Environmental Impact Statement – 68 Victoria Street, Smithfield

September 2024

CONTENTS

Appendix H – Waste Management Plan - Equilibrium

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Appendix I – Fire & Incident Manage0ment Report – Innova Services

Appendix J – Air Quality Assessment – Todoroski Air Sciences

Appendix K – Project SEARs

Appendix L – Visual Impact Assessment - Greenspace Planning

Appendix M – Plan of Management

Appendix N – Pollution Incident Response Plan

Appendix O – Agency Referral and Responses

Appendix P – Community Consultation Letter

Appendix Q – Fire Safety Certificates

Appendix R – BCA Statement

Appendix S – Waste Management Plan

Declaration Form	**Submission of Environmental Impact Statement (EIS)** prepared under the *Environmental Planning and Assessment Act 1979* (NSW) Clause 78A(8a) and having regard to Appendix 1 of the Guide to Licensing under the *Protection of the Environment Operations Act 1997* (NSW) prepared by the NSW EPA (2016).
EIS Prepared By	
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Address	PO Box 572 Waverley NSW 2024
In Respect Of	Tyrex Australia Pty Ltd – Designated Development Application
Development Application	
Applicant Name	Tyrex Australia Pty Ltd
Address	68 Victoria Street, Smithfield
Land Application Relates to	68 Victoria Street, Smithfield (Lot 9 & 10 in DP 239868)
EIS	An Environmental Impact Statement (EIS) is attached.

Certificate	I certify that I have prepared the contents of this EIS and to the best of my knowledge: ▪ it is in accordance with Schedule 3 of the *Environmental Planning and Assessment Regulation 2021* (NSW), ▪ contains all available information that is relevant to the environmental assessment of the development, activity or infrastructure to which the statement relates, and ▪ that the information contained in the statement is neither false nor misleading.
Signature	
Name	Matthew O'Donnell 6 September 2024

TABLE OF ABBREVIATIONS

Abbreviation	Term
AHD	Australian Height Datum
AS	Australian Standards
AV	Articulated Vehicle
Tyrex	Tyrex australia Pty Ltd
Council	Fairfield Council
DA	Development Application
DPIE	Department of Planning, Industry and Environment
EIS	Environmental Impact Statement
EP&A Act	*Environmental Planning & Assessment Act 1979* (NSW)
EP&A Regulation 2021	*Environmental Planning & Assessment Regulation 2021* (NSW)
EPA	NSW Environment Protection Authority
EPBC Act	*Environment Protection and Biodiversity Conservation Act 1999* (Cth)
EPL	Environment Protection Licence
ERA	Environmental Risk Assessment
ERP	Emergency Response Plan
ESD	Ecologically Sustainable Development
FRA	Fire Risk Assessment
GFA	Gross Floor Area
HRV	Heavy Rigid Vehicle
SEPP Infrastructure	State Environmental Planning Policy (Transport and Infrastructure)

Abbreviation	Term
INP	Industrial Noise Policy
FDCP	Fairfield Development Control Plan 2013
LGA	Local Government Area
FLEP	Fairfield Local Environmental Plan 2013
LPG	Liquid Petroleum Gas
MUSIC Modelling	Model for Urban Stormwater Improvement Conceptualisation
OEMP	Operational Environmental Management Plan
PHA	Preliminary Hazard Analysis
POEO Act	*Protection of the Environment Operations Act 1997*(NSW)
PoM	Plan of Management
Proposal	The applications that are the subject of this EIS
RMS	NSW Roads and Maritime Services
SEARs	Secretary's Environmental Assessment Requirements
SEPP	State Environmental Planning Policy
SEPP Resilience	State Environmental Planning Policy Resilience and Hazards
Site	68 Victoria Street, Smithfield
TSC Act	*Threatened Species Conservation Act 1995* (NSW)
Tyrex Australia Pty Ltd	Tyrex
WARR Act	*Waste Avoidance and Resource Recovery Act 2001* (NSW)
WARR Strategy	NSW Waste Avoidance and Resource Recovery Strategy 2014-21
Waste Regulation	*Protection of the Environment Operations (Waste) Regulation 2014* (NSW)

EXECUTIVE SUMMARY

INTRODUCTION

This Environmental Impact Statement (**EIS**) has been prepared by Mod Urban Pty Ltd, on behalf of the Applicant, Tyrex Australia Pty Ltd (**Tyrex**), and is submitted to Fairfield Council (**Council**) in support of the proposed designated development application for the premises identified as 68 Victoria Street, Smithfield (**Site**), being legally described as of Lot 9 & 10 in DP 239868.

The proposed development is considered Designated Development pursuant to Schedule 3 of the *Environmental Planning & Assessment Regulation 2021* (**EP&A Regulation 2021**), as the site is located within 100 metres of a natural waterbody (Prospect Creek), and as the site is located within 500m of the nearest residential receivers it therefore triggers designated development thresholds.

As the proposal is Designated Development, this EIS is prepared pursuant to Section 78A of the EP&A Act 1979 and in accordance with the Secretary's Environmental Assessment Requirements (**SEARs**) issued 27 April 2023.

This designated development application seeks approval for the alterations and additions and use of the Site for the purpose of a '*waste or resource transfer station*' as it recycles and processes and stores 30,000 tonnes per annum of tyres (rubber) on the site.

THE APPLICANT AND LANDOWNERS

The land is currently owned by E.E. Foley & T.Jenkins-Foley, the registered proprietors of Lot 9 & 10 in DP 239868.

The applicant for the proposal is Tyrex Australia Pty Ltd.

This is the only facility that Tyrex operates from.

PROPOSAL OVERVIEW

The application specifically seeks consent for:

- The use of the Site as a *'waste or resource transfer station'*;
- The site was formerly used for steel fabrication, steel engineering and welding.
- Receiving, consolidating and onforwarding of approximately 30,000 tons of waste tyres (rubber) per annum. As part of the 30,000 tonnes, approximately 5-10 tonnes per week of thin wire (being pure steel) which will be collected via magnets during processing and taken to the steel mills for further processing.
- The proposed use seeks consent for the tyre shredding and crumbing operations at 68 Victoria Street, including the installation of new shredding equipment.
- Locate weighbridge operations at Lot 9 in DP 239868.
- Store a maximum of 186 tonnes of rubber material at any one time.

In Lot 10 in DP 239868 - Victoria Street:

- New side entry roller door from Lot 9 in DP 239868

- Provision of tyre shredding and crumbing equipment, and bailer.
- Seven (7) designated parking spaces
- Up to 166 tonnes tyres and rubber products in total consisting of:
  - Up to 75 tonnes whole rubber tyres stored indoors.
  - Up to 66 tonnes of processed tyres (crumbed rubber) stored in bulk bags on shelving inside the 68 Victoria Street warehouse.
  - Up to 25 tonnes of tyre shred as processing materials stored inside 68 Victoria Street warehouse.

In Lot 9 in DP 239868 - Victoria Street:

- The sum of all the waste material will be 20 tonnes involving:
  - 20 tonnes of steel wires in bulk bags stored under the awning.
  - No whole rubber tyres stored under awning or Lot 9.
  - No processed tyres (crumbed rubber) stored under awning or Lot 9.
  - No rubber shred stored under awning or Lot 9.
  - Rubber products are not stored in shipping containers.
- No liquid, hazardous, restricted solid waste or general solid waste (putrescible), as defined in the Protection of the Environment Operations Act 1997 (NSW) or the EPA's Waste Classification Guidelines Part 1: Classifying Waste (2014), will be accepted at the facility.
- Provision of a new open sided awning
- Provision of a new in ground weighbridge inground and 20m in length and 3.799m wide;
- Provision of a weighbridge operator cabin.
- Provision of 2 x 368,000L above ground water tanks;
- Provision of a 1 x underground water tank.
- Five (5) designated parking spaces.
- Sealed hardstand area across the site

General Operation

- Hours of operation from 24 hours a day, seven days a week. Three shifts in total.
- A total of eight (8) employees on site at any one time; and
- Product is received by utes and trucks at the facility. Regular delivery activities will be via 12.5m long Heavy Rigid Vehicles (HRVs). The largest vehicle to access the site will be a 13.9m semi-trailer. All vehicles will use the weighbridge prior to entering the site, and again when exiting the site.

Proposal Objectives

The objectives of the Tyrex facility are:

- Facilitating future waste transfer and recovery needs of Greater Sydney.
- Securing future capacity for receipt of rubber to complement other resource recovery management options in the Greater Sydney region.
- Facilitating the safety and operation of the facility for future operators and customers.

Waste Types and Processing Per Annum

The facility seeks consent for receiving, consolidating and onforwarding 30,000 tons of waste tyres (rubber) per annum. As part of the 30,000 tonnes, approximately 5-10 tonnes per week of thin wire (being pure steel) which will be collected via magnets during processing and taken to the steel mills for further processing. The following waste types are handled at the proposed facility:

- The proposed use seeks consent for the receipt of rubber only to be transported by small vehicles, rigid trucks and the occasional semi-trailer.
- No liquid, hazardous, restricted solid waste or general solid waste (putrescible), as defined in the Protection of the Environment Operations Act 1997 (NSW) or the EPA's Waste Classification Guidelines Part 1: Classifying Waste (2014), will be accepted at the facility.
- All unacceptable materials such as asbestos will be sent back to the customers or asbestos sub-contracting company.

PROJECT NEED AND ALTERNATIVES

This proposal for the relocation of the operations will enable Tyrex to increase efficiency, particularly with delivery and sorting. In addition, the site offers greater space for storage of processed products.

Tyrex is developing a growing market for the services it provides, further supported by the Australian Government's ban on the export of whole tyres. In this context the proposal will help service a growing need for effective and environmentally sound re-use and recycling of tyres, both within NSW and nationally.

There are a number of strategic drivers to support the project need in the current location of the facility, including that it:

- Facilitates future resource recovery needs of Greater Sydney and ensures that all materials from waste tyres are recovered, with zero waste to landfill.
- Secures future capacity for transfer and temporary storage of recoverable resources to complement other resource recovery management options in the Greater Sydney region and internationally;
- Facilitates the safety and operation of the current facility for future operators and customers;
- Allows for the development as a permissible use;
- Reduce the risk of illegal stockpiling and dumping of waste.
- Is compatible with surrounding development and local context;
- Will result in minimal impact on the environment; and
- Will allow for the implementation of suitable mitigation measures where required.

The proposal will help service a growing need for effective and environmentally sound re-use and recycling of tyres, both within NSW and nationally. The proposed site operations will:

- Provide a further production of rubber crumb for Australian markets;
- Recover steel for local recycling markets;
- Maintain the local employment, with all employees relocating to the adjacent site once operational;
- Produce rubber shred suitable for international export markets.

If the proposal did not proceed in any form, there would be a high risk of increased demand on other resource recovery transfer stations within the Greater Western Sydney area.

This EIS has considered alternatives including continuing operating as is, and also the potential operation of the facility at an alternative site. The Do-Nothing scenario would result in economic, environmental and

social costs that would impact upon local government, local business and the local community and would not be consistent with relevant State legislation or policy.

Subsequent consideration of an alternative site location for the facility determined that it would not be a financially viable option or alternative for Tyrex and would have ensuing knock on effects such as loss of employment, and loss of a local facility that services wider Sydney's resource recovery needs.

The operator was operating from 66 Victoria Street previously and was significantly constrained for feedstock and finished products storage space. The relocation of operations to the adjacent premises (the site) will provide for further valuable storage of rubber products and allow for an overall improvement in site production efficiency.

The current proposed Site is considered appropriate for the proposed development for the following reasons:

- It will be located within a Site zoned for industrial uses (E4 General Industrial Zone);
- The Site achieves appropriate separation from sensitive land activities including residential development;
- All potential environmental impacts of the proposal can be suitably mitigated through the design of the facility and ongoing management;
- The proximity to the regional road network provides increased economic benefits;
- The proposal generates further employment opportunities, during the operational phase;
- The proposal will not affect any area of heritage or archaeological significance; and
- The proposal has been developed to achieve appropriate visual amenity.

ENVIRONMENTAL RISK AND MANAGEMENT

The EIS includes a comprehensive review of the environmental setting for the Tyrex facility in addition to the Site history, existing infrastructure, environmental management and performance at the facility.

The various components of the biophysical, social, and economic environment have been considered in this EIS. Environmental aspects and associated potential impacts of the proposal have been identified based upon a risk assessment process, and through the engagement of specialist consultants.

The Environmental Risk Analysis undertaken as part of the preparation of the EIS has identified that no aspects of the Proposal present a high level of residual risk.

There is, 1 aspect of the proposal which present a medium level of residual risk.

These include:

- Fire; and

The residual risk rating of 'medium' suggests that the residual risk can be managed through the application of environmental management measures. These are detailed within this EIS and in Part I (draft) Compilation of Mitigation Measures.

The remaining environmental risks considered for the Proposal have been assessed as having a low level of residual risk once mitigation measures have been applied. Taking into account these environmental risks, the residual risk is of a nature that it can be managed through detailed design controls, conditions of consent, and normal working practices. These include:

- Waste management
- Noise and vibration;
- Air Quality – Odour;
- Air Quality – Dust;
- Traffic and Transport;
- Soil and Contamination;
- Greenhouse Gas Emissions;
- Flood and Hydrology;
- Visual Amenity;
- Ecologically Sustainable Development;
- Flora and Fauna; and
- Heritage.

SUMMARY OF ENVIRONMENTAL ISSUES

Land use

- The site is zoned E4 General Industrial under the provisions of Fairfield Local Environmental Plan 2013 (**FLEP**) and a waste or resource transfer station for rubber product and is an innominate permissible use with consent in that zone, being a development not specified as permitted without consent or prohibited.
- The proposed use is compatible with existing uses on the Site and adjacent land. The investigations undertaken as part of this application conclude that no significant cumulative impact is to occur from the proposed use of the facility.

Design and Appearance and Visual Amenity

- The proposal will have a very limited degree of visual exposure and that the potential impact of the proposed development is low. The proposal is not visible from residential and recreational public domain areas and would not be distinguished in context of neighbouring warehouse facilities should distant views be available.
- The proposed provision of a new awning addition to the rear warehouse will improve the overall appearance of the site when viewed from Victoria Street.
- The scale bulk and massing of the new additions are appropriate to the locality and similar in scale and massing to other warehouse/industrial type buildings in the locality.
- The provision of the new weighbridge will not result in a visual impact to the site or neighbouring properties.
- The overall character and appearance of the proposed built form on site is typical of an industrial site.
- No change to the appearance of the office/workshop building that fronts Victoria Street (No. 68) and therefore no significant changes will occur to the streetscape appearance and the sites interface with the streetscape.
- The visual appearance of the Site will be largely as it currently exists within the streetscape, and is appropriate for the industrial precinct that the Site is contained within.

- Regular maintenance to the hardstand and landscaped areas will be undertaken by the Site operators to ensure the visual appearance of the Site is maintained.

Waste Management

- No liquid waste, hazardous waste, clinical waste or toxic waste is received on Site.
- From time to time, it can be expected that other forms of waste (e.g. putrescible materials) may unintentionally enter the waste stream at the facility. This is the same at any waste management facility.
- It is recommended that the facility formulate and abide by its own Plan of Management (**PoM**) that outlines the procedures in force for a range of waste streams to ensure that only the intended waste is collected.

Storage of Materials

- Recyclable materials are stored on Site internally within the warehouse building to ensure the vehicle paths of travel are not obstructed.
- The quantity of materials stored in the facility will vary with the type and amount of recoverable materials in the waste stream. It is estimated that the rubber that is stored on Site are cleared within a 30-day maximum period.

Unacceptable Materials

- Tyrex will not accept asbestos, putrescible waste, garden waste, building and demolition wastes, industrial wastes, toxic waste, hazardous waste, liquid waste or medical waste at the Site. Employees should be trained in accordance with a recommended OEMP and Plan of Management, to ensure staff are qualified ‘Spotters’ of unacceptable material.
- If hazardous waste is detected they are not to be accepted, and the customer is told to remove them from site.
- Non-conforming waste must not be held on site for more than two weeks, assuming Tyrex has a fortnightly commercial waste collection.
- No liquid, hazardous, restricted solid waste or general solid waste (putrescible), as defined in the Protection of the Environment Operations Act 1997 (NSW) or the EPA’s Waste Classification Guidelines Part 1: Classifying Waste (2014), will be accepted at the facility.

Loading of Vehicles

- Loading of rubber products to leave the site is conducted with the use of a forklift. The loading of trucks will not take place before 6:00 am.
- Once loaded into shipping containers on trucks for transport, all rubber is transported off site to the allocated destination.
- Steel/wire from tires will be transferred to resource recovery facilities that are lawfully capable of accepting that material for processing.

A range of mitigation and management measures are proposed to reduce the level of risk associated with waste management. These are detailed within this EIS and in Part I (draft) Compilation of Mitigation Measures.

Air Quality

An assessment of potential air quality impacts related to the Proposal has been undertaken by Todoroski Air Sciences and is included at **Appendix J.**

The main sources of air pollutants in the area are emissions from surrounding industrial and commercial operations and from other anthropogenic activities such as motor vehicle exhaust and wood heater emissions.

Odour

Odour has a low potential for generation from the process as the material is not being thermally treated. The processing of the material would all occur within the warehouse enclosure which would mitigate any odour generated. The potential for any off-site odour impacts is therefore not considered significant to cause any off-site impacts and have not been assessed further in this study.

Air Quality and Dust

- The dust generating activities associated with operation of the Project are identified as the handling and processing of the material and vehicles travelling on-site. The vehicles also have the potential to generate particulate emissions from the diesel exhaust.
- It is predicted that all the assessed air pollutants generated by the operation of the Project would comply with the applicable assessment criteria at the assessed receptors and therefore would not lead to any unacceptable level of environmental harm or impact in the surrounding area. The Project would not result in air pollution that would significantly impact upon the amenity of residential and industrial land uses.

Construction Emissions

- Potential construction dust emissions will be primarily generated due to material handling, vehicle movements, windblown dust generated from exposed areas and stockpiles. Exhaust emissions will be from the operation of construction vehicles and plant.
- To ensure dust generation is controlled during the construction activities and the potential for off-site impacts is reduced, appropriate (operational and physical) mitigation measures will be implemented as necessary.

Overall, the assessment demonstrates that even using conservative assumptions, the Project can operate without causing any significant air quality impact at receptors in the surrounding environment, and that implementation of mitigation and management measures will limit emissions potential.

These are detailed within this EIS and in Part I (draft) Compilation of Mitigation Measures.

Traffic and Transport

A detailed Transport Impact Assessment undertaken by Apex Engineering is provided in **Appendix D.**

- The Site is subject to the existing traffic conditions which the proposal seeks to maintain.
- The construction stage of the proposal is expected to generate at most 2-3 vehicle movements per hour. The largest vehicles expected to access the site during construction are not expected to be longer than the 13.9m long semi-trailer and the 12.5m HRVs nominated during typical operations. All construction

vehicles will be accommodated within the site at all times and follow left-in / left-out access arrangements into and out of the site.

- It is noted that this proposed expansion will be serviced by 8 staff members (maximum on-site, at any one time) and will likely attract at most 2 visitors per day. Furthermore, the proposed operations are expected to generate 5-6 truck deliveries per day.
- The peak hour traffic generation of this proposal will likely be in the order of approximately 8 trips, which reflects the vehicle movements generated by staff (8 trips entering the site in the AM peak hour and 8 trips exiting the site in the PM peak hour). Throughout the day, the site will generate vehicle movements related to visitors and deliveries. However, these activities will at most generate 4 trips in a given hour.
- The car parking provision requirements for the proposed development were determined in accordance with the parking rates prescribed in Table 1 in Chapter 12 (Car Parking, Vehicle and Access Management) of the Fairfield Citywide Development Control Plan (2013). In relation to resource recovery facilities, this policy states that the minimum number of car parking spaces required should be determined by a car parking survey of a comparable facility. Accordingly, the proposed parking provisions for resource recovery facilities reported in publicly available traffic assessment documents have been used to determine the number of required parking spaces for the subject proposal.
- Based on the rate of 1.3 car spaces per staff member, the proposal will require provision for 11 car spaces (rounded up). The proposed development provides a total of 12 on-site car spaces (5 spaces within Lot 9 - 68 Victoria Street + 7 spaces within Lot 10 - 68 Victoria Street, including a single disability-accessible car space). This provision conveniently satisfies the anticipated maximum parking demand.
- All the car spaces have been designed to comply with the requirement relevant to user class 1A (employee parking) spaces under AS 2890.1:2004.
- The largest vehicle that is expected to access the proposed site is a semi-trailer that is approximately 13.9m long. Accordingly, swept path tests have been undertaken to investigate the anticipated manoeuvrability conditions of this vehicle. This swept path assessment has been undertaken using AutoTURN software (the industry standard vehicle swept path assessment software).
- As can be seen in the TI swept path analysis, a 13.9m semi-trailer can sufficiently manoeuvre into, within and out of the proposed car park. Vehicles larger than the given size above will only be allowed to enter the site upon appointment.
- It is evident that the largest vehicle accessing the site can do so via the existing driveways without the need for widening them. As a result, there will be no impact on the existing kerbside parking spaces at the site frontage.
- All service vehicles and trucks are accommodated within the subject site with no requirement to queue on-street.
- All vehicles will use the weighbridge upon entering and exiting the site. All vehicles which enter the premises will be weighed over the weighbridge upon entry and exit in accordance with clause 29 of the Protection of the Environment Operations (Waste) Regulation 2014, and a record will be kept by the site operator.

Noise

The identified noise sources on Site include the following:

- Construction Noise

- Mobile Plant - Mobile plant of acoustical significance includes trucks, 3 x forklifts;
- Onsite truck movements;
- Ducted rooftop extraction fans for the machinery
- Rubber shredding machine (Genox Xeno X1600 twin shaft shredder with 2 x 45 kw motors); and
- General operational activity – shredders and sorting of materials.
- 1 x crumbing machine

Potential environmental impacts in relation to noise that are assessed as part of this EIS include:

- Operational and transport noise from traffic and transfer trucks in and out of the Site, machinery and plant upon sensitive receivers.
- An Acoustic Impact assessment is included at Appendix F.

  The assessment concludes that:
- Based on i) the background noise measurements made at the most-affected receivers, and ii) our noise model of the existing operations at 66 Victoria St, in conjunction with the noise measurements of the additional new machines, we conclude the following:

  a) Noise levels emitted to surrounding noise receivers will be below the project noise trigger levels as defined by the EPA Noise Policy for Industry.

  b) However, the predicted noise levels are based on operational assumptions such as good noise management practices on site, suitable placement of noise-generating equipment and a specified operational schedule.

  c)To ensure that ongoing noise emissions remain acceptable
- Based on the findings from the acoustic assessment, the proposed development can achieve compliance with the operational acoustic criteria required by local authorities, provided the conceptual recommendations discussed in the Acoustic Assessment and outlined in the mitigation and management measures proposed at Part I if this EIS.

Surface Water and Stormwater

Both the existing site and proposed redevelopment comprise the same catchment areas and percentages of imperviousness. Accordingly, the redevelopment will not result in an increase in either the volume or peak discharge of stormwater to the receiving system.

Therefore, an OSD is not required for this development under the Fairfield City Council DCP.

The proposed strategy for stormwater management for the re-developed site involves utilising the existing stormwater infrastructure and adding in additional stormwater measures which will mitigate potential water quality risks associated with the proposed site use.

Proposed measures include:

- Pit baskets installed at stormwater inlets will retain litter and reduce sediment loads entering the stormwater system;
- A simple Gross Pollutant Trap prior to discharge of stormwater site to provide for retention of sediments and an underflow weir to retain lighter than water particles.

- A sluice gate at stormwater discharge to allow isolation of stormwater at Site;
- A monitoring plan to verify the quality of water discharged to the Council stormwater system; and
- Inspection and cleaning of hardstand areas.

Site discharge of stormwater will remain via the stormwater easement at the rear of the property.

The proposed development will utilise existing amenities which are connected to the Sydney Water sewerage system.

The proposed development does not generate any liquid wastes other than potential fine particles of rubber (managed by washdown of slabs) and hydrocarbons associated with operation of machinery (managed through spill protocols). All processing will occur on impervious concrete slabs. Accordingly, there is negligible potential for contamination of groundwaters.

Fire water will be contained by:

- The existing wall of the building acts as a bund around perimeter. The bund arrangement should include a rollover at the roller door for vehicle access. Rollover height should be not less than 90mm high.
- An existing bund contains water at the north-western hardstand boundary. This bund should be linked to the rear boundary of the building and include a ramp to allow vehicle trafficking.

An isolation mechanism will be installed upstream of the stormwater point of discharge. This will need to be either a sluice gate, or snug fitting pipe plug with elastomeric rings.

Erosion and Sediment

- Construction activities on land may expose soils to rainfall and result in discolouration of runoff and sediment transport.
- Generally, the proposal does not involve earthworks or other ground disturbing activities other than minor disturbance associated with construction of stormwater improvements, so the risk of sediment transport offsite is very low.

Construction Site Spills

- Hydrocarbons or other hazardous materials could be spilled during construction activities from a range of events potentially including refuelling of machinery, disruption or spillage of existing containers storing hazardous materials, or leakage from machinery.
- Wash-out from trucks is also possible to occur.
- These events could have significant impact on the water quality and ecology of Prospect Creek.

Site Wastewater

- Rubber dust is not a known chemical contaminant, but nevertheless it is undesirable for rubber dust to discharge into the receiving environment where it may contribute to stream turbidity and adversely affect aquatic ecosystems

Flooding

- A summary of the flood behaviour of the Site is as follows:
- The Site is located in the low flood risk precinct and is thereby classified as ‘flood prone’ in accordance with the Floodplain Development Manual (NSW Government 2005).
- The area around the locality of the project site is subject to flood flows under two separate scenarios

- Mainstream Flooding along Prospect Creek, and
- Overland flows from flash flooding in the localised catchment.

- The Prospect Creek Floodplain Management Plan Flood Study Review Flood Study (Bewsher, 2006), indicates that the 100 year flood extent is located at the northern boundary of the site. The lowest ground level at the rear of the Site is 20.2 mAHD. This level is only exceeded in the Probable Maximum Flood (PMF) event.
- During the PMF event (see Figure 7) inundation would occur across the Site to a depth ranging from 0.6m at the site entrance to up to 2.0m at the rear of the building. Floodwaters would also occur on Victoria Street at the entrance to the Site.
- There are no harmful wastes on site which if washed away in a flood would cause environmental harm.
- No flooding would occur onsite as a result of overland flows from flash flooding in the local catchment. Victoria Street at the Site entrance has a level of 20.75 mAHD which is above the PMF flood level. Inundation of Victoria Street occurs to the east of the Site toward the Cumberland Highway.

Flood mitigation measures are recommended are detailed within this EIS and in Part I (draft) Compilation of Mitigation Measures.

Hazards and Fire

A Fire and Incident Management Report prepared by Innova Services Australia. The report concludes:

- The assessment involved conducting a desktop review of the proposal and comparing it against the FRNSW guidelines and then making an informed judgment on whether the design meets the required criteria.
- There are departures evident from the guidelines, mostly because there is conflict between the waste guideline and the tyre guideline, but also due to the nature of the commodity stored.
- Generally, in situations where there is a conflict between the Waste Guideline and the Tyre Guideline, we have prioritized the Tyre Guideline, as it is directly pertains to the commodity in question – in this case, the storage of tyres and subsidiary products.
- Despite this there are also inconsistencies or deviations from the Tyre Guideline within the proposed development namely due to the inclusion of tyre crumb, a material that is not accounted for in the guideline.
- These items will require consultation with stakeholders to determine suitability of the design in achieving the regulatory objectives.

<u>Properties of Waste Stored and Potential for Combustion</u>

- Rubber – Rubber can burn intensely. In accordance with Section 7.2.6 of the FRNSW Guideline for Waste Facilities the storage of rubber is deemed to be a high risk.
- Steel and iron - Steel and iron will melt when exposed to heat but typical temperatures within a fire would not result in steel and iron burning.

Rubber delivered to the site is deposited into several stockpiles of varying size. The stockpiles are intentionally separated and segregated to assist in operational efficiency, as well as reduce the potential for propagation in the event that a fire does commence.

Greenhouse Gas Emissions

- The Site does not accept types of waste (including putrescible waste) that generate Greenhouse Gas Emissions. The only likely emissions from the Site are from the machinery operated on Site.

Social and Economic

- In facilitating the operation of the Site, the proposed development will provide employment-generating activity. This has positive impacts on local and regional economies and populations.
- The proposal provides a supply of employment in an area of high accessibility, and contributes to desirable employment outcomes.
- The operation of the facility would allow for the efficient provision of resource recovery initiatives and infrastructure. Operation of the Site would facilitate the objectives of relevant State and Commonwealth legislation. For instance, the waste management objectives of the WARR Act include establishing the waste hierarchy of avoidance, resource recovery and disposal. It is considered that the facility would have a positive impact upon waste minimisation and resource recovery in the region.

Flora and Fauna

- The Site is identified as not containing threatened species, populations or communities within relevant State or Commonwealth legislation.

European and Aboriginal Heritage

There is no known European or Aboriginal Heritage items on Site, or in the immediate vicinity of the Site that will be impacted upon by the Site. No excavation is proposed, and therefore no Aboriginal artifacts are likely to be found on Site.

Ecologically Sustainable Development

- The Proposal has been assessed with the purpose of reducing the risk of serious and permanent impacts on the environment including an evaluation of the risk-weighted consequences of alternatives and options regarding the Proposal.
- The technical studies provided in the appendices of the EIS did not identify any issues that may cause serious and irreversible environmental damage as a result of the facility.
- The approval of the designated development application would secure an important waste infrastructure need, thereby facilitating future developments within the Fairfield LGA, the Western Sydney Area and the wider Sydney metropolitan area.
- The Site would secure waste requirements and have a working life that would extend to future generations, providing benefits for a number of generations without increasing the burden on future generations to deal with waste disposal problems.
- Should the Designated Development Application not proceed, the principle of intergenerational equity may be compromised.
- The Site is located within an established industrial precinct. No threatened flora or fauna listed under the Environment Protection and Biodiversity Conservation Act 1999 (EPBC Act) or Threatened Species

Conservation Act 1995 (TSC Act) have been recorded within the Site area. The development is not considered to significantly impact biological diversity or ecological integrity.

- It is recommended that an Operational Environmental Management Plan (OEMP) is prepared prior to construction and operation of the site to address the ongoing development of management and mitigation of issues on-site which will be implemented. Site management will need to be carried out to ensure that best practice methods are being employed wherever possible that facilitate the health, diversity and productivity of the environment are maintained or enhanced for future generations.

Consultation

During and prior to the preparation of this EIS, the proponent has extensively consulted with the relevant local and State government authorities, and neighbours, and have addressed any issues they have raised in the EIS.

The issues raised are detailed at Part G of this EIS.

CONCLUSION

The assessment has identified potential impacts that may be satisfactorily mitigated and managed through a range of measures that have been identified within this document. The proposed facility is also consistent with the priorities and targets adopted in relevant Government legislation, policies (both State and Local) and strategies as implemented on a local government and EPA stance.

The facility will provide significant benefit in terms of addressing and securing the need for recycling capacity in the local, Sydney metropolitan area, in addition to enabling efficient, safe and productive use of recyclable resources. The EIS considers the granting of designated development consent is in the public interest for a variety of reasons. It is recommended that designated development application be approved, subject to the imposition of reasonable conditions of development consent.

PART A - PRELIMINARY

1. INTRODUCTION

This Environmental Impact Statement (EIS) has been prepared by Mod Urban Pty Ltd, on behalf of the Applicant, Tyrex Australia Pty Ltd (Tyrex), and is submitted to Fairfield Council (Council) in support of the proposed designated development application for the premises identified as 68 Victoria Street, Smithfield (Site), being legally described as of Lot 9 & 10 in DP 239868.

The proposed development is considered Designated Development pursuant to Schedule 3 of the Environmental Planning & Assessment Regulation 2021 (EP&A Regulation 2021), as the site is located within 100 metres of a natural waterbody (Prospect Creek), and as the site is located within 500m of the nearest residential receivers it therefore triggers designated development thresholds.

As the proposal is Designated Development, this EIS is prepared pursuant to Section 78A of the EP&A Act 1979 and in accordance with the Secretary's Environmental Assessment Requirements (SEARs) issued 27 April 2023.

This designated development application seeks approval for the alterations and additions and use of the Site for the purpose of a 'waste or resource transfer station' as it recycles and processes and stores 30,000 tonnes per annum of tyres (rubber) on the site.

The applications specifically seek designated development consent related to the following:

- The use of the Site as a *'waste or resource transfer station'*;
- The site was formerly used for steel fabrication, steel engineering and welding.
- Receiving, consolidating and onforwarding of approximately 30,000 tons of waste tyres (rubber) per annum. As part of the 30,000 tonnes, approximately 5-10 tonnes per week of thin wire (being pure steel) which will be collected via magnets during processing and taken to the steel mills for further processing.
- The proposed use seeks consent for the tyre shredding and crumbing operations at 68 Victoria Street, including the installation of new shredding equipment.
- Locate weighbridge operations at Lot 9 in DP 239868.
- Store a maximum of 186 tonnes of rubber material at any one time.

In Lot 10 in DP 239868 - Victoria Street:

- New side entry roller door from Lot 9 in DP 239868
- Provision of tyre shredding and crumbing equipment, and bailer.
- Seven (7) designated parking spaces
- Up to 166 tonnes tyres and rubber products in total consisting of:
  - Up to 75 tonnes whole rubber tyres stored indoors.
  - Up to 66 tonnes of processed tyres (crumbed rubber) stored in bulk bags on shelving inside the 68 Victoria Street warehouse.
  - Up to 25 tonnes of tyre shred as processing materials stored inside 68 Victoria Street warehouse.

In Lot 9 in DP 239868 - Victoria Street:

- The sum of all the waste material will be 20 tonnes involving:
  - 20 tonnes of steel wires in bulk bags stored under the awning.
  - No whole rubber tyres stored under awning or Lot 9.
  - No processed tyres (crumbed rubber) stored under awning or Lot 9.
  - No rubber shred stored under awning or Lot 9.
  - Rubber products are not stored in shipping containers.
- No liquid, hazardous, restricted solid waste or general solid waste (putrescible), as defined in the Protection of the Environment Operations Act 1997 (NSW) or the EPA's Waste Classification Guidelines Part 1: Classifying Waste (2014), will be accepted at the facility.
- Provision of a new open sided awning
- Provision of a new in ground weighbridge inground and 20m in length and 3.799m wide;
- Provision of a weighbridge operator cabin.
- Provision of 2 x 368,000L above ground water tanks;
- Provision of a 1 x underground water tank.
- Five (5) designated parking spaces.
- Sealed hardstand area across the site

General Operation

- Hours of operation from 24 hours a day, seven days a week. Three shifts in total.
- A total of eight (8) employees on site at any one time; and
- Product is received by utes and trucks at the facility. Regular delivery activities will be via 12.5m long Heavy Rigid Vehicles (HRVs). The largest vehicle to access the site will be a 13.9m semi-trailer.

This EIS describes the Site, provides relevant background information and assesses the application in terms of the applicable matters set out in relevant legislation and policies.

The structure of the EIS is as follows:

Executive Summary

Part A Preliminary

Part B The Development Application details

Part C Location

Part D Identification and Prioritisation of Issues

Part E Legislation Review

Part F Environmental Issues

Part G Consultation

Part H List of Approvals and Licences

Part I Compilation of Mitigation Measures

Part J Justification for the Proposal and Conclusion

Background to this application

The proposal was originally discussed at a Development Advisory Meeting on 6 May 2021 with Fairfield City Council.

A development application was submitted 11 October 2022 for the site at 68 Victoria Street for '*Change of Use of Premises for a Tyre Recycling Facility*'. This application was subsequently withdrawn 24 February 2023 at the advice of Council as the application was not lodged as a designated development application.

Subsequently the applicant sought Secretary's Environmental Assessment Requirements (SEARs) which were issued 27 April 2023, and have informed the formation of this EIS.

PART B – LOCATION

2. Site Description and Surrounds

The site is known as 68 Victoria Street, Smithfield and comprises two allotments with a legal description of Lot 9 & 10 in DP 239868.

Figure 1 below identifies the Site and its surrounds.

Figure 1: Subject Site and surrounding development

Figure 2: View of No 68 Victoria Street site frontage

2.1 Site Description

- The site is located on the northern side of Victoria Street.
- The site has a total area of 4,060m2, and is rectangular in shape with a primary frontage to Victoria Street which is a classified road.
- Both lots have a vehicle cross over to Victoria Street for access.
- The site is relatively flat in topography and contains some trees at the street frontage to the site.
- The site is not a heritage item and is not located within a heritage conservation area.
- The site is not identified as being located on bushfire prone land.
- The site is located on flood prone land.
- The Site is located in the local government area of Fairfield Local Government Area.

68 Victoria Street (Lot 10)

- No 68 (Lot 10) is currently developed with a single storey industrial warehouse building (1,468m2 floorspace) with ancillary office (2 storey) at the frontage of the site. The remainder of the property is concreted, with vehicle crossover and parking at the front.

Figure 3: The Site frontage of 68 Victoria Street.

Figure 4: The existing vehicle cross over from 68 Victoria Street onto Victoria Street.

Figure 5: The existing vehicle entry into existing warehouse at no. 68 Victoria Street.

Figure 6: The existing under croft parking at 68 Victoria Street.

Figure 7: The rear of 68 Victoria Street and adjacent boundary.

Figure 8: The inside of the existing warehouse at 68 Victoria Street looking towards the rear of the site.

Figure 9: The inside of the existing warehouse at 68 Victoria Street looking towards the front of the site.

68 Victoria Street – Lot 9

- Lot 9 is an undeveloped lot with no buildings located on it and contains a large concrete hardstand and landscape strip at the front of the site.

Figure 10: The site frontage of Lot 9 - 68 Victoria Street and its vehicle crossover.

Figure 11: The vacant Lot 9 - 68 Victoria Street from Victoria Road frontage.

Figure 12: The vacant Lot 9 - 68 Victoria Street from rear of the site looking towards Victoria Street.

Common Site Attributes

- Access to the Site is achieved via Victoria Road from both lots;
- No native vegetation exists on the Site and no significant trees or shrubs are located on site;
- The sites are not a heritage item and is not located within a heritage conservation area and are subject to the same local zoning objectives pursuant to the FLEP.

2.2 Site Surrounds

- The subject site is situated within the centre of an established light industrial precinct characterised by a mix of single and two storey industrial buildings of varying style, age and appearance. Car repair and related industrial uses are prevalent in the precinct.
- The adjoining properties are characterised by industrial uses on all sides of the site along Victoria Street involving a range of different commercial land uses listed as follows:
  - Tools Warehouse (64 Victoria Street)
  - Connect Civil and Electrical Supplies and HayssPoly, Polyurethane Spraying (62 Victoria Street)
  - Impact International, packaging company (72 to 78 Victoria Street)
  - Suburban Solar Power Hub (72 Victoria Street)
  - SAME Waterjet, water jet cutting service (48 Justin Street, to the rear of the site)
- To the north of the site within 100m is Prospect Creek.
- The nearest residential area is located 240m south of the site on The Horsley Drive, Smithfield

2.3 Zoning and Permissibility

The site is zoned E4 General Industrial Zone under the provisions of Fairfield Local Environmental Plan 2013 (**FLEP**) and a 'waste or resource transfer station' for rubber is an innominate permissible use with consent in that zone, being a development not specified as permitted without consent or prohibited.

The objectives of the zone are:

- *To provide a range of industrial, warehouse, logistics and related land uses.*
- *To ensure the efficient and viable use of land for industrial uses.*
- *To minimise any adverse effect of industry on other land uses.*
- *To encourage employment opportunities.*
- *To enable limited non-industrial land uses that provide facilities and services to meet the needs of businesses and workers.*
- *To ensure development is not likely to detrimentally affect the viability of nearby business centres.*

The Proposal is considered to be consistent with the objectives of the E4 zone.

- Provide an industrial land use.
- Encourage employment opportunities.
- Minimise any adverse effect of development on other land uses.
- Support and protect industrial land for industrial uses

Within the dictionary of the FLEP, *'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).*"

Within the dictionary of the FLEP, *'waste or resource transfer station'* means:

'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.'

Therefore, the use of the Site as a '*waste or resource transfer station*' is permitted with development consent.

2.4 Topography

The site sits slightly above the adjacent road surface along Victoria Street. The levels between the two lots are relatively flat.

2.5 Soil types and properties

Concrete pavements surround all buildings on 68 Victoria Street and appear to be in poor to reasonable condition with cracking evident throughout the site.

The site at Lot 9 - 68 Victoria Street is proposed to be capped/sealed however in its current state it consists of compacted soil.

The land is not identified on Council's Acid Sulfate Soils maps as being affected by acid sulfate soils.

2.6 Ecological Information

There is no known flora or fauna on the Site that can be considered to be a threatened or endangered species.

2.7 European and Aboriginal Heritage

The site is not listed as a heritage item, nor is it located in a Heritage Conservation Area as listed by Schedule 5 Parts 1 and 2 of the RLEP.

It is not located within the vicinity of any heritage item listed by Schedule 5 Part 1 of the FLEP.

Additionally, no known Aboriginal heritage sites or places of significance are known to exist on the Site or adjoining sites.

PART C - THE APPLICATION DETAILS

3. PROPOSAL OVERVIEW

Designated Development Application

The proposed development is considered Designated Development pursuant to Schedule 3 of the *Environmental Planning & Assessment Regulation 2021* (**EP&A Regulation 2021**), as the site is located within 100 metres of a natural waterbody (Prospect Creek), and as the site is located within 500m of the nearest residential receivers it therefore triggers designated development thresholds.

There are no other relevant Designated Development triggers that are applicable to this proposal.

3.1 The Objectives of the Proposal and Facility

The objectives of the Tyrex facility are:

- Facilitating future waste transfer and recovery needs of Greater Sydney.
- Securing future capacity for receipt of tyres/rubber to complement other resource recovery management options in the Greater Sydney region.
- Facilitating the safety and operation of the facility for future operators and customers.

To achieve these objectives a number of processes are required. The following outlines these processes.

i. Processing Per Annum

- Receiving, consolidating and onforwarding of approximately 30,000 tons of waste tyres (rubber) per annum. As part of the 30,000 tonnes, approximately 5-10 tonnes per week of thin wire (being pure steel) which will be collected via magnets during processing and taken to the steel mills for further processing.
- The subject site has capacity to accommodate up to 570 tonnes per week, which equates to 2,500 tonnes per month and 30,000 tonnes per year.
- 186 tonnes to be stored on site at any one time.

ii. Types of Waste Processed

This section outlines the types of waste which is proposed to be accepted at the facility, and which is sought as part of this designated development application.

Table 1: Waste Streams and Quantity

Type of Material	Processing or Storage	Location on Site for Storage	Bins on Site or Stacked	Volume Per Annum Tonnes	Maximum Daily Volume Tonnes	Maximum Weekly Tonnes
Waste Tyre (rubber)	Processing/Storage	Refer plans	Stacked/Bagged	30,000	82	570

Type of Material	Processing or Storage	Location on Site for Storage	Bins on Site or Stacked	Volume Per Annum Tonnes	Maximum Daily Volume Tonnes	Maximum Weekly Tonnes
Thin wire (from tyres)	Processing/Storage	Refer plans	Bins/Drums	520	1.2	5-10

This will consist primarily of heavy truck and bus tyres, light truck tyres and passenger tyres.

There will be no importation of organic materials, food, household liquids, asbestos, chemicals, hazardous materials, building waste or concrete.

No batteries are collected and stored. No Lithium batteries will be brought to the site.

The tyres typically arrive from small vehicles, rigid trucks and the occasional semi-trailer.

Tyrex accept rubber products. The material type accepted on site is defined under the POEO Act as Special waste 'Waste Tyres'.

No liquid, hazardous, restricted solid waste or general solid waste (putrescible), as defined in the Protection of the Environment Operations Act 1997 (NSW) or the EPA's Waste Classification Guidelines Part 1: Classifying Waste (2014), will be accepted at the facility.

iii. Resource Recovery Process and Disposal

The following highlights the cradle to grave waste processing at the facility as proposed.

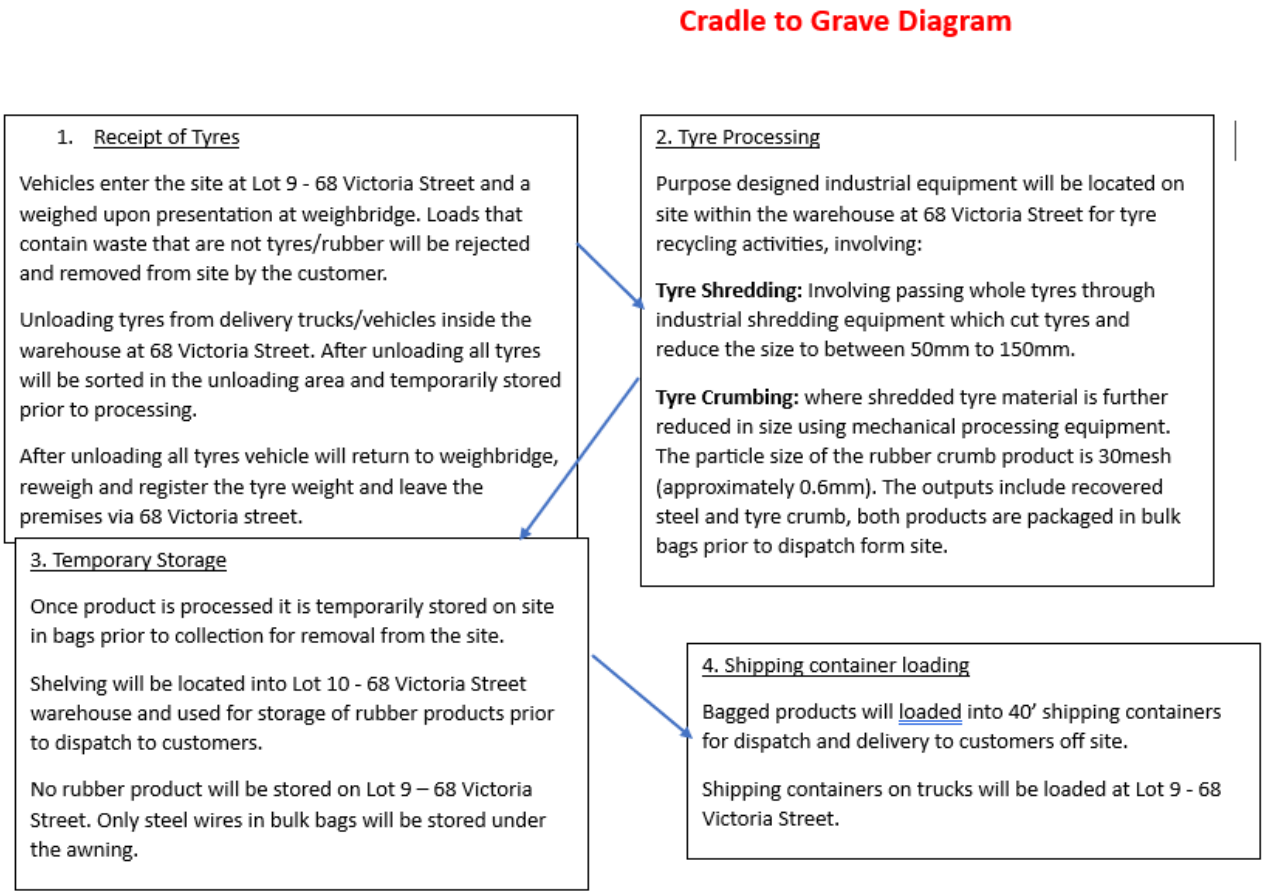

Figure 13: Cradle to Grave Diagram

Figure 13 above provides a step by step process of what occurs when materials arrive at the Site. This process is typical for all types of material arriving at the site.

The process is also described as follows:

- The truck enters the site, is visually checked from the viewing platform and weighed on the weighbridge.
- The truck enters the building (Lot 10 no.68) and occupies the loading area, and the truck is unloaded.
- The material is unloaded and sorted in the building and placed into defined stockpiles based on the tyre type.
- Any material found suspicious will be inspected by the waste inspector prior to unloading and allocated at the quarantined bay. The inspector will make sure that the waste is free of any contamination. Also, the waste will be assessed at quarantined area. If any hazardous material or asbestos found in the delivery that will be immediately returned to the tyre suppliers. The inspector will write and record a detailed report about the material received including identification of waste received, vehicle registration number and company name. Tyrex will have a written agreement with tyre suppliers to collect any such waste if found in their deliveries.
- Tyres are processed/shredded, and thin wire from tyres is separated from rubber.

- Once shredded, rubber output is bagged. Refer to Figure 14.

Figure 14: Shredded tyres/rubber.

- Once bagged, rubber is transferred to a storage stockpile ready for loading onto a vehicle for removal from site or processing / disposal at a place lawfully permitted to do so.

iv. Level of performance and Operating Standards

To ensure that environmental standards set by the EPA and government authorities are met, Tyrex employees will trained in accordance with their own site specific Operational Environmental Management Plan (OEMP). Tyrex will keep a record of all training, which is updated annually for every employee.

In addition, the OEMP that Tyrex will operate under will be reviewed and updated annually, or when required to ensure that it aligns with any changes in legislative requirements or regulations.

A High Level of Performance against environmental standards is anticipated by Tyrex and the level of performance proposed for the facility aligns with the following objectives.

- Encouraging the most efficient use of resources;
- Reducing environmental harm;

- Ensuring that resources are managed against the waste hierarchy of avoidance, resource recovery then disposal; and
- Diversion of waste from landfill.

v. Built Form and Building Works

Lot 10 - 68 Victoria Street:

- New side entry roller door from Lot 9 – 68 Victoria Street
- Installation of new shredding and crumbing equipment and a baler.
- Provision of storage shelving
- 1800mm high front fencing

Lot 9 - 68 Victoria Street:

- Provision of a new open sided awning.
- Provision of a new inground weighbridge that is in ground and 20m in length and 3.799m wide;
- Weighbridge operator cabin
- Provision of 2 x 368,000L above ground water tanks;
- Provision of a 1 x underground water tank.
- 1800mm high side and front fencing
- Sealed hardstand area across the site

vi. Timing of Proposal

The works associated with the use of the premises for the purpose of a 'waste or resource transfer station' for rubber product will commence upon receipt of a Designated Development Consent as sought in this proposal.

As a result of the environmental assessments that have been required to be undertaken, a number of recommendations have been made to Tyrex in order to ensure the facility will minimise environmental impacts. Some of these proposed mitigation measures will be implemented immediately by Tyrex, whilst other measures will be implemented in the medium term subject to the outcomes of further testing and sampling.

Refer to Part I for a list of recommendations, mitigation and management measures to be implemented by Tyrex.

3.2 Description of the Proposal

The following outlines the proposed processes to undertaken by Tyrex at the facility and that form part of the Designated Development application.

a. General

The application seeks development consent for the use of the premises for the purpose of a 'waste or resource transfer station' for rubber. The particulars of the operation are as follows:

Table 2: General Proposal Summary

Primary Land Use	***waste or resource transfer station***
Operational Detail	The receipt of heavy truck and bus tyres, light truck tyres and passenger tyres. The number of truck movements will be between 5-6 deliveries per day. <u>Receipt of Tyres</u> Unloading tyres from delivery trucks inside the warehouse at Lot 10 - 68 Victoria Street. After unloading all tyres will be sorted in the unloading area and temporarily stored prior to processing. The material is unloaded and sorted in the building and placed into defined stockpiles based on the tyre type. Any material found suspicious will be inspected by the waste inspector prior to unloading and allocated at the quarantined bay. The inspector will make sure that the waste is free of any contamination. Also, the waste will be assessed at quarantined area. If any hazardous material or asbestos found in the delivery that will be immediately returned to the tyre suppliers. The inspector will write and record a detailed report about the material received including identification of waste received, vehicle registration number and company name. Tyrex will have a written agreement with tyre suppliers to collect any such waste if found in their deliveries. <u>Tyre Processing</u> Purpose designed industrial equipment will be located on site for tyre recycling activities, involving: - Tyre Shredding: Involving passing whole tyres through industrial shredding equipment which cut tyres and reduce the size to between 50mm to 150mm. - Tyre Crumbing: where shredded tyre material is further reduced in size using mechanical processing equipment. The particle size of the rubber crumb product is 30mesh (approximately 0.6mm).

	The outputs include recovered steel and tyre crumb, both products are packaged in bulk bags prior to dispatch form site. - Purpose of bailing/ pressing and packaging machine is set for packing the wires that are extracted from the tyres. <u>Temporary Storage</u> Shelving will be located into the warehouse at Lot 10 - 68 Victoria Street and used for storage of rubber products prior to dispatch to customers. Shelving will also be located under the proposed awning for storage at Lot 9 - 68 Victoria Street, only for temporary storage of steel wires in bulk bags. No storage of rubber product is allowed in Lot 9 – 68 Victoria Street. <u>Shipping container loading</u> No shipping containers will be located on site permanently. Bagged products will be loaded into 40’ shipping containers on loading vehicles for dispatch and delivery to customers only and will be transported off site immediately. Shipping containers that arrive on delivery vehicles will however only be located temporarily and as they’re loaded, they will be removed from site. Only 1 shipping container will be on site at any one time for transportation of material. The dimension of the shipping container will be 6m (l) x 2.4m (w) x 2.6m (h). <u>Loading and Unloading in General</u> Vehicles perform loading and unloading in the designated loading unloading area as shown on the package of plans accompanying this EIS. This is both internal and external to the building. Vehicles do not access the building from the rear other than forklifts, and this is clearly shown on the swept path plans. Building access for vehicles is in a forward motion from the new side entrance created to the western elevation of the building. All loading and unloading vehicles will go through the weighbridge to measure the proper waste received. <u>Office and Administration</u> Tyrex head office operations, including administration, will be located at Lot 10 - 68 Victoria Street within the existing office portion of the site.

Hours of Use	The proposal seeks consent for (24) hour operation, (7) days a week as follows: • Shift 1: 6:00am to 3:00pm • Shift 2: 3:00pm to 12:00am • Shift 3: 12:00am to 6:00am Tyre processing equipment will operate during Shifts 1 and 2, whereas site cleaning, preparation and maintenance will occur during Shift 3. The delivery of tyres at the facility will be carried out from Monday to Friday 6AM to 6PM by the designated tyre collectors and applicant.
Operational Jobs	Approximately eight (8) full time equivalent jobs.
Storage/Processing Capacity	Total tonnage handled on-site per year will be 30,000 tonnes per annum. 186 tonnes to be stored on site at any one time. As part of the 30,000 tonnes, approximately 5-10 tonnes per week of thin wire (being pure steel) which will be collected via magnets during processing and taken to the steel mills for further processing. This will consist primarily of heavy truck and bus tyres, light truck tyres and passenger tyres. Other than tyres and tyre products, waste streams at the site will also include: General waste – where office waste, lunchroom waste, and non-hazardous waste is deposited to a site skip bin. The skip bin is routinely serviced by a waste contractor. Waste oil – where waste lubricant oil from equipment maintenance is collected in drums. Waste oil drums are routinely collected by a waste service provider. Co-mingled recycling – the site is currently investigating options for collection of co-mingled recycling streams (paper, cardboard, plastics) from the site. Some metal products associated with the tyres will be stored in bins, drums on-site. As part of the 30,000 tonnes, approximately 5-10 tonnes per week of thin wire (being pure steel) which will be collected via magnets during processing and taken to the steel mills for further processing.

	No Lithium batteries or chemicals will be brought to the site or stored on site. A total of 10 x 15kg LPG storage tanks are located at the front of Lot 10 - 68 Victoria Street, internal to the warehouse. There are no other chemicals or gases stored on site.
Operational Machinery	Provision of 1 x weighbridge in ground and 20m in length. The site also operates 3 x forklift for materials handling, these machines are powered by LPG. The majority of use of this equipment is indoors. Shredding tyres – This step of the process effectively uses industrial sized 'knives' to shear tyres into smaller pieces (39pprox.. 50mm to 150mm in size). Crumbing equipment – to further reduce the tyre shred into fine particles and granules (typically less than 2mm in size). This equipment is a closed-circuit system that includes a purpose built industrial air filtration system designed to capture dust generated from the crumbing process. A water-cooling system – to extract heat from the milling and crumbing process. The heat extraction system involves a closed system, with heat exchange occurring through a water tank kept on the site. The processing equipment is powered by electricity supplied to the site. Bailing/Pressing - Purpose of bailing/ pressing and packaging machine is set for packing the wires that are extracted from the tyres.
Demolition	Partially demolish part of the external wall on the western elevation of the warehouse to allow provision of new roller door/access.
Groundworks	Earthworks are not proposed to form part of this proposal.
New Built Form	No new built form is proposed to the exterior of the site other than location of a weighbridge and a new awning and fencing.
Landscape	Minor landscaping works are proposed. Refer to plans.
Onsite car parking and vehicle access	Provision of onsite car parking for eleven (11) staff and visitors parking spaces, and one disabled access parking space. The applicant proposes to provide a separate entry and exit on-site with inbound vehicles coming to the site at Lot 9 - 68 Victoria Street and outbound at Lot 10 - 68 Victoria Street, so as to allow vehicles and trucks to enter and leave the site in a forward direction.

	Vehicle access is proposed by existing vehicle cross overs to Victoria Street. The number of truck movements will be between 5-6 deliveries per day.
End of Market	Shredded product will be sold locally and will be exported to India, Malaysia and Japan. Final product is used for local road construction, tile adhesives, parks and playing fields and will be exported for reclaimed rubber. The end market for thin steel wire from waste tyres which is 100% recyclable is sold to Power Metal Trading Company Pty Ltd for Export purpose.

i. Construction works

Pending approval, design and construction activities are expected to start in 2025. The proposal would likely be built in five phases to reflect contractor requirements, material and equipment availability, and program and delivery schedules. Constructing in phases would also allow for effective site and environmental management.

The main phases of construction comprise:

- Phase 1: Demolition
- Phase 2: Site establishment and enabling works
- Phase 3: Main construction works
- Phase 4: Testing and commissioning works
- Phase 5: Finishing works.

Although construction works are likely to occur in phases, the operational phase of the proposal would not be staged. Full operations will begin once construction (along with testing and commissioning) is complete.

b. Air

Due to the nature of the operations conducted by Tyrex and the streams of materials, fugitive dust air emissions will be generated onsite by the following means:

- Movement of trucks into and out of the Site;
- Emissions from the operation of equipment.
- The unloading of waste within the facility;
- Movement of materials with forklifts within the facility;
- Storage of materials.

Pollutants which may potentially be emitted may include combustion gases and particulate from fuel combustion in vehicle engines, particulate matter resulting from the movement of vehicles and from the movement and storage of waste.

In addition to the Tyrex activities, a number of other environmental factors will also affect air quality emissions including:

- Construction Emissions – Potential construction dust emissions will be primarily generated due to material handling, vehicle movements, windblown dust generated from exposed areas and stockpiles. Exhaust emissions will be from the operation of construction vehicles and plant.
- Odour Emissions – Odour emissions have some potential to arise from the exhaust emissions of passing traffic and other industrial and commercial operations in the area.
- Wind direction – determines whether materials or air pollutants (from vehicles) from the Site are transported in the direction of the sensitive receivers;
- Wind speed – governs the potential suspension and drift resistance of materials;
- Waste type - loose paper or cardboard have an increased potential to be transported through the air in high wind events. Rubber is less likely to be affected by wind events.

Dust can be generated by vehicles, specifically from trucks entering and leaving the Site by dust particles being picked up from the road by tyres and from air flowing over the truck body.

Based on the findings of the air quality impact assessment, and even using conservative assumptions, the Project can operate without causing any significant air quality impact at receptors in the surrounding environment.

c. Noise and Vibration

The proposed resource recovery transfer station at 68 Victoria Street, Smithfield is surrounded by the following noise sensitive receivers:

- Industrial premises adjoining and directly across Victoria Street from site.
- Closest residences between 714-734 The Horsley Drive, approximately 250 metres away.
- To the north of the site is a passive recreation area, Chifley St Reserve, which is accessible to the general public.

Figure 15: Aerial view of the site showing site location, nearby noise receivers, roads, and noise measurements locations. (Source: Acoustic Directions)

The identified noise sources on Site include the following:

- Construction Noise
- Mobile Plant – Mobile plant of acoustical significance includes trucks, 3 x forklifts;
- Onsite truck movements;
- Ducted rooftop extraction fans for the machinery
- Rubber shredding machine (Genox Xeno X1600 twin shaft shredder with 2 x 45 kw motors); and
- General operational activity – shredders and sorting of materials.

Potential environmental impacts in relation to noise that are assessed as part of this EIS include:

- Operational and transport noise from traffic and transfer trucks in and out of the Site, machinery and plant upon sensitive receivers.

An Acoustic Impact assessment is included at **Appendix F.**

d. Hours of Operation

The proposal seeks consent for (24) hour operation, (7) days a week as follows:

• Shift 1: 6:00am to 3:00pm

• Shift 2: 3:00pm to 12:00am

• Shift 3: 12:00am to 6:00am

Tyre processing equipment will operate during Shifts 1 and 2, whereas site cleaning, preparation and maintenance will occur during Shift 3.

The delivery of tyres at the facility will be carried out from Monday to Friday 6AM to 6PM by the designated tyre collectors and applicant.

e. Water Management Systems

Stormwater Collection and Drainage

Both the existing site and proposed redevelopment comprise the same catchment areas and percentages of imperviousness. Accordingly, the redevelopment will not result in an increase in either the volume or peak discharge of stormwater to the receiving system.

Therefore, an OSD is not required for this development under the Fairfield City Council DCP.

The proposed strategy for stormwater management for the re-developed site involves utilising the existing stormwater infrastructure and adding in additional stormwater measures which will mitigate potential water quality risks associated with the proposed site use.

Proposed measures include:

- Pit baskets installed at stormwater inlets will retain litter and reduce sediment loads entering the stormwater system;
- A simple Gross Pollutant Trap prior to discharge of stormwater site to provide for retention of sediments and an underflow weir to retain lighter than water particles.
- A sluice gate at stormwater discharge to allow isolation of stormwater at Site;
- A monitoring plan to verify the quality of water discharged to the Council stormwater system; and
- Inspection and cleaning of hardstand areas.

Site discharge of stormwater will remain via the stormwater easement at the rear of the property.

The proposed development will utilise existing amenities which are connected to the Sydney Water sewerage system.

The proposed development does not generate any liquid wastes other than potential fine particles of rubber (managed by washdown of slabs) and hydrocarbons associated with operation of machinery (managed through spill protocols). All processing will occur on impervious concrete slabs. Accordingly, there is negligible potential for contamination of groundwaters.

Fire water will be contained by:

- The existing wall of the building acts as a bund around perimeter. The bund arrangement should include a rollover at the roller door for vehicle access. Rollover height should be not less than 90mm high.
- An existing bund contains water at the north-western hardstand boundary. This bund should be linked to the rear boundary of the building and include a ramp to allow vehicle trafficking.

An isolation mechanism will be installed upstream of the stormwater point of discharge. This will need to be either a sluice gate, or snug fitting pipe plug with elastomeric rings.

Flooding

- A summary of the flood behavior of the Site is as follows:
  - The Site is located in the low flood risk precinct and is thereby classified as 'flood prone' in accordance with the *Floodplain Development Manual (NSW Government 2005).*
  - The area around the locality of the project site is subject to flood flows under two separate scenarios
    - Mainstream Flooding along Prospect Creek, and
    - Overland flows from flash flooding in the localised catchment.
  - .
  - The *Prospect Creek Floodplain Management Plan Flood Study Review Flood Study (Bewsher, 2006)*, indicates that the 100 year flood extent is located at the northern boundary of the site. The lowest ground level at the rear of the Site is 20.2m AHD. This level is only exceeded in the Probable Maximum Flood (**PMF**) event.
  - During the PMF event (see Figure 7) inundation would occur across the Site to a depth ranging from 0.6m at the site entrance to up to 2.0m at the rear of the building. Floodwaters would also occur on Victoria Street at the entrance to the Site.
  - There are no harmful wastes on site which if washed away in a flood would cause environmental harm.
  - No flooding would occur onsite as a result of overland flows from flash flooding in the local catchment. Victoria Street at the Site entrance has a level of 20.75 mAHD which is above the PMF flood level. Inundation of Victoria Street occurs to the east of the Site toward the Cumberland Highway.

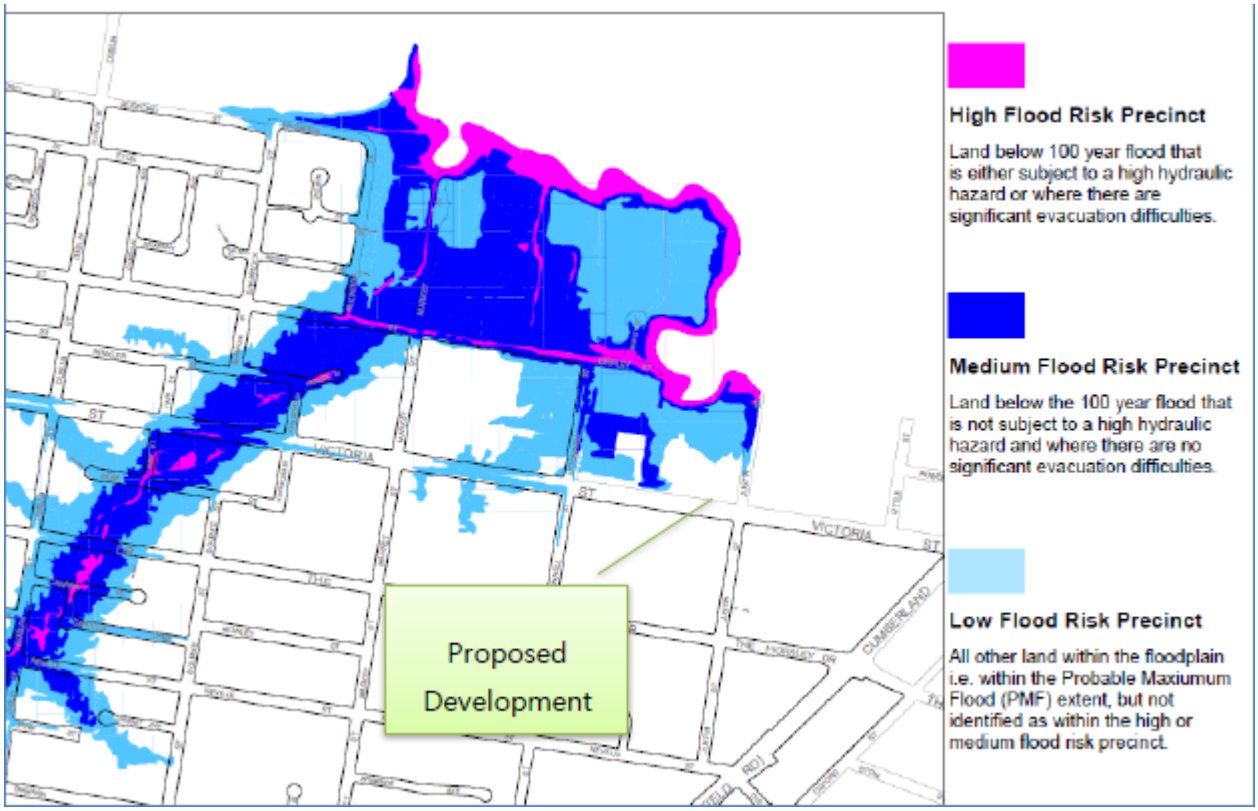

Figure 16: Flood Map (Source: Fairfield Council)

An assessment of Stormwater Matters and Flooding has been prepared for the Site by SLR (**Appendix G**). In addition to the assessment, a number of control measures are proposed to be put in place and implemented on Site to ensure a minimal impact on the environment. These control/mitigation measures are outlined further in this report at Part F and I of the EIS.

f. Soil and Contamination

The application does not propose any works or new built form that would impact on soil and drainage across the Site.

No significant excavation is proposed as part of the application and historical data indicates that the Site has been used for light industrial purposes. The application does not involve any significant disturbance to the ground surface, thus further consideration in respect of contamination is not required.

The site is located in an area of no known occurrences of acid sulfate soil materials.

g. Waste Management and Hazardous Materials

The following types of recyclable material and quantities listed in Table 3 are received at the Site.

Table 3: Volume/Quantities of Waste Received

Type of Material	Processing or Storage	Location on Site for Storage	Bins on Site or Stacked	Volume Per Annum Tonnes	Maximum Daily Volume Tonnes	Maximum Weekly Tonnes
Waste Tyre (rubber)	Processing/Storage	Refer plans	Stacked/Bagged	30,000	82	570
Thin wire (from tyres)	Processing/Storage	Refer plans	Bags and bales	520	1.2	5-10

The facility is designed to receive and store the above listed waste types only. All other wastes are excluded.

The site is determined to not pose any hazardous or offensive risks and therefore it is concluded that the site is not considered potentially hazardous and does not pose significant risk to adjacent land uses.

Each type of waste is stored on Site for recovery/recycling and is stockpiled/stored separately.

The processes for dealing with each waste or resource stream is outlined in Section 3.1 of this report and within the Plan of Management and Operational Environmental Management Plan.

No liquid waste, hazardous waste, clinical waste or toxic waste is received on Site. No chemicals are accepted at the site.

A Waste Management Plan is included at **Appendix S.**

h. Traffic and Transport

The Site is subject to the existing traffic conditions which the Proposal seeks to maintain.

- Vehicular access is currently provided to the subject site comprising 68 Victoria Street via two (2) existing access driveways to Victoria Street.
- At the site frontage, Victoria Street is a classified road with a posted speed limit of 60 km/hr, and it includes a double barrier median divided carriageway providing two traffic lanes in each direction with kerbside parking on either side of the carriageway.

A Traffic and Parking Impact Assessment has also been prepared for the Site by Apex Engineers (**Appendix D**). In addition to the assessment, a number of control measures are proposed to be implemented on Site to ensure a minimal impact on the environment. These control/mitigation measures are outlined further in this report at Part F and I of the EIS.

3.3 Rehabilitation and Maintenance

i. Site Maintenance

It is proposed that Tyrex will be responsible for ongoing Site maintenance.

ii. **Final condition of Site**
Tyrex intends to implement the mitigation measures and management controls outlined in this EIS and the OEMP to ensure the final condition of the Site is to the satisfaction of the relevant authorities**.**

3.4 Consideration of Alternatives and Justification for the Proposal

The intention and objectives of the Proposal is to provide a waste and resource transfer facility at a location that:

- Facilitates future waste and resource recovery transfer needs of Greater Sydney.
- Secures future capacity for resource transfer and temporary storage to complement other resource recovery management options in the Greater Sydney region and internationally.
- Facilitates the safety and operation of the current facility for future operators and customers.
- Allows for the development as a permissible use;
- Has appropriate access to the regional road network;
- Is compatible with surrounding development and local context;
- Will result in minimal impact on the environment; and
- Will allow for the implementation of suitable mitigation measures where required.

The Site is considered to be appropriate for the project as it allows for the use of the Site in an established industrial precinct. The proposed Site design and layout of the building maintain consistency with the objectives of the zone and enhance the underlying industrial character intended for the locality.

The NSW Government paper '*Cleaning Up Our Act: The Future for Waste and Resource Recovery' (DPIE 2020*), identities a critical need to plan and prepare early for all types of waste and resource recovery infrastructure.

Direction 3 of the paper is to '*Plan for future infrastructure'* and notes the challenges in finding appropriate lands for waste and resource recovery land.

The proposed facility will provide:

- an environmentally beneficial means of dealing with solid metal wastes by receiving product and allowing it to be sent onward for recycling, contributing to meeting of NSW government recycling targets; and
- 20% of the required additional processing capacity required in the Sydney Metropolitan Area.

The proposed facility is strategically located to provide recycling service to meet the projected demand associated with future development activities within the greater metropolitan Sydney region.

The options considered, and subsequently dismissed, in arriving to the current Proposal included:

The NSW Government has also committed close to $500 million to transform waste and recycling in NSW. The ''Waste Less, Recycle More: A Five Year $465.7 million Waste and Resource Recovery Initiative" (EPA 2013) states that "*more effort is needed to continue the recycling rate for waste from households, business and industry*" and further that "*significant infrastructure investment is required in order to keep up with the*

increasing waste generation rates and meet the NSW recycling targets". The options considered, and subsequently dismissed, in arriving to the current proposal included:

(a) 'Do Nothing' Scenario

This option was dismissed as the objectives of the project would not be met. Further, Tyrex is required to obtain Designated Development Consent for the use and operations of the Site. The Site currently contains facilities suitable for operations which are capable of accommodating the use without any unacceptable impacts on the surrounding locality.

If the Proposal did not proceed in any form, there would be a high risk of increased demand on other waste and resource recovery facilities within the Greater Western Sydney area.

The Do-Nothing scenario would result in economic, environmental and social costs that would impact upon local government, local business and the local community and would not be consistent with relevant State legislation or policy.

For the above-listed reasons, not proceeding with the Proposal in some form would not achieve the Proposal objectives.

(b) Development on an Alternative Site

Having given consideration to the construction of a new facility on an alternative site that addresses the Proposal objectives, it is understood that a new facility would be required to be located within the western Sydney region and meet future resource recovery transfer needs of the surrounding area.

The adjacent site at 66 Victoria Street, was formerly used for the proposed use, however was deemed too small to accommodate Tyrex's demands and volume of waste proposed. Alternatively the subject site was deemed more suitable for operations.

Consideration was given to other alternative sites; however, these were dismissed as the subject Site resulted in the most beneficial outcomes for the Proposal as:

- It will continue the long-standing occupation of the Site by industrial type uses;
- It will be located within a Site zoned for industrial uses;
- Other sites present unsuitable zonings and/or constraining surrounding land use issues (i.e. residential/ potential for impact upon amenity);
- Other sites were considered unsuitable for access to the site;
- Utilising existing infrastructure on Site reduces the need to develop new waste management infrastructure at other facilities/ new sites and subsequent impact to the environment.
- The high capital costs associated with design, construction and operation of a new facility on an alternative site were deemed unrealistic;
- The Site achieves appropriate separation from sensitive land activities including residential development;
- All potential environmental impacts of the Proposal can be suitably mitigated through the proposed mitigation and management measures outlined in this EIS;
- The proximity to the regional road network provides increased economic benefits;

- The proposal generates further employment opportunities, during both the operational and maintenance phase for up to 8 full time equivalent employees;
- The proposal will not affect any area of heritage or archaeological significance; and
- The proposal has been developed to achieve appropriate visual amenity.

The proposal is justified on the basis that it is compatible with the locality in which it is proposed whilst having no unacceptable economic, environmental or social impact.

Economic Consideration

The provision of an additional waste and resource transfer facility with sufficient capacity to accept the proposed amounts of material is needed in Sydney and as per the current site minimal change to existing infrastructure is required. Allowing the facility to accept the proposed quantity of materials will also enable the existing infrastructure on site to be upgraded and utilised to a greater level. This is much more economically desirable and efficient than developing a brand new facility to accommodate the use.

Social considerations

Located within an existing industrial area within proximity to residential or further sensitive receivers, the Proposal will not require significant mitigation measures and consequently the potential negative social impacts of the Proposal will be minimal. The proposed facility provides an important service to domestic and commercial clientele within the Sydney metropolitan area, and internationally, and the Site is located within a well-established industrial precinct.

Should the Proposal not be approved, this service would be restricted in terms of provision to potential clientele. This could result in increased illegal dumping of materials as limited alternatives are available.

Environmental considerations

As outlined in this EIS, the proposal will implement some minor changes to the infrastructure and operation of the facility, which aim to limit potential environmental impacts associated with the operation of the facility.

End of life tyres in Australia

Tyre Stewardship Australia (TSA) reports the Australian new tyre market is fully reliant on tyre imports, and that each year in excess of a half a million tonnes of new tyres are imported. TSA reported that in 2018/19:

- An estimated total of 466,000 tonnes of used tyres were generated, noting that used tyre arisings are not the same as consumption as used tyre arisings relate to tyres consumed over several previous years and also don't include tyre wear losses to the environment.
- In NSW use tyre generation was 135,100 tonnes, nearly 30% of the Australian used tyre market.
- Across Australia the recovery rate of used tyres is 69%, with the majority of recovered tyres exported offshore for processing.
- The remaining portion of unaccounted tyres are disposed via landfill, on-site disposal, and illegal dumping.
- The overall recovery rate of used tyres in NSW is 65%, marginally below the Australian average.

On the 9 November 2019 Environment Ministers agreed that 'waste tyres' that have not been processed into a 'value-added material' should be banned from being exported overseas. The timing of the waste export

bans was also agreed with the ban on the export of all whole waste tyres, including baled waste tyres, to come into effect by December 2021.

Tyre Product Stewardship

Collection of end-of-life tyres in Australia is a competitive market. TSA operates a voluntary product stewardship scheme to promote and ensure sustainable end uses of used and waste tyres.

Tyrex will seek to gain accreditation with TSA once operational at the new site.

As a member of TSA, Tyrex will be required to contribute to TSA objectives through:

- Increasing the resource recovery and recycling of waste tyres in Australia
- Minimising the environmental, health and safety impacts of end-of-life tyres
- Generating recycled tyre derived products for use within Australia (e.g. roads and adhesive products).
- Participating in annual TSA audits to verify adherence to scheme objectives and environmental sound processing of used tyres.

Overall Conclusion

The proposal is justified on the basis it is compatible with the locality while having no unacceptable economic, environmental or social impact. The discontinued use of the Site for industrial type uses would not be a financially viable option and would have subsequent knock on effects such as loss of employment, and the loss of a local facility that services wider Sydney's waste disposal needs. It is therefore considered that the Site is the most appropriate locality for the facility and that its continued use should be supported.

3.5 Secretary's Environmental Assessment Requirements (SEARs)

Formal SEARs were issued (SEAR 1086) on 27 October 2021 for the Proposal and are outlined as follows and in **Appendix K**. Correspondence from the relevant agencies that accompanied the SEARs is included at **Appendix K**.

Table 4: SEARs

SEARs Key Issues	Response Reference
The EIS must include an assessment of all potential impacts of the proposed development on the existing environment (including cumulative impacts if necessary) and develop appropriate measures to avoid, minimise, mitigate and/or manage these potential impacts. As part of the EIS assessment, the following matters must also be addressed:	Refer Part C, E, F and I
• **strategic context** - including: - a detailed justification for the Proposal and suitability of the Site for the development; - a demonstration that the Proposal is consistent with all relevant planning strategies, environmental planning instruments, development control plans (DCPs), or justification for any inconsistencies; and - a list of any approvals that must be obtained under any other Act or law before the development may lawfully be carried out. - a description of any amendments to and/ or additional licence(s) or approval(s) required to carry out the proposed development.	Refer Section 3.4 and Part F, H and I
• **fire and incident management – including:** - technical information on the environmental protection equipment to be installed on the premises such as air, water and noise controls, spill clean-up equipment, fire management (including the location of fire hydrants and water flow rates at the hydrants) and containment measures - details of the size and volume of stockpiles, including storage of tyres and recovered material, and their arrangements to minimise fire spread and facilitate emergency vehicle access - the measures that would be implemented to ensure that the proposed development is consistent with the aims, objectives and guidelines in the NSW Fire and Rescue guideline Fire Safety in Waste Facilities dated 27 February 2020 and the NSW Rural Fire Service Guidelines for Bulk Storage of Rubber Tyres 2014.	
• **air quality and odour** - including: - a description of all potential sources of air and odour emissions during construction and operation - an air quality impact assessment in accordance with relevant Environment Protection Authority guidelines	Refer to Air Quality Assessment at Appendix J and Sections 3.1 and 6.4. Refer mitigation measures at Part I

SEARs Key Issues	Response Reference
- a description and appraisal of air quality impact mitigation and monitoring measures.	
• **noise and vibration** – including: - a description of all potential noise and vibration sources during construction and operation, including road traffic noise - a noise and vibration assessment in accordance with the relevant Environment Protection Authority guidelines - a description and appraisal of noise and vibration mitigation and monitoring measures.	Refer Sections 3.1 and 6.6. Refer mitigation measures at Part I. Refer to Acoustic and Vibration Assessment at Appendix F.
• **soil and water –** including**:** - -details of the proposed stormwater and wastewater management systems (including sewage), firewater containment, water monitoring program and other measures to mitigate surface and groundwater impacts - a description and appraisal of impact mitigation and monitoring measures.	
• **traffic and transport** – including: - details of road transport routes and access to the site - road traffic predictions for the development during construction and operation - an assessment of impacts to the safety and function of the road network and the details of any road upgrades required for the development - detailed assessment of the suitability of the proposed heavy vehicle swept paths, including potential for conflicts with light vehicle and pedestrian movements.	Refer to Traffic Assessment at Appendix D and Sections 3.1 and 6.5. Refer mitigation measures at Part I
• **visual** - including an impact assessment at private receptors and public vantage points.	Refer to Section 6.2 and Appendix L.
• The EIS must assess the Proposal against the relevant Environmental Planning Instruments, including but not limited to: - State Environmental Planning Policy (Transport and Infrastructure) 2021; - Fairfield Local Environmental Plan 2013; - Fairfield Development Control Plan 2013; - relevant development control plans and section 7.11 plans.	Refer Part D Note the listed -State Environmental Planning Policy has been repealed. The EIS addresses the most current adopted State Environmental Planning Policy that replaces each repealed SEPP.
• **Consultation** During the preparation of the EIS, you must consult the relevant local, State and Commonwealth government authorities, service providers and community groups, and address any issues they may raise in the EIS. In particular, you should consult with the:	Refer Part G

SEARs Key Issues	Response Reference
- NSW Environment Protection Authority; - Fire and Rescue NSW; - Safework NSW; - the surrounding landowners and occupiers that are likely to be impacted by the Proposal. Details of the consultation carried out and issues raised must be included in the EIS.	

3.6 Project Team

Mod Urban Pty Ltd has prepared this EIS on behalf of Tyrex. Further organisations have contributed specialist studies as part of the environmental assessment process. These include:

- MOD Urban Pty Ltd – Town Planning
- Plan Zone Designs - Architecture and Design
- Greenspace Planning – Visual Impact Assessment
- Acoustic Directions – Noise and Vibration Impact Assessment
- SLR Consulting – Water and Stormwater Management
- SLR Consulting – Flood Assessment
- Todoroski Air Sciences – Air Quality and Odour Assessment
- Innova Services Australia – Fire and Incident Management Assessment
- Apex Engineers -Traffic and Transport
- Equilibrium - Operational Environmental Management Plan
- Equilibrium – Waste Management Plan
- Equilibrium – Pollution Incident Response Plan
- New Crown Consulting - BCA

PART D LEGISLATION

4. Legislation Overview

The following current and State, Regional and Local planning controls and policies have been considered in the preparation of this application.

4.1 Environmental Planning and Assessment Regulation 2021

Clause 7 – Designated Development

Clause 7 of the Environmental Planning and Assessment Regulation 2021 (the Regulations) states that development described in Part 2 of Schedule 3 is declared to be Designated Development.

Part 2 – Clause 12 Chemical industrial facilities and works

Pursuant to Part 2, Clause 12 (1j) of Schedule 3 of the Regulation states:

(1) Development for the purposes of the following chemical industrial facilities or works is designated development—
(j) a rubber facility that—
(i) manufactures more than 2,000 tonnes per year of synthetic rubber, or
(ii) manufactures, retreads, recycles or processes, otherwise than by thermal treatment, more than 5,000 tonnes per year of rubber products, rubber tyres or waste tyres, or
(iii) dumps or stores, otherwise than in a building, more than 10 tonnes of waste tyres,

The proposed use of the premises as a waste or resource transfer station pursuant to Clause 12(1)(j) of Schedule 3 of the Environmental Planning and Assessment Regulation constitutes a designated development as it recycles and processes and stores 30,000 tonnes per annum of tyres (rubber) on the site.

Part 2 – Clause 45 Waste Management Facilities or Works

Pursuant to Part 2, Clause 45(2) of Schedule 3 of the Regulation states:

(2) Development for the purposes of a waste management facility or works is designated development if—
(a) the facility or works sorts, consolidates or temporarily stores waste at a transfer station or material recycling facility for transfer to another site for final disposal, permanent storage, reprocessing, recycling, use or reuse, and

(b) the facility or works—
(i) handle substances classified in the ADG Code or medical, cytotoxic or quarantine waste, or

(ii) have an intended handling capacity of more than 10,000 tonnes per year of waste containing food or livestock, agricultural or food processing industries waste or similar substances, or

(iii) 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.

Pursuant to Clause 45(2)(b) of Schedule 3 of the Environmental Planning and Assessment Regulation, the proposed development does not constitute a designated development as the application does not have an

intended handling capacity of more than 30,000 tonnes per year, with an intended handling capacity of up to 30,000 tonnes per year.

However, under Clause 45(4)(f) of Schedule 3 of the Regulation this provides that the development will be designated development if the facility or works are located:

> *"(a) in or within 100 metres of a natural waterbody, wetland, coastal dune field or environmentally sensitive area of State significance, or*
>
> *(b) in an area of high watertable, highly permeable soils, acid sulfate, sodic or saline soils, or*
>
> *(c) in a drinking water catchment, or*
>
> *(d) in a catchment of an estuary where the entrance to the sea is intermittently open, or*
>
> *(e) on a floodplain, or*
>
> *(f) within 500 metres of a residential zone or 250 metres of a dwelling not associated with the development and, in the consent authority's opinion, considering topography and local meteorological conditions, are likely to significantly affect the amenity of the neighbourhood because of noise, visual impacts, vermin, traffic or air pollution, including odour, smoke, fumes or dust."*

The proposed use of the premises as a waste or resource transfer station pursuant to Clause 45(4)(f) of Schedule 3 of the Environmental Planning and Assessment Regulation constitutes a designated development as it is located within 100 metres of a natural waterbody (Prospect Creek), and it is located within 500m of the nearest residential receivers, and 250m of a dwelling not associated with the use and being likely to significantly affect the amenity of the neighbourhood, and therefore triggers the designated development threshold.

Part 3 – Clause 48 - Alterations or additions to existing or approved development

Given the proposal is not for alteration and additions to an existing designated development, and proposes a new use at No.68 Victoria Street, Smithfield, the provisions of Section 48 of Part 3 **are not considered to** apply to the new development.

There are no other relevant Designated Development triggers applicable.

4.2 Environmental Planning and Assessment Act 1979

The EP&A Act is the overarching governing legislation for all development in NSW.

Section 4.10 of the Environmental Planning and Assessment Act indicates that designated development is development that is declared to be designated development by an environmental planning instrument or the regulations.

Section 4.15 of the Environmental Planning and Assessment Act 1979, requires that in determining a development application, a consent authority is to take into consideration the following matters as are of relevance to the development:

Table 5: Section 4.15 Matters for Consideration

Section 4.15 Matters for Consideration	**Comment**
(a) the provisions of: *(i) any environmental planning instrument, and*	See relevant sections of this report.
(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 Director-General has notified the consent authority that the making of the proposed instrument has been deferred indefinitely or has not been approved), and	Nil
(iii) any development control plan, and	The proposal generally satisfies the objectives and controls of the Fairfield DCP 2013. See table below and where necessary key issues section of this report.
(iiia) 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 relevant clauses of the Regulations have been satisfied.
(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,	The environmental impacts of the proposed development on the natural and built environment have been addressed in this report. The proposal will not result in detrimental social or economic impacts on the locality.
(c) the suitability of the site for the development,	The proposed development is suitable for the site.

Section 4.15 Matters for Consideration	Comment
(d) any submissions made in accordance with this Act or the regulations,	No submissions have been raised at this stage, and the applicant has notified each adjoining neighbor of this proposal.
(e) the public interest.	The proposal is in the public interest as it provides waste management facility which is in demand, and will not impact upon the streetscape character and not result in detrimental amenity impacts to neighbours. The proposal also provides for the public the processing rubber waste that would otherwise be sent to landfill thus supporting the NSW Government targets for landfill diversion and responsible waste management and reducing the burden of landfills on the environment and communities.

The legislation and policies addressed hereunder have been addressed in accordance with the Act.

4.3 Protection of the Environment Operations Act 1997

- The proposed use will also trigger an Integrated Development authorisation under the Protection of the Environment Operations Act 1997 (**POEO Act**).
- Integrated Development is development (not being State Significant Development or Complying Development) that, in order for it to be carried out, requires a licence, approval or authorisation.
- Under the POEO Act, the operator will be required to obtain an Environment Protection Licence (**EPL**) from the NSW EPA (pursuant to nominated scheduled activities). This will be obtained once development consent is granted for the use and operations on site.
- At this stage, the nominated 'Scheduled Activity' to be requested from the NSW EPA for inclusion in the EPL will be Clause 34 'Resource Recovery' activity (Schedule 1 of the POEO Act) and waste storage.

Waste Locate

The NSW EPA requires companies that transport or receive loads of waste tyres in excess of 200kg or 20 tyres to use WasteLocate to report the movement of these tyres within NSW. Tyrex is subject to this requirement under Clause 76 of the Protection of the Environment Operations (Waste) Regulation 2014.

Fire Safety Guideline – Guideline for bulk storage of rubber tyres

As part of this submission Tyrex proposal includes managing tyre storage in accordance with the Fire & Rescue NSW Fire Safety Guideline – Guideline for the bulk storage of rubber tyres, Version 0.3 – 5 December 2014.

Pollution Incident Response Management Plan

All holders of environment protection licences, or licensees, are required to prepare a Pollution Incident Response Management Plan PIRMP in accordance with section 153A of the Protection of the Environment Operations Act 1997 (POEO Act).

A PIRMP outlines what procedures are in place to minimise the risk of a pollution incident on a premises. Plans are to have clear and effective notification, action and communication procedures to ensure the incident is dealt with safely, all relevant people and authorities are notified, and kept informed throughout the incident.
A draft copy of the site PIRMP is included with this submission at **Appendix N.**

4.4 Protection of the Environment Operations (Waste) Regulation 2014

The Protection of the Environment (Waste) Regulation 2014 (NSW) (**Waste Regulation**) contains provisions for:

- contributions for occupiers of scheduled waste facilities;
- records, measurements and monitoring at waste management facilities; and
- Reporting requirements.

Tyrex will manage any waste received at the Site, in accordance with the requirements of the POEO Act and POEO Waste Regulation.

4.5 Waste Avoidance and Resource Recovery Act 2001

The *Waste Avoidance and Resource Recovery Act 2001* (**WARR Act**) seeks to encourage the reuse and recycling of waste as a priority over disposal of waste.

The WARR Act does this through highlighting the importance of responsible resource management, including maximization of the utility of resources and associated minimisation of disposal to landfill. The objectives of the WARR Act which is the principal piece of legislation governing waste and resource management in New South Wales, includes:

- Encouraging the most efficient use of resources;
- Reducing environmental harm;
- Ensuring that resources are managed against the waste hierarchy of avoidance, resource recovery then disposal;
- Diversion of waste from landfill;
- Ensuring industry takes part in reducing and dealing with waste; and
- Achieving integrated, state-wide waste and resource management planning and service delivery.

As a waste and resource transfer facility, the Tyrex facility provides sorting and transfer of rubber waste to maximise reuse and recycling of resources in accordance with the WARR Act. The operation of Tyrex facility

will also ensure the ongoing diversion of non-putrescible waste from landfill for reprocessing in accordance with existing operations.

4.6 Waste Avoidance and Resource Recovery Strategy 2014-21

The NSW Waste Avoidance and Resource Recovery Strategy 2014-21 (**WARR Strategy**) provides the principles to address the achievement of WARR Act objectives, essentially as a state-wide waste strategy. The WARR Strategy names six key result areas to be achieved for 2021-2022:

- Avoiding and reducing the amount of waste generated per person in NSW;
- Increasing recycling rates to:
  - 70% for municipal solid waste
  - 70% for commercial and industrial waste
  - 80% for construction and demolition waste
- Increasing waste diverted from landfill to 75%;
- Managing problem wastes better, establishing 86 drop-off facilities and services across NSW;
- Reducing litter, with 40% fewer items (compared to 2012) by 2017; and
- Combatting illegal dumping, with 30% fewer incidents (compared to 2011) by 2017.

The grant of Designated Development Consent will enable the Tyrex facility to be a critical component of the resource recovery network and assist to achieve the relevant recycling rates and diversion from landfill as set by the WARR Strategy. The Site will also contribute to reducing illegal dumping by providing for waste capacity at an appropriate and convenient drop-off location for this type of waste.

4.7 Premier Priorities

In the NSW Government's NSW 2021 A Plan to Make NSW Number One (**NSW 2021**), Goal 22 is to 'Protect Premiers Priorities

The Project aligns with the NSW Government's Premier's Priorities which include 12 key areas including economic growth, provision of infrastructure, protection of vulnerable communities, improving education and environmental protection. The proposed development aligns with the following key priorities as they relate to the proposed development as discussed below.

Creating Jobs

The NSW Government identifies NSW as leading the nation on key economic indicators, whilst also acknowledging that more can be done to attract new jobs and businesses to the State. The State Government had targeted the creation of 150,000 new jobs in NSW by 2019, aiming to make the NSW economy as competitive as possible and therefore help create employment opportunities across the state.

Whilst this jobs target was achieved in May 2016, the NSW Government is continuing to develop key initiatives that assist in the creation of jobs, such as creating jobs and apprenticeships for the construction sector to promote the strength and continued growth of the economy.

The Project directly benefits job creation and more widely provides an integrated approach to waste management. The Project will create approximately 20 new full-time equivalent jobs during the construction of the facility and a further 8 new full-time equivalent jobs once the facility is in operation.

Keeping our Environment Clean

The NSW Government has further committed to the reduction in volume of litter by 40% in NSW by 2020, identifying that up to $180 million is spent annually in the cleaning up of litter, on top of the environmental and social costs associated with it. The results of the 2017-2018 National Litter Index noted the Government had achieved a 37% reduction on the volume of litter in the state by 2018 and was on track to meet the target two years ahead of schedule.

Whilst the achieving of the 40% reduction is inevitable given the progress made through various government sponsored initiatives and programs, the government continues to push the agenda of reduction in waste with specific changes to the recycling and waste industry in NSW.

With its 2018 change in domestic Policy, China, which accepted 1.25 million tonnes of recycled material from Australia in 2016-2017, has begun to enforce restrictions on the importation of recycled materials under its National Sword policy. This policy has impacted the global market for recyclable material, including the recyclable material that is currently collected in NSW. The NSW Government's response saw the establishment of an inter-government taskforce which has recommended of a number of long and short-term solutions to not only reduce waste in the State, but how it is treated and processed. This includes the encouragement of development applications for waste processing and recycling facilities to address the growing issue of recycling and waste treatment in NSW.

The proposed facility will result in job creation and contribute to the agenda for reducing waste.

4.8 State Environmental Planning Policy (Transport and Infrastructure) 2021

Pursuant to *State Environmental Planning Policy (Transport and Infrastructure) 2021* (**SEPP Infrastructure**), Division 23, Clause 2.153, development for the purpose of a waste or resource management facility, as defined below, is permitted with consent in the E4 General Industrial zone.

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).

Further, the Standard Instrument defines a waste or resource transfer station 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**—see the definition of that term in this Dictionary.*

The proposed use is consistent with this definition and as such is permissible in the E4 General Industrial zone with consent pursuant to SEPP (Infrastructure).

Schedule 3 of the SEPP Infrastructure lists the types of development that are defined as Traffic Generating Development to be referred to TfNSW. The referral thresholds for '*Waste or resource management facilities*' development are:

- Any size or capacity

Accordingly, the EIS is accompanied by a Traffic Impact Assessment, at **Appendix D**.

4.9 State Environmental Planning Policy (Biodiversity and Conservation) 2021

The Biodiversity SEPP aims to protect the biodiversity values of trees and other vegetation in non-rural areas of the State, and to preserve the amenity of non-rural areas of the State through the preservation of trees and other vegetation.

Vegetation must not be cleared from non-rural areas without first getting authorisation to do so. However, such an authorisation is not required if the vegetation clearing is authorised under another approval as identified in section 60O of the Local Land Services Act 2013.

The proposal does not seek the removal of any vegetation on site, and therefore the Biodiversity SEPP does not apply to the proposal.

4.10 State Environmental Planning Policy (Resilience and Hazards) 2021

Hazardous and Offensive Development

State Environmental Planning Policy Resilience and Hazards 2021 repeals State Environmental Planning Policy No. 33 (**SEPP33**) and applies to any development of potentially hazardous industry. It will require the consent authority to consider whether a waste or resource recovery facility is a development that is a potentially hazardous industry or a potentially offensive industry.

Potentially hazardous or offensive development is defined by SEPP as development which poses a significant risk to, or which would have a significant adverse impact on, human health, life, property or the biophysical environment, if it were to operate without employing any control measures. This includes developments for the handling, storing or processing of hazardous materials.

The site is determined to not pose any hazardous or offensive risks and therefore it is concluded that the site is not considered potentially hazardous and does not pose significant risk to adjacent land uses. As the facility is not classified as potentially hazardous, it is not necessary to prepare a Preliminary Hazard Analysis for the facility.

The site will not store or handle any materials classified as Dangerous Goods by the ADG Code.

Add upon receipt of letter

Remediation of Land

Under the provisions of State Environmental Planning Policy (Resilience and Hazards) 2021 (formerly known as SEPP55), under Chapter 4, Clause 4.6 (1) where a development application is made concerning land that is contaminated, the consent authority must not grant consent unless:

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

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

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

The consent authority must consider a report specifying the findings of a preliminary investigation of the land concerned carried out in accordance with the contaminated land planning guidelines.

The site is not located on a registered NSW EPA Contaminated site. A review of the EPA Contaminated Land Record (public register) of potential contamination of lands within the Fairfield Local Government Area results in only one contaminated site within a 1km radius of the site, and all other sites are 3km from the site.

No excavation is proposed as part of the subject application and historical data indicates that the Site has been used for light industrial purposes.

No significant subsurface disturbance activities are proposed. On this basis, it is considered that the Site is suitable for the proposal.

4.11 State Environmental Planning Policy (Industry and Employment)

The provisions of State Environmental Planning Policy (Industry and Employment) 2021 do not apply to the Proposal as no new signage is proposed as part of the designated development application. Any future signage requirements for the Site will be subject of a separate development application.

4.12 Greater Sydney Region Plan: A Metropolis of Three Cities

The Greater Sydney Region Plan: A Metropolis of Three Cities (**the Region Plan**) provides the overarching strategic plan for growth and change in Sydney. It is a 20-year plan with a 40-year vision that seeks to transform Greater Sydney into a metropolis of three cities - the Western Parkland City, Central River City and Eastern Harbour City. It identifies key challenges facing Sydney including increasing the population to eight million by 2056, 817,000 new jobs and a requirement of 725,000 new homes by 2036. In the same vein as the former *A Plan for Growing Sydney*, the Region Plan provides 10 high level policy directions supported by 40 objectives that inform the District Plans, local strategic planning statements and future comprehensive local environmental plans.

Under the Region Plan, the Site is identified as being within the Central River City which is envisioned to

grow substantially capitalising on its location close to the geographic centre of Greater Sydney. Unprecedented public and private investment is contributing to new transport and other infrastructure leading to a major transformation of the Central River City. Similar to the adjoining Western Parkland City, the Central River City will be established on the strength of the new international Western Sydney Airport and Badgerys Creek Aerotropolis. A key objective of the Central River City is to optimise infrastructure and business investment, employment and liveability outcomes.

The Project is consistent with the liveable cities vision of the Region Plan which supports compatible land use development and sustainability outcomes. The proposed facility would divert waste from landfill (and increase the design life of landfills), and provide employment within the Central River City.

The following Directions from the Plan are relevant

A city supported by infrastructure

The proposal will create infrastructure that is significant to the effective working of a city – infrastructure to manage the waste of a growing population. In a context of limited space for waste management infrastructure, the proposal is using a site that is located in an area with other industrial infrastructure.

This proposal's location also means that waste management infrastructure is close to the point of waste generation sources, reducing the economic and environmental costs of waste transportation in line with the proximity principle.

An Efficient City

The proposal will create infrastructure that will reduce landfill waste and promote recycling, subsequently reducing greenhouse gas emissions through reuse of materials as opposed to manufacturing more materials.

4.13 Western District Plan

The Western District Plan (District Plan) is a 20-year plan to manage growth in the context of economic, social and environmental matters to implement the objectives of the Region Plan. The intent of the District Plan is to inform local strategic planning statements and local environmental plans, guiding the planning and support for growth and change across the Western District.

The District Plan contains strategic directions, planning priorities and actions that seek to implement the objectives and strategies within the Region Plan at the district-level. The District Plan identifies the key centres, economic and employment locations, land release and urban renewal areas and existing and future transport infrastructure to deliver growth aspirations.

The Project is considered consistent with several the Planning Priorities set out in the District Plan.

The proposed facility will contribute to meeting the objectives of the District Plan by reducing landfill, and emphasizing the importance of receiving residual material from higher order reuse and recycling facilities and activities.

4.14 Fairfield Local Environmental Plan 2013

The relevant provisions of the Fairfield Local Environmental Plan 2013 (**FLEP**) are listed below.

The relevant provisions of the Fairfield LEP 2013 are listed below.

Zoning and Permissibility

The site is zoned E4 General Industrial under the provisions of Fairfield Local Environmental Plan 2013 (FLEP 2013) and a *waste or resource transfer station* for tyres and is an innominate permissible use with consent in that zone, being a development not specified as permitted without consent or prohibited.

The objectives of the E4 Zone are as follows:

- *To provide a range of industrial, warehouse, logistics and related land uses.*
- *To ensure the efficient and viable use of land for industrial uses.*
- *To minimise any adverse effect of industry on other land uses.*
- *To encourage employment opportunities.*
- *To enable limited non-industrial land uses that provide facilities and services to meet the needs of businesses and workers.*

To ensure development is not likely to detrimentally affect the viability of nearby business centres.

The proposed land use and operations are considered compatible with the objectives of the E4 zone as follows:

- The use is permissible in the zone, and is not out of character within an industrial land use zone or surrounding land uses.
- The site is zoned E4 General Industrial under the provisions of Fairfield Local Environmental Plan 2013 (FLEP) and a waste or resource transfer station for rubber recycling is an innominate permissible use with consent in that zone, being a development not specified as permitted without consent or prohibited.
- The site is sufficiently separated from nearby residential development.
- The proposal will give provision of the equivalent of 8 full time employees on site, along with contributing to wider indirect employment across Sydney.
- The historic use of the site as a steel fabricating site would have had more of an impact on surrounding land uses, than the one proposed which is essentially assuming the role of a transfer station.
- The use of the land as proposed will contribute to the viability and vitality of the industrial precinct, and protect this type of land for the future.
- The range of specialist environmental and consultant reports accompanying this EIS are supportive of the proposed use on the site, and indicate a range of mitigation measures to minimize the environmental impacts to surrounding land sues.

Clause 2.6 Subdivision

The proposal does not seek to subdivide the site or amalgamate both lots.

Clause 4.3 Heights of Buildings

Clause 4.3 does not set a maximum height control. The proposal does not involve change in building height.

Clause 4.4 Floor Space Ratio

Clause 4.4 does not set a maximum FSR for the site. The proposal does not involve a change in building envelopes and the floor space ratio will remain as per the current design of the site.

Clause 5.7 Development Below the Mean High Water Mark

The site is not affected by tidal water rises.

Refer Section 6.7.1 of this document for further details regarding flood risk.

Clause 5.10 Heritage Provisions

The site is not within a conservation area and is not identified as an item of heritage.

Clause 5.11 Bushfire Hazard Reduction

The site is not located in bush fire prone land.

Clause 5.21 Flood Planning

- A summary of the flood behavior of the Site is as follows:
  - The Site is located on Council's Flood Planning Map in the low flood risk precinct and is thereby classified as 'flood prone' in accordance with the *Floodplain Development Manual (NSW Government 2005).*
  - The area around the locality of the project site is subject to flood flows under two separate scenarios
    - Mainstream Flooding along Prospect Creek, and
    - Overland flows from flash flooding in the localised catchment.
  -
  - The *Prospect Creek Floodplain Management Plan Flood Study Review Flood Study (Bewsher, 2006)*, indicates that the 100 year flood extent is located at the northern boundary of the site. The lowest ground level at the rear of the Site is 20.2 mAHD. This level is only exceeded in the Probable Maximum Flood (**PMF**) event.
  - During the PMF event (see Figure 7) inundation would occur across the Site to a depth ranging from 0.6m at the site entrance to up to 2.0m at the rear of the building. Floodwaters would also occur on Victoria Street at the entrance to the Site.
  - There are no harmful wastes on site which if washed away in a flood would cause environmental harm.
  - No flooding would occur onsite as a result of overland flows from flash flooding in the local catchment. Victoria Street at the Site entrance has a level of 20.75 mAHD which is above the PMF flood level. Inundation of Victoria Street occurs to the east of the Site toward the Cumberland Highway.

An assessment of Flooding has been prepared for the Site by SLR (**Appendix G**).

This EIS demonstrates consistency with the specific matters for consideration of the FLEP through the provision of an Assessment of Flooding (**Appendix G).**

Clause 6.1 Acid Sulfate Soils

The site is not mapped as being affected by acid sulphate soils.

Clause 6.2 Earthworks

Clause 6.2 requires consideration of the impact of earthworks in relation to environmental functions, processes, neighbouring uses, cultural and heritage items and features of the surrounding land.

This application does not involve earthworks relevant under this clause.

Clause 6.4 Floodplain risk management

The development site is not identified in an area requiring flood plain risk management.

Refer Section 6.7.1 of this document for further details regarding flood risk.

Clause 6.5 Terrestrial Biodiversity

The site is not mapped as intersecting within a terrestrial biodiversity area.

Clause 6.6 Riparian land and watercourses

The site is not mapped as intersecting within riparian land and watercourse.

Clause 6.9 Essential services

The site has been connected to essential services, including electricity, water, sewage, stormwater, sewage.

Clause 6.10 Active street frontages

No changes are proposed to the street frontage of the site.

4.15 Draft Environmental Planning Instruments

No draft Environmental Planning Instruments apply to the Site.

4.16 Fairfield Citywide Development Control Plan 2013

The Fairfield Citywide Development Control Plan 2013 (**FDCP**) applies to the Site.

The provisions of FDCP as they apply to the existing facility are summarised below.

The *Environmental Planning and Assessment Amendment Act 2012*, which commenced on 1 March 2013, has clarified the purpose and status of development control plans, being to '**provide guidance**' to proponents and Councils in achieving land use zone objectives and facilitating permissible development under an environmental planning instrument.

Furthermore, to assist in the assessment of development applications, the amended legislation states that where a proposal does not comply with DCP controls, the consent authority is to be '**flexible in applying those provisions**' and allow for '**reasonable alternative solutions**' that achieve the objectives of those standards for dealing with that aspect of the development.

It is important to recall these revisions to the status and application of DCPs in development assessment.

Section 4.15, subsection (3A) of the EP&A Act provides the following:

> *"(3A) **Development control plans***
> *If a development control plan contains provisions that relate to the development that is the subject of a development application, the consent authority:*
>
> *(a) if those provisions set standards with respect to an aspect of the development and the development application complies with those standards—is not to require more onerous standards with respect to that aspect of the development, and*
>
> *(b) if those provisions set standards with respect to an aspect of the development and the development application does not comply with those standards—is to be flexible in applying those provisions and allow reasonable alternative solutions that achieve the objects of those standards for dealing with that aspect of the development, and*
>
> *(c) may consider those provisions only in connection with the assessment of that development application.*
>
> *In this subsection, **standards** include performance criteria."*

The following table includes the relevant FDCP considerations and the Proposal's compliance with the FDCP controls.

Table 6: Fairfield Citywide DCP 2013 Compliance Table

Clause	*Comment*	*Compliance*
9.0.1 Development to which this Chapter applies. **This Chapter generally applies to development permitted within the following zones under Fairfield** **Local Environmental Plan (LEP) 2013:** **a) IN1 General Industrial** **b) IN2 Light Industrial** **c) B5 Business Development** **d) B6 Enterprise Corridor (Fairfield – see note below).**	The chapter applies to development within the former IN1 General Industrial zone (now E4 General Industrial) and therefore applies to the development.	Yes
9.2.1 Traffic Generating Development	The development application has been referred to Transport for NSW as the	Yes

Clause	*Comment*	*Compliance*
Detailed traffic studies need to be submitted for developments listed in Schedule 3 of State Environment Planning Policy (Infrastructure) 2007. **Note: The Infrastructure SEPP, under Clause 104, requires that certain types of development specified in Schedule 3 must be referred to the Roads and Traffic Authority (RTA) for assessment of traffic impacts.**	development involves a Classified Road (Victoria Street).	
9.2.2 Car Parks **a) To ensure there are sufficient car parking spaces for customers and staff.** **b) To ensure land used for car parking is used efficiently.** **c) To improve site distance at intersection and driveways so as to increase safety.** **d) To ensure that all customer vehicles and loading trucks and vans have sufficient area to manoeuvre and load.** **e) Ensure environmental amenity.** **f) Ensure more efficient site operation to allow both pedestrians and vehicles to service and access the site safely and efficiently.** **g) Allow larger trucks to have access and service the site.** **h) To manage access arrangement according to the road functions, degree of traffic and** **i) To ensure safe access arrangement are provided that do no interfere with**	This application includes a detailed traffic impact assessment that describes the key features regarding car parking. In summary, however: The subject site includes a total of twelve (12) car parks: • Seven (7) existing car parking spaces located at the front of Lot 10 - 68 Victoria Street, including a disabled car parking space and • proposes an additional five (5) as part of the application. A Traffic Impact Assessment has been prepared and accompanies the application. The unloading of materials will take place within the allocated unloading area of 68 Victoria street, as shown on the accompanying site plan. The number of parking spaces is adequate to service the number of staff required and occasional visitors to site (see Section 2.2.4 Proposed Capacity of the TIA). The site does not operate any point of sale activities, therefore customer parking is not required.	Yes

Clause	*Comment*	*Compliance*
traffic flow and improve pedestrian amenity.	For further details refer Section 9 of the site Traffic Impact Assessment.	
9.2.3 Loading Facilities **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:** **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.**	All commercial deliveries and collection vehicles will enter via the Lot 9 - 68 Victoria Street driveway. Unloading will be conducted in a designated unloading area as shown on the accompanying site plan. Delivery vehicles will be able to enter to and exit the site in a forward direction.	Yes
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. Where this is not possible because of insufficient lot width then Council will restrict future use of buildings to those uses which do not require servicing by large rigid or articulated vehicles.**	The Traffic Impact Assessment identifies that using the swept path a 13.9m semi-trailer can sufficiently manoeuvre into, within and out of the proposed site. This swept path assessment has been undertaken using AutoTURN software (the industry standard vehicle swept path assessment software).	Yes
9.3 Advertising signage	No signage is proposed as part of this proposal.	Yes
9.4.1 Landscaping **a) The use of decorative paving treatments such as paving bricks adds interest to large areas of hard paving.** **b) Open car parking areas should be landscaped to reduce the impact of hard paving. Established tall trees with wise spreading foliage provide**	New landscape planting is proposed at the front of the site to enhance the landscaping at the site.	Yes

Clause	*Comment*	*Compliance*
desirable shade reducing the effects of heat.		
9.4.2 Fencing	The application does include reinstating site fencing around the vacant lot at 1.8m high wire fencing. This measure is increase security and restrict access to the site.	Yes
9.4.3 Building Materials **All development applications for new buildings or extensions or renovations involving the external cladding of existing buildings must be accompanied by details of the building construction and the materials to be used on external facades.**	The application does not include new buildings or extensions with the exception of a covered awning and new 3m high screening adjacent the awning.	Yes
9.4.4 Hours of Operation **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.**	The site is located within 500 meters of residential properties to the south. The proposal seeks consent for (24) hour operation, (7) days a week as follows: • Shift 1: 6:00am to 3:00pm • Shift 2: 3:00pm to 12:00am • Shift 3: 12:00am to 6:00am Tyre processing equipment will operate during Shifts 1 and 2, whereas site cleaning, preparation and maintenance will occur during Shift 3. The hours are reasonable for operating within the IN1 General Industrial zone and based on similar uses within the surrounding area. There are no residential properties in close proximity to the site and access to the site is not within residential areas. The delivery of tyres at the facility will be carried out from Monday to Friday 6AM to	Yes

Clause	*Comment*	*Compliance*
	6PM by the designated tyre collectors and applicant	
9.5.2 On Site Detention **To ensure that through the use of OSD, stormwater discharge is controlled thereby ensuring development does not increase the risk of downstream flooding, erosion of unstable waterways or a reduction of the capacity of Council's drainage network.**	The site stormwater drains will be maintained as part of an ongoing inspection, monitoring and maintenance program. Refer Section 6.7 and Appendix G for further details regarding the site Stormwater Protection Plan.	
11.7 Low Flood Risk Precinct **This has been defined as all other land within the floodplain (i.e. within the extent of the probable maximum flood) but not identified within either the High Flood Risk or the Medium Flood Risk Precinct.**	The development site is identified on Council's Flood Planning Map as being within a Low Flood Risk Precinct. Refer Section 4.7 of this document for further details regarding flood risk.	Yes
11.8.1 Objectives **a) To ensure the proponents of development and the community in general are fully aware of the potential flood hazard and consequent risk associated with the use and development of land within the floodplain.** **b) To require developments with high sensitivity to flood risk (e.g. critical public utilities) be sited and designed such that they are subject to no or minimal risk from flooding and have reliable access.** **c) Allow development with a lower sensitivity to the flood hazard to be located within the floodplain, subject to appropriate design and siting controls, provided that the potential consequences that could still arise**	The proposal is considered to have responded to the objectives of 11.8.1 of the DCP. Flood risk for the site is identified as low. In the unlikely event of an emergency the site emergency response plan will be enacted to protect the health and safety of personal. Refer Section 4.7 and Appendix G of this document for further details.	Yes

Clause	*Comment*	*Compliance*
from flooding remain acceptable having regard to the State Government's Flood Policy and the likely expectations of the community in general **d) To restrict any intensification of the use of High Flood Risk Precinct or land within the boundary of significant flow, and wherever appropriate and possible, allow for their conversion to natural waterway corridors.** **e) To ensure that design and siting controls required to address the flood hazard do not result in unreasonable impacts upon the amenity or ecology of an area.** **f) To minimise the risk to life by ensuring the provision of appropriate access from areas affected by flooding up to extreme events.** **g) To minimise the damage to property, including motor vehicles, arising from flooding.** **h) To ensure that proposed development does not expose existing development to increased risks associated with flooding.**		
11.8.2 Performance Criteria **a) The proposed development should not result in any increased risk to human life.** **b) The additional economic and social costs which may arise from damage to property from flooding should**	The proposal is considered to be consistent with the performance criteria as specified in clause 11.8.2. Key relevant plans submitted with this application include: - Operational Environmental Management Plan - Plan of Management	Yes

Clause	*Comment*	*Compliance*
not be greater than that which can reasonably be managed by the property owner and general community. **c) The proposal should only be permitted where effective warning time and reliable access is available for** **evacuation from an area potentially affected by floods to an area free of risk from flooding. Evacuation** **should be consistent with any relevant flood evacuation strategy.** **d) Development should not detrimentally increase the potential flood effects on other development or** **properties either individually or in combination with the cumulative impact of development that is likely to occur in the same floodplain.** **e) Motor vehicles are able to be relocated, undamaged, to an area with substantially less risk from flooding,** **within effective warning time.** **f) Procedures would be in place, if necessary, (such as warning systems, signage or evacuation drills) so that** **people are aware of the need to evacuate and relocate motor vehicles during a flood and are capable of identifying an appropriate evacuation route.** **g) Development should not result in significant impacts upon the amenity of an area by way of unacceptable overshadowing of adjoining properties, privacy impacts (eg. by unsympathetic**	- Pollution Incident Response Management Plan - Fire Safety Study - Flood Impact Study	

Clause	*Comment*	*Compliance*
house-raising) or by being incompatible with the streetscape or character of the locality. **h) Proposed development must be consistent with ESD principles.** **i) Development should not prejudice the economic viability of any Voluntary Acquisition Scheme.**		

PART E – IDENTIFICATION AND PRIORITISATION OF ISSUES/SCOPING OF IMPACT ASSESSMENT

5. Methodology Overview

This EIS has adopted an Environmental Risk Assessment (**ERA**) process for the Proposal. The risk assessment process is used to scope the environmental investigations and guide project design. The ERA enables the EIS to:

- Identify and address the environmental issues identified as key issues in the Proposal. This includes consideration of the significance of the potential environmental impacts and the effectiveness of the proposed management measures in minimizing degradation or deterioration of the biophysical, economic or social environment.
- Identify those potential environmental impacts that are not key issues, including those that would be expected to respond well to appropriate mitigation measures and management.
- Identify residual environmental impacts likely to remain after the application of the mitigation measures. Where significant residual impacts remain, this may require greater commitment to management strategies to mitigate the effect or, in some instances, appropriate modifications to the design of the Proposal.

A qualitative determination has been made to identify which environmental issues are considered as “key” environmental aspects. Key environmental issues include those areas of the environment in which there are inherent risks before mitigation measures have been implemented. In addition, any environmental aspect which requires a complex level of assessment to prove an environmental outcome, either beneficial or adverse, has been included as a key environmental aspect.

The project team has Identified the following potential environmental impacts that should be assessed:

- Waste Management;
- Air Quality and Odour;
- Traffic and Transport;
- Noise and Vibration;
- Soil and Water;
- Hazards and Fire;
- Heritage;
- Flora and Fauna;
- Soil/Site Contamination;
- Visual Amenity; and
- Socio-Economic.

5.1 Risk Analysis Methodology

The ERA has been undertaken in accordance with the principles of the Australian and New Zealand Standard AS/NZS 4360:2004 – Risk Management. The analysis involves ranking the risk of each identified potential impact by identifying the consequences of the impact and the likelihood of the impact occurring.

5.2 Evaluating Consequences

The first steps involve identification of the consequence levels should a particular impact occur. Definitions of the consequence levels used are provided in Table 7.

Table 7: Risk Analysis-Definition of Consequences

Consequence Level	Definition
Catastrophic	• Would cause long-term and irreversible impacts. • Would result in a major prosecution under relevant environmental legislation.
Major	• Would cause medium-term, potentially irreversible impacts. • Would result in a fine or equivalent under relevant environmental legislation.
Moderate	• Would result in medium-term, reversible impacts.
Minor	• Would result in short-term, reversible impacts.
Insignificant	• Would result in minor, negligible impacts.

5.3 Evaluating Likelihood

The next step involves identifying the likelihood of an impact through the consideration of the frequency of activities that may cause an impact and the probability of the impact occurring during that activity. The levels of likelihood have been classed as:

- **Very likely** – the event is almost certain to occur in the course of normal or abnormal operating circumstances.
- **Likely** – the event is likely to occur in the course of normal operations.
- **Possible** – the event may occur in course of normal operations.
- **Unlikely** – the event is unlikely to occur in the course of normal or abnormal operating circumstances.
- **Very unlikely** – the event may occur in exceptional circumstances only.

5.4 Risk Assessment Rating

A qualitative risk assessment to identify key environmental aspects was undertaken to provide a risk ranking based on the likelihood of occurrence of an event and the consequence of the event occurring. Risk rating scores have been determined for each combination of consequence and likelihood as shown in Table 8 below.

Table 8: Risk Rating

Risk rating score	Risk Category	General Description
12-25	High	Detailed assessment and planning is necessary to develop appropriate measures to mitigate and manage the potential impacts.
4-10	Medium	Potential impacts can be mitigated through the application of relatively standard environmental management measures.
1-3	Low	Potential impacts either require no specific management measures or are mitigated adequately through other working controls (such as detailed design requirements, normal working practice, quality and safety controls).

The potential effectiveness of the proposed mitigation measures have been assessed and the degree of effectiveness of the mitigation measures are classed as:

- **Very effective** – the measure would decrease the risk rating score by 12 points – for example, from 20 (high) to 8 (medium).
- **Effective** – the measure would decrease the risk rating score by 7 points – for example, from 12 (high) to 5 (medium).
- **Partly effective** – the measure would decrease the risk rating score by 3 points – for example, from 6 (medium) to 3 (low).
- **Not effective** – the measure would not change the risk rating.

5.5 Environmental Risk Analysis

Using the risk framework from above, an ERA has been undertaken for the Proposal based on investigations and assessment of the environmental issues during the preparation of the EIS. The relative chapters of the EIS include potential impacts and benefits and consideration of proposed mitigation and management measures. Mitigation and management is detailed in full in the Compilation of Mitigation Measures (Part I of the EIS). The results of the environmental risk assessment are presented in **Table 9** below.

There is, 1 aspect of the Proposal which present a medium level of residual risk. These include:

- Fire

The remaining environmental issues are considered low risk with the appropriate mitigation and management measures being put in place.

Aspects	Potential Impact	Overall Consequences	Overall Likelihood	Risk Rating	Proposed Mitigation Measure	Effectiveness	Residual Risk Factor
Waste Management	Integrity of waste management processes, and the potential for harmful adverse impacts on the surrounding area as a result of waste handling and transport.	Major	Unlikely	3 Low	Refer Sections 2.1 and 6.3 and Part I	Effective	3 Low
	Unplanned disruption to terminal operations resulting in large quantities of waste being stored on Site.	Moderate	Possible	3 Low	Refer Sections 2.1 and 6.3 and Part I	Effective	3 Low
	Waste which the facility does not permit to be handled at the Site brought to the Site.	Major	Possible	3 Low	Refer Sections 2.1 and 6.3 and Part I	Effective	3 Low

Aspects	Potential Impact	Overall Consequences	Overall Likelihood	Risk Rating	Proposed Mitigation Measure	Effectiveness	Residual Risk Factor
Air Quality - Odour	Odour from operation activities affecting surrounding landowners.	Insignificant	Unlikely	1 Low	Refer Sections 3.1 and 6.4 and Part I	Effective	1 Low
Air Quality - Dust	Dust during construction and operation affecting amenity of the surrounding area	Moderate	Unlikely	3 Low	Refer Sections 3.1 and 6.4 and Part I	Effective	2 Low
	The operation of numerous vehicles on the Site, including trucks, front-end loaders, has the potential to result in dust and pollutants reducing ambient air quality if not	Moderate	Unlikely	3 Low	Refer Sections 3.1 and 6.4 and Part I	Effective	3 Low

Aspects	Potential Impact	Overall Consequences	Overall Likelihood	Risk Rating	Proposed Mitigation Measure	Effectiveness	Residual Risk Factor
	properly managed.						
Traffic and Transport	Increased traffic on the roads leading to the Site. Ability of the Site to safety operate within increased traffic flow.	Moderate	Possible	2 Low	Refer Section 6.5 and Part I	Effective	2 Low
Noise	Construction, operational and transport noise from traffic and transfer trucks in and out of the Site, machinery and plant upon sensitive receivers.	Moderate	Likely	3 Low	Refer Section 6.6 and Part I	Effective	3 Low
Soil and Contamination	Clean and dirty water (sediment laden) and leachate leaving the Site, and	Major	Possible	1 Low	Refer Section 6.7, 6.14 and Part I	Effective	1 Low

Aspects	Potential Impact	Overall Consequences	Overall Likelihood	Risk Rating	Proposed Mitigation Measure	Effectiveness	Residual Risk Factor
	impacting downstream environments. Soil, soil vapour and groundwater contamination						
Flood and Hydrology	Flooding impacts from further development of the Site.	Minor	Unlikely	3 Low	Refer Section 6.7 and Part I	NA	3 low
	Release of leachate from waste to stormwater causing pollution of surface water.	Major	Unlikely	1 Low	Refer Section 6.7 and Part I	Effective	1 Low
Hazards and Risks.	Breakdowns in operational procedures and/or storage and transport of materials may	Minor	Very Unlikely	1 Low	Refer Section 6.8 and Part I	Effective	1 Low

Aspects	Potential Impact	Overall Consequences	Overall Likelihood	Risk Rating	Proposed Mitigation Measure	Effectiveness	Residual Risk Factor
	give rise to hazards and toxicity						
Fire	Risk of fire and extent of combustible materials	Major	Possible	Medium	Refer Section 6.8 and Part I		Medium
Visual Amenity	Unacceptable visual impacts due to changes in the landscape and outlook from neighbouring properties as a result of any external changes to the Site.	Minor	Unlikely	3 Low	Refer Section 6.2 and Part I	Partly Effective	3 Low
Socio Economic	Impacts to equality and access to waste disposal facilities for the community as a	Minor	Unlikely	3 Low	Refer Section 6.10 and Part I	Effective	3 Low

Aspects	Potential Impact	Overall Consequences	Overall Likelihood	Risk Rating	Proposed Mitigation Measure	Effectiveness	Residual Risk Factor
	result of the Proposal.						
	Changes to local demographic and local economic impacts.	Minor	Unlikely	1 Low	Refer Section 6.10 and Part I	Partly effective	1 Low
Flora and Fauna	Impact to flora and fauna from construction footprint.	Insignificant	Very Unlikely	1 Low	Refer Section 6.11 and Part I	Not effective	1 Low
Heritage	Impact to heritage from construction footprint or impact to nearby heritage items.	Insignificant	Very Unlikely	1 Low	Refer Section 6.12 and Part I	Not effective	1 Low
Ecologically Sustainable Development	Development not in accordance with the principles of ESD.	Minor	Very Unlikely	1 Low	Refer Section 6.13 and Part I	NA	1 Low

Table 9: Risk Analysis

5.6 Environmental Risk Analysis Findings

The ERA has identified no aspects of the Proposal that present a high level of residual risk, whilst it also identifies that 1 aspects of the Proposal present a medium level of residual risk. These include:

- Fire;

The residual risk rating of ‘medium’ suggests that the residual risk can be managed through the application of environmental management measures. These are detailed within the relevant EIS, and in Part I Compilation of Mitigation Measures.

The remaining environmental risks considered for the Proposal have been assessed as having a low level of residual risk once mitigation measures have been applied. Considering these environmental risks, the residual risk is of a nature that it can be managed through detailed design controls, conditions of consent, and normal working practices. These include:

- Waste management
- Noise and vibration;
- Air Quality – Odour;
- Air Quality – Dust;
- Traffic and Transport;
- Soil and Contamination;
- Greenhouse Gas Emissions;
- Flood and Hydrology;
- Visual Amenity;
- Ecologically Sustainable Development;
- Flora and Fauna; and
- Heritage.

PART F – ENVIRONMENTAL ISSUES AND ASSESSMENT

6. Overview of Identified Environmental Issues

The project team has identified the following potential environmental impacts that should be assessed:

- Land use;
- Design and Appearance and Visual Amenity;
- Waste Management;
- Air Quality and Odour;
- Traffic and Transport;
- Noise and Vibration;
- Soil and Water;
- Hazards and Fire;
- Flora and Fauna;
- Heritage;
- Socio-Economic;
- Environmental Sustainable Development;
- Contamination

Appropriate management and mitigation measures are proposed as outlined in the following sections in relation to each identified issue. The following specialist reports have also been provided at **Appendix D** to **S** that address each environmental issue in more detail, and outlines proposed mitigation measures and control procedures to be adopted on Site:

- MOD Urban Pty Ltd – Town Planning
- Plan Zone Designs - Architecture and Design
- Greenspace Planning – Visual Impact Assessment
- Acoustic Directions – Noise and Vibration Impact Assessment
- SLR Consulting – Water and Stormwater Management
- SLR Consulting – Flood Assessment
- Todoroski Air Sciences – Air Quality and Odour Assessment
- Innova Services Australia – Fire and Incident Management Assessment
- Apex Engineers -Traffic and Transport
- Equilibrium - Operational Environmental Management Plan
- Equilibrium – Waste Management Plan
- Equilibrium – Pollution Incident Response Plan
- New Crown Consulting - BCA

6.1 Land use

The site is zoned E4 Industrial under the provisions of Fairfield Local Environmental Plan 2013 (**FLEP**) and a waste or resource transfer station for rubber product and is an innominate permissible use with consent in that zone, being a development not specified as permitted without consent or prohibited.

The objectives of the zone are:

To provide a range of industrial, warehouse, logistics and related land uses.

- *To ensure the efficient and viable use of land for industrial uses.*
- *To minimise any adverse effect of industry on other land uses.*
- *To encourage employment opportunities.*
- *To enable limited non-industrial land uses that provide facilities and services to meet the needs of businesses and workers.*
- *To ensure development is not likely to detrimentally affect the viability of nearby business centres.*

The Proposal is considered to be consistent with the objectives of the E4 zone. The proposed use provide employment for up to 8 persons within an industrial precinct, and gives provision of a land use which is compatible with surrounding uses, with not significant impacts on the operations of surrounding businesses.

The use of the site for a rubber recycling facility, has been previously deemed acceptable given the previous development consent for the operators at the adjacent site a 66 Victoria Street, and therefore the use in the locality and the zone is considered acceptable and that there is precedent for such uses in this locality and zone.

Within the dictionary of the FLEP, *'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).*"

Therefore, the use of the Site is permitted with development consent.

The proposed use is compatible with existing uses on the Site and adjacent land. The investigations undertaken as part of this application conclude that no significant cumulative impact is to occur from the proposed use of the facility.

Land use - Mitigation and Management Measures:

- **No measures required in relation to land use and permissibility of the use on Site.**

6.2 Design and Appearance and Visual Amenity

The proposal results in the following changes to the built form under the subject application:

- New side entry roller door from Lot 9 - 68 Victoria Street
- Installation of new shredding equipment.
- Provision of storage shelving
- Provision of a new open sided awning.
- Provision of a new weighbridge inground and 20m in length and operator booth;
- Provision of 2 x 360,000L above ground water tanks;
- Provision of a 1 x underground water tank.
- Designated on site parking.
- New 1800mm high fencing.
- Sealed hardstand areas to Lot 9 - 68 Victoria Street

The proposed built form for the Site is included at **Appendix B** in the relevant plans and elevations.

- The proposed provision of a new awning addition to the rear warehouse will improve the overall appearance of the site when viewed from Victoria Street.
- The scale bulk and massing of the new additions are appropriate to the locality and similar in scale and massing to other warehouse/industrial type buildings in the locality.
- The provision of new weighbridge will not result in a visual impact to the site or neighbouring properties.
- The overall character and appearance of the proposed built form on site is typical of an industrial site.
- No change to the appearance of the office/workshop building that fronts Victoria Street (No. 68) and therefore no significant changes will occur to the streetscape appearance and the sites interface with the streetscape.
- The visual appearance of the Site will be largely as it currently exists within the streetscape, and is appropriate for the industrial precinct that the Site is contained within.

The Visual Impact assessment undertaken by Greenspace Planning concluded:

- *The Proposal will have a very limited degree of visual exposure and that the potential impact of the proposed development is low. The proposal is not visible from residential and recreational public domain areas and would not be distinguished in context of neighbouring warehouse facilities should distant views be available.*
- *With the retention of the vegetation along the property frontage, the Proposal would result in a very limited reduction to the landscape and visual amenity of the surrounding area. It is particularly the case given the main visual receptors would be road users, where views into the site would be only transitory and short term.*

Visual Amenity - Mitigation and Management Measures:

- **Regular maintenance to the landscaped areas will be undertaken by the Site operators to ensure the visual appearance of the Site is maintained.**
- **The general appearance of the buildings and its surrounding hardstand will be maintained on a regular basis by the Site operators.**

- **Regular site maintenance should occur to ensure all product is stored in the appropriate storage stockpiles within the buildings.**

6.3 Waste Management

The following types of waste and quantities listed in Table 9 are received at the Site.

Table 9: Volume/Quantities of Waste Received

Type of Material	Processing or Storage	Location on Site for Storage	Bins on Site or Stacked	Volume Per Annum Tonnes	Maximum Daily Volume Tonnes	Maximum Weekly Tonnes
Waste Tyre (rubber)	Processing/Storage	Refer plans	Stacked/Bagged	30,000	82	570
Thin wire (from tyres)	Processing/Storage	Refer plans	Bins/Drums	520	1.2	5-10

No liquid waste, hazardous waste, clinical waste or toxic waste is received on Site. No chemical waste is allowed on site.

The facility is designed to process and store the material listed in Table 9 only. All other materials are excluded. From time to time, it can be expected that other forms of waste (putrescible or hazardous materials) may unintentionally enter the waste stream at the facility. This is the same at any waste management facility.

It is recommended that the facility adopt its own Operational Environmental Management Plan (OEMP) that outlines the procedures in force for a range of waste streams to ensure that only the intended waste is collected. A summary of these processes is provided at Section 3.1 of this EIS.

The general procedure for waste management is as follows:

6.3.1 Storage of materials

The designated development consent will outline the authorised amount of waste permitted on the premises that cannot be exceeded at any time or annually, in accordance with those listed in Table 9.

Recyclable materials are stored on Site internally within the warehouse building, to ensure the vehicle paths of travel are not obstructed.

The quantity of materials stored in the facility will vary with the type and amount of recoverable materials in the waste stream. It is estimated that the rubber that is stored on Site are cleared within a 30-day maximum period.

6.3.2 Unacceptable Materials

Tyrex will not accept asbestos, putrescible waste, garden waste, building and demolition wastes, industrial wastes, toxic waste, hazardous waste, liquid waste or medical waste at the Site. Employees should be

trained in accordance with a recommended OEMP, to ensure they are qualified ‘Spotters’ of unacceptable material.

In the event that unacceptable materials arrive on Site, Tyrex employees will follow the procedure for dealing with small quantities of unacceptable materials below;

- All loads will be visually inspected.
- If it contains product other than rubber products. the load will be rejected;
- The driver will not be permitted to unload the vehicle;
- Spotter will inform the Site Manager who is responsible for notifying the customer; and
- The driver will be directed to exit the facility.

If hazardous wastes are detected they’re not accepted, and the customer is told to remove them from site.

Non-conforming waste must not be held on site for more than two weeks, assuming Tyrex as a fortnightly commercial waste collection

6.3.3 Unacceptable Materials Identified after Material is Unloaded

It is recommended that a POM is formulated for the facility to include an outline the procedures for dealing with unacceptable materials that are identified after the material is unloaded.

6.3.4 Unloading trucks and Vehicles

The procedure for unloading trucks containing rubber products is as follows;

- All loads are weighed initially on the weighbridge upon entry to the Site;
- Weighbridge operator to provide driver with relevant paper work;
- All loads that arrive on Site are unloaded in the designated unloading areas;
- If a load is rejected it must be registered in the Rejected Load Register.
- Product is received by cars, utes and trucks at the facility and unloaded inside the enclosed building, placed into allocated bays.
- Vehicles do not access the building from the rear other than forklifts, and this is clearly shown on the swept path plans. Building access for vehicles is in a forward motion from the new side entrance created to the western elevation of the building.

6.3.5 Loading Trucks

Loading of rubber products to leave the site is conducted with the use of a forklift. The loading of trucks will not take place before 6:00 am.

Once loaded into shipping containers on trucks for transport, all rubber is transported off site to the allocated destination.

Steel/wire from tires will be transferred to resource recovery facilities that are lawfully capable of accepting that material for processing.

6.3.6 Other Waste on Site

Other than rubber and wire on site, other waste streams at the site will include:

- General waste – where office waste, lunchroom waste, and non-hazardous waste is deposited to a site skip bin. The skip bin is routinely serviced by a waste contractor.
- Waste oil – where waste lubricant oil from equipment maintenance is collected in drums. Waste oil drums are routinely collected by a waste service provider.
- Oily Rags – generated through maintenance activities and equipment cleaning, and stored in drums for routine collection by a waste service provider.
- Co-mingled recycling – the site is currently investigating options for collection of co-mingled recycling streams (paper, cardboard, plastics, etc) from the site.

Waste Management - Mitigation and Management Measures

In addition to the procedures regarding unacceptable and hazardous waste and the processing and storage of accepted waste within the OEMP, the following procedures should also be implemented:

- **A Plan of Management (POM) should be prepared for the site prior to the issue of an occupation certificate that includes the following:**
  - **Identifies site managers responsibilities;**
  - **'Spotters' responsibilities;**
  - **Outlines accepted materials;**
  - **Outlines the general materials handling process;**
  - **Procedures for assessing incoming loads;**
  - **Procedures for unloading of acceptable materials;**
  - **Procedure for maintaining a rejected load register;**
  - **Procedures for unacceptable materials including those identified after vehicle is unloaded;**
  - **Personal Protective Equipment;**
  - **Training and review.**
  - **Mitigation Measures for the Site**
- **All customers are advised that only rubber products are accepted on Site;**
- **All bins containing unacceptable material on Site, should be labeled to ensure workers are aware of their contents;**
- **Non-conforming waste must not be held on site for more than two weeks, assuming Tyrex has a fortnightly commercial waste collection**
- **All invoices bear the message no 'materials other than rubber waste are accepted on Site'.**
- **The Operational Environmental Management Plan prepared by Equilibrium should be adopted and finalised prior to issue of an Occupation Certificate.**
- **All waste other than rubber and wire product is to be stored and disposed of in accordance with the Waste Management Plan for the site prepared by Equilibrium.**

6.4 Air Quality and Odour

An assessment of potential odour impacts related to the Proposal has been undertaken by Todoroski Air Sciences and is included at **Appendix J**. The assessment identifies that the POEO Act is applicable to scheduled activities in NSW and emphasises the importance of preventing 'offensive odour'.

This air quality impact assessment has been prepared in general accordance with the New South Wales (NSW) Environment Protection Authority (EPA) document Approved Methods for the Modelling and Assessment of Air Pollutants in New South Wales (NSW EPA, 2017).

The main sources of air pollutants in the area are emissions from surrounding industrial and commercial operations and from other anthropogenic activities such as motor vehicle exhaust and wood heater emissions.

Available data from the nearest air quality monitors operated by the NSW Department of Planning and Environment (DPE) at Parramatta North and Prospect were used to quantify the existing background level for the assessed pollutants at the Project site.

Both the Parramatta North and Prospect DPE monitors are located within 10km of the Project site. The Parramatta North monitor is located closer to the industrial/ commercial operations at Parramatta North that is considered more similar to the industrial setting of the Project site and would likely better represent the background concentrations. The Prospect DPE monitor is located in a more residential setting in the middle of a sporting field. Therefore, data recorded at the Parramatta North monitoring station have been used to represent the background levels for the Project.

6.4.1 Odour

Odour has a low potential for generation from the process as the material is not being thermally treated. The processing of the material would all occur within the warehouse enclosure which would mitigate any odour generated. The potential for any off-site odour impacts is therefore not considered significant to cause any off-site impacts and have not been assessed further in this study.

6.4.2 Air and Dust

The dust generating activities associated with operation of the Project are identified as the handling and processing of the material and vehicles travelling on-site. The vehicles also have the potential to generate particulate emissions from the diesel exhaust.

Dust emission estimates have been calculated by analysing the various types of dust generating activities taking place and utilising suitable emissions sourced from both locally developed and United States Environmental Protection Agency (US EPA) developed documentation.

It is predicted that all the assessed air pollutants generated by the operation of the Project would comply with the applicable assessment criteria at the assessed receptors and therefore would not lead to any unacceptable level of environmental harm or impact in the surrounding area. The Project would not result in air pollution that would significantly impact upon the amenity of residential and industrial land uses.

Nevertheless, the site would apply appropriate dust management measures to ensure it minimises the potential occurrence of excessive air emissions from the site.

6.4.3 Construction Emissions

Potential construction dust emissions will be primarily generated due to material handling, vehicle movements, windblown dust generated from exposed areas and stockpiles. Exhaust emissions will be from the operation of construction vehicles and plant.

To ensure dust generation is controlled during the construction activities and the potential for off-site impacts is reduced, appropriate (operational and physical) mitigation measures will be implemented as necessary

Conclusions of Air Quality Impact Assessment

Air dispersion modelling was used to predict the potential for off-site dust impacts in the surrounding area due to the operation of the Project with generally conservative assumptions.

It is predicted that all the assessed air pollutants generated by the operation of the Project would comply with the applicable assessment criteria at the assessed receptors and therefore would not lead to any unacceptable level of environmental harm or impact in the surrounding area. The Project would not result in air pollution that would significantly impact upon the amenity of residential and industrial land uses.

Nevertheless, the site would apply appropriate dust management measures to ensure it minimises the potential occurrence of excessive air emissions from the site.

Overall, the assessment demonstrates that even using conservative assumptions, the Project can operate without causing any significant air quality impact at receptors in the surrounding environment.

Air / Odour and Dust - Mitigation and Management Measures:

General Operations

- **Engines of on-site vehicles and plant to be switched off when not in use.**
- **Vehicles and plant are to be fitted with pollution reduction devices where practicable.**
- **Vehicles are to be maintained and serviced according to manufacturer's specifications.**
- **Visual monitoring of activities is to be undertaken to identify dust generation.**
- **Cyclones to be maintained and operated in accordance with manufacturer's specification.**

Material Handling

- **Reduce drop heights from loading and handling equipment where practical.**

Hauling Activities

- **Spills on trafficked areas to be cleaned immediately.**
- **Driveways and hardstand areas to be swept/cleaned regularly as required etc.**
- **Vehicle traffic is to be restricted to designated routes.**
- **Co-ordinate the delivery schedule to avoid a queue of the incoming or outgoing trucks for extended periods of time.**
- **Speed limits are to be enforced.**

- **Vehicle loads are to be covered/secured when travelling off-site.**
- **Regularly inspect roads and maintain surfaces to remove potholes or depressions.**

6.5 Traffic and Transport

Existing Conditions

A detailed Traffic and Parking Impact Assessment is provided in **Appendix D.**

- The Site is subject to the existing traffic conditions which the Proposal seeks to maintain.
- Vehicular access is currently provided to the subject site comprising 68 Victoria Street via two (2) existing access driveways to Victoria Street.
- At the site frontage, Victoria Street is a classified road with a posted speed limit of 60 km/hr, and it includes a double barrier median divided carriageway providing two traffic lanes in each direction with kerbside parking on either side of the carriageway.

Potential Environmental Impacts

- The construction stage of the proposal is expected to generate at most 2-3 vehicle movements per hour. The largest vehicles expected to access the site during construction are not expected to be longer than the 13.9m long semi-trailer and the 12.5m HRVs nominated during typical operations. All construction vehicles will be accommodated within the site at all times and follow left-in / left-out access arrangements into and out of the site.
- It is noted that this proposed expansion will be serviced by 8 staff members (maximum on-site, at any one time) and will likely attract at most 2 visitors per day. Furthermore, the proposed operations are expected to generate 5-6 truck deliveries per day.
- The peak hour traffic generation of this proposal will likely be in the order of approximately 8 trips, which reflects the vehicle movements generated by staff (8 trips entering the site in the AM peak hour and 8 trips exiting the site in the PM peak hour). Throughout the day, the site will generate vehicle movements related to visitors and deliveries. However, these activities will at most generate 4 trips in a given hour.
- As per the above, the anticipated peak hour and daily traffic generation potential of the proposed development is considered minimal and is therefore unlikely to eventuate into any material impacts on the existing local traffic conditions.
- The car parking provision requirements for the proposed development were determined in accordance with the parking rates prescribed in Table 1 in Chapter 12 (Car Parking, Vehicle and Access Management) of the Fairfield Citywide Development Control Plan (2013). In relation to resource recovery facilities, this policy states that the minimum number of car parking spaces required should be determined by a car parking survey of a comparable facility. Accordingly, the proposed parking provisions for resource recovery facilities reported in publicly available traffic assessment documents have been used to determine the number of required parking spaces for the subject proposal.
- On-site parking provisions for similar developments are generally made to predominantly cater for the maximum number of staff members likely to be present on-site at any one time.
- It is noted that the proposed operations will be serviced by 8 staff members (maximum on-site at any one time). Based on the rate of 1.3 car spaces per staff member, the proposal will require provision for 11 car spaces (rounded up). The proposed development provides a total of 12 on-site car spaces (5 spaces

within Lot 9 - 68 Victoria Street + 7 spaces within Lot 10 - 68 Victoria Street, including a single disability-accessible car space). This provision conveniently satisfies the anticipated maximum parking demand.

- All the car spaces have been designed to comply with the requirement relevant to user class 1A (employee parking) spaces under AS 2890.1:2004. User class 1A spaces should provide 2.4m width, 5.4m length and 5.8m aisle width. The proposed car spaces comply with the above-identified dimensions.
- The disability-accessible car space design complies with the requirements in AS 2890.6. The car space and the adjacent shared space are both 2.4m wide by 5.4m long with a 5.8m wide aisle.
- All service and waste vehicles will enter and exit the subject development in a forward direction using the ingress and egress access driveways via Victoria Street. Therefore, all waste and servicing requirements will be adequately accommodated onsite in accordance with Council's DCP requirements.
- The largest vehicle that is expected to access the proposed site is a semi-trailer that is approximately 13.9m long. Accordingly, swept path tests have been undertaken to investigate the anticipated manoeuvrability conditions of this vehicle. This swept path assessment has been undertaken using AutoTURN software (the industry standard vehicle swept path assessment software).

  As can be seen in the swept path analysis, a 13.9m semi-trailer can sufficiently manoeuvre into, within and out of the proposed car park. It is important to note that semi-trailers will use the weighbridge at the site (in addition to the 12.5m HRVs).
- It is evident that the largest vehicle accessing the site can do so via the existing driveways without the need for widening them. As a result, there will be no impact on the existing kerbside parking spaces at the site frontage.

  All service vehicles and trucks are accommodated within the subject site with no requirement to queue on-street.

Traffic and Transport - Mitigation and Management Measures:

- **The Site will be maintained in perpetuity to ensure internal vehicle circulation allows for vehicles to access and leave the Site in a forward direction.**
- **Vehicle movements will be restricted to core hours of operation to minimise impacts on surrounding residential occupier's amenity.**
- **All vehicles which enter the premises will be weighed over the weighbridge upon entry and exit in accordance with clause 29 of the Protection of the Environment Operations (Waste) Regulation 2014, and a record will be kept by the site operator.**
- **The internal configuration of the car park be designed and maintained in accordance with AS 2890.1 (2004), AS2890.2 (2018) and AS 2890.6 (2009).**
- **Loading and unloading of vehicles is only to occur on site.**
- **'No Right Turn' signs facing east should be provided within the site at both driveways. These signs should be provided at a sufficient height and should be clearly visible to the drivers travelling westbound on Victoria Street.**
- **A sign identifying the driveway at Lot 9 - 68 Victoria Street as the entry driveway along with another sign indicating 'No Entry' for the driveway at Lot 10 - 68 Victoria Street should be**

provided within the site. These signs should be provided at a sufficient height and should be clearly visible to the drivers travelling eastbound on Victoria Street.

- **All construction vehicles will be accommodated within the site at all times and follow left-in / left-out access arrangements into and out of the site and the haulage routes specified**
- **If a work zone is required on Victoria Road at the site frontage, the relevant permit would be sought by the applicant through Council and Transport for NSW through a detailed construction traffic management plan.**

6.6 Noise

The proposed resource recovery transfer station at 68 Victoria Street, Smithfield is surrounded by the following noise sensitive receivers:

The proposed resource recovery transfer station at 68Victoria Street, Smithfield is surrounded by the following noise sensitive receivers:

- Industrial premises adjoining and directly across Victoria Street from site.
- Closest residences between 714-734 The Horsley Drive, approximately 250 metres away.
- To the north of the site is a passive recreation area, Chifley St Reserve, which is accessible to the general public.

Figure 5 of this EIS identifies the above sensitive receivers.

The identified noise sources on Site include the following:

- Construction Noise
- Mobile Plant - Mobile plant of acoustical significance includes trucks, 3 x forklifts;
- Onsite truck movements;
- Ducted rooftop extraction fans for the machinery
- Rubber shredding machine (Genox Xeno X1600 twin shaft shredder with 2 x 45 kw motors); and
- General operational activity – shredders and sorting of materials.

Potential environmental impacts in relation to noise that are assessed as part of this EIS include:

- Operational and transport noise from traffic and transfer trucks in and out of the Site, machinery and plant upon sensitive receivers.

An Acoustic Impact assessment is included at **Appendix F.**

The assessment concludes that:

- *Based on i) the background noise measurements made at the most-affected receivers, and ii) our noise model of the existing operations at 66 Victoria St, in conjunction with the noise measurements of the additional new machines, we conclude the following:*

  a) Noise levels emitted to surrounding noise receivers will be below the project noise trigger levels as defined by the EPA Noise Policy for Industry.

  b) However, the predicted noise levels are based on operational assumptions such as good noise management practices on site, suitable placement of noise-generating equipment and a specified operational schedule.

c)To ensure that ongoing noise emissions remain acceptable, we recommend that recommendations provided in Section 6.2 are followed.

Based on the findings from the acoustic assessment, the proposed development can achieve compliance with the operational acoustic criteria required by local authorities, provided the conceptual recommendations discussed in the assessment and outlined in the below mitigation and management measures are implemented and developed at the later detailed design stages.

Noise - Mitigation and Management Measures:

Operational Factory Noise - Mitigation and Management Measures:

- **Machinery should remain in their existing locations. However, if relocation of equipment is required, equipment should only be moved towards the centre of the factory.**
- **Workers within the facility should undertake their work using the quietest reasonable processes and method.**
- **All roller doors to the factory should be shut when processing tyres.**
- **Delivery trucks shall drive into the factory prior to offloading and loading goods from the vehicle.**
- **Trucks shall turn off their engines while unloading (i.e. do not leave trucks idling).**
- **Forklifts shall not be used in outdoor areas, such as behind Lot 10 - 68 Victoria St and at Lot 9 - 68 Victoria St between 10 pm and 8:00 am each day.**
- **The exhaust fans installed in the roof of 68 Victoria St shall be equivalent in noise output to those installed in the existing premise at 66 Victoria St.**
- **All external noise-generating machines/equipment (including chillers) shall be located at least four metres from the nearest boundary and shall be shielded from direct line-of-sight to the closest two boundaries. This can be achieved by constructing an open-topped enclosure that surrounds the external equipment. The height of the enclosure should be at least 500 mm above the highest machine and lined with 100 mm thick insulation such as Megasorber P100. Once the location of the equipment is confirmed, we can provide additional advice as needed for each item of major plant such as the chillers..**

Truck Noise Noise - Mitigation and Management Measures:

- **Maximum of 6 trucks per day as per APEX Engineer's traffic report.**
- **Time-spacing of no more than one truck delivery per 15-minute period.**
- **As soon as the truck arrives the access door between Lot 9 and 10 - 68 Victoria St shall be opened.**
- **Trucks shall not idle in Lot 9 - 68 Victoria St for more than the time taken to open the access door.**
- **Trucks in Lot 9 - 68 Victoria St must not idle.**
- **Truck deliveries will only be allowed outside the hours of 12:00 am to 6:00 am (Shift 3).**
- **The truck access door between the Lot 9 and 10 - 68 Victoria St shall remain closed except to allow truck to pass through when required.to reduce impacts.**

6.7 Water Quality Management

6.7.1 Surface Water and Stormwater

Both the existing site and proposed redevelopment comprise the same catchment areas and percentages of imperviousness. Accordingly, the redevelopment will not result in an increase in either the volume or peak discharge of stormwater to the receiving system.

Therefore, an OSD is not required for this development under the Fairfield City Council DCP.

The proposed strategy for stormwater management for the re-developed site involves utilising the existing stormwater infrastructure and adding in additional stormwater measures which will mitigate potential water quality risks associated with the proposed site use.

Proposed measures include:

- Pit baskets installed at stormwater inlets will retain litter and reduce sediment loads entering the stormwater system;
- A simple Gross Pollutant Trap prior to discharge of stormwater site to provide for retention of sediments and an underflow weir to retain lighter than water particles.
- A sluice gate at stormwater discharge to allow isolation of stormwater at Site;
- A monitoring plan to verify the quality of water discharged to the Council stormwater system; and
- Inspection and cleaning of hardstand areas.

Site discharge of stormwater will remain via the stormwater easement at the rear of the property.

The proposed development will utilise existing amenities which are connected to the Sydney Water sewerage system.

The proposed development does not generate any liquid wastes other than potential fine particles of rubber (managed by washdown of slabs) and hydrocarbons associated with operation of machinery (managed through spill protocols). All processing will occur on impervious concrete slabs. Accordingly, there is negligible potential for contamination of groundwaters.

Fire water will be contained by:

- The existing wall of the building acts as a bund around perimeter. The bund arrangement should include a rollover at the roller door for vehicle access. Rollover height should be not less than 90mm high.
- An existing bund contains water at the north-western hardstand boundary. This bund should be linked to the rear boundary of the building and include a ramp to allow vehicle trafficking.

An isolation mechanism will be installed upstream of the stormwater point of discharge. This will need to be either a sluice gate, or snug fitting pipe plug with elastomeric rings.

Potential Environmental Impact

Construction Phase

An assessment of potential environmental impacts, mitigation and management during the operational and construction phases of the project is provided below.

Erosion and Sediment Transport

- Construction activities on land may expose soils to rainfall and result in discolouration of runoff and sediment transport.
- Generally, the proposal does not involve earthworks or other ground disturbing activities other than minor disturbance associated with construction of stormwater improvements, so the risk of sediment transport offsite is very low.

Mitigation and Management Measures

- **Provide environmental controls in accordance with a site Erosion and Sediment Control Plan (ESCP), to be developed as part of the Construction Environmental Management Plan (CEMP).**
- **Minimum requirements for the ESCP will include:**
  - **Sediment fencing on the downslope perimeter of all disturbed areas**
  - **A construction entry/exit to reduce wheel tracking of dirt onto the road**
- **Monitor the condition of Victoria Street and if necessary arrange sweeping to remove accumulated dirt**
- **The site CEMP will include an ESCP that will detail requirements for erosion and sediment controls during construction.**

Construction Site Spills

- Hydrocarbons or other hazardous materials could be spilled during construction activities from a range of events potentially including refuelling of machinery, disruption or spillage of existing containers storing hazardous materials, or leakage from machinery.
- Wash-out from trucks is also possible to occur.
- These events could have significant impact on the water quality and ecology of Prospect Creek.

Mitigation and Management Measures

- **Storage of chemicals in accordance with Australian Standards**
- **A Pollution Incident Response Management Plan (PIRMP), including emergency response and EPA notification procedures.**

- **Requirements for the storage and use of hydrocarbon fuels and other chemicals on site will be documented in the CEMP.**
- **The CEMP will also include requirements for spill management and reporting.**

Potential Environmental Impact

Operational Phase

Operational phase – Fire

- Contaminated runoff could enter the receiving environment from the warehouse in the event of a fire, where runoff is generated from the fire suppression system and is not properly captured on site.
- These events could have significant impact on the water quality and ecology of Prospect Creek.

Mitigation and Management Measures

- **Containment of firewater through the stormwater management system;**
- **A stormwater isolation control; and**
- **A PIRMP including emergency response and EPA notification procedures.**
- **Requirements for the storage and containment of fire water runoff on site will be documented in the Operational Environmental Management Plan (OEMP).**
- **The OEMP will also include requirements for spill management and reporting.**

Operational Phase – Site Wastewater

- Rubber dust is not a known chemical contaminant, but nevertheless it is undesirable for rubber dust to discharge into the receiving environment where it may contribute to stream turbidity and adversely affect aquatic ecosystems

Mitigation and Management Measures

- **All waste processing occurring under roof;**
- **Air filters on processing equipment will capture nearly all rubber dust;**
- **Containment of washdown water within bunds around the building perimeter;**
- **Collection of washdown water and disposal to the sewerage system under a trade waste agreement**
- **A PIRMP including emergency response and EPA notification procedures.**
- **Requirements for the storage and containment of site wastewater on site will be documented in the OEMP.**
- **The OEMP will also include requirements for water quality monitoring and reporting.**

Operational Phase – Stormwater (Hydrology)

- An increase in site discharge can cause erosion in waterways, and/or overland flows.
- Management techniques for this risk is not required as it is expected that there will be no increase in volume or peak discharge to the receiving environment.

Mitigation and Management Measures

- **The site redevelopment will not result in an increase in the hydrology of the site due to to no increase in impervious area for the site.**

Operational Phase – Stormwater (Water Quality)

- Water pollution from driveway and hardstand areas have the potential to adversely affect the water quality of the receiving water environment and in turn adversely impact the health of aquatic ecosystems, reduce the aesthetic amenity of the waterway for residents, increase health risks to people involved in secondary recreational activities.
- Higher nutrient loads (phosphorous and nitrogen) promote rapid growth of aquatic plants, and can lead to can lead to algal blooms, or elevated bacteria levels.
- Metals such as copper, zinc and lead can be toxic at elevated levels, and can bio-accumulate in an ecosystem.

Mitigation and Management Measures

- **Management of wastes – all wastes received under roof. The only rubber products to be stored outside are to be undercover and bunded to prevent leachate generation via runoff.**
- **Site management practices – periodic washdown of trafficable areas inside building to prevent accumulation of rubber products and potential for wheel tracking these out of the building.**
- **A stormwater treatment train is proposed which will meet the pollutant requirements of Fairfield City Council DCP.**
- **The proposed stormwater system includes a water treatment control to retain sediments that may wash off the hardstand after being wheel tracked out of sheds, as well as leachates and oils.**
- **If excessive dirt becomes evident across driveway or hardstand areas, then these areas should be cleaned. Site operational management procedures should include periodic inspection of the driveways (weekly initially for first 6 months of operation and then relaxing to monthly if the need for washing down is not evident).**
- **Water quality should be monitored monthly (during rainfall events) during the first 12 months to allow evaluation of the efficacy of the proposed water treatment train along with site management measures. Analytes should at least include TSS, TN, TP and Hydrocarbons (including oil & grease). If there are exceedances of the trigger values listed in this report then these should be investigated, and a report submitted to NSW EPA.**
- **The water quality devices proposed require regular inspection and maintenance as recommended by the supplier. Inspection and maintenance requirements will be documented in the OEMP for the facility.**

6.7.1 Flooding

Flooding risk at the sites is described in the Surface Water Report prepared by SLR Consulting at **Appendix G.**

- A summary of the flood behavior of the Site is as follows:
  - The Site is located in the low flood risk precinct and is thereby classified as 'flood prone' in accordance with the *Floodplain Development Manual (NSW Government 2005).*
  - The area around the locality of the project site is subject to flood flows under two separate scenarios
    - Mainstream Flooding along Prospect Creek, and
    - Overland flows from flash flooding in the localised catchment.
  -
  - The *Prospect Creek Floodplain Management Plan Flood Study Review Flood Study (Bewsher, 2006)*, indicates that the 100 year flood extent is located at the northern boundary of the site. The lowest ground level at the rear of the Site is 20.2 mAHD. This level is only exceeded in the Probable Maximum Flood (**PMF**) event.
  - During the PMF event (see Figure 7) inundation would occur across the Site to a depth ranging from 0.6m at the site entrance to up to 2.0m at the rear of the building. Floodwaters would also occur on Victoria Street at the entrance to the Site.
  - There are no harmful wastes on site which if washed away in a flood would cause environmental harm.
  - No flooding would occur onsite a a result fo overland flows from flash flooding. Victoria Street at the Site entrance has a level of 20.75 mAHD which is above the PMF flood level. Inundation of Victoria Street occurs to the east of the Site toward the Cumberland Highway.

Potential Environmental Impact

- The 100 year flood extent is located at the northern boundary of the site. The lowest ground level at the rear of the Site is 20.2 mAHD. This level is only exceeded in the PMF event.
- During the PMF event inundation would occur across the Site to a depth ranging from 0.6m at the site entrance to up to 2.0m at the rear of the building. Floodwaters would also occur on Victoria Street at the entrance to the Site.
- There are no harmful wastes on site which if washed away in a flood would cause environmental harm.
- The site is not impacted by a 100 year flood event.
- The site is progressively inundated from the rear during the predicted PMF flood event. Prospect Creek can be considered a 'flash flood' catchment due to its rapid response to flooding, which can be less than 6 hours. However, safe egress will be possible via Victoria St to the west for vehicles and pedestrians provided that evacuation commences immediately following initial inundation.

Flooding - Mitigation and Management Measures:

- **The operating procedures for the site should include information on awareness of the possibility of flooding, and the need to evacuate immediately following initial inundation.**

6.8 Hazards and Fire

Fire

A Fire and Incident Management Report prepared by Innova Services Australia. The report concludes:

The assessment involved conducting a desktop review of the proposal and comparing it against the FRNSW guidelines and then making an informed judgment on whether the design meets the required criteria.

There are departures evident from the guidelines, mostly because there is conflict between the waste guideline and the tyre guideline, but also due to the nature of the commodity stored.

Generally, in situations where there is a conflict between the Waste Guideline and the Tyre Guideline, we have prioritized the Tyre Guideline, as it is directly pertains to the commodity in question – in this case, the storage of tyres and subsidiary products.

Despite this there are also inconsistencies or deviations from the Tyre Guideline within the proposed development namely due to the inclusion of tyre crumb, a material that is not accounted for in the guideline.

These items will require consultation with stakeholders to determine suitability of the design in achieving the regulatory objectives.

Properties of Waste Stored and Potential for Combustion

- Rubber – Rubber can burn intensely. In accordance with Section 7.2.6 of the FRNSW Guideline for Waste Facilities the storage of rubber is deemed to be a high risk.
- Steel and iron - Steel and iron will melt when exposed to heat but typical temperatures within a fire would not result in steel and iron burning

Rubber delivered to the site is deposited into several stockpiles of varying size. The stockpiles are intentionally separated and segregated to assist in operational efficiency, as well as reduce the potential for propagation in the event that a fire does commence.

Fire - Mitigation and Management Measures

FIRE SAFETY SYSTEMS

- **A sprinkler system in accordance with the AS 2118.1:2017 be provided throughout the building.**
- **A hydrant system shall be provided in accordance with E1D2 and AS 2419.1:2021.**
- **External fire hydrants shall be provided. Hydrants should not be located within 10 m of any stockpiled storage. Where positioning of hydrants results in placement within 10 m storage stockpiles, additional hydrant valves should be installed.**
- **The fire hydrant system would be designed for at least two (2) fire hydrants simultaneously flowing (20 L/s).**
- **Manual call points shall be located adjacent to exits from the building in accordance with AS1670.1:2018.**
- **Fire hose reels shall be provided in accordance with E1D3 and AS 2441:2005. Fire hose reels shall also be provided externally to cover open yard storage areas to enable effective first attack of fires by appropriately trained staff.**
- **Portable fire extinguishers shall be provided in accordance with E1D14 and AS 2444:2001.**
- **Emergency lighting and exit signage shall be provided in accordance with E4D5, E4D6 and E4D8 and AS 2293.1:2018.**

- Automatic closure of the stormwater system shall be provided by an isolation valve. This would be connected to the Fire Detection Control and Indicating Equipment (FDCIE), such that in the event of sprinkler activation, or MCP activation, the isolation valve would close.

MANAGEMENT IN USE AND STORAGE REQUIREMENTS

- An automatic fire water run-off containment system would be provided and designed to contain the total combined hydraulic demand of the fire hydrant and fire sprinkler system for a period of 90 minutes (estimated to be 736,020 L)
- Prior to operations of the facility:
  a. An emergency plan complying with AS 3745:2010 Planning for emergencies in facilities shall be developed.
  b. An operations plan shall be documented and implemented for stockpile management and a copy is to be included within the Emergency Services Information Package (ESIP). The plan shall include procedures for stockpile rotation and monitoring of temperature.
  c. An Incident Response Management Plan shall be provided for staff and other persons at the facility in the event of fire.
  d. Pollution control equipment such as stormwater isolation valves, water diversion booms, drain mats, shall be provided within the facility's emergency response procedures, and be kept readily accessible for the event of fire.
  e. An Emergency Services Information Package (ESIP) shall be provided for firefighters in accordance with FRNSW guideline Emergency services information package and tactical fire plans.
- Tyres shall be stored as follows:
  a. Bundled tyres — a number of tyres strapped together in bundles and stacked either within a system or on their sides.
  b. Pallet systems — a system containing a number of tyres which includes stringers for material handling equipment.
  c. Horizontal systems — a system (e.g. pallets, shelving, racks) where tyres are stacked upright along a horizontal length exceeding 1.5m
  d. Laced storage (outdoor storage only) — tyres which are stacked overlapping to create a woven or laced arrangement.
  e. Portable systems — small portable systems that can be readily moved by fork lift.
- External tyre stacks:
  a. Shall be limited to bagged storage of crumb rubber beneath the sprinkler protected awning.
  b. Storage bags shall be grouped into not more than 4 stack piles exceeding license/approval requirements. Each pile shall be separated by not less than 2 m so that each individual tyre stack does not exceed 3.7m in height and 12 tonnes in weight; and
  c. External storage shall be at least 6m from all non-combustible boundaries and buildings.
- Internal tyre stacks:
  a. Individual tyre stacks within the building shall not exceed 12 tonnes, 3.7m in height and 30 m2 in area.

b. **A maximum of four (4) individual tyre stacks can be grouped into a stack pile. A minimum clear separation of 2 m must be provided between each stack.**
c. **A minimum clearance of 1.5 m should be provided between tyre stacks and any building structural member (excludes crumb rubber storage).**
d. **Must remain at least 1 m clear in all directions from the underside of the building's roof or ceiling, roof structural members, lights (includes light fixtures) and sprinkler heads.**
e. **A minimum clearance of 1 m must be maintained along paths of travel to required exits and firefighting equipment (e.g. hose reels, extinguishers, hydrants). The paths of travel must be kept clear and unobstructed at all times.**

6.9 Greenhouse Gas Emissions

The Site does not accept types of waste (including putrescible waste) that generate Greenhouse Gas Emissions. The only likely emissions from the Site are from the machinery operated on Site.

Greenhouse Gas - Mitigation and Management Measures:

- **Machinery will be regularly tested and maintained so that emissions are as clean and minimal in quantity as possible.**

6.10 Social and Economic

In facilitating the operation of the Site, the proposed development will provide employment-generating activity. This has positive impacts on local and regional economies and populations.

The Proposal provides a supply of employment in an area of high accessibility, and contributes to desirable employment outcomes.

The operation of the facility would allow for the efficient provision of resource recovery initiatives and infrastructure. Operation of the Site would facilitate the objectives of relevant State and Commonwealth legislation. For instance, the waste management objectives of the WARR Act include establishing the waste hierarchy of avoidance, resource recovery and disposal. It is considered that the facility would have a positive impact upon waste minimisation and resource recovery in the region.

The facility is also strategically located within an industrial area sufficiently set away from residential areas. It is therefore considered that the facility would not reduce the economic land value of the surrounding area.

Social and Economic - Mitigation and Management Measures:

- **No further mitigation measures are proposed with regard to socio-economic issues as it is considered that the facility would be of net benefit to the community, providing for increased social efficiency associated with waste management and resource recovery within.**

6.11 Flora and Fauna

The Site is not identified as not containing threatened species, populations or communities within relevant State or Commonwealth legislation. Therefore, there should be no requirement for protection of any flora and fauna species.

No trees or shrubs are proposed to be removed or impacted as a result of the proposal.

Flora - Mitigation and Management Measures:

Not applicable

6.12 European or Aboriginal Heritage

The site is not within a conservation area and is not identified as an item of heritage.

European and Aboriginal - Mitigation and Management Measures:

Not applicable

6.13 Ecologically Sustainable Development

Precautionary Principle

The precautionary principle necessitates consideration of the risks of serious or irreversible environmental damage associated with a development. The Proposal has been assessed with the purpose of reducing the risk of serious and permanent impacts on the environment including an evaluation of the risk-weighted consequences of alternatives and options regarding the Proposal.

The technical studies provided in the appendices of the EIS did not identify any issues that may cause serious and irreversible environmental damage as a result of the facility. While the designated development application has an intended use of the Site, there are further measures identified that will be implemented for the purpose of improving operations and protecting the environment at the Site.

Inter-generational equity

The principle of inter-generational equity is concerned with ensuring that the health, diversity and productivity of the environment are maintained or enhanced for the benefit of future generations. The Designated Development Application is for operation of the Site, which as a waste and resource transfer facility within an industrial area that does not currently support a significant amount of natural assets, containing limited native vegetation cover and minimal presence of native fauna.

The approval of the designated development application would secure an important waste infrastructure need, thereby facilitating future developments within the Fairfield LGA, the Western Sydney Area and the wider Sydney metropolitan area. The Site would secure waste requirements and have a working life that would extend to future generations, providing benefits for a number of generations without increasing the burden on future generations to deal with waste disposal problems. Should the Designated Development Application not proceed, the principle of intergenerational equity may be compromised, as future generations could inherit a higher cost for disposal and processing of waste in addition to the increased likelihood of illegal dumping.

Through the granting of development consent the Tyrex facility would continue to meet the demands for waste treatment now and into the future, supporting source separation, and enabling resource recovery targets to be achieved.

In addition, it is recommended that an Operational Environmental Management Plan (**OEMP**) is prepared and adopted prior to construction and operation of the site to address the ongoing development of management and mitigation of issues on-site which will be implemented. Site management will need to be carried out to ensure that best practice methods are being employed wherever possible that facilitate the health, diversity and productivity of the environment are maintained or enhanced for future generations.

Refer to Part I of this EIS that provides a consolidated table of mitigation and management measures that Tyrex are committed to providing for the Site.

Conservation of biological diversity and ecological integrity

This principle provides that biological diversity and ecological integrity should be fundamentally considered when assessing the impacts of a Proposal. As identified within the EIS and supporting technical reports, the facility will have no impact upon biodiversity, and natural hazards. The Site is located within an industrial precinct. No threatened flora or fauna listed under the *Environment Protection and Biodiversity Conservation Act 1999* (**EPBC Act**) or *Threatened Species Conservation Act 1995* (**TSC Act**) have been recorded within the Site area. The development is not considered to significantly impact biological diversity or ecological integrity.

Improved valuation, pricing and incentive mechanisms

This principle requires that costs to the environment are incorporated or internalised in terms of the overall project costs, ensuring that decision making takes into account the environmental impacts. This EIS has identified that the environmental, social and economic costs associated with the 'do nothing' or construction of a new facility approaches are greater than the ongoing and more efficient use of an existing resource recovery facility.

The EIS further provides for mitigation measures to ameliorate potential environmental impacts that may occur as a result of the facility. The implementation of mitigation and management measures represents a capital or operational cost for the facility, acting as a valuation in economic terms of environmental resources.

ESD – Mitigation and Management Measures:

- **Prepare and Implementation of an Operational Environmental Management Plan (OEMP).**

6.14 Contamination

- The site is not identified as contaminated on the EPA Contaminated sites register.
- No significant excavation is proposed as part of the subject application and historical data indicates that the Site has been used for light industrial purposes previously.
- No significant subsurface disturbance activities are proposed. On this basis, it is considered that the Site is suitable for the existing facility.

Contamination - Mitigation and Management Measures

Nil

PART G - CONSULTATION

During the preparation of this EIS, as required by the SEARs, the proponent has consulted with the relevant local, State and Commonwealth government authorities, service providers and community groups, and addressed any issues they have raised in the EIS.

Consultation, to date, has been with the following:

- Environment Protection Authority (EPA);
- City of Fairfield Council;
- Transport for NSW;
- Fire and Rescue NSW;
- SafeWork NSW
- The surrounding landowners and occupiers that are likely to be impacted by the Proposal.

Details of the consultation carried out are included below.

NSW Environment Protection Authority (EPA)

The proponent notified the EPA of this proposal on 15 June 2023 with a consultation letter and fact sheet (**Appendix O**), along with SEARs 1774, and architectural plans as proposed.

On 19 June, Anna Timbrell of the EPA emailed the proponent the following:

Hi Matthew

Thank you for your letter dated 15 June 2023.

The EPA provided key information requirements for an Environmental Impact Statement (EIS) for the proposed Tyrex Australia Pty Ltd Waste/Resource Transfer Station (SEAR-1771) in a letter dated 11 April 2023 (Ref: DOC23/286909).

The EPA has no further comment to make at this stage.

The EPA will review the EIS upon referral by the relevant consent authority, once it is submitted and placed on exhibition.

Kind regards

Proponents Comment:

At the time of finalizing this EIS no further responses had been received from the EPA.

The EIS and supporting specialist reports have been prepared in accordance with the key information requirements provided by the EPA in their letter dated 11 April 2023 (Ref: DOC23/286909)

City of Fairfield Council

The proponent has notified the City of Fairfield of this proposal on 15 June 2023 with a consultation letter and fact sheet (**Appendix O**), along with SEARs 1774, and architectural plans as proposed.

Subsequently Council provided a detailed letter of response on 5 July 2023 raising the following maters as outlined in the following table.

Fairfield Council Matters – 26 August 2022	Proponent Response
24-hour Operation: The development proposes 24-hour operation of the premises and is required to provide detailed information regarding the 'breakdown' of uses that occur throughout the 24-hour period, details of patron/staff capacity during the 24-hours and the use of machinery/equipment over the 24-hour period. In this regard, a detailed Plan of Management is to be provided and an Acoustic Impact Assessment prepared by a suitably qualified consultant is to be provided and is to include an acoustic assessment of all machinery and plant equipment operated from the premises.	The proposal seeks consent for (24) hour operation, (7) days a week as follows: • Shift 1: 6:00am to 3:00pm • Shift 2: 3:00pm to 12:00am • Shift 3: 12:00am to 6:00am Tyre processing equipment and tyre delivery and product removal/transport will operate during Shifts 1 and 2, whereas site cleaning, preparation and maintenance will occur during Shift 3. Truck deliveries will only be allowed outside the hours of 12:00 am to 6:00 am (Shift 3) The hours are reasonable for operating within the IN1 General Industrial zone and based on similar uses within the surrounding area. There are no residential properties in close proximity to the site and access to the site is not within residential areas. A Plan of Management is provided at Appendix M and an Acoustic Assessment is provided at Appendix F. Mitigation measures are included at Section I of this EIS.
Operation of Development: No storage of goods is permitted externally; all storage areas are to be fully enclosed. It is unclear from the concept plans provided exactly how the premises intends to operate, however, the haphazard arrangement of shipping containers is unlikely to be supported as their purpose is unclear, and a more permanent, uniform arrangement for the storage of goods is to be provided. Details of the operation of the premises including number of truck movements per day, use of the internal areas of the premises, including how loading and unloading will occur and the purpose arrangement of each machine and area identified on the plans, how trucks collect the tyres, how the tyres are processed, how many staff and/or visitors onsite at one time, etc.	All goods stored are internal to the building, ecept the steel wire that will be stored under the awning that is proposed on Lot 9 – 68 Victoria Street. Shipping containers for storage is not proposed. The only shipping containers on site will be transported there for loading to take the product away offsite and will be there a maximum of 3-4 hours at a time to allow loading. Truck and vehicle movements are outlined with the Traffic Impact Assessment at Appendix D. Plans including site layout and identification of loading areas are included at appendix B. All other details are contained within this EIS or relevant consultant reports.

Fairfield Council Matters – 26 August 2022	Proponent Response
Odour Management: The use of the premises as a tyre recycling facility has the potential to result in adverse odour impacts to surrounding properties. An Odour Impact Assessment prepared by a suitably qualified professional is required to be prepared detailing the odour impacts form the proposed development and how odour will be managed onsite to ensure no adverse impact.	Odour has a low potential for generation from the process as the material is not being thermally treated. The processing of the material would all occur within the warehouse enclosure which would mitigate any odour generated. The potential for any off-site odour impacts is therefore not considered significant to cause any off-site impacts and have not been assessed further in this study. An Air Quality Assessment is included at appendix J of this report.
The proposal is to include the amalgamation of the two (2) allotments, Lot 9 and 10 in Deposited Plan 239868.	Lot amalgamation is not proposed, and both lots are under different ownership. Where a tenant is doing work to upgrade existing buildings on a leased property which comprises various adjoining lots, the Council cannot require the registered proprietor of the leased property to consolidate the lots. It is also understood that there is no provision in the Conveyancing Act or the EP&A Act which requires this action.
The EIS shall clearly identify the proposed land use pursuant to Fairfield Local Environmental Plan 2013 and demonstrate how the development meets the objectives of the zone.	Refer to Section 6.1 of this EIS. The site is zoned E4 Industrial under the provisions of Fairfield Local Environmental Plan 2013 (FLEP) and a waste or resource transfer station for rubber product and is an innominate permissible use with consent in that zone, being a development not specified as permitted without consent or prohibited.
Loading and unloading areas and procedures shall be clearly identified and explained.	Refer to Section 3 of this EIS.
Details regarding the proposed water coolers at the rear of the site are to be provided, including its operation and whether it protrudes above ground, height, etc.	Water Cooler Specification is 3M (L) x 2.7M (H) x 1.5M (W) Above ground installation with 1.5KW x 2 pumping Motors.
It is noted that the vehicle swept paths result in the vehicles protruding over the pedestrian path. This arrangement will not be supported. It is also noted that the swept paths do not identify the width of the lanes on Victoria Road in order to ensure the	Pedestrian paths on site have been removed. No queuing will occur over the footpath.

Fairfield Council Matters – 26 August 2022	Proponent Response
vehicles are able to turn into the site from the closest lane.	Refer Traffic Impact Assessment at Appendix D for swept path analysis.
Sufficient details regarding the storage of tyres is to be provided, i.e. what storage systems will be employed, including dimensions and specification of internal tyre storage.	Refer to storage layout on plans at Appendix B. The Fire and Incident Management Plan at Appendix I makes recommendations for internal stockpile sizes.
Sufficient information regarding the operation of the weighbridge is to be provided, including demonstration that the weighbridge complies with all relevant EPA requirements.	Refer to Section 3.2 and the Plan of Management for detail on weighbridge operations. Specifications of weighbridges can be provided prior to the issue of a Construction Certificate, however the weighbridge is in ground and is 20m in length.
Sufficient information regarding firewater retention on the site.	Water from fire fighting activities has potential to contain pollutants harmful to the environment, and needs to be contained on site. Primary containment will be by bunding to provide a storage of 264m3 on each lot. A sluice gate on the existing stormwater system just upstream of discharge point at the eastern boundary is recommended to allow isolation of the stormwater system. Refer to Surface Water Assessment Report at Appendix G and Fire and Incident Management Plan at Appendix I.
It is noted that TfNSW did not previously support the proposed two (2) vehicular crossings for the operation of the premises. It is recommended the proponent liaise with TfNSW prior to the submission of a Development Application.	Preliminary consultation with TfNSW indicates they are supportive of the two vehicle crossings, provided that 'No Right Turn' signs facing east should be provided within the site at both driveways. In addition a sign identifying the driveway at Lot 9 - 68 Victoria Street as the entry driveway along with another sign indicating 'No Entry' for the driveway at Lot 10 - 68 Victoria Street should be provided within the site.
All issues raised during the assessment of DA 304.1/2022 are to be considered and addressed in the EIS and supporting documentation.	Noted, addressed in EIS.
All other requirements of the SEARs are to be adhered to and addressed in the EIS and supporting documentation.	Noted, addressed in EIS.

Transport for NSW

The proponent notified the Transport for NSW of this proposal on 13 July 2023 with a consultation letter and fact sheet (**Appendix O**), along with SEARs 1774, and architectural plans as proposed.

A written response was provided 23 August 2023 which included:

Transport for NSW (TfNSW) provides the following in response to your email dated 13th July 2023, relevant to the proposed tyre facility seeking comments to be addressed in the EIS process:

TfNSW has reviewed the request and can confirm that the SEARS issued remains applicable. Furthermore, reference should be made to our previous correspondence dated 7th December 2022 which should be addressed in your EIS submission – attached for ease of reference.

In addition to the above, a meeting was held between the applicant's town planner (Matthew O'Donnell) and traffic consultant, with TfNSW on 22/9/23 with Brett Morrison (TfNSW) & Tom Payne (TfNSW).

The outcome of the meeting was that TfNSW advised the following:

- Advised to send any information to development.sydney@transport.nsw.gov.au
- Advised they will get back to us with comments on the proposal and the draft TIA.
- Asked what is the largest truck size. Advised it is 13.9m
- Agreed both cross overs should be retained as vehicle manoeuvring on site would not be difficult if not.
- Want to see the existing vs proposed impact of parking as a result of crossover splay widening.
- Detailed vehicle crossing/drainage plans would be submitted with the application.

The proponent's traffic consultant has addressed these requirements in their traffic impact assessment.

Fire and Rescue NSW

The proponent notified Fire and Rescue NSW of this proposal on 13 November 2023 with a consultation letter and fact sheet (Appendix O), along with SEARs 1774, and architectural plans, and the Fire Incident Management Report prepared by Innova.

Fire and Rescue NSW responded 15 November 2023 with the following:

Yes, as per our discussion, as this is a designated development and further comment will not be facilitated through the Major Project Portal, please have Fairfield council notify us of the progress of this development, in addition, FRNSW submit the following advice for council.

FRNSW notes the proposal of a Tyre Recycling Facility. These facilities present special problems of firefighting and special hazards exist that may require additional fire safety and management measures. Below are publicly available resources that may assist in the planning and design stages of this project:

- *Access for fire brigade vehicles and firefighters is a FRNSW guideline document that may be used to ensure the provision of safe, efficient, and effective access for fire brigade vehicles to any premises and allow firefighters to rapidly intervene when a fire or other emergency incident occurs.*

- *Fire safety in waste facilities is a FRNSW guideline document that may be used to provide guidance on fire safety in waste facilities, including adequate provision for fire safety and facilitate safe fire brigade intervention to protect life, property and the environment.*

- *Guidelines for bulk storage of rubber tyres is a FRNSW guideline for the bulk storage of rubber tyres, or related subsidiary products, including those in open yards or within buildings and structures.*

There is currently insufficient information within the Fire & Incident Management Report regarding the fire safety and emergency response management aspects of the project. Should this project be approved, FRNSW make the following recommendations:

1. That a Fire Safety Study (FSS) is developed in accordance with the requirements of Hazardous Industry Planning Advisory Paper (HIPAP) No.2 and submitted to FRNSW for review.

- *The FSS is to be developed to the satisfaction of FRNSW prior to any further submission being made to FRNSW; this includes: an Initial Fire Safety Report (IFSR) and / or Performance-Based Design Brief / Fire Engineering Brief Questionnaire (FEBQ).*

2. Prior to occupation or commissioning an Emergency Plan (EP) is developed for the site in accordance with HIPAP No.1.

3. Prior to occupation or commissioning an Emergency Services Information Package (ESIP) be prepared in accordance with FRNSW fire safety guideline – Emergency services information package and tactical fire plans.

At the time of writing this EIS no response had been received other than an acknowledgement of receipt of the information provided.

Applicants Response

The applicant would be satisfied to address the requirements of Fire and Rescue NSW outlined above as a condition of consent prior to a Construction Certificate being issued for the site.

Safe Work NSW

The proponent notified the Safe Work NSW of this proposal on 15 June 2023 with a consultation letter and fact sheet (**Appendix O**), along with SEARs 1774, and architectural plans as proposed.

To date no response has been received.

Surrounding Landowners and Occupiers

As required under clause 45(4) of Schedule 3 of the *Environmental Planning and Assessment Regulation* 2021, Development for the purposes of a waste management facility of works *is* designated development if the facility or works are located –

(f) within 500 metres of a residential zone or 250 metres of a dwelling not associated with the development and, in the consent authority's opinion, considering the topography and local meteorological conditions, are likely to significantly affect the amenity of the neighbourhood because of noise, visual impacts, vermin, traffic or air pollution, including odour, smoke, fumes or dust".

Given this legislative framework and the requirements for community engagement and consultation, the proponent undertook a comprehensive letterbox drop (**Appendix P**) on 4 June 2023 to surrounding businesses and residents (within a radius of 250m of the site) likely to be affected by the proposal. Residents were given until 27 June 2023 to provide a written response if they should wish to do so.

As part of this letterbox drop, an invitation for written responses with any comments about the proposal was undertaken, in addition to an invitation for representatives of businesses or residents to attend a meeting on site with the operators of Tyrex and their consultant town planner on 27 June 203, between 9am and 10am.

At the time of preparing this EIS, no written responses were received from surrounding businesses and landowners in relation to the proposal. In addition, nobody from surrounding businesses, residential properties and landowners attend the consultation meeting on site on 27 June 2023.

PART H – LIST OF APPROVALS AND LICENCES

7. Relevant Approvals

7.1 Approvals under the *Environmental Planning and Assessment Act 1979* (NSW)

As outlined in detail in Section 3.0 of the EIS the Site has no approvals in relation to the use and operation of the Tyrex facility issued under the EP&A Act, and therefore the current Designated Development Application that this EIS supports is for development consent.

7.2 Environment Protection Licence under the *Protection of the Environment Operations Act 1997* (NSW)

- The proposed use will also trigger an Integrated Development authorisation under the Protection of the Environment Operations Act 1997 (POEO Act).
- Integrated Development is development (not being State Significant Development or Complying Development) that, in order for it to be carried out, requires a licence, approval or authorisation.
- Under the POEO Act, the operator will be required to obtain an Environment Protection Licence (**EPL**) from the NSW EPA (pursuant to sections 43(b) and48).
- At this stage, the nominated 'Schedule Activity' to be requested from the NSW EPA for inclusion in the EPL will be Clause 34 'Resource Recovery' activity (Schedule 1 of the POEO Act) and potentially waste storage.

A future EPL application will be made separately to this proposal for designated development consent.

PART I – COMPILATION OF MITIGATION MEASURES

8. Compilation of Mitigation Measures Overview

A Compilation of Mitigation Measures is provided by Tyrex to consolidate the measures to mitigate the predicted environmental impacts associated with the construction of the facility and proposed operation and use of the facility.

8.1 Proposed Mitigation Measures

Table 15: Compilation of Mitigation and Management Measures Proposed

ENVIRONMENTAL ISSUE	MITGATION AND MANAGEMENT MEASURES
Design and Appearance and Visual	• Regular maintenance to the landscaped areas will be undertaken by the Site operators to ensure the visual appearance of the Site is maintained. • The general appearance of the buildings and its surrounding hardstand will be maintained on a regular basis by the Site operators. • Regular site maintenance should occur to ensure all product is stored in the appropriate storage stockpiles within the buildings.
Waste Management	• A Plan of Management (POM) should be prepared for the site prior to the issue of an occupation certificate that includes the following: - Identifies site managers responsibilities; - 'Spotters' responsibilities; - Outlines accepted materials; - Outlines the general materials handling process; - Procedures for assessing incoming loads; - Procedures for unloading of acceptable materials; - Procedure for maintaining a rejected load register; - Procedures for unacceptable materials including those identified after vehicle is unloaded; - Personal Protective Equipment; - Training and review. • All customers are advised that only rubber products are accepted on Site; • All bins containing unacceptable material on Site, should be labeled to ensure workers are aware of their contents; • Non-conforming waste must not be held on site for more than two weeks, assuming Tyrex has a fortnightly commercial waste collection • All invoices bear the message no 'materials other than rubber waste are accepted on Site'. • The Operational Environmental Management Plan prepared by Equilibrium should be adopted and finalised prior to issue of an Occupation Certificate. • All waste other than rubber and wire product is to be stored and disposed of in accordance with the Waste Management Plan for the site prepared by Equilibrium.

Traffic and Transport	• The Site will be maintained in perpetuity to ensure internal vehicle circulation allows for vehicles to access and leave the Site in a forward direction. • Vehicle movements will be restricted to core hours of operation to minimise impacts on surrounding residential occupier's amenity. • All vehicles which enter the premises will be weighed over the weighbridge upon entry and exit in accordance with clause 29 of the Protection of the Environment Operations (Waste) Regulation 2014, and a record will be kept by the site operator. • The internal configuration of the car park be designed and maintained in accordance with AS 2890.1 (2004), AS2890.2 (2018) and AS 2890.6 (2009). • Loading and unloading of vehicles is only to occur on site. • 'No Right Turn' signs facing east should be provided within the site at both driveways. These signs should be provided at a sufficient height and should be clearly visible to the drivers travelling westbound on Victoria Street. • A sign identifying the driveway at Lot 9 - 68 Victoria Street as the entry driveway along with another sign indicating 'No Entry' for the driveway at Lot 10 - 68 Victoria Street should be provided within the site. These signs should be provided at a sufficient height and should be clearly visible to the drivers travelling eastbound on Victoria Street. • All construction vehicles will be accommodated within the site at all times and follow left-in / left-out access arrangements into and out of the site and the haulage routes specified. • If a work zone is required on Victoria Road at the site frontage, the relevant permit would be sought by the applicant through Council and Transport for NSW through a detailed construction traffic management plan.
Air Quality and Odour	<u>General Operations</u> • Engines of on-site vehicles and plant to be switched off when not in use. • Vehicles and plant are to be fitted with pollution reduction devices where practicable. • Vehicles are to be maintained and serviced according to manufacturer's specifications. • Visual monitoring of activities is to be undertaken to identify dust generation. • Cyclones to be maintained and operated in accordance with manufacturer's specification. <u>Material Handling</u> • Reduce drop heights from loading and handling equipment where practical. <u>Hauling Activities</u> • Spills on trafficked areas to be cleaned immediately. • Driveways and hardstand areas to be swept/cleaned regularly as required etc. • Vehicle traffic is to be restricted to designated routes. • Co-ordinate the delivery schedule to avoid a queue of the incoming or outgoing trucks for extended periods of time. • Speed limits are to be enforced. • Vehicle loads are to be covered/secured when travelling off-site.

	• Regularly inspect roads and maintain surfaces to remove potholes or depressions.
Noise	<u>Operational Factory Noise - Mitigation and Management Measures:</u> • Machinery should remain in their existing locations. However, if relocation of equipment is required, equipment should only be moved towards the centre of the factory. • Workers within the facility should undertake their work using the quietest reasonable processes and method. • All roller doors to the factory should be shut when processing tyres. • Delivery trucks shall drive into the factory prior to offloading and loading goods from the vehicle. • Trucks shall turn off their engines while unloading (i.e. do not leave trucks idling). • Forklifts shall not be used in outdoor areas, such as behind Lot 10 - 68 Victoria St and at Lot 9 - 68 Victoria St between 10 pm and 8:00 am each day. • The exhaust fans installed in the roof of 68 Victoria St shall be equivalent in noise output to those installed in the existing premise at 66 Victoria St. • All external noise-generating machines/equipment (including chillers) shall be located at least four metres from the nearest boundary and shall be shielded from direct line-of-sight to the closest two boundaries. This can be achieved by constructing an open-topped enclosure that surrounds the external equipment. The height of the enclosure should be at least 500 mm above the highest machine and lined with 100 mm thick insulation such as Megasorber P100. Once the location of the equipment is confirmed, we can provide additional advice as needed for each item of major plant such as the chillers. <u>Truck Noise Noise - Mitigation and Management Measures:</u> • Maximum of 6 trucks per day as per APEX Engineer's traffic report. • Time-spacing of no more than one truck delivery per 15-minute period. • As soon as the truck arrives the access door between Lot 9 and 10 - 68 Victoria St shall be opened. • Trucks shall not idle at Lot 9 - 68 Victoria St for more than the time taken to open the access door. • Trucks in Lot 9 – 68 Victoria St must not idle. • Truck deliveries will only be allowed outside the hours of 12:00 am to 6:00 am (Shift 3). • The truck access door between the Lot 9 and 10 Victoria St shall remain closed except to allow truck to pass through when required.to reduce impacts.
Water Quality Management	<u>Erosion and Sediment Transport</u> • Provide environmental controls in accordance with a site Erosion and Sediment Control Plan (ESCP), to be developed as part of the Construction Environmental Management Plan (CEMP). • Minimum requirements for the ESCP will include: - Sediment fencing on the downslope perimeter of all disturbed areas - A construction entry/exit to reduce wheel tracking of dirt onto the road

	• Monitor the condition of Victoria Street and if necessary arrange sweeping to remove accumulated dirt • The site CEMP will include an ESCP that will detail requirements for erosion and sediment controls during construction. <u>Construction Site Spills</u> • Storage of chemicals in accordance with Australian Standards • A Pollution Incident Response Management Plan (PIRMP), including emergency response and EPA notification procedures. • Requirements for the storage and use of hydrocarbon fuels and other chemicals on site will be documented in the CEMP. • The CEMP will also include requirements for spill management and reporting. <u>Operational phase – Fire</u> • Containment of firewater through the stormwater management system; • A stormwater isolation control; and • A PIRMP including emergency response and EPA notification procedures. • Requirements for the storage and containment of fire water runoff on site will be documented in the Operational Environmental Management Plan (OEMP). • The OEMP will also include requirements for spill management and reporting. <u>Operational Phase – Site Wastewater</u> • All waste processing occurring under roof; • Air filters on processing equipment will capture nearly all rubber dust; • Containment of washdown water within bunds around the building perimeter; • Collection of washdown water and disposal to the sewerage system under a trade waste agreement • A PIRMP including emergency response and EPA notification procedures. • Requirements for the storage and containment of site wastewater on site will be documented in the OEMP. • The OEMP will also include requirements for water quality monitoring and reporting. <u>Operational phase – Stormwater (hydrology)</u> • The site redevelopment will not result in an increase in the hydrology of the site due to no increase in impervious area for the site. <u>Operational Phase – Stormwater (Water Quality)</u> • Management of wastes – all wastes received under roof. The only rubber products to be stored outside are to be undercover and bunded to prevent leachate generation via runoff. • Site management practices – periodic washdown of trafficable areas inside building to prevent accumulation of rubber products and potential for wheel tracking these out of the building. • A stormwater treatment train is proposed which will meet the pollutant requirements of Fairfield City Council DCP.

	• The proposed stormwater system includes a water treatment control to retain sediments that may wash off the hardstand after being wheel tracked out of sheds, as well as leachates and oils. • If excessive dirt becomes evident across driveway or hardstand areas, then these areas should be cleaned. Site operational management procedures should include periodic inspection of the driveways (weekly initially for first 6 months of operation and then relaxing to monthly if the need for washing down is not evident). • Water quality should be monitored monthly (during rainfall events) during the first 12 months to allow evaluation of the efficacy of the proposed water treatment train along with site management measures. Analytes should at least include TSS, TN, TP and Hydrocarbons (including oil & grease). If there are exceedances of the trigger values listed in this report then these should be investigated, and a report submitted to NSW EPA. • The water quality devices proposed require regular inspection and maintenance as recommended by the supplier. Inspection and maintenance requirements will be documented in the OEMP for the facility.
Flooding	• The operating procedures for the site should include information on awareness of the possibility of flooding, and the need to evacuate immediately following initial inundation.
Hazards - Fire	**FIRE SAFETY SYSTEMS** • A sprinkler system in accordance with the AS 2118.1:2017 be provided throughout the building. • A hydrant system shall be provided in accordance with E1D2 and AS 2419.1:2021. • External fire hydrants shall be provided. Hydrants should not be located within 10 m of any stockpiled storage. Where positioning of hydrants results in placement within 10 m storage stockpiles, additional hydrant valves should be installed. • The fire hydrant system would be designed for at least two (2) fire hydrants simultaneously flowing (20 L/s). • Manual call points shall be located adjacent to exits from the building in accordance with AS1670.1:2018. • Fire hose reels shall be provided in accordance with E1D3 and AS 2441:2005. Fire hose reels shall also be provided externally to cover open yard storage areas to enable effective first attack of fires by appropriately trained staff. • Portable fire extinguishers shall be provided in accordance with E1D14 and AS 2444:2001. • Emergency lighting and exit signage shall be provided in accordance with E4D5, E4D6 and E4D8 and AS 2293.1:2018. • Automatic closure of the stormwater system shall be provided by an isolation valve. This would be connected to the Fire Detection Control and Indicating Equipment (FDCIE), such that in the event of sprinkler activation, or MCP activation, the isolation valve would close. MANAGEMENT IN USE AND STORAGE REQUIREMENTS

	• An automatic fire water run-off containment system would be provided and designed to contain the total combined hydraulic demand of the fire hydrant and fire sprinkler system for a period of 90 minutes (estimated to be 736,020 L) • Prior to operations of the facility: - An emergency plan complying with AS 3745:2010 Planning for emergencies in facilities shall be developed. - An operations plan shall be documented and implemented for stockpile management and a copy is to be included within the Emergency Services Information Package (ESIP). The plan shall include procedures for stockpile rotation and monitoring of temperature. - An Incident Response Management Plan shall be provided for staff and other persons at the facility in the event of fire. - Pollution control equipment such as stormwater isolation valves, water diversion booms, drain mats, shall be provided within the facility's emergency response procedures, and be kept readily accessible for the event of fire. - An Emergency Services Information Package (ESIP) shall be provided for firefighters in accordance with FRNSW guideline Emergency services information package and tactical fire plans. • Tyres shall be stored as follows: - Bundled tyres — a number of tyres strapped together in bundles and stacked either within a system or on their sides. - Pallet systems — a system containing a number of tyres which includes stringers for material handling equipment. - Horizontal systems — a system (e.g. pallets, shelving, racks) where tyres are stacked upright along a horizontal length exceeding 1.5m - Laced storage (outdoor storage only) — tyres which are stacked overlapping to create a woven or laced arrangement. - Portable systems — small portable systems that can be readily moved by fork lift. • External tyre stacks: - Shall be limited to bagged storage of crumb rubber beneath the sprinkler protected awning. - Storage bags shall be grouped into not more than 4 stack piles exceeding license/approval requirements. Each pile shall be separated by not less than 2 m so that each individual tyre stack does not exceed 3.7m in height and 12 tonnes in weight; and - External storage shall be at least 6m from all non-combustible boundaries and buildings. • Internal tyre stacks: - Individual tyre stacks within the building shall not exceed 12 tonnes, 3.7m in height and 30 m2 in area. - A maximum of four (4) individual tyre stacks can be grouped into a stack pile. A minimum clear separation of 2 m must be provided between each stack. - A minimum clearance of 1.5 m should be provided between tyre stacks and any building structural member (excludes crumb rubber storage).

	- Must remain at least 1 m clear in all directions from the underside of the building's roof or ceiling, roof structural members, lights (includes light fixtures) and sprinkler heads. - A minimum clearance of 1 m must be maintained along paths of travel to required exits and firefighting equipment (e.g. hose reels, extinguishers, hydrants). The paths of travel must be kept clear and unobstructed at all times.
Greenhouse Gas Emissions	• Machinery will be regularly tested and maintained so that emissions are as clean and minimal in quantity as possible.
Ecologically Sustainable Development	• Prepare and Implementation of an Operational Environmental Management Plan

PART J – JUSTIFICATION FOR PROPOSAL AND CONCLUSION

9. Overview

This chapter reiterates the justification of the designated development application in addition to providing the conclusion to the EIS.

9.1 Justification

The designated development application is seeking approval for Tyrex to utilise its potential operational capacity to accept, process and store rubber product. The applications also seek to optimise and improve upon the ancillary infrastructure and internal layout on-site to ensure safety, increase source separation and facilitate efficient waste management services.

The granting of this designated development application is the most suitable alternative to meet the objectives of:

- Facilitating future waste transfer needs of Greater Sydney.
- Securing future capacity for resource recovery and transfer to complement other resource recovery management options in the Greater Sydney region and internationally.
- Facilitating the safety and operation of the facility for future operators and customers.

The facility will meet these objectives as follows:

- The Tyrex facility will address the waste and resource recovery need within metropolitan Sydney. It will do by maintaining its existing waste and resource management capacity to enable the transfer of recoverable waste currently received at the facility to other relevant facilities across Sydney or internationally.
- Ensure efficient operational practices and onsite monitoring in order to facilitate the ongoing safety and operation of the current facility for future operators and customers.

The facility undertakes the recovery of recyclable materials from wastes through processing, and transferring material to facilities that can recycle and reuse the rubber. The activity is to receive and consolidate rubber wastes, process them and onforward to other recycling/processing sites principally in NSW. This assists in the achievement of the NSW Government's landfill diversion targets, conserving landfill space, and returning valuable materials to the productive economy.

The Site is located in the best place possible in that there is no need for long haul transport of waste. The Site is located within the proximity of Sydney's major transport road networks, with good connectivity to waste producers and final destinations for materials.

Maintaining the current Site location while implementing efficient operations and processes is the best and most efficient alternative.

An environmental impact assessment of the facility has been completed and presented within this EIS. Tyrex is seeking to provide continued sustainable waste management services in managing waste in the Greater Sydney area.

The facility has been shown to be consistent with the relevant local and State government legislation with no significant environmental impacts having been identified during the preparation of the EIS. The impacts identified for the facility are considered to meet all relevant assessment criteria and will be further mitigated through the implementation of the management measures committed to by Tyrex as identified in Part I of this EIS.

The proposed facility as a result of this EIS would result in minor short-term impacts to the local environment. These temporary impacts would generally be confined to the Site and would have a minor impact upon surrounding operations with the proposed management measures.

Tyrex's operating procedures and maintenance routines would minimise the potential for incidents occurring during operation, and these will be implemented at the Site. To support and supplement the proposed system of operation, an OEMP and POM has been recommended for the facility. The OEMP should clearly present procedures that have been developed for the Site and outline how environmental goals will be met. The OEMP should continue to be updated and implemented whilst the facility operates to reflect changes to legislative requirements and EPA regulations. With the successful development and implementation of the OEMP for the facility, no significant environmental impacts are predicted during operation.

9.2 Conclusion

The assessment has identified potential impacts that may be satisfactorily mitigated and managed through a range of measures that have been identified within this document. The proposed facility is also consistent with the priorities and targets adopted in relevant Government legislation, policies and strategies.

The facility will provide significant benefits in terms of addressing and securing the need for waste capacity in the local, Western Sydney, and Sydney metropolitan area, in addition to enabling efficient, safe and productive use of waste resources. This facility will service the Fairfield and Western Sydney region and surrounding area, which is characterised by residential and industrial growth generating significant demand for such a facility.

The EIS considers the granting of designated development consent is in the public interest for a variety of reasons and is it is recommended that the development consent be granted.