EXPANSION OF PROCESSING CAPACITY AT AN EXISTING MATERIALS RECYCLING FACILITY AT NO'S 19 – 23 FARIOLA STREET AND 29 DERBY STREET, SILVERWATER

PRELIMINARY ASSESSMENT REPORT to accompany a PART 3A PROJECT APPLICATION

Prepared for

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Figure 1: Location Plan

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Figure 3: Zoning: Auburn LEP 2000

APPENDICES

Appendix 1: Minister's Opinion for the Major Project;

Appendix 2: Survey Plan for Fariola Street, prepared by Denny Linker and Co;

Appendix 3: Survey Plan for Derby Street, prepared by Denny Linker and Co;

Appendix 4: Preliminary Project Application Plans for Fariola Street site, prepared by Borg Architects; and

Appendix 5: Preliminary Project Application Plan for Derby Street site, prepared by Borg Architects.

1. INTRODUCTION

This Preliminary Assessment Report ("PAR") accompanies an application to the Director-General under Section 75E of the Environmental Planning and Assessment Act 1979 ("the Act") for approval to carry out a project as defined in Part 3A of the Act ("a major project").

The Project is for the expansion in processing capacity of an existing materials recycling facility at No's 19 – 23 Fariola Street, Silverwater, comprising the main operations of the materials recycling facility and a site known as No. 29 Derby Street, Silverwater used for storage of empty waste bins and trucks. Collectively, these sites are referred to as "the sites" in this PEA.

This PAR is prepared on behalf of Wastecorp who trade as Smartskip at the subject sites. The current facility processes up to 21,000 tonnes per annum of dry construction and demolition waste. The facility does so by storing, separating and transporting waste materials such as concrete, bricks, tiles and timber for subsequent processing.

The existing facility has the capacity to expand its waste throughput due to operational efficiencies gained since the facility first operated in 1995. It is proposed to expand processing capacity from 21,000 tonnes to 80,000 tonnes per annum. The increase in tonnage would grow sequentially over a number of years.

On 11 November 2007, the Director-General of the Department of Planning, as delegate for the Minister for Planning, gave the opinion that the expansion of the materials recycling facility is a Major Project to which Part 3A of the Environmental Planning and Assessment Act 1979 applies. A copy of the Director-General's opinion is found in **Appendix 1**.

This PAR comprises:-

- a site description and analysis;
- an overview of the design concept;
- a preliminary assessment;
- plans and reports proposed to be lodged with the environmental assessment; and
- the legislative framework applicable to the project.

A checklist against the matters required to be addressed by the DoP is provided at Section 1.5.

1.1 The Land to which the Application Relates

The land to which this PEA relates is No's 19 – 23 Fariola Street, Silverwater and No. 29 Derby Street, Silverwater. The land is within the Auburn Council local government area and is identified in **Figure 1** attached.

Figure 1 shows that the Derby Street site is two blocks to the south of the Fariola Street site and readily accessible for Smartskip's vehicles.

The Fariola Street site has a total area of 2,735m², with a single road frontage to Fariola Street of 60.35m.

The Derby Street site has an area of 1,903m² with a frontage to Derby Street of 35.665m and a secondary frontage to Day Street of 42.975m.

1.2 Summary of Development for which Approval is Sought

Application is made for approval to expand the existing processing capacity of the materials recycling facility from 21,000 to 80,000 tonnes per annum. The type of waste to be processed is dry construction and demolition waste.

Smartskip processes the following materials, each of which is sourced from the construction industry:-

- Concrete;
- Bricks;
- Metals;
- Packaging plastics and cardboard; and
- Occasional timber and plasterboard sheeting.

No other waste will be processed at the facility.

The existing layouts of the subject sites are shown on the Survey Plans in **Appendix 2** (Fariola Street) and **Appendix 3** (Derby Street).

The scope of the Project is as follows:-

- Expansion of the existing processing capacity of the subject sites to 80,000 tonnes per annum of dry construction and demolition waste; and
- Physical works on both sites including demolition and construction of minor ancillary structures, internal building modifications, relocation of car parking spaces and driveway widening, site resurfacing and the upgrade of existing stormwater management infrastructure as required. The extent of these works are explained in Section 3.1 of this PEA.

Preliminary Project Application Plans itemising the required physical works to each site are contained in Appendix 4 (Fariola Street) and Appendix 5 (Derby Street). The Proponent acknowledges that these preliminary Project Plans are likely to be refined during the assessment of the Project Application.

1.3 Purpose of this Report

This Preliminary Environmental Assessment Report provides the following information:

- a description of the land to which the applications relate;
- a description of the characteristics of the surrounding locality, and in particular adjoining and adjacent development;

- a detailed description of the proposed works;
- the statutory planning framework within which the applications are to be assessed and determined; and
- an environmental risk analysis identifying key issues which the proposed development must resolve.

1.4 Capital Investment Value

The Capital Investment Value of the project, as it is defined in the Major Projects SEPP, is approximately $200,000. The expanded facility will handle up to 80,000 tonnes per year of construction and demolition waste.

1.5 Approvals Framework

Pursuant to the SEPP and Section 75B of the Act, the proposal is a Project to which Part 3A of the Act applies.

Through the operation of the Major Projects SEPP, the Minister is the consent authority for the project.

The subject sites are located on land within Zone No 4(a) "General Industrial" pursuant to the Auburn Local Environmental Plan 2000 – see Figure 3. The proposal is permissible in that zone with consent and is considered to be consistent with each of the objectives of the 4(a) zone.

An assessment of the proposal with reference to the legislative framework is provided at Section 6 of this report.

1.6 Application Checklist

The DoP has advised the requirements for this PAR in correspondence that accompanied the Minister's opinion. The following table sets out the relevant matters and notes where or how each requirement is addressed:-

Requirement	Where addressed
(a) A brief description of the existing environment (particularly in regards to surrounding land uses and sensitive receivers)	Section 2.
(b) A detailed written and graphical description of the project including the need for the project; alternatives considered; and the various components and stages of the project, including relevant preliminary plans	Section 3 and Appendices 4 and 5.
(c) The relevant planning provisions applying to the site;	Section 6.

Requirement	Where addressed
(d) An environmental risk analysis of the project to identify key issues. Please provide an explanation as to why the issues identified are considered either a key issue, or are of moderate or low significance.	Section 5.
(e) The location and a map identifying the sites.	Refer Figures.

2. THE SUBJECT SITES

No's 19 – 23 Fariola Street, Silverwater is on the southern side of Fariola Street between Wetherill Street to the west and Day Street to the east.

No. 29 Derby Street, Silverwater is on the north-western corner of the intersection of Derby Street and Day Street.

The land is within the Auburn Council local government area and is identified in **Figure 1** attached. Figure 1 shows that the Derby Street site is two blocks to the south of the Fariola Street site.

The Fariola Street site is the subject of an approval granted by Auburn Council in 1995 to operate as a materials recycling facility. The notice of determination to DA 45/95 granted development consent for:-

> *"Sorting of demolition and building waste and associated truck depot with alterations to existing building."*

Conditions of consent to DA 45/95 currently control the throughput of the site (i.e. 80 tonnes/day or 21,000 tonnes/p.a), the vehicle movements to and from the site, and the activities undertaken (e.g. conditions of consent state crushing shall not be undertaken).

The need for the current Project arises from the fact that Smartskip have found that their existing operations site can accommodate further processing of waste materials and accordingly require major projects consent to expand the existing throughput.

2.1 Surrounding Land Uses

The subject sites are located within a long established and large industrial area. The nature of surrounding land uses around the Fariola Street site is shown on the aerial photo at **Figure 2** and are described below. The use of the Derby Street site for storage of vehicles and empty bins is considered generally innocuous, and as such, a detailed description of the surrounding uses is unnecessary. The uses surrounding the Derby Street site are generally industries or light industries, with a dominance for warehousing and factory units with components of office spaces.

The following is a description of the uses surrounding the Fariola Street site.

North of the site are a series of two storey industrial units at No's 16 – 24 Fariola Street with car parking between the buildings and the street. The sites contain a number of driveways onto Fariola Street which have been considered in the formation of the preliminary Project Application plans.

South of the site is a large factory development containing car parking spaces around three main buildings. Immediately alongside the rear of the site are car parking spaces and a small factory building.

East of the site is a metal foundry operation which is the source of much of the neighbourhood's noise environment. The foundry contains a series of factory buildings and silos. Immediately alongside the site are metal storage areas with skip bins and empty racking systems. Residential development within the Newington suburb is found some 300m to the east of the site, but these Newington dwellings are separated from the site by a great deal of industrial development.

West of the site is a two storey industrial unit development containing two small tenancies. Further west is café along the Fariola Street frontage of an industrial building at the corner of Fariola Street and Wetherill Street.

2.2 Physical Characteristics

Fariola Street Site

The Fariola Street site contains three main buildings, each of which were historically used as a metal foundry. They have been modified since, with side walls deleted to open up the centre of the site for materials processing. The northern building along Fariola Street houses the administration office. The eastern building houses a portion of the materials processing area and allows materials to be taken away by semi-trailers. The western building is used for a workshop and contains a washbay, tyre change area, truck maintenance area, oil/fuel storage area and yard staff amenities. The workshop roles, with the exception of refuelling, are generally now outsourced and the workshop building can be used for other purposes.

The site has a flat topography and sits about 1m above the level of Fariola Street.

The site is almost entirely covered by buildings or concrete driveways, car parking or storage areas. Landscaping comprises pockets of gardens immediately adjacent to the office at the centre of the site and in front of the workshop building toward the west of the site.

Derby Street Site

The Derby Street site has a flat topography and is a large open yard for storage. The site contains a large colourbond storage building, a small unused demountable office and a weighbridge.

The site is entirely surrounded by an enclosing 2m brick fence and the gates to the site are clad in shade cloth, thus deterring any views from the public domain.

The site has large garden beds with a number of mature trees along the Derby Street side, but no landscaping along the Day Street side.

2.3 Site Contamination

The suitability of the sites for the Project will need to be established within the context of the Environmental Assessment. The sites have had a long history of industrial development and will be disturbed by the proposed works. As such, preliminary soil investigations will be prepared for the EA.

2.4 Pedestrian and Vehicular Access

Fariola Street Site

Access to the site is from Fariola Street via two existing driveways. Site access arrangements will not change. The site has provision for up to 9 staff car parking spaces. However, the site only requires 8 car parking spaces, 4 for office staff and 4 for yard staff including one disabled space. The provision of 8 parking spaces is consistent with the Council's Development Control Plan for Parking.

Pedestrian access to the site is available from Fariola Street via footpaving on the southern side of the road.

Daily truck use associated with the proposed expansion, depending on demand per day, would be approximately –

- 2 x walk-in-floor semi-trailers, arriving to the site up to six times per day (i.e. 3 trips per vehicle);
- Between 5 to 10 x lift trucks, each with a capacity of 1 x 8 – 14 tonne skip bin;
- 6 to 8 x multiple axle tray trucks, each with a maximum capacity of 1 x 30 tonne sliding skip bin.

The existing traffic arrangements and traffic impacts of the proposed expansion will be subject to detailed assessment by a traffic engineer at the Environmental Assessment stage.

Derby Street Site

Access to the Derby Street site is from two existing driveways along Day Street, while a third driveway onto Derby Street is currently unused. The two driveways currently permit a circular path of travel within the site, allowing trucks to enter, unload empty bins and exit in a forward direction.

Some of the trucks used by Smartskip are stored at the Derby Street site while others are driven home by their operators. An allowance for drivers to park their cars within the site is made and will need to be formalised with the detailed design of the Project.

Pedestrian access to the site is available from footpaving all around the site.

2.5 Engineering Services

The subject sites are serviced by urban infrastructure. Changes will be made to site drainage as required to meet the needs of the Project. The Fariola Street site already has a 10,000 litre on-site detention tank, however, the inlet locations may need to be amended to permit the centre of the site to be used for the increased amount of waste associated with the expansion. The Derby Street site stormwater management system has not been investigated at this stage.

3. DESCRIPTION OF PROPOSAL

Application is made for approval for an increase in the processing capacity of the existing materials recycling facility operating from No. 19 – 23 Fariola Street, Silverwater and upgrades to the ancillary storage site at No. 23 Derby Street, Silverwater.

Materials to be recycled are dry construction and demolition waste and include cement, bricks, timber, scrap metal, and plastics. These materials are brought to the site by Smartskip's own vehicles for processing, then dispatched to recyclers and landfill sites by Smartskip staff and/or contractors.

None of the materials brought to the site are crushed, screened or sheared at the subject sites.

Smartskip does not process glass, tiles, polystyrene, hazardous materials, poisonous substances, domestic waste, green waste, putrescible waste and the like. The company regularly advises its customers regarding the materials that are acceptable for processing and carries out inspections of waste bins at construction sites prior to collection.

Smartskip do not permit public customers onto the Fariola Street site or the Derby Street site. Smartskip vehicles pick up and drop off waste bins to demolition/construction sites.

The operating hours for the facility are 7:00am to 6:00pm Monday to Friday and 8:00am to 1:00pm Saturday. There is no work on Sundays or public holidays.

3.1 Proposed Works

3.1.1 Necessary Changes to the Sites

This Preliminary Assessment Report is supplemented by Survey Plans showing the existing development on each site (Appendices 2 and 3) and Preliminary Project Application Plans showing the extent of physical changes to the sites (**Appendices 4 and 5**). In brief, the proposed changes to the sites are as follows:-

<u>Fariola Street Site</u>

- Removal of existing demountable buildings and mechanical equipment from the workshop building along the western side of the site. The truck wash bay and repair station at the southern end of the factory would be retained. These changes free up space for 8 staff car parking spaces within the factory building;
- Relocation of existing car parking from the south-western corner of the site to the abovementioned western factory building;
- Installation of revised dust suppression sprinklers to capture any fine dust particles, particularly on windy days; and
- Possible relocation or widening of existing access driveways to cater for improved truck manoeuvring (subject to detailed design).

Derby Street Site

- Removal of an existing portable building from the site;
- Removal of the existing Derby Street driveway and construct a new driveway some 10m to the east to allow improved through movement of trucks;
- Removal of the existing Day Street northern driveway;
- Construction of new gates and masonary walls to make good former driveway openings;
- Resurfacing the site to include a consistent concrete base. Currently the Derby Street site is a mix of gravel and concrete surfaces, but predominantly gravel. Concreting the site, with the exception of any site landscaping requirements of Auburn Council, will ensure existing dust and stormwater impacts are eliminated.
- Linemarking of 6 staff car parking spaces; and
- New landscaping around the revised entry arrangements.

3.1.2 Parking Provision

A Traffic Impact Assessment accompanying the Environmental Assessment will assess the access and parking requirements for the project. At this stage, the architects have made provisions for 8 staff parking spaces within the Fariola Street site for office and yard staff and there can be up to 6 parking spaces at the Derby Street site for truck drivers.

3.1.3 Utilities

Services such as electricity, water and sewerage are available to the site and can be easily augmented for the proposed development.

3.1.4 Construction Management

The construction programme would need to occur in a staged manner to permit the ongoing use of the site for materials processing and incur as minimal impact on surrounding uses as possible. It is likely the some of the works would need to occur outside the operating hours of the facility, such as reconfiguring the existing dust suppression system.

Details of construction management, including ingress and egress by construction vehicles will be addressed in the Environmental Assessment.

4. PRELIMINARY ASSESSMENT

4.1 Purpose of Preliminary Assessment

The purpose of the Preliminary Assessment is to provide the basis for the issuing of the Director-General's Environmental Assessment Requirements. The Preliminary Assessment also seeks to identify any likely environmental constraints on the site.

4.2 Summary of Key Issues

Key issues with this project can be summarised as follows:-

- Potential noise impacts;
- Potential traffic impacts;
- Potential impacts on air quality;
- Visual impacts;
- Stormwater management;
- Waste management; and
- Potential impacts on adjoining properties, including from construction activity.

These issues are further discussed below.

4.2.1 Noise Impacts

There is potential for noise to affect the amenity of the surrounding uses. The sites are some distance from the nearest residential uses (i.e. separated by 300m to the east in Newington) and are separated by existing industrial premises. As such there is little potential for acoustic impacts on residential premises.

The potential noise sources from the development will be from:

- Car and truck movements into and from the site;
- The processing of materials. An excavator will continue to be used to transport materials from the loading and unloading area into sorted storage bins. This will have limited noise impact compared to heavy vehicle movements, such as scraping noises associated with front end loaders.

Preliminary advice obtained has indicated that operational noise is not likely to be an issue due to the existing generally high noise environment. As such, operational noise is considered to be of low to moderate significance. However, traffic noise from heavy vehicles on the surrounding properties (particularly two cafes within 200m of the Fariola Street site) will be a key issue. The Environmental Assessment will investigate these impacts and means of mitigating acoustic impacts including the use of acoustic screens and other attenuation measures including hours of operation and management policies. The actual acoustic measures necessary for the project is subject to detailed acoustic advice at the Environmental Assessment stage.

4.2.2 Potential Traffic Impacts

The site has a long history of use for industrial purposes. Presently the site is underutilised with traffic generation less than what would be expected from a fully utilised industrial site. Consideration will be given to the traffic generated by the development and the impacts this will have in the performance of the site access points and other key intersections in the area. Consideration will be given to the routes used by heavy vehicles to access the site.

A notable key operational issue with the Fariola Street is that the use of the site requires materials going to landfill to be transported by semi-trailer. Because of the arrangement of buildings and their structural columns, a semi-trailer would have difficulty turning around within the site. Catering for a semi-trailer to complete a U-turn would almost completely eliminate the materials processing area. As such, the Project would include an allowance for a maximum of 6 semi-trailers to reverse into the eastern driveway each day. The semi-trailer can then exit the site in a forward direction when loaded. A Traffic Impact Assessment will be required to comment on the suitability of this aspect of the proposal, and any management techniques that should be adopted (e.g. advanced notice to the site of semi-trailer arrival and the deployment of a traffic controller).

The Derby Street site will be improved by the creation of circuitous vehicle movements. At present, trucks use only the Day Street driveways. On completion of the proposed upgrading works, truck can enter via Day Street and exit via Derby Street.

4.2.3 Impacts on Air Quality

It is not envisaged that the proposed development will be a significant generator of air emissions due to the generally clean and dry nature of the materials processed. Nevertheless, consideration will be given to the impacts of dust associated with brick and cement sorting. Consideration will be given to management policies required to ensure that dust from roads and other hard surfaces will be controlled.

At this PAR stage, it has already been identified that the existing Fariola Street dust suppression system should be augmented to provide greater site coverage and a finer mist of spray.

It is not expected that the storage and processing of dry construction and demolition waste for recycling will generate any odorous emissions. Detailed air quality advice will be obtained to accompany the Environmental Assessment.

4.2.4 Visual Impacts

The appearance of the proposed development will be assessed, particularly when viewed from public streets and the surrounding development. Means of mitigating adverse impacts including landscape screening, fencing, limiting stock pile heights and the like will be considered. Visual impacts from the existing site and the post-development site are considered to be issues of low significance, as the neighbourhood contains a wide mix of building forms and industry types, including a heavy industry immediately to the east.

4.2.5 Stormwater Management

The proposed development will have implications for the quantity and quality of stormwater run-off. The Fariola Street site already has in place an on-site detention system to ensure that pollutants from the development will not affect the surrounding stormwater system. It is likely that the inlets for that detention tank will need to be slightly augmented to free up the centre of the site for materials processing. Requirements for the Derby Street site will need to be considered. Any stormwater upgrades required for the Derby Street will be incorporated into the design for the Environmental Assessment.

4.2.6 Waste Management

Smartskip already has in place the means of managing waste streams on the site including managing any inadvertently wastes brought to the site (e.g. hazardous or putrescible waste). These include procedures for inspecting loads and storage of inadvertent wastes. Non-recyclable wastes are expected to be minimal and will be classified and assessed for disposal to the most appropriate disposal site. The company's existing policies for managing non-complying waste (e.g. by generally returning the load back to the customer) will be explained in the Environmental Assessment. As such, the management of the waste streams within the site is an issue of low significance.

4.2.7 Potential Impacts on Neighbouring Properties

Impacts from the Project on the adjoining properties will be examined in detail as part of the environmental assessment process. Potential impacts include noise, traffic and air quality emissions during construction and operation of the expanded facility. Subject to advice regarding suitable mitigation techniques, each of these issues are considered to be of low significance.

5. INFORMATION TO BE PROVIDED WITH EA

This Preliminary Assessment seeks the issuing of Director-General's Environmental Assessment Requirements (EAR's) for the project. While the final format and content of the Environmental Assessment will be guided by the Director-General's EAR's, the following provides an indication of the documentation which is believed to be appropriate to be submitted.

5.1 Project Drawings

- Survey plans;
- Floor plans;
- Sections and Elevations; and
- Turning Path Analysis for heavy vehicles.

5.2 Technical Reports

The Environmental Assessment Report is likely to include the following technical reports as appendices:-

- a noise impact analysis;
- a traffic impact assessment;
- an air quality assessment;
- a stormwater management report; and
- a preliminary contamination investigation.

The Environmental Assessment will also be accompanied by a draft Statement of Commitments, as required by the Department's guidelines for Part 3A Major Projects.

6. Legislative Framework

6.1 Protection of the Environment Operations Act 1997

Pursuant to Section 43(a) of the Protection of the Environment Operations Act 1997 (POEO Act), an environmental protection licence is required from the NSW Department of Environment and Climate Change (DECC) for the undertaking of "scheduled development works" which enable a "scheduled activity" to be carried out. Schedule 1 of the POEO Act contains the following relevant scheduled activities for which an environmental protection licence is required:

"34 Resource Recovery

(1) This clause applies to the following activities:

***Recovering of general waste**, meaning the receiving of waste (other than hazardous waste, restricted solid waste, liquid waste or special waste) from off site and its processing, otherwise than for the recovery of energy.*

…

(2) However, this clause does not apply to any of the following:

(a) materials separation and sorting of less than 60 tonnes per year of waste lead acid batteries,

(b) the treatment of sewerage within a sewerage treatment system (whether or not that system is licensed);

(c) the recovery of stormwater.

(3) Each activity referred to in Column 1 of the Table to this clause is declared to be a scheduled activity if:

(a) it meets the criteria set out in Column 2 of that Table, and

(b) either:

(i) less than 50% by weight of the waste received in any year requires disposal after processing, or

(ii) the regulations under section 286 exempt the person carrying out the activity from the requirements of Section 48(2) as they apply to waste disposal (application to land),waste disposal (thermal treatment), waste processing (non-thermal treatment) and waste storage.

Table

Column 1	***Column 2***
Activity	***Criteria***
Recovery of general waste	*Involves having on site at any time more than 5,000 tonnes of waste* *Involves processing more than 120 tonnes of waste per day or 30,000*

	tonnes of waste per year
…	*…*

The proposed expansion of the existing facility fits within the description of the above activity. However, due to the market for recycled materials fluctuating (for example, the price for recycled timber being less than the cost to dispose of timber), the amount of materials that require disposal after processing can change, and may fall below 50% from time to time. As such, the development may also fit within the following description:-

"41 Waste processing (non-thermal treatment)

(1) This clause applies to the following activities:

***Non-thermal treatment of general waste**, meaning the receiving of waste (other than hazardous waste, restricted solid waste, liquid waste or special waste) from off site and its processing, otherwise than by thermal treatment.*

…

(2) However, this clause does not apply to any of the following:

(a) processing of contaminated soil or stormwater, or sewerage within a sewerage treatment system (whether or not that system is licensed),

(b) the storage and transfer of liquid waste that is generated and treated on site prior to sewer discharge, or lawful discharge to waters.

(3) Each activity referred to in Column 1 of the Table to this clause is declared to be a scheduled activity if:

(a) it meets the criteria set out in Column 2 of that Table, and

(b) more than 50% by weight of the total amount of waste received per year requires disposal after processing.

Table

Column 1	***Column 2***
Activity	***Criteria***
Non-thermal treatment of general waste	*Involves having on site at any time more than 2,500 tonnes, or 2,500 cubic metres, whichever is the lesser, of general waste* *Involves processing more than 120 tonnes per day, or 30,000 tonnes per year, of general waster*
…	*…*

In accordance with the either or both of the above criteria, the proposed development will be a "scheduled activity" requiring an environmental protection licence from the DEC. The category for the licence would be determined in consultation with the DECC.

6.2 State and Regional Environmental Planning Policies

The Statement Environmental Planning Policies (SEPPs) relevant to this application include:

- SEPP (Major Projects) 2005;
- SEPP (Infrastructure) 2007;
- SEPP 33 – Hazardous or Offensive Development; and
- SEPP 55 - Remediation of Land.

Each of these policies will be addressed during the preparation of the Environmental Assessment insofar as they are relevant to the sites and the project. There does not appear to be any issues with the Project achieving compliance with this SEPPs at this stage.

6.3 Local Planning Policies

6.3.1 Local Environmental Plan

Zoning and Zone Objectives

The sites are located on land within Zone No 4(a) "General Industrial" pursuant to Clause 18 of the Auburn Local Environmental Plan 2000 – see **Figure 3**.

The objectives of the 4(a) General Industrial Zone are as follows:

> *"(a) to provide sufficient land to be used primarily for a broad range of industrial uses,*
>
> *(b) to permit a range of uses that are compatible with industrial areas,*
>
> *(c) to encourage industrial uses that will contribute to economic and employment growth of the locality,*
>
> *(d) to prohibit shops in this zone, but permit minor retail development only where it is providing for the daily convenience needs of the local workforce or is ancillary or incidental to the main purpose of development."*

The proposal is considered to be consistent with each of the objectives of the 4(a) zone.

Permissible Uses

Industries are permissible in the 4(a) Zone with consent and are defined as follows:

> ***"Industry** means an undertaking involving the manufacturing, assembling, altering, repairing, renovating, ornamenting, finishing, cleaning, washing, dismantling, processing or adapting of any goods or articles for commercial purposes, but does not include any form of industry defined elsewhere in this Schedule."*

Although "Materials Recycling Depots" are also permissible in the 4(a) Zone, the development, due to its processing function, does not strictly meet with the definition as below:-

*"**Materials recycling depot** means land used for the collection, storage, abandonment or sale of scrap metals, waste paper, rags, bottles or other scrap materials, or for the collection, dismantling, storage, salvaging, or abandonment of vehicles or machinery or the sale of their parts."*

General Considerations

Clause of the LEP contains a number of provisions dealing with industrial development as follows:-

"22 General restrictions on development in industrial zones

Consent may be granted for development on land zoned 4 (a), 4 (b), 4 (c) or 4 (d) only if it would be compatible with the existing and likely future character and amenity of the surrounding area in terms of:

(a) its scale, bulk, design, height, siting and landscaping, and

(b) its operation, and

(c) traffic generation and car parking, and

(d) noise, light, dust and odour nuisance, and

(e) privacy, and

(f) stormwater drainage, and

(g) hours of operation, and

(h) overshadowing."

Each of these clauses will be suitably addressed within the Environmental Assessment.

Special Considerations

The LEP contains controls on matters which do not affect the permissibility of the proposed development but which will be considerations in the assessment of the project application. These are summarised below:

- *Clause 48 – Surrounding Lots*:- specifies that the consent authority must not grant consent to development in a number of zones, including Zone No. 4(a) if it consider that the development will prevent the surrounding lots from being development in accordance with the LEP. This clause will not be an issue for the Project; and
- *Clause 59 – Services*:- requires the consent authority to consider the availability of water and sewer infrastructure prior to granting consent to development. Each site already has the benefit of urban services.

6.3.2 Draft Local Environmental Plan

Auburn Council has resolved to prepare a draft LEP in accordance with the Department's Standard Instrument by March 2009. At this stage, that draft LEP has not been exhibited by the Council, therefore the timeframe for completion of the draft LEP by March 2009 is questionable. If the draft LEP is exhibited during the assessment of the Project, it will be addressed by the Environmental Assessment.

The Council has exhibited a draft LEP in 2005 that, if gazetted, would change a number of zoning provisions, special clauses and drafting errors. We have reviewed that draft LEP and acknowledge that none of the proposed amendments would alter the permissibility or suitability of the Project.

6.3.3 Development Control Plans and Strategies

Auburn Council has in place a city-wide Development Control Plan (DCP) and a series of site-specific and issue-specific DCPs.

The city-wide DCP has been split into a number of parts, the relevant parts to the Project being:-

- Part A – General Requirements
- Part E – Industrial Development
- Part H – Car Parking and Loading
- Part J – Stormwater Drainage

The relevant issues-based DCPs applicable to the Project would be:-

- Guidelines for Erosion and Sediment Control DCP 2000; and
- Mobility and Access DCP 2005.

The DCPs will be assessed in detail within the Environmental Assessment Report.