an environmentally safe and responsible manner, taking account of available and existing infrastructure to enable its operation.
5. To ensure that emissions during operation are minimised and mitigated
6. To ensure that the facility has appropriate noise attenuation measures and does not impose on the surrounding land uses, particularly those of a residential nature located in close proximity to the site.
7. The visual impact of the proposal is limited, as the activity will not be visible from the street and will be wholly contained within the building, other than for vehicle movements.
8. To ensure that the nature of the proposed use is commensurate with the location and context of the site.
9. To provide a facility of the proposed nature within an existing building and a more convenient location, which will ensure that the recovered parts and the waste can be transported more efficiently, therefore improving service and safety to the public. The site's proximity to the regional road network makes it ideally suited in this regard.

Project Description

It is proposed to change the use of the site to operate as a *waste transfer station* and *resource recovery facility*. It is noted that these uses are separately defined land uses in the LEP, in practice they operate together within the one facility in this instance. No building works are proposed to facilitate the development and the proposal involves use of the existing building and facilities on site. The proposal involves installation of two new business identification signs and replacement of an existing signage on the front facade. In addition to this, additional wayfinding and statutory signage will be installed.

The proposal will generate employment, employing approximately 25 - 35 personnel with a maximum of 25 staff present at the site at any given time.

The operational hours will be 7:00am to 5:00pm, Monday to Friday and 7:00am to 3:00pm on Saturdays.

Permissibility of the Proposal

The site is located in the IN1 General Industrial zone, pursuant to the LEP. *Waste or resource transfer station* and *resource recovery facility* are defined in the LEP as follows:

> ***waste or resource transfer station*** *means a building or place used for the collection and transfer of waste material or resources, including the receipt, sorting, compacting, temporary storage and distribution of waste or resources and the loading or unloading of waste or resources onto or from road or rail transport.*
>
> ***Note.*** *Waste or resource transfer stations are a type of* ***waste or resource management facility***
>
> ***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***[9].

While these uses are separately defined land uses, they will operate concurrently within the one facility in this instance.

The proposed signage is defined as business identification signage and are permissible in the zone, with development consent from Council.

How Does the Facility Operate?

The proposed operation of the facility generally comprises the following:

- delivery of used motor vehicles to the site;
- dismantling of vehicles to recover the engines and gear boxes including temporary storage of such materials;
- subsequent sale and transport of recovered resources by wholesale businesses, with no on-site retail sales to the general public;

[9] waste or resource management facility means any of the following:

(a) a resource recovery facility,

(b) a waste disposal facility,

(c) a waste or resource transfer station,

(d) a building or place that is a combination of any of the things referred to in paragraphs (a)–(c).

- separation of waste material during the dismantling process, including fuel, coolant fluids, engine oils, etc., and temporary storage awaiting subsequent collection of waste material for offsite recycling and/or landfill.

The activities on site will involve delivery of used motor vehicles, which are then dismantled to recover the engines and gearboxes of the vehicles. The cars will be stored and dismantled within the existing buildings.

Any liquids or oils obtained during the dismantling process will be stored in a container that will be collected by a waste management, recycling and industrial services company. The company will also collect items such as used oily rags, oily water and used engine and lubricant oil and will provide suitable containers for the storage of such fluids to ensure that the operation of the site has no adverse environmental impacts, nor risk of spill.

The recovered engines and gearboxes are transferred offsite for either distribution or sale. Any other parts or waste materials identified as a result of dismantling the cars will be placed within the body of the car which is transported off-site to the relevant scrap yard. It is not proposed to compost, crush or shred any waste onsite.

The wrecking and resource recovery activities will occur within the building and in the most efficient manner. Quieter equipment will be chosen based on the optimal power and size to most efficiently perform the required tasks. The Applicant confirms that the equipment will be regularly inspected and maintained to minimise noise and that the devices are operating efficiently.

What is the handling capacity of the Facility?

The maximum intended handling capacity of the business activity will be up to 15,000 tonnes (or less) per year of waste such as metal, rubber, plastic, glass etc. At any one time, approximately 40 cars would be located on site and this will include cars that are delivered for recovery, as well those that have been dismantled and are awaiting collection.

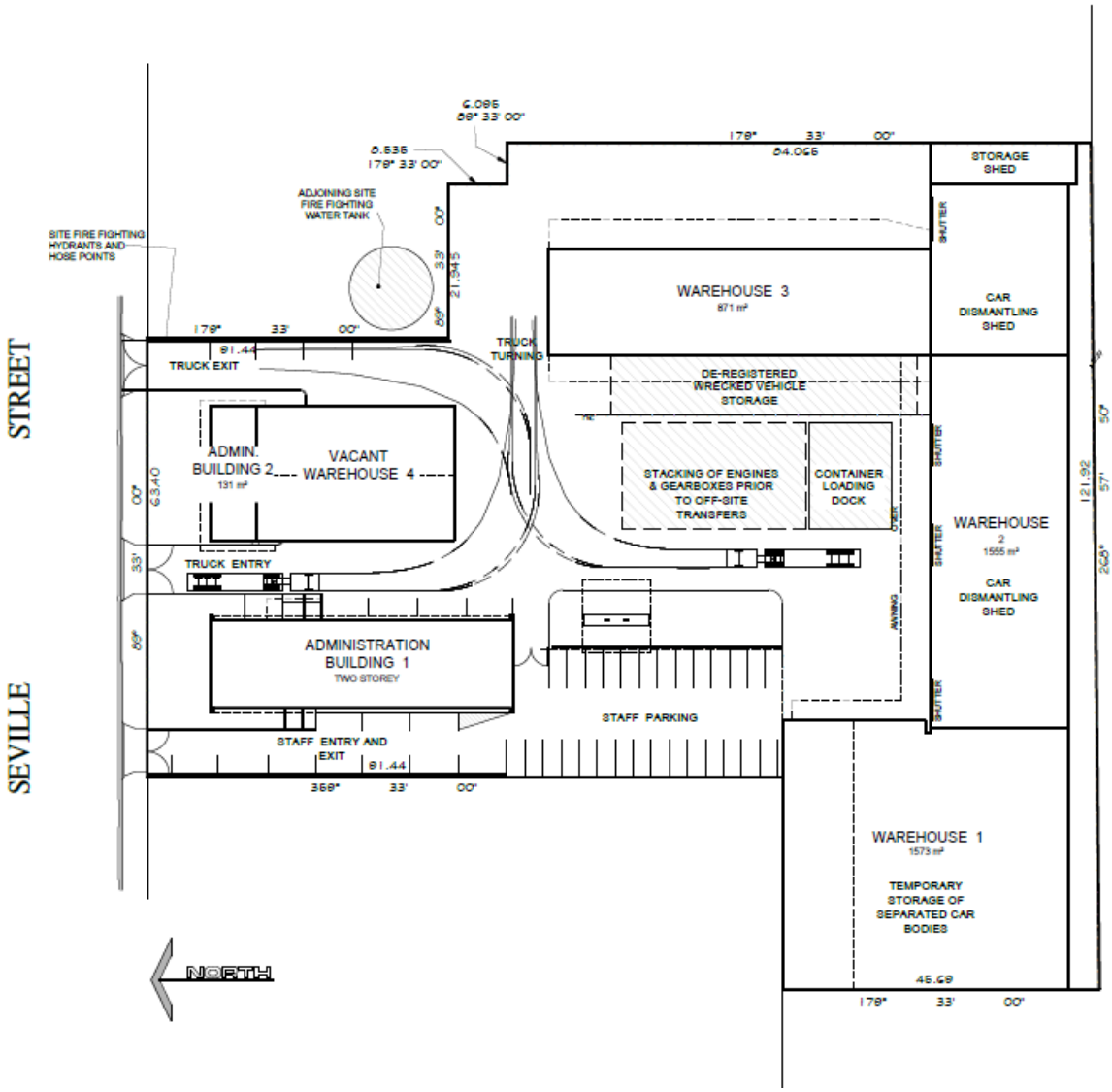
What works are required to accommodate the Facility?

No buildings works are proposed. The only works include the installation of signage as previously discussed. The existing buildings and facilities will be allocated to carry out different functions associated with the proposed use. A general arrangement plan is provided at **Error! Reference source not found.**. The existing tormwater will be retrofitted with EnviroPods, oil and water separator and gross pollutant trap to surface inlets to capture oil and grease from the hardstand catchment to avoid any potential contamination of ground or surface water. The works do not involve any changes to the stormwater system, but simply installation of additional components to the system for environmental protection purposes.

Are there any changes proposed to vehicular or pedestrian access?

No changes are proposed to the existing arrangements and the *status quo* will remain.

Figure 4: Proposed Arrangement Plan (Source: Wayne Wilson)



Why is the proposal Designated Development?

The nature of this application requires its consideration as designated development in accordance with section 4.10 of the EP&A Act. The assessment of the proposal in this regard is set out below.

Designated Development

Section 4.10 of the EP & A Act addresses designated development. Where a proposal is classified as being 'designated development' it is the responsibility of the proponent to make application to the Director-General of the Department of Planning, Industry & Environment (DPIE) for specified requirements in lodging a particular development application.

Schedule 3 of the Environmental Planning & Assessment Regulation 2000 (EP&A Regulation) provides the types of uses that may be classified as 'designated development'. Schedule 3 stipulates Waste management facilities and includes the following:

32 Waste management facilities or works

…..

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:….

(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….

(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 maximum intended handling capacity of the business activity will be up to 15,000 tonnes (or less) per year of waste such as metal, rubber, plastic, glass etc., and is below the threshold requirement.

However, the site is located within 100m of Burns Creek and is located within 500m of a residential zone. Therefore, the application is classified as designated development as shown in the Figure below.

Figure 5: Site Context (Source: SLR Consulting)

Is the Proposal Integrated Development?

The application will also be made in accordance with section 4.46 of the EP&A Act, for integrated development and will require referral for general terms of approval to enable the development to proceed. Without these, the application cannot be approved by the consent authority.

Given the nature of the proposal and the location of the site, the following approvals will be required:

- Protection of the Environment Operations Act 1997 (s 43(b), 48 and 55) (NSW Environment Protection Authority)

Schedule 1 of the Protection of Operations Act (PEOA) outlines the list of Scheduled activities.

> ***42 Waste storage***
>
> *(1) This clause applies to waste storage, meaning the receiving from off site and storing (including storage for transfer) of waste….*
>
> *(3) The activity to which this clause applies is declared to be a scheduled activity if:*
>
> *(a) more than 5 tonnes of hazardous waste, restricted solid waste, liquid waste or special waste (other than waste tyres) is stored on the premises at any time, or*
>
> *(b) more than 5 tonnes of waste tyres or 500 waste tyres is stored on the premises at any time (other than in or on a vehicle used to transport the tyres to or from the premises), or*
>
> *(c) more than the following amounts of waste (other than waste referred to in paragraph (a) or (b)) are stored on the premises at any time:*
>
> *(i) in the case of premises in the regulated area—more than 1,000 tonnes or 1,000 cubic metres,*
>
> *(ii) in the case of premises outside the regulated area—more than 2,500 tonnes or 2,500 cubic metres, or*
>
> *(d) more than the following amounts of waste (other than waste referred to in paragraph (a) or (b)) is received per year from off site:*
>
> *(i) **in the case of premises in the regulated area—6,000 tonnes,***
>
> *(ii) in the case of premises outside the regulated area—12,000 tonnes.*

Fairfield City is a regulated area and no more than 1,000 tonnes of waste will be stored on the premises at any one time. However, the maximum handling capacity of the site is 15,000 tonnes of motor vehicles per year from off site and therefore, trigger the requirements for integrated development in accordance with Clause 42(3)(d). The proposal will require an Environment Protection Licence to be obtained to authorise the carrying out of scheduled development work at the premises. This is required prior to occupation of the premises.

In addition, section 91 of the Water Management Act 2000 addresses controlled activity approvals. A controlled activity approval is defined in the Dictionary as:

controlled activity means:

(a) the erection of a building or the carrying out of a work (within the meaning of the Environmental Planning and Assessment Act 1979), or

(b) the removal of material (whether or not extractive material) or vegetation from land, whether by way of excavation or otherwise, or

(c) the deposition of material (whether or not extractive material) on land, whether by way of landfill operations or otherwise, or

(d) the carrying out of any other activity that affects the quantity or flow of water in a water source.

While it is not considered that any of the retrofitting works to the stormwater system would constitute the need for a controlled activity approval, for absolute certainty, the consent authority may seek to refer the application to the NSW Office of Water to ensure that such approval is not required.

It is assumed that the Council will refer the development application to the EPA and NSW Office of Water upon lodgement and the additional fees for referral would apply.

Does the Proposed Development Require Concurrence from other Government Agencies?

Section 79B of the Act deals with Concurrence. Where development:

…is likely to affect a threatened species, population or ecological community, or its habitat …

the concurrence of the Director-General of the Department of Environment, Climate Change and Water (DECCW) may be required.

The Preliminary Biodiversity Assessment indicates there are no biodiversity values likely to be impacted by the proposal and the proposed use is unlikely to result in significant impact on these species themselves, or their habitat. Therefore, the proposal does not require concurrence in relation to threatened species.

Who is the Consent Authority?

The proposed uses are permissible in the IN1 Zone with development consent from Fairfield Council as consent authority (the Council) (Clause 1.6 LEP). However, the application will be considered by the relevant Joint Regional Planning Panel as the works fall within Schedule 7 of the State Environmental Planning Policy (State & Regional Development). This is in accordance with Clause 4.5(b) of the EP&A Act.

4. ENVIRONMENTAL ASSESSMENT REQUIREMENTS

The purpose of this Chapter is to provide an assessment of the proposal in terms of the matters identified within the Secretary Environmental Assessment Requirements (SEARs). Further details of the existing environment, assessment methods, assessment criteria, predicted impacts and proposed management measures are provided in the expert reports accompanying this application. The consistency of the Proposal with relevant laws, regulations and planning policies is described in Chapter 5 of this EIS.

Strategic Context

The SEARs require adequate justification as to the need for the proposed waste transfer station and why the site is suitable for its intended purpose. In terms of defining its potential suitability, this must be considered having regard to its environmental, social and economic impact.

Waste avoidance and resource recovery results in a wide variety of tangible and measurable environmental benefits as the amount of waste going to landfill is reduced and more vehicular waste is recovered, reused and recycled. Environmental benefits include energy savings, avoidance of greenhouse gas emissions, water savings, avoidance of waste, and significant reductions in natural resource use and 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.

The aim of the NSW government has always been to reduce waste generation and keep materials circulating within the economy. To meet this challenge, the NSW Environment Protection Authority (EPA) prepares a new Waste Avoidance and Resource Recovery (WARR) Strategy every five years.

The *NSW Waste Avoidance and Resource Recovery Strategy 2014–21* (EPA 2014b) provides a framework for actions to minimise environmental harm from waste generation through to disposal, as well as maximising efficient resource use. The strategy sets targets for preventing waste generation, increasing the recovery and use of secondary resources, reducing toxic substances in products and materials, and reducing litter and illegal dumping; and aims to increase the recovery and reuse of materials.

The Applicant supports these strategies and their ongoing implementation, and the facility will contribute to meeting the NSW Government's recycling strategies and targets. The Australian Bureau of Statistics reveals that a record number of new cars are being sold and consumers remain willing to splurge on a new car. This growth has therefore created a significant demand to recover resource parts that can be used and transported to other facilities overseas for reuse. No mixed waste recycling facilities operate in the surrounding region and there is no processing at this site. The facility will complement the other general activities in the locality and will generate 25 jobs providing a substantial return to the local community.

The SEARS also require the application to demonstrate consistency with the following:

- relevant planning strategies

- environmental planning instruments
- development controls plans.

These matters are addressed at Section 5.

It is also necessary to demonstrate the need for any additional licences or approvals. These are addressed in terms of the justification, or otherwise, for this within this report. However, these may be summarised as set out below.

Table 3: Summary of Licences & Approvals

Legislation	Additional Approvals or Licences Required
Water Act 1912	No
Water Management Act 2000	Yes, refer discussions above
Threatened Species & Biodiversity Conservation Act	No
Biodiversity Conservation Act 2016	No
Environmental Protection & Biodiversity Conservation Act 1996	No
Fisheries Management Act 1994	No
Environmental Planning & Assessment Act 1979 – Part 5A	No
NSW Roads & Maritime Services	No
Protection of the Environment Operations Act 1997	Yes, subject to determination of development application.

Suitability of the Site

In terms of the site's suitability for the intended purpose, the proposal involves use of an existing facility where a waste transfer station and resource recovery facility of this size and scale may be accommodated without any building works. The key findings and justification to operate a facility at the subject site are summarised below:

1. It is proposed in a location that is intended for use as a waste transfer station and resource recovery facility, by virtue of its zoning as defined by the LEP. The proposed use is consistent with the zone objectives as set out at Section 5 of this EIS and is permitted with development consent in the zone.
2. The location of the site and the size of the facility will support the efficient management of waste for the wider metropolitan region in a location that is strategically located proximate to the regional road network.
3. The site maintains a good separation distance from residential receptors. The site has existing utilities and buildings; an administrative building and a sealed surface and therefore has minimal environmental impacts as the proposal involves use of the existing buildings and facilities on site.

4. The site is easily accessible to road corridors such as the M4 Motorway and Woodville Road will result in efficient logistics and most importantly avoid traffic impacts that might otherwise have resulted from trucks travelling through residential area.;
5. The proposal provides socio-economic benefits through employment and stronger industrial activity, as well as use by employees of local facilities and services.

Consideration of Alternatives

There are two relevant matters to consider. The first is a 'what if' scenario, if the site is not used for the intended purpose. The second is whether there is an alternative land use for the site and whether there is a position that is more suited for the use than the subject site.

Scenario 1: Not Used for the Intended Purpose

If the site was not used as a waste transfer station and resource recovery facility, the site would most likely be either used in its current form, or redeveloped for an alternative industrial purpose, by virtue of its zoning. The zoning of the land allows for heavy industrial use. The impacts of the development are relatively modest and therefore are unlikely to cause any significant impact on the surrounding context, particularly having regard to the defined mitigation measures. There are, however, other permitted uses that would result in a more intense impact on the land and the immediate locality than the use as proposed.

The other benefit of utilising this site is that it is readily available and fit for the intended purpose, meaning that the goods obtained will not otherwise go to landfill, which would result in a greater adverse environmental footprint, than repurposing as proposed.

Given the surrounding context, the site represents a suitable location, in an industrial context, for the intended purpose, without compromising the adjoining uses, given that these are of a similar industrial nature. Under this scenario, the resource recovery from the surrounding area that would be accepted by the facility would need to be processed at another, more distant facility; would need to be processed at a new facility developed elsewhere; or go to landfill.

No building works are proposed to facilitate the proposed use, which reduces the potential adverse impacts associated with this. From a visual impact perspective, the location is the most appropriate in terms of the immediate locality and the use takes place within in the site which is the point of least interference to the visual context.

Scenario 2: Alternative land use

The land is zoned industrial, thereby preventing residential and/or commercial development. The facility is classed as industrial use and is therefore a consistent and compatible use for the site and permissible with consent within the IN1 General Industrial zone.

Therefore, the proposed use is considered to be the most appropriate, having regard to the alternatives.

Waste Management

The SEARs require consideration of the following aspects that are addressed in detail in the Waste Management Plan during operation of the facility and is included in **Appendix 8**.

Details of the type, quantity and classification of waste

The major waste streams that are anticipated from the processing undertaken on site are tyres, engines, engine oils and coolants, gearboxes and car shells. In addition to this, the operation of the facility will generate the following broad waste streams:

- General waste and commingled recycling
- Food and organic wastes from staff
- Bulk packaging wastes, including polystyrene and cardboard boxes
- E-wastes, and
- Bulky waste items, such as furniture

In terms of classification, the following waste type will be accepted at the facility.

- General solid (non-putrescible) waste such as papers, cardboards, glass and plastic bottles etc.
- General solid (putrescible) waste such as food waste
- General solid (putrescible and non-putrescible) waste such as general garbage, including non-recyclable plastics
- Hazardous waste such as batteries, light bulbs etc.

Resource outputs and Residual waste

The recovered engines and gearboxes will be transported overseas for reuse. The waste servicing would be organised through a private waste contractor which will be organised through a valid waste and recycling collection contract for disposal at a lawful waste disposal or recycling facility.

Waste Handling

The operation of the facility and its handling procedures are discussed in detail in Section 3. Table 6 of the WMP provides the management measures for the waste stream, an extract of which is provided below.

Table 6 Processing waste management method

Waste Stream	Proposed Management Method	Collection Frequency
Tyres	Transported off-site to a licenced recycling facility	Once daily
Engines	Transported overseas for reuse	Twice daily
Engine oils	Drained and stored in a 1 m^3 container	As required
Engine coolant	Drained and stored in a 1 m^3 container	As required
Gearboxes	Transported overseas for reuse	Once daily
Car shells	Transported off-site to a licenced recycling facility: Metal Force Recycling located 110 Fairfield Street, Fairfield East 2165	10 collections daily
Radiator fluid	Drained and stored in a 1 m^3 container	As required
Residual car waste	Attached to the car shells and collected with them	10 collections daily

Monitoring and Reporting

The WMP recommends the following in relation to monitoring and reporting:

> *Monitoring is recommended to ensure waste and recycling is being managed effectively for the Development.*
>
> *Monitoring of bins and bin storage areas should be conducted, at minimum:*
>
> - *Every week, in the first two months of operation and*
> - *Every six months, thereafter.*
>
> *Any deficiencies identified in the waste management system, including unexpected waste quantities or new waste streams, are to be rectified as soon as practicable.*

Legislation and Guidance

The Waste Avoidance and Resource Recovery Act 2001 aims to encourage the use of resources and reduce environmental harm, through the principles of ecologically sustainable development and considering resource management options against the hierarchy of avoid, reuse, recycle, treat and dispose.

The NSW Waste Avoidance and Resource Recovery Strategy 2014–21 (EPA 2014b) provides a framework for actions to minimise environmental harm from waste generation through to disposal, as well as maximising efficient resource use. The strategy:

- sets targets for preventing waste generation, increasing the recovery and use of secondary resources, reducing toxic substances in products and materials, and reducing litter and illegal dumping; and
- aims to increase the recovery and use of materials from the construction and demolition sector.

As outlined previously, the Applicant supports these strategies and their ongoing implementation and the facility will contribute to meeting the NSW Government's recycling strategies and targets. The operational

WMP provides a list of waste minimisation measures that will be implemented and would contribute to the overall NSW State target for recycling.

Hazard and risk

Preliminary Risk Screening

The State Environmental Planning Policy Number 33 - Hazard and Offensive Development (SEPP 33) establishes a protocol for planning for development that can be categorised as Potentially Hazardous or Potentially Offensive Development. The Department of Planning's SEPP 33 Guidelines (2011) establish screening thresholds for Dangerous Goods stored on site. If storage and transportation of dangerous goods is below these risk screening thresholds then, under SEPP 33, the facility is not considered to be potentially hazardous development and a Preliminary Hazards Analysis (PHA) is not required.

In this regard, a screening test against the thresholds in SEPP 33 for Dangerous Goods (DGs) was undertaken for the proposed facility and is included in **Appendix 9**. The assessment details the quantities of dangerous goods to be held on the site and confirms that the threshold of dangerous goods is not exceeded. As such, the proposed facility is not representative of a potentially hazardous or offensive industry and a PHA is not required. Therefore, SEPP 33 does not apply to the proposed facility.

Flood Assessment

The SEARs calls for an assessment of the flood risk on the site and SLR Consulting have undertaken a flood assessment based on previous studies and reports completed for the site and the surrounds (**Appendix 12**).

Flood hazard in the area

In order to assess this component, the flood risk study has identified two flood hazard maps sourced from the Old Guildford Overland that focuses on street hazards and Burns Creek flood study which deals with waterway hazards during the Probable Maximum Flood (PMF) event. These maps indicate the site to have a low flood risk hazard.

If egress from the site were attempted then the intersections with Seville, Crown and Mandarin Streets pose a medium hazard. Significant care should be applied to negating these areas.

Impact of the development on flood behaviour of the site and adjacent lands

The subject site lies within flood prone land adjacent to the Burns Creek floodway. The proposal involves use of the existing buildings on site. Historic filling of the land and construction of impervious perimeter fencing and building walls has provided flood protection to the total site for all events up to and including the 1 in 100 year ARI. No building works are proposed as a part of this application and therefore there will be no change to the flooding experienced by neighbouring properties.

Egress and safety in a flood event

The flood risk report concludes that evacuation from the site during a large flood event is not recommended and that the subject site is the safest location to stay for all flood magnitudes up to, and including, the PMF, based on a review of the flood hazard potential at the site and within the surrounding streets.

The reason being, the pooled water in Seville Street immediately in front of the Site will indicate the trigger point for unsafe conditions at the corner of Seville Street and Mandarin Street to the east and Normanby Street. At this point, employees should remain on site until the water subsides. Should evacuation be essential, egress from the site should only be attempted in a large 4WD and employees should only travel west towards Crown Street.

Therefore, the proposal will not change to the social and economic costs to the community as a consequence of flooding and the use may be undertaken without significant adverse, consequential impact.

Contamination

A Targeted Environmental Investigation Assessment prepared by KPMG SGA Property Consultancy (**Appendix 6**) was commissioned by the previous owner to assess the soils in the vicinity of the on-site underground petroleum storage system (UPSS) and workshop existing on the site. The report concluded that soil around the UPSS and workshop were not impacted by chemicals of concern at concentrations above relevant criteria for commercial/industrial land use.

As a result, the applicant appointed SLR to undertake a Preliminary Site Investigation, which was conducted to assess the suitability of the site for the intended land use and is provided in **Appendix 5**. The report concludes the following:

> *Based on the information gathered during the desktop review, the observations made during the site walkover, the results of the limited soil investigation, and review of previous environmental assessments, SLR concludes the following:*
>
> - *The potential with the proposed Facility for significant, widespread contamination to be present at the site is considered to be low; and*
> - *The site is likely suitable for the proposed Facility.*
>
> *Further consideration should be given to carrying out equipment integrity testing on the UPSS to assess for any leaks if the existing refuelling station is intended to be made operational again. If the UPSS is intended to be removed, a tank pull-out investigation is recommended.*

The Applicant will undertake equipment integrity testing on the UPSS to reassess any leaks.

Air Quality and Odour

The SEARs require details on the potential sources of air and odour emissions and an Air Quality Impact Assessment prepared in accordance with the relevant EPA guidelines is provided in **Appendix 3**.

Air Quality Risks

Potential Sources

The air quality assessment identifies the following potential sources of air emissions associated with the operation of the facility:

- Products of fuel combustion (including particulates) from onsite vehicle movements
- Particulate emissions from onsite vehicle movements
- Odour and Volatile Organic Compound (VOC) emissions from the evaporation of volatile chemicals (including engine oils, fuel, coolant fluid, etc.), and
- Refrigerant vapour emissions from air conditioning units.

Odour

The perception of odour is highly individual and varies between individuals based on sensitivity, the acuteness of their sense of smell and their prior history with different odours.

The EPA publication, *Technical Framework: Assessment and management of odour from stationary sources in NSW and the associated Technical Notes* provides a policy framework for assessing and managing activities that emit odour and offers guidance on dealing with odour issues. The criteria have been designed to take into account the range of sensitivity to odours within the community based on a statistical approach relating to population size. That is, as the population density increases, the proportion of sensitive individuals is also likely to increase, thereby requiring a more stringent criterion.

The impact assessment criteria ranges from 2 odour units (OU) to 7 OU, with 7 OU considered the maximum level of odour to which a residence should be exposed.

As previously discussed, odour emissions could occur from the storage of volatile chemicals, as well as spillage of such chemicals. Considering only small quantities of volatile liquids are expected to be used on site, the released VOC concentrations are expected to be very low and effectively manageable through the implementation of management measures.

Identified Receivers

The closest sensitive receptors are approximately 70m from the Project Site Boundary and 220m to the west on Seville Street.

Assessment of Impacts

The SEARs require an air quality impact assessment in accordance with relevant Environment Protection Authority guidelines, which is detailed at length in Section 7.1 of the Air Quality Assessment. The criteria specified in the Approved Methods are the defining ambient air quality criteria for NSW and are appropriate for the setting. Those relevant to the identified emission sources at the Project Site are discussed below.

Given the nature of proposed activities on site, a risk-based qualitative assessment approach has been adopted to identify key activities that have the potential to give rise to off-site air quality impacts so that recommended mitigation measures may be identified. The conclusions of this assessment are that the risks during operational activities are determined as low provided the mitigation measures are implemented.

In terms of operation, having regard to the potential sources of air emissions, the potential impacts are summarised as follows:

Products of Combustion from Onsite Vehicle Movements:

*Given the **high sensitivity** of the potentially affected receptors and the **negligible magnitude** of the potential impacts from products of combustion from traffic activities, the potential impact significance for the local receptors is concluded to be of **neutral significance** for the closest receptors.*

Particulate Matter Emissions from Onsite Vehicle Movements

The wheel generated dust may be emitted from on-site vehicle movements. However, considering all areas within the site are sealed and the vehicle movements within the site will be limited, the particulate matter concentrations are not considered to represent a significant constraint to the development or sufficient to warrant further assessment.

VOC and Odour Emissions from Evaporation of Volatile Chemicals

… Considering only small quantities of volatile liquids are expected to be used on site, the released VOC concentrations are expected to be very low and effectively manageable through the implementation of management measures.

Given the above considerations, the magnitude for nearby sensitive receptors is predicted to be negligible (i.e.Impact is predicted to cause no significant consequences, Table A2).

*Based on the high sensitivity of the potentially affected receptors and the negligible magnitude of the potential impacts from evaporation of volatile chemicals, the potential impact significance for the local receptors is concluded to be of **neutral significance** for the closest receptors.*[10]

Refrigerant Vapour Emissions from Air Conditioning Units

*Considering the nature of refrigerant gas release due to accidental leakage, refrigerant release is **unlikely to significantly impact** on local air quality and does not warrant further assessment.*

Mitigation and Monitoring Measures

The air quality impact assessment recommends the following mitigation measures to control any residual impacts from on-site activities.

- all vehicles will be inspected on arrival for signs of oil leaks. Where there is a risk of an oil leak, the leak will be sealed, or part drained, in order to stop further leaking

[10] Air Quality Impact Assessment, SLR Consulting Australia, Page 29

- dismantling of vehicles will only take place in designated areas inside the building used for this purpose;
- all waste oils, coolant fluid and fuel will be stored in containers with their lids closed to avoid evaporation and loss of materials
- taps or pumps will be installed on containers of volatile liquids to minimise losses to the atmosphere.

Other general mitigation measures recommended are addressed later in this report.

In terms of monitoring, given the nature and scale of the proposed activities, it is not anticipated that any impacts upon human health nor amenity values would be experienced. Therefore, monitoring of air quality will not be necessary.

Utilising the aforementioned measures, when applied to the noise levels, the following conclusions are drawn:

> *The main potential sources of air emissions were identified as products of combustion from onsite vehicle movements and evaporation of volatile chemicals. The potential for off-site air quality impacts due to operational activities was assessed using a qualitative risk-based approach. Although a qualitative assessment has been performed, given the nature and scale of the operations proposed, it is considered, provided appropriate mitigation measures are implemented, the relevant air quality criteria outlined in Section 5.2 will not be exceeded as a result of the operation of the development.*[11]

Therefore, the impact of the proposed development will not result in adverse consequence in relation to air quality during operation of the facility

Noise and Vibration

The SEARs require a description of all potential noise and vibration sources during construction and operation, including road traffic noise. As outlined previously, no consruction works are proposed. The operational aspects of the proposed is provided in the Noise and Vibration Assessment (**Appendix 4)** and provides the following:

> *The following noise-producing activities will occur at the site:*
>
> *Flatbed trucks (5 t tare) will deliver vehicles to be wrecked. They will enter the site through the 'Entry' shown in* ***Error! Reference source not found.*** *and park in the 'container loading area awaiting distribution'.*
>
> *Petrol forklifts (with a Safe Working Load capacity of 1.2 t and fitted with tonal reversing alarms) will remove the vehicles from the flatbed trucks to be wrecked and place them in the 'Warehouse 2' area shown in* ***Error! Reference source not found.****. Any components containing heavy and rare earth metals are then extracted from the car using typical mechanical tools such as hoists and compressor powered rattle guns.*

[11] Air Quality Impact Assessment, SLR Consulting Australia, Page 33

Following completion of the wrecking in Warehouse 2, the vehicles will then be stacked in the 'De-registered wrecked vehicles' area shown in ***Error! Reference source not found.****.*

Wrecked vehicles will then be loaded on to flatbed trucks parked in the 'container loading area awaiting distribution' and exit the facility via the 'exit' shown in ***Error! Reference source not found.*** *on to Seville Street.*

Warehouse 1 is to be used for storing the fleet of seven flatbed vehicles overnight. Warehouse 3 is currently not being used, but it is anticipated that it will be used for wrecking vehicles in future.[12]

Based on the above operation, the two primary sources of operational noise will be:

- wrecking activities that will occur within warehouses
- loading dock activities that will occur in the container loading area.

The proposal does not involve any building works and therefore, no assessment of construction noise and vibration impacts has been considered.

Sensitive Receivers

There are two types of sensitive receivers, being noise and vibration. The nearest noise receivers surrounding the site comprise residential uses located to the south and west of the site as identified at Figure 5.

No vibration intensive plant or equipment is to be used. Further, the nearby industrial receivers are not sensitive to vibration and the residential receivers are too distant to be subjected to vibration impacts. Therefore, no further consideration is required.

Existing Noise Environment

The existing noise environment is captured in the table below.

[12] Noise and Vibration Assessment, SLR Consulting Australia, Page 8

Table 6 Measured Ambient Noise Levels Corresponding to EPA NPfI Assessment Time Periods

Noise Monitoring Location	Period[1]	Measurement Parameter (dBA)	
		L_{A90} (RBL)[2]	L_{Aeq}[3]
Location 1 88 Malta Street	Daytime	40	50
	Evening	41	48
	Night-time	37	46
Location 2 100 Seville Street	Daytime	42	58
	Evening	40	57
	Night-time	35	53

Note 1: For Monday to Saturday, Daytime: 7:00 am - 6:00 pm; Evening: 6:00 pm - 10:00 pm; Night-time: 10:00 pm - 7:00 am. On Sundays and Public Holidays, Daytime: 8:00 am - 6:00 pm; Evening: 6:00 pm -10:00 pm; Night-time: 10:00 pm - 8:00 am.

Note 2: The RBL noise level is representative of the "average minimum background sound level" (in the absence of the source under consideration), or simply the background level.

Note 3: The L_{Aeq} is essentially the "average sound level". It is defined as the steady sound level that contains the same amount of acoustical energy as a given time-varying sound.

Table 7 Operator Attended 15-minute Ambient Noise Surveys

Location/ Description	Date/ Start time/ Weather	Primary Noise Descriptor (dB re 20 µPa)				Comments
		L_{AFmax}	L_{AFmin}	L_{Aeq}	L_{A90}	
Location 1 88 Malta Street	13/2/2019 11:55 Fine	67	39	50	43	No atypical events or noises. Dominated by natural fauna, faint industry during periods of still wind.
Location 2 100 Seville Street	13/2/2019 12:34 Fine	86	41	61	43	Road Traffic dominated.

Table 8 Attended 15 Minute Measurements, Conducted within the Industrial Premises.

Measurement Details	Measured Noise Levels (dBA)			Description of Ambient Noise Source – Typical L_{Amax} Levels
	L_{A90}	L_{Aeq}	L_{Amax}	
13 February 2019 9:50 am 15 min Inside Complex[1]	53	60	80	Reversing Alarms on Forklift: 73 dBA. General impact within ground with 3x forklifts in use: 75 dBA. Loaded truck pass-by: 80 dBA. Rattle Gun in Warehouse 2: 80 dBA. 4x4 with Trailer (loaded) pass-by: 78 dBA.
13 February 2019 10:17 am 15 min On Seville Street	51	64	84	Rattle Gun in Warehouse 2: 70 dBA. Activities from Fantastic Furniture: up to 84 dBA. Truck pass-by (from another site): 80 dBA. Loaded truck from facility, exiting to the east: 76 dBA.

Note 1: Near the containing loading area in Figure 2.

Operational Noise Levels

For the purposes of assessment and to ensure that sufficient mitigation measures are in place, the following worst-case scenario for any 15 minute period was adopted:

- *Two forklifts and two rattle guns are operating continuously within Warehouse 2 for the entire 15 minute period. Based on the short term attended measurements in Table 9 SLR has*

conservatively assumed a worst-case reverberant $L_{Aeq(15minute)}$ sound pressure level of 80 dBA within Warehouse 2.

- *Four flatbed trucks will enter the site, be unloaded/loaded in the container loading area and subsequently exit the site, with at least two flatbeds idling within the container loading area throughout the entire 15 minute period. Based on the short term attended measurements in Table 9, the trucks are conservatively assumed to have a sound power level of 95 dBA.*

Considering that the proposed Facility will receive a maximum of 40 deliveries per day, it is conservatively assumed that all of these would be spread across the peak times of 11:00 am to 2:00 pm and 4:00 pm to 5:00 pm, which would result in 10 deliveries per hour during these times. It is subsequently assumed that as a worst case, four of these 10 deliveries would occur within a 15 minute period.[13]

SLR has constructed a SoundPLAN model incorporating ground contours and the surrounding industrial buildings and has calculated the cumulative noise levels at the nearest sensitive receivers for both calm and prevailing weather conditions; these noise levels are compared to the intrusiveness criteria.

Table 11 Predicted Operational Noise Levels

Noise Catchment Area	Predicted $L_{Aeq(15minute)}$ Sound Pressure Level at Receiver (dBA)	Daytime Intrusiveness Criterion (dBA)	Exceedance?
NCA01	45[1]	45	No
NCA02	<35[1]	47	No

Note 1: This includes a +5 dB penalty for the tonal reversing alarms of the forklifts.

Additional Road Traffic Noise

The Noise and Vibration Assessment provides the following in terms of additional traffic noise as a result of the proposed operation of the Facility:

The resulting calculated $L_{Aeq(15\ hour)}$ noise level of vehicle deliveries to the proposed Facility is 52 dBA. This means that the deliveries would contribute up to 0.6 dB to the measured $L_{Aeq(15\ hour)}$ noise level of 61 dBA presented in Table 10. If it is assumed that only 50 passbys occurred (corresponding to the average delivery rate of 25 trucks per day) then the deliveries would be contributing up to 0.4 dB.[14]

Mitigation and Monitoring Measures

Given the proposed operational hours and based on the conservative worst-case scenarios, the operational noise would only be faintly audible at the nearest sensitive receiver and therefore the proposal is appropriate. Additional recommendations for mitigation have been addressed later in this report. As such, the proposed development can operate without significant adverse impact on these conditions, having regard to sensitive receivers in proximity to the site.

[13] Noise and Vibration Assessment, SLR Consulting Australia, Page 15

[14] Noise and Vibration Assessment, SLR Consulting Australia, Page 16

Therefore, the proposal is feasible from an acoustic perspective.

Soil & Water Resources

The SEARs require a description of local soils, topography and groundwater conditions, which is provided in the Water Management Assessment (**Appendix 7**) and discussed below:

Water Resources

Aside from the matters addressed above, the SEARs require details of any licensing requirements under the Water Act 1912 and/or Water Management Act 2000. The proposed facility will not utilise, nor affect, any water resources, and does not propose any licensed intake or harvesting of water. The proposal involve use of an existing industrial site and it has been established that the existing water or sewerage services will be serviced by satisfactory arrangements with Sydney Water for the ongoing water and sewerage use. As such, no augmentation works are required to facilitate the proposed development.

Further, the Facility will not utilise any water on site for the processing of waste. In additions to this, the proposal does not propose any site earthworks and the site is fully impervious with no surfaces from which sediment/mud could be tracked off site. There are therefore, no activities for which dust suppression is required. Therefore, no water licenses are required in association with the use of the land.

The only potential impact on riparian environments relates to water quality which is addressed below.

Stormwater Management

The Water Management Report states as follows in relation to the proposed stormwater management during operation:

> *Proposed water quality controls for runoff from the hardstand area are as follows:*
>
> - *Install EnviroPod filters inside the pits on the hardstand catchment as a primary treatment measure (see Section 6.1.1 for more information);*
> - *Install an oil water separator trap to treat any polluted runoff from the area prior to discharge into the Council stormwater system as a secondary treatment measure (see Section 6.1.2 for details); and*
> - *Implement a strategy to clean exposed impervious areas of any remaining hydrocarbons from paved surfaces (see Section 6.1.3 for details).*
>
> *The carpark areas should have Enviropod filters added at the stormwater inlets, and will discharge from site via the oil-water separator/GPT.*

A part of Roof will discharge directly from site to Burns Creek. The remainder of the roof water will be captured in the existing pit and pipe stormwater system, and mixed with runoff from the hardstand, then discharge from site via the proposed oil-water separator/GPT.[15]

It is noted that the EnviroPods, oil water separator and gross pollutant trap will be retrofitted to existing stormwater surface inlets to capture oil and grease from the hardstand catchment. The works do not involve any changes to the stormwater system, but simply install additional components to the system.

These measures are considered sufficient and the potential impacts are limited, given the nature of use proposed and the extent of measures recommended.

Maintenance and Monitoring Measures

The Water Assessment Reports recommended the following in terms of maintenance:

- Clean and maintain oil/water separators (grease traps) by a suitably qualified contractor – at least 6 monthly;
- Replace or clean EnviroPod filters – 12 monthly; and
- Cleaning of hardstand vehicle storage areas – 12 monthly

In terms of water quality monitoring, this will be undertaken in accordance with the EPL issued by the EPA.

In summary, the potential risks to water quality from the operation of this facility can be managed provided adequate mitigation measures are in place. Therefore, the risk of water pollution is insignificant if these mitigation measures are adopted.

Fire and Incident Management

A Fire Incident Management Plan (FIMP) accompanies this application (**Appendix 9**) and provides the procedures to manage incidents such as spills or fire that may occur and have the potential to cause harm to people or the environment. An outline of the FIMP is provided below.

Fire prevention

A range of measures will be implemented to prevent air, water and noise emissions from causing impacts to people and the environment.

Additional measures that will be implemented to prevent an incident include:

- Placarding & signage within the site
- Safe work practices adhered to
- Personal Protective Equipment
- Emergency response plan and procedures

[15] Water Quality Assessment, SLR Consulting Australia, Page 21

- First aid fire equipment
- Security
- Training of personnel, and
- Hazardous area dossier (detailing zones, equipment, protection types and certification, etc.) where applicable.

Fire Protection

The existing facility has fire protection systems, such as fire hydrants and extinguishers in place. A copy of the current Annual Fire Safety Statement and Schedule is provided at **Appendix 10**.

Fire Mitigation

A Fire Engineering Concept Design Report provides the relevant building-specific fire safety measure. In terms of the fire water supply, the street mains will provide the water supply for use by FRNSW.

Fire Mitigation

A range of measures will be implemented to avoid potential impact to people and the environment. These are documented in Chapter 7.

Traffic and parking

The Traffic and Parking Impact Assessment (**Appendix 11**) provides the following in relation to the existing road transport routes and car parking arrangements for the site:

> *Off-street parking is currently provided for a total of 38 cars in an outdoor, at-grade car parking area located along the western boundary of the site. Vehicular access to the car parking area is provided via an entry/exit driveway located at the western end of the Seville Street site frontage.*
>
> *Loading/servicing for the previous operations on the site was undertaken by a variety of commercial vehicles up to and including 19m long articulated semi-trailers. Each warehouse building has its own respective loading bays, with the central hardstand area used as the truck manoeuvring area. Vehicular access to the central manoeuvring area and loading bays is provided via separate entry and exit driveway located off Seville Street.*[16]

In terms of the impact of the proposed development on car parking arrangements servicing the site, the Traffic Impact Assessment provides the following:

> *The foregoing assessment has found that the traffic expected to be generated by the proposed development will not result in any unacceptable implications in terms of road network capacity, nor will any road upgrades/improvements/widening be required,*

[16] Traffic and Parking Assessment, Varga Traffic Planning, Page 6

Furthermore, the proposed facility satisfies the peak parking demands that are expected to be generated by the development whilst the design of the existing vehicular access and car parking/loading facilities generally comply with the relevant Australian Standards requirements.[17]

This is supported by the peak traffic surveys that were undertaken for the purpose of this application undertaken at the following intersections:

- Fairfield Street & Mandarin Street (traffic signals)
- Mandarin Street & Seville Street (roundabout)
- Seville Street & Crown Street (stop signs).

In terms of loading and service requirements, the Traffic Impact Assessment confirms that the existing arrangements are not proposed to change, with separate vehicular access for trucks being continued from Seville Street, with vehicles parking in the designated areas.

In terms of the effect of the development, there will be no apparent effect, as demonstrated by the intersections surveyed, which will continue to operate at their existing level of service. Further, intersection upgrade works and traffic management mechanisms will not be required as a consequence of the development.

The proposal is therefore acceptable in terms of traffic generation and parking arrangements at the site.

Biodiversity

The SEARs do not refer to biodiversity as a key issue; however, the Office of Environment and Heritage (OEH) referral response (appended to the SEARs) request that biodiversity impacts are assessed and requires preparation of a Biodiversity Development Assessment Report (BDAR) and is provided in **Appendix 13**.

It is has been established that the Biodiversity Assessment Method (BAM) does not apply to the proposal and that a Biodiversity Development Assessment Report is not required to accompany the application based on a desktop review of the site that indicated that minimal biodiversity value exists thereon and given the nature of proposal. Therefore, a Preliminary Biodiversity Assessment accompanies this proposal.

To understand the biodiversity conditions relating to the site, a qualified ecologist from SLR undertook a site inspection on 18 February 2019 to identify native vegetation, fauna habitat and riparian vegetation that occurs within the site as well as identification of potential habitats and resources for threatened species.

The general observations of the inspection to establish the native vegetation are discussed in Section 2 of the report.

[17] Traffic and Parking Assessment, Varga Traffic Planning, Page 28

In relation to potential effects on the vegetation and habitats of Burns Creek, given that there are no works proposed, there are no direct impacts on any native vegetation, including the stands of River-flat Forest EEC on the adjacent lands lining Burns Creek. The potential indirect effects on the vegetation and habitats of Burns Creek are as follows:

- *The use of lighting during night-time hours could affect foraging and/or breeding activities of nocturnal species (e.g. possums, owls, ground mammals) utilising the riparian vegetation. It is recommended that lighting within the site be reviewed to minimise light spill into the adjoining vegetation and that directing lights in the southern end of the site to the south generally be avoided.*
- *Noise from operational activities, particularly at night, could disturb the behaviour of nocturnal animals, if present in the adjoining riparian zone. It is recommended that noise generation be minimised at night, particularly at the southern end of the site. Currently proposed operational hours are daytime only.*
- *Edge effects, being the combined effect of encroachment of weeds, light spill, noise, sediments and pollutants into the edges of the bushland as a result of the development and operational activities of industrial uses on the adjoining land.*
- *No stormwater is currently discharged, or is proposed to be discharged, into the adjoining riparian zone of Burns Creek. Hence, the proposed development will not affect habitat quality of the riparian vegetation or aquatic habitats of Burns Creek through discharge of polluted stormwater or surface runoff.*

The indirect impacts stated above will not have any adverse impact on the native flora and fauna given the urban landscape setting of the site, including the industrial use of the land and the adjacent sites, as well as the highly urbanised catchment of Burns Creek.

Further, a 'test of significance', pursuant to Section 7.3 of the Biodiversity Conservation Act 2016 (BC Act) has been carried out for the proposal. The report concludes that the project is not "likely" to have a "significant impact" on biodiversity values, pursuant to the Biodiversity Conservation Act 2016.

Aboriginal Due Diligence Assessment

OzArk were retained to provide an Aboriginal Due Diligence Assessment for the proposal and is provided in **Appendix 14**. The OEH's submission to the DPIE, as a part of the SEARs, requires the drafting of an Aboriginal Cultural Heritage Assessment Report (ACHAR) to assess the expected impacts to Aboriginal cultural heritage and to document consultation with relevant Aboriginal parties. The proposal only involves a change of use to operate the proposed facility and no building works that would have any impact of the aboriginal cultural heritage value of the site. Notwithstanding, an Aboriginal due diligence assessment was carried out for the proposal. The study provided the following:

> *The undertaking of the Due Diligence process resulted in the conclusion that the proposed works will not have an impact on the ground surface and that no Aboriginal objects or intact archaeological deposits will be harmed by the proposal. This moves the proposal to the following outcome:*

AHIP application not necessary. Proceed with caution. If any Aboriginal objects are found, stop work and notify OEH. If human remains are found, stop work, secure the site and notify NSW Police and OEH. [18]

In summary, it is noted that the overall impacts are low principally due to its location in an existing industrial area within a site that has existing buildings in place. Any minor residual impact as a result of the proposed use can be mitigated with the proposed environmental management measures/mitigation measures contained at Section 7 of the report.

[18] Aboriginal Due Diligence Assessment, OzArk Environment and Heritage, Page 6

5. SECTION 4.15 EVALUATION

Section 4.15 of the EP & A Act requires the consent authority to take into account certain 'Matters for consideration' when assessing a development application. These are set out below in the Table below.

Table 4: Section 4.15 Evaluation

NO	CLAUSE	COMMENT
4.15	Evaluation	
(1)	***Matters for consideration—general***	
	In determining a development application, a consent authority is to take into consideration such of the following matters as are of relevance to the development the subject of the development application:	
	(a) the provisions of:	
	(i) any environmental planning instrument, and	○ Section 4.46 of the EP & A Act (Integrated Development) ○ Environmental Planning and Assessment Regulation 2000 (EP & A Regulation) ○ State Environmental Planning Policy No. 33 – Hazardous & Offensive Development (SEPP 33) ○ State Environmental Planning Policy No. 64 – Advertising and Signage (SEPP 64) ○ State Environmental Planning Policy (Infrastructure) 2007 ○ State Environmental Planning Policy (Infrastructure) 2007 (SEPP Infrastructure) ○ State Environmental Planning Policy (State and Regional Development) 2011 (SEPP State & Regional Development) ○ Fairfield Local Environmental Plan 2013 (the LEP) **<u>Other State Legislation</u>** ○ Protection of the Environment Operations Act 1997 ○ Water Management Act 2000 ○ Waste Avoidance and Resource Recovery Act 1997 These matters are discussed in detail in the section below.
	(ii) any proposed instrument that is or has been the subject of public consultation under this Act and that has been notified to the consent authority (unless the Secretary has notified the consent authority that the making of	Not applicable.

	the proposed instrument has been deferred indefinitely or has not been approved), and	
	(iii) any development control plan, and	Fairfield City Wide Development Control Plan 2013 (the DCP)
	(a) any planning agreement that has been entered into under section 7.4, or any draft planning agreement that a developer has offered to enter into under section 7.4, and	Not applicable.
	(iv) the regulations (to the extent that they prescribe matters for the purposes of this paragraph), and	The matters outlined in Clause 92 of the EP&A Regulation are not applicable to the subject proposal.
	(v) (Repealed) that apply to the land to which the development application relates,	Not applicable.
	(b) the likely impacts of that development, including environmental impacts on both the natural and built environments, and social and economic impacts in the locality,	Matters of environmental impact on the natural and built environments have been addressed extensively in this EIS. The proposed development will have limited impact as noise from both traffic and operation of the premises, airborne particulate matter concentrations, dust deposition rates and odour concentrations generated by the proposal will be well below the corresponding NSW EPA criteria at the assessment locations and will not lead to any unacceptable impacts on the surrounding area. In terms of social and economic impacts, these may only be described as positive. The proposed use will result in employment generation, having positive flow on economic outcomes for the local community through localised spending, as well as specialist skills and trade to be sourced within the local community.
	(c) the suitability of the site for the development,	The reasons to operate a facility at the subject site are summarised below: 1. location of the site and the size of the facility will support the efficient management of waste and resource recovery for the wider metropolitan region. 2. The proposal is consistent with the objectives of the zoning of the land and provides a suitable use for an industrially zoned site that involves use

		of the existing facilities and has minimal environmental impacts. 3. Ease of access to road corridors such as M4 Motorway and proximity to Woodville Road will result in efficient logistics and, most importantly, avoid traffic impacts that might otherwise have resulted from trucks travelling through residential areas. 4. The proposal will not compromise the amenity of surrounding land uses and, where there is any degree of risk, mitigation measures are recommended. The proposal is therefore suitable for the site.
	(d) any submissions made in accordance with this Act or the regulations,	Submissions at this stage include agency responses, as a result of the SEARs request. These have been addressed within the EIS (Chapter 0) as well as in the accompanying reports. Should submissions be made during the course of assessing this application, the Applicant would be willing to respond to these accordingly.
	(e) the public interest.	As demonstrated throughout the report, the proposed development is well within the public interest. The proposed use is permissible within the zone and consistent with the array of environmental planning instruments that apply to the site and afford this location the benefit of an existing facility to provide a suitable use for an industrial purpose. The proposal does not seek to extend beyond the planning controls, nor development standards, pertaining to the site. The proposal will result in socio-economic benefits at a localised and broader level. It is an outcome that should be embraced by the consent authority. The proposal will have only minor or negligible environmental and social amenity impacts with the implementation of the recommended mitigation and management measures, therefore consistent with community expectations.

		As such, the proposed development is well within the public interest and should be supported.

The Provisions (a)

Section 4.46 Integrated Development

The application is subject to section 4.46 of the EP&A Act, for integrated development and will require referral to the relevant agencies for general terms of approval to enable the development to proceed.

In this case, the application is therefore subject to the following approvals:

- Protection of the Environment Operations Act 1997 (s 43(b), 48 and 55) from the EPA
- Water Management Act 2000 (s91) from the NSW Office of Water

It is assumed that the Council will refer the development application to the relevant agencies upon lodgement.

EP & A Regulation

The subject proposal is classified as a 'designated development' in accordance with Clause 32, Schedule 3 of the EP&A Regulation and therefore requires the preparation of EIS.

Schedule 2 of the EP&A Regulation relates to the preparation of EIS. In particular, Clauses 6 and 7 prescribe the form and content of an EIS. The Schedule 2 requirements, and where they are addressed in this EIS, are set out in Table below.

Table 5: Schedule 2 requirements for EIS

REQUIREMENT	COMMENT
6 Form of environmental impact statement	
Name, address and professional qualifications of the person(s) who prepared the EIS	Certification page
Name and address of the responsible person (the applicant)	Certification page
Address of land	Certification page
Description of development	Chapter 3
Assessment of the environmental impact	Chapter 4
Declaration that the EIS has been prepared in accordance with this Schedule, contains all available information that is relevant to the environmental assessment of the development and that the information contained in the statement is neither false nor misleading	Certification page
Summary of the EIS	Executive Summary
A statement of the objectives of the development	Chapter 3

An analysis of feasible alternatives, having regard to its objectives, including the consequences of not carrying out the development	Chapter 4
A full description of the development	Chapter 3
A general description of the environment likely to be affected by the development	Chapter 4
The likely impact on the environment of the development	Table 7
A full description of the measures proposed to mitigate any adverse effects of the development	Chapter 7
A list of any approvals that must be obtained under any other Act or law before the development, activity or infrastructure may lawfully be carried out	Table 3
A compilation of the measures proposed to mitigate any adverse effects of the development	Chapter 7
The reasons justifying the carrying out of the development, activity or infrastructure in the manner proposed, having regard to biophysical, economic and social considerations, including the principles of ecologically sustainable development	Chapter 4

State Environmental Planning Policy No. 33 – Hazardous & Offensive Development (SEPP 33)

The proposal has the potential to pose hazardous and offensive risks to the locality during the operational phases of the development. These include potential noise related and air quality risks.

The relevant definitions (**Clause 3**) are as follows:

> ***Potentially hazardous industry*** *means a development for the purposes of any industry which, if the development were to operate without employing any measures (including, for example, isolation from existing or likely future development on other land) to reduce or minimise its impacts on the locality or on the existing or likely future development on other land, would pose a significant risk in relation to the locality:*
>
> *(a) to human health, life or property, or*
> *(b) to the biophysical environment,*
>
> *and includes a hazardous industry and a hazardous storage establishment.*
>
> ***Potentially offensive industry*** *means a development for the purposes of an industry which, if the development were to operate without employing any measures (including, for example, isolation from existing or likely future development on other land) to reduce or minimise its impact in the locality or on the existing or likely future development on other land, would emit a polluting discharge (including, for example, noise) in a manner which would have a significant adverse impact in the locality or on the existing or likely future development on other land, and includes an offensive industry and an offensive storage establishment.*

Therefore, the provisions of SEPP 33 may apply.

Clause 12 relates to *Preparation of preliminary hazard analysis*, which mandates the requirement for an analysis to accompany any development application proposed to carry out a potentially hazardous industry.

A screening test against the thresholds in SEPP 33 for Dangerous Goods (DGs) was undertaken for the proposed facility and is included in **Appendix 9**. The assessment details the quantities of dangerous goods to be held on the site and confirms that the threshold of dangerous goods is not exceeded. As such, the proposed facility is not representative of a potentially hazardous or offensive industry and a PHA is not required. Therefore, SEPP 33 does not apply to the proposed facility.

Additionally, this development application is accompanied by technical reports relating to the potential risks associated with the proposed development in relation to matters of:

- Air Quality
- Biodiversity
- Preliminary Contamination
- Water Resources, Soil and Water Quality
- Acoustic Impact.

These reports demonstrate that the potential hazards associated with the development are minimal and potential risks may be appropriately mitigated.

State Environmental Planning Policy No. 55 – Remediation of Land

Clause 7 requires an applicant to demonstrate whether a parcel of land is suitable for the intended use. A Preliminary Site Investigation (**Appendix 5**) undertaken for the site concludes that no contamination issues were identified that would preclude the proposed land use as a waste transfer station and resource recovery facility. In addition to this, a Targeted Environmental Investigation Assessment, prepared by KPMG SGA Property Consultancy was commissioned by the previous owner to assess the quality of soils in the vicinity of the on-site underground petroleum storage system (UPSS) and workshop. The report concluded that soil around the UPSS and workshop were not impacted by chemicals of concern at concentrations above relevant criteria for commercial/industrial land use.

State Environmental Planning Policy No. 64 – Advertising and Signage (SEPP 64)

This Policy aims to ensure that signage is compatible with the desired amenity and visual character of an area, provides effective communication in suitable locations, and is of a high-quality design and finish.

In terms of satisfying the objectives of the policy outlined in Clause 3, the proposal will achieve these as set out in the Table below.

Table 6: Assessment of the Proposal having regard to the Policy Objectives

Policy Objective	Comment

(1) This Policy aims:	
(a) to ensure that signage (including advertising): (i) is compatible with the desired amenity and visual character of an area, and (ii) provides effective communication in suitable locations, and (iii) is of high quality design and finish, and	The proposed business identification signs are compatible with the character of the area. The proposed signs are of high-quality design and follow a consistent theme throughout.
(b) to regulate signage (but not content) under Part 4 of the Act, and	Noted.
(c) to provide time-limited consents for the display of certain advertisements, and	Not applicable as the proposal does not include advertisements.
(d) to regulate the display of advertisements in transport corridors, and	Not applicable.
(e) to ensure that public benefits may be derived from advertising in and adjacent to transport corridors.	Not applicable.

Clause 8(b) of the SEPP states that '*a consent authority must not grant development consent to an application to display signage unless the consent authority is satisfied that the signage the subject of the application satisfies the assessment criteria specified in Schedule 1'.*

For the purpose of assessment, the table below indicates the compliance of the proposed signage in accordance with Clause 8b.

Table 7 - Schedule 1 of SEPP 64 – Assessment Criteria for Signage

Assessment Criteria	Proposed development
Character of the area	The site is located in IN1 General Industrial zone and the signs are compatible within the context and character of the area. The proposed business identification signs will assist to promote the location of the business along Fairfield Street and therefore assist the economic strength of the use in a general industrial environment. In terms of design, the signage will illustrate the name of the business and will provide in coloured text. This will appear as per the accompanying signage drawings. This will appear as per the accompanying signage drawings, as shown on the building elevations. The signage is acceptable in its design and position and is of an acceptable quality in terms of materials and finishes.
Special areas	The subject site is not a heritage item, nor located in an area of heritage, nor scenic, significance. The signage only aims to identify the business activity and is similar to the adjoining developments within the immediate precinct and does not detract from the amenity, nor visual quality, of the site.
Views or vistas	The proposal does not dominate the skyline and the location and design of the signs will not impact upon any significant views, nor vistas.
Streetscape, setting or landscape	The proposed location and size of the signs are acceptable, in the industrial context. The signs will present as a contemporary and incorporated structure and will add a sense of vibrancy to the locality generally.

Site and building	The location of the signage will not detract from the existing built form, nor features, of the site.
Associated devices and logos with advertisements and advertising structures	No lighting devices are proposed as part of the proposal. The materials, dimensions and locations of the signage on the facade are appropriate and will not detract from the character of the area.
Illumination	No sign is proposed to be illuminated.
Safety	The proposed signage would not detract from the attention of pedestrians, cyclists or motorists, and is not considered to be a safety risk.

The proposed signage is defined as 'business identification signage' and is not defined as 'advertisements'; therefore, the remaining provisions of SEPP 64 are not applicable to this application.

The proposal is therefore satisfactory with regards to the provisions of SEPP 64.

State Environmental Planning Policy (Infrastructure) 2007 (SEPP Infrastructure)

Part 3, Division 23 of the Infrastructure SEPP relates to waste or resource management facilities. Under Clause 121, development for the purpose of waste or resource management facilities is permissible with consent in a prescribed zone which includes land within the IN1 General Industrial zone. Thus, the proposal is permissible with consent.

Schedule 3 of the Infrastructure SEPP details traffic generating development that is to be referred to the Roads and Maritime Services (RMS) and includes recycling facilities of any size or capacity. Clause 104 of the Infrastructure SEPP requires the RMS to be notified of an application for traffic generating development.

State Environmental Planning Policy (State and Regional Development) 2011

SEPP State and Regional Development provides the legislative planning framework for state and regionally significant development.

Part 4 of the SEPP deals with 'Regionally significant development'. Pursuant to Clause 7 of Schedule 7 - *Particular designated development* for the purposes of waste management facilities is declared as regionally significant development.

The facility is for a waste transfer station and resource recovery facility and is, therefore, deemed to be regionally significant. The subject application will be assessed by the Council and determined by the relevant Joint Regional Planning Panel in accordance with Section 4.5(b) of the EP & A Act.

The LEP

The site is subject to the provisions of the LEP. In terms of satisfying the IN1 zone objectives, the proposal will achieve these as set out in the Table below.

Table 8: Assessment of the Proposal having regard to the IN1 Objectives

Zone Objective	Comment

To provide a wide range of industrial and warehouse land uses.	The proposal is for an industrial use and involves the use of an existing building for this purpose.
To encourage employment opportunities.	The site will employ approximately 25 - 35 people and support the creation of new jobs in the locality, driven by additional demand for goods and services in the immediately surrounding vicinity.
To support and protect industrial land for industrial uses.	Complies, the proposal is for an industrial use and will retain the existing use of the land. As such, industrial land is protected in both zoning and employment terms.
To minimise any adverse effect of industry on other land uses. To ensure development is not likely to detrimentally affect the viability of any nearby business centre.	The proposal minimises effects on other land uses and provides mitigation measures that may reduce the potential risk associated with the development during operation.

The proposal thus satisfies the objectives of the zone.

Compliance with other relevant matters are as set out in the table below

Table 9: LEP Compliance – Assessment

Development Standard	Controls	Comment	Compliance
Part 2 Permitted or prohibited development			
2.1 Land use zones	IN1 General Industrial zone	*Waste or resource transfer station* and *resource recovery facility* are permissible in the IN1 Zone with development consent (Clause 1.6).	Yes
Part 4 Principal development standards	Not applicable	Part 4 deals with Principal Development Standards. No changes are proposed to the bulk and scale of the existing building.	N/A
Part 6 Additional local provisions			
6.4 Floodplain risk management	(2) This clause applies to land between the flood planning level and the level of a probable maximum flood, but does not apply to land subject to the discharge of a 1:100 ARI (average recurrent interval) flood event plus 0.5 metre freeboard.	The proposed development site lies within flood prone land adjacent to the Burns Creek floodway. It is noted that the proposal involves use of the existing facilities on site and does not involve any modifications to the current infrastructure and ground levels.	Yes

	(3) Development consent must not be granted to development for the following purposes on land to which this clause applies unless the consent authority is satisfied that the development will not, in flood events exceeding the flood planning level, affect the safe occupation of, and evacuation from, the land - industries	The flood risk report that accompanies the application indicates that the proposed development complies with the Flood Plain Development (FPD) manual and DCP provisions. The flood hazard mapping has identified the site as having a very low flood hazard for all events up to, and including, the PMF. The report concludes that evacuation from the site during a large flood event is not recommended and that the subject site is the safest location to reside for all flood magnitudes up to, and including, the PMF, based on a review of the flood hazard potential at the site and within the surrounding streets. The flood hazard increases when employees attempt to leave the site as the trigger to identify unsafe flood conditions is the presence of pooled water on Seville Street.	Yes
6.6 Riparian land and watercourses	This clause applies to land identified as "Riparian area" on the Riparian Lands and Watercourses Map.	The subject site is identified as riparian land.	Yes
	(3) Before determining a development application for development on land to which this clause applies, the consent authority must consider: (a) whether or not the development is likely to have any adverse impact on the following: (i) the water quality and flows within the watercourse, (ii) aquatic and riparian species, habitats and ecosystems of the watercourse, (iii) the stability of the bed and banks of the watercourse,	A Preliminary Biodiversity Assessment accompanies the application and concludes that the project is not "likely" to have a "significant impact" on biodiversity values of the site and that the proposal will have no additional impact on the riparian and aquatic habitats within Burns Creek.	Yes

	(iv) the free passage of fish and other aquatic organisms within or along the watercourse, (v) any future rehabilitation of the watercourse and riparian areas, and (b) whether or not the development is likely to increase water extraction from the watercourse, and (c) any appropriate measures proposed to avoid, minimise or mitigate the impacts of the development.		
6.10 Essential Services	Adequate arrangements are required to be made for following: (a) the supply of water, (b) the supply of electricity, (c) the disposal and management of sewage, (d) stormwater drainage or on-site conservation, (e) suitable vehicular access.	The existing building contains essential infrastructure services required for the proposed use and no changes are proposed.	Yes

The DCP

The proposed development, for the purposes of a waste transfer station and resource recovery facility, presents a limited number of relevant provisions under the Fairfield City Wide Development Control Plan 2013 (the DCP). Those applicable to the proposal are discussed below.

Chapter 3 deals with *Environmental Management and Constraints*. Section 3.1.2 deals with the local clauses in the LEP. The site is subject to Clause 6.4 - Floodplain risk management and 6.6 - Riparian land and watercourses of the LEP. These matters are addressed in the LEP section of this report.

Section 3.6 and 3.7 address *Land Contamination* and *Consideration of SEPP 33 – Hazardous and Offensive Development.* Matters of contamination are addressed Preliminary Site Investigation Assessment. A screening test against the thresholds in SEPP 33 for Dangerous Goods (DGs) was undertaken for the proposed facility and it was established that the materials are not potentially hazardous. As such, it is not considered that the proposed facility is representative of a potentially hazardous nor offensive industry in the and a preliminary hazard analysis is not required.

This development application is accompanied by technical reports relating to the potential risks associated with the proposed development in relation to matters of:

- Air Quality
- Biodiversity
- Preliminary Contamination
- Water Resources, Soil and Water Quality
- Acoustic Impact.

These reports demonstrate that the potential hazards associated with the development are minimal and potential risks may be appropriately mitigated.

Chapter 9 of the DCP deals with *Industrial Development.* No changes are proposed to the bulk and scale of the buildings on site. Therefore, there are only a limited number of provisions that apply to the site and these are discussed in the table below:

Table 10: LEP Compliance – Assessment

Chapter 9 – Industrial Development		
9.2 Car Parking, Vehicle and Access Management		
9.2.1 Traffic Generating Development		
Detailed traffic studies need to be submitted for developments listed in Schedule 3 of State Environment Planning Policy (Infrastructure) 2007.	The proposal is classified as a 'Traffic Generating Development' under Schedule 3 of the Infrastructure SEPP. A traffic impact assessment accompanies this application.	Yes
9.2.2 Car parks		
9.2.2.1 General Chapter 12 of this DCP outlines general advice and guidelines for the management of car parking, vehicle and access management. 9.2.2.2 Car parking requirements For general design information on car parking requirements, access and vehicle arrangements, refer to Chapter 12 of this DCP.	Refer discussions below	Yes
9.2.3 Loading Facilities a) To ensure new development does not adversely intrude on pedestrian and vehicle amenity, applicants will need to demonstrate that loading for their activity can either be carried out:	All loading activities will be carried out on site as per the existing situation. The swept path analysis demonstrates that a 19m (semi-trailer) can safely enter and exit the site.	Yes

a. on-site without interfering with the efficient operation of the premises (including its car park); or b. gain access to an on-street loading zone at the front or side of their premises 9.2.4 On-site manoeuvring Adequate on-site manoeuvring is to be provided to enable a large rigid truck to enter and leave the site in a forward direction.		
9.2.5 Vehicular Access	No changes are proposed to the existing arrangements on site.	Yes
9.2.6 Pedestrian Movement a. Pedestrian access through car parking areas should be clearly marked, and where possible emphasised by the use of raised and textured surfaces b. As far as possible, pedestrian access through car parks should be kept separate from vehicle access ways.	Complies, a separate vehicular access to the car parking area is provided *via* an entry/exit driveway located at the western end of the Seville Street site frontage. The administration building and the warehouse can be safely accessed by pedestrians. Only authorised personnel are permitted into the facility and access for the general public is restricted to the administration buildings.	Yes
9.3 Advertising and Signage		
a) Total advertising area of up to 0.5 square metres for every metre of lineal street frontage is permitted.	Complies.	Yes
b) No single sign may be permitted to exceed an area of 30 square metres.	Complies.	
c) Only one free standing commercial sign that identifies the name of the occupants and/or products manufactured on the site will be allowed. These signs must be contained wholly within the site.	Complies.	Yes
f) For information about the type of signs permitted within the Fairfield City and the design specifications for those refer to Appendix "C" of this DCP.	Noted.	Yes
Flush wall sign: Attached to the wall of a building, including painted wall other than above the doorway or display window. Flush wall signs will: (a) not project more than 300mm from the wall to which they are attached (b) not cover more than 20% of the area of the wall and only one per	Complies.	Yes

building facade for each company of the premises (c) not project above or beyond the wall to which they are attached.		
9.4 Streetscape and Amenity		
9.4.4 Hours of Operation		
a) Where industrial properties are within 500 metres of residential properties, industrial operating hours will generally be restricted within the range of 7.00am to 6.00pm Monday to Friday and 7.00am to 12.00 noon on Saturdays with no operations on Sunday d) Proposals to operate outside of either of these hours will be considered upon their merits and may be required to be supported by an Acoustic Engineer's Report.	The operational hours will be 7:00am to 5:00pm, Monday to Friday and 7:00am to 3:00pm on Saturdays. The premises will not operate on Sundays or public holidays. An acoustic report accompanies this application and determines that the proposed operating hours will not cause any adverse impacts.	Yes
9.5 Stormwater	Not applicable. No changes are proposed to the existing stormwater arrangements on site.	NA

Chapter 11 involves controls relating to *Flood Risk Management*. These matters have been addressed previously in detail and in the flood risk report that accompanies the application.

Chapter 12 of the DCP provides controls relating to *Car Parking, Vehicle and Access Management*. Part 12.1.1 deals with Car Parking Rates and states that number of car spaces for resource recovery is determined by a car parking survey of comparable facilities. A Traffic Impact Assessment accompanies this application and the relevant matters are addressed at Chapter 4. Further, no changes are proposed to the existing access arrangements and the *status quo* will remain on site.

Overall, the proposed development is consistent with the provisions of the DCP.

6. CONSULTATION

The SEARs require consultation with the following stakeholders:

- EPA
- OEH
- Roads and Maritime Services (RMS)
- Fire and Rescue NSW
- Council; and
- The surrounding landowners and occupiers that are likely to be impacted by the proposal.

Consultation with all the above stakeholders has been undertaken for the proposal. Several consultants have undertaken additional consultation with relevant parties during the preparation of their reports.

A summary of the consultation undertaken to-date and the method and outcomes of the consultation with government agencies are detailed in Table below.

Table 11: Summary of Agency Consultation

Stakeholder	Consultation Method	Outcomes
EPA	Phone calls and emails to request if any further aspects are required to be addressed.	Molly O'Halloran from the EPA advised to prepare the EIS in accordance with EPA comments included with the SEARs.
OEH	Email	No responses received.
RMS	Email	Ahsanul Amin, Senior Land Use Planner advised that RMS has no additional comments apart from the SEARs requirements.
Council	Phone calls	Advised to prepare the EIS in accordance with the SEARs requirements.

In terms of consultation with surrounding landowners and occupiers, this was undertaken by the Applicant and included face to face meetings and telephone calls.

Proposed consultation

This EIS will be placed on public exhibition. The applicant will respond to any submissions regarding the proposal. This may also highlight the need to consult with any individuals or groups with a particular interest in the proposal. Additionally, ongoing consultation is planned with the following:

- The Council: regarding this EIS, development approval and subsequent consents
- EPA: regarding an EPL
- Agencies providing comment on this EIS
- One-on-one consultation regarding the EIS and upcoming activities at the site if requested by neighbours/adjoining occupiers.

7. MITIGATION MEASURES

In mitigating the potential impact of the proposed development, the SEARs require that each environmental discipline, as a result of identifying risks associated with the proposal, provides mitigation measures that may reduce the risk, potential, perceived or otherwise, associated with the development during operation.

It is considered that the mitigation measures provided below will assist the consent authority in formulating conditions to be imposed on any future development consent to ensure that the environmental impacts of the proposed development are suitably managed during operation of the facility.

A site-specific Environmental Management Plan, to be required as a condition of consent, will be prepared for the proposal that incorporates the specific measures summarised in Table below. All staff will be trained to understand and implement the EMP, as it relates to the tasks that they are undertaking.

Table 12: Proposed mitigation measures during operation of the Facility

Environmental Consideration	Approach
Waste Management	○ Records of quantities of waste re-used, recycled or disposed to landfill are to be maintained by the Site Manager. Additionally, dockets and receipts verifying recycling and/or disposal in accordance with the WMP must be retained and presented to the regulatory authorities such as Council, SafeWork NSW or NSW EPA, if requested. ○ Daily visual inspections of waste storage areas will be undertaken by site operators to identify and rectify any issues concerning waste management at the site, as well as identifying opportunities to improve waste management. A written record of these inspections, which will include observations made and the results of any remedial actions taken, is to be undertaken and retained by the Site Manager.
	To ensure the waste management initiatives and measures are clearly communicated, the following communication strategies will be implemented: ○ To realise the above benefits, the following communication strategies should be considered by the Site Managers: • Use consistent signage and colour coding throughout the Development • Ensure all employees and site contractors are informed of correct waste separation and management procedures as part of their training at commencement of employment, as well as any changes to procedures on an on-going basis • Provide directional signage to show locations and routes to waste storage areas

	• Clearly label general and comingled waste bins to ensure no cross contamination and to identify the types of waste that may be disposed of in each bin • Educate all employees and site contractors, ensuring compliance with this WMP
Hazard and Risk	○ The Applicant will undertake equipment integrity testing on the UPSS to reassess any leaks.
Air Quality and Odour	The proposed physical and operational mitigation measures for proposed facility to control air emissions include: ○ All vehicles will be inspected on arrival for signs of oil leaks. Where there is a risk of an oil leak, the leak will be sealed, or part drained, in order to stop further leaking. ○ Dismantling of vehicles will only take place in designated areas inside site building and in the area so designated for that purpose. ○ All waste oils, coolant fluid and fuel will be stored in containers with their lids closed to avoid evaporation and loss of materials. ○ Taps or pumps will be installed on containers of volatile liquids to minimise losses to the atmosphere.
	In additional to the above, the following additional mitigation measures are recommended in order to control any residual impacts from on-site activities: ○ Maintaining good housekeeping in all areas of the Project Site, including regular cleaning of all internal and external areas. ○ Limiting engine operating times to an absolute minimum. It is recommended that vehicles engines be turned off if the vehicle is going to be stopped for more than 60 seconds. Signage will be displayed to ensure that this is upheld, and monitored by staff. ○ Light hosing/sweeping of hardstand areas be performed to supress dust in dry and windy conditions. ○ Undertaking routine maintenance of all H&H owned forklifts and trucks, including maintenance of records indicating when maintenance has been undertaken. ○ Minimising storage of volatile chemicals on-site. ○ Cleaning up spills immediately, and disposing of waste in accordance with relevant state and federal requirements. ○ Investigating any complaint as soon as possible so that effective appraisal of the complaint can be carried out by subjective assessment.

	○ Conducting staff awareness training to increase awareness of potential air quality and odour impacts which may be caused by the site activities during normal and abnormal circumstances.
Noise and Vibration	○ Any tonal reversing alarms to be used by forklifts and flatbeds should be replaced with broadband (quacker) alarms. Given the distance to the nearest sensitive receivers, broadband alarms are more likely to blend in with the background noise. In this case, the 5 dB tonal penalty assumed in the worst-case scenario noise predictions, would no longer apply. ○ Where possible, deliveries should be staggered and spread evenly over the operating hours. ○ While trucks used to deliver vehicles to the site will be beyond the control of the proponent, the proponent should take steps to advise the owners of flatbed trucks, e.g. delivery vehicles with defective mufflers or other faults that cause them to be particularly loud, to address the situation as soon as practicable, with the ultimate mitigation control mechanism of not allowing such vehicles on site if the owners have been given sufficient warning over a reasonable period of time.
Soil and Water Resources	**Maintenance** ○ Clean and maintain oil/water separators (grease traps) by a suitably qualified contractor – at least 6 monthly ○ Replace or clean EnviroPod filters – 12 monthly ○ Cleaning of hardstand vehicle storage areas – 12 monthly
	Monitoring ○ Water quality monitoring will need to be carried out in accordance with any Environment Protection License issued by the EPA. ○ Water quality samples should be taken from the site discharge each 3 months, during wet weather, and analysed against the ANZECC trigger values. When assessing the water quality, mixing zone effects should be taken into account. A suitable method of allowing for mixing zone effects should be discussed and agreed with the NSW EPA.
Fire and Incident Management	○ All areas where flammable liquids are stored or handled shall be subject to a Hazardous Area Classification per the requirements of AS/NZS 60079.10.1:2009 to identify the extent of the hazardous zone. ○ Any electrical equipment within an identified Hazardous Area shall be either relocated or upgraded to be compliant with the Hazardous Area.

	○ The IBCs storing retain liquids from the vehicles shall be stored in a manner that prevents spills from escaping the vicinity (i.e. on bunded pallets or within a bunded enclosure). ○ A powder-type extinguisher shall be located no closer than 2 m and no further than 10 m from the IBC storage area. The IBCs shall be appropriately labelled and placarded to identify what liquids are being stored. ○ The appropriate documentation and site placarding as required by the Work Health and Safety Regulation 2017 shall be completed for the site based on the DGs stored at the site. ○ A hot work permit procedure shall be developed and all hot work occurring at the site shall be in accordance with the procedure. ○ An Emergency Response Plan shall be developed for the site in accordance with the Hazardous Industry Planning Advisory Paper No. 1. ○ The site hydrant system shall be upgraded to ascertain sufficient availability of hydrants to combat all fire scenarios which may occur at the site. ○ The inclusion of site monitors should be considered to provide high flow protection against potentially deep seated / shielded fires.
Traffic and Parking	○ Signposting for access and egress for trucks versus vehicles is maintained on the site, so as not to cause any confusion.
Biodiversity	○ Directing lights in the southern end of the site to the south generally be switched off outside operating hours.
Management Measures	○ The internal and external areas of the premises shall be kept in a clean and tidy condition and regularly maintained. Waste removal will occur via a private contractor within standard daytime hours.
Complaints Register	To oversee any complaints associated with the hours of operation, a Complaints Register would be implemented, noting any incidents or complaints made by the Police, Council, surrounding business owners, or residents. The Complaint Register would outline the following: ○ Complaint date and time; ○ Name, contact address details of the person making the complaint; ○ Nature of the complaint; ○ Name of staff on duty; and ○ Action taken to resolve the complaint.
Evacuation Plan and Emergency Closing	○ A detailed plan of the site and general evacuation procedures would be provided during training and, in some circumstances, it may become necessary to close the establishment (i.e. flood, fire, power failure and other

	major emergencies). Approval would be sought from the manager on duty/warden prior to closing the facility.

CONCLUSIONS & RECOMMENDATIONS

Hamptons has been retained by Hassani Investments Pty Ltd & Hussain Group Investments Pty Ltd to prepare a new development application to operate a *Waste Transfer Station and a Resource Recovery Facility* at 74-76 Seville Street, Fairfield East in the located in the local government area of Fairfield.

The site is located in the IN1 General Industrial zone, pursuant to the LEP. The proposed use of the site is permissible with development consent from the Council and consistent with the relevant environmental planning instruments and the zone objectives.

The Environmental Impact Statement (EIS) has been prepared to consider the environmental, social and economic impacts of the proposed development and has addressed the issues outlined in the SEARs (**Appendix 1**) and accords with Schedule 2 of the EP&A Regulation with regards to consideration of relevant planning instruments, built form, social and environmental impact including air quality, noise, soil and water impacts, traffic, fire, flood and biodiversity.

The implementation of the project will generate employment opportunities to the local government area of Fairfield and contribute to the NSW State government targets for resource recovery. For this reason, and given the limited environmental impact attributable to the development, the application should be supported.

This EIS clearly demonstrates that the proposed development represents a positive and beneficial use of an existing industrial facility and the proposed use is an economically responsible outcome generating social and economic opportunities for the local community and the State.

The technical studies demonstrate that the proposal has very limited impact from an environmental perspective and, where there is potential for effect, the proposal seeks to implement appropriate mitigation measures to reduce any adverse outcomes.

The site is suitable for the development and the proposal is in the public interest.

As such, the development application should be supported by the consent authority and conditions of consent formulated as part of any future approval to ensure environmental, social and economic outcomes for the local community.