MAJOR PROJECT ASSESSMENT:
Smartskip Materials Recycling Facility Expansion Project, Silverwater

Director-General's
Environmental Assessment Report
Section 75I of the
Environmental Planning and Assessment Act 1979

August 2010

Published August 2010
NSW Department of Planning
www.planning.nsw.gov.au

EXECUTIVE SUMMARY

Smartskip NSW Pty Ltd (Smartskip) owns and operates a materials recycling facility at Silverwater in the Auburn local government area. The facility processes dry construction and demolition waste and has been operating since 1995 under a development consent issued by Auburn Council.

Smartskip proposes to expand the existing facility which is located at 19-23 Fariola Street and 29 Derby Street. The Fariola Street site comprises the main operations of the facility and the Derby Street site is used for the storage of empty waste bins and company trucks. The project involves increasing the handling capacity of the facility from 21,000 to 70,000 tonnes (t) of construction and demolition waste per year, including alterations and additions to the existing site layouts and driveways.

Smartskip will require an Environment Protection Licence (EPL) with the Department of Environment Climate Change and Water as a result of the expansion project.

The project has a capital investment value of $200,000 and would provide ongoing employment for approximately 9 people.

The Department received 31 submissions on the Project during the exhibition period: four from public authorities and 27 from the general public. Auburn Council objects to the Project on the basis that the site is not considered suitable for its intended expansion and because all vehicles accessing the site cannot enter and leave in a forward direction. All of the public submissions objected to the Project. Their main concerns were in relation to the traffic safety and congestion, air quality and noise impacts of the Project.

In response to the issues raised in submissions and by the Department in relation to the site's handling capacity and truck access, Smartskip reduced the original proposed capacity of the site from 80,000 to 70,000 t and proposed additional traffic management measures to mitigate against potential traffic conflicts.

The Department acknowledges the concerns raised by Auburn Council and members of the public, particularly in relation to trucks reversing onto the sites and the impacts of this on other road users. The Department has assessed the issues in detail, and the management measures proposed by Smartskip, and considers that the impacts of the Project could be managed and in some cases would be an improvement on current operations, provided Smartskip comply with the recommended conditions of approval.

In particular, the proposed changes to vehicle access and the internal layouts of the Fariola and Derby Street sites would mean that the majority of trucks would now be able to enter and exit both sites in a forward direction. In addition, the Department has recommended conditions of approval to ensure that trucks reversing onto the Fariola Street site are minimised (capped), and to manage potential conflicts between Smartskip vehicles, other road users and pedestrians.

The Department has assessed the Project, and is satisfied that any environmental impacts can be mitigated and managed to achieve acceptable levels of environmental performance, and that the facility would provide a range of environmental and economic benefits. Importantly, the Project would assist in reducing NSW's reliance on landfill by recycling up to 70% of the waste received on site, consistent with government waste policies.

Consequently, it considers the Project to be in the public interest, and recommends approval subject to conditions.

1. BACKGROUND

Smartskip NSW Pty Ltd (Smartskip) owns and operates a materials recycling facility at 19 - 23 Fariola Street and 29 Derby Street, Silverwater, in the Auburn local government area (see Figure 1).

The Fariola Street site is the subject of an approval granted by Auburn Council in 1995 (DA 45/95) which permits the sorting of demolition and building waste and associated truck depot. The conditions of this consent currently restrict the throughput of the site to 80 tonne (t) per day (or 21,000 t per annum), the number of vehicle movements and the activities undertaken on site. There is no existing consent for the Derby Street site operations.

Smartskip trades in the recovery of dry construction, demolition and packaging waste for sorting and sale to domestic and export markets. Employees collect full waste bins from construction and demolition sites within the Sydney Metropolitan Region and transport them to the Fariola Street site for sorting. The waste materials accepted on site include cardboard, timber, plastics, concrete, bricks and metal. The Derby Street site operates as a depot for empty waste bins and vehicles.

The majority of heavy vehicles accessing both sites currently reverse into these sites. Smartskip maintains this is because the internal site layouts and driveway widths prevent access and egress in a forward direction. The current site access arrangements for the Fariola Street site are shown in Figure 2. Auburn Council has received complaints from the community about the impacts of this on traffic congestion, road safety and pedestrian safety.

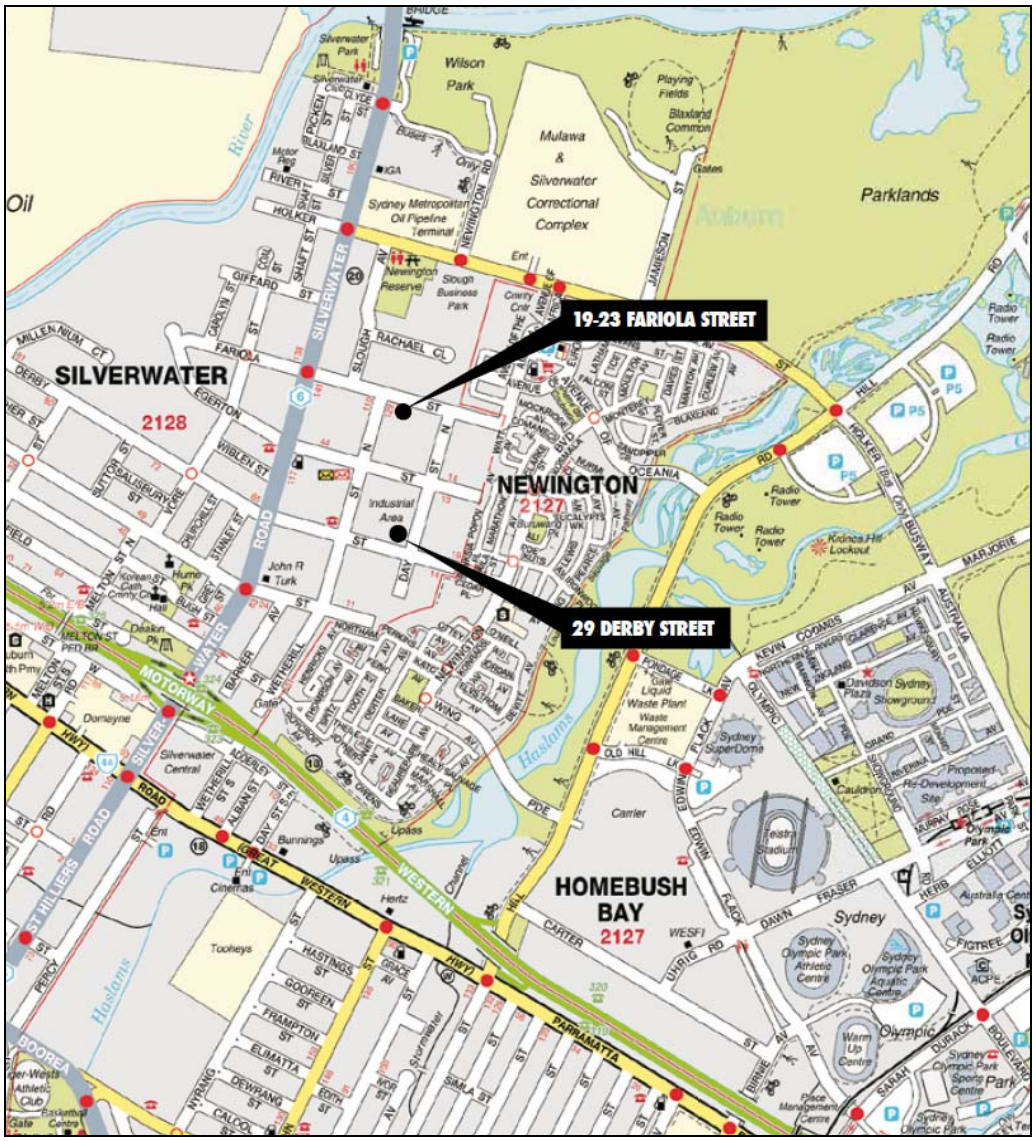


Figure 1: *Regional Context*

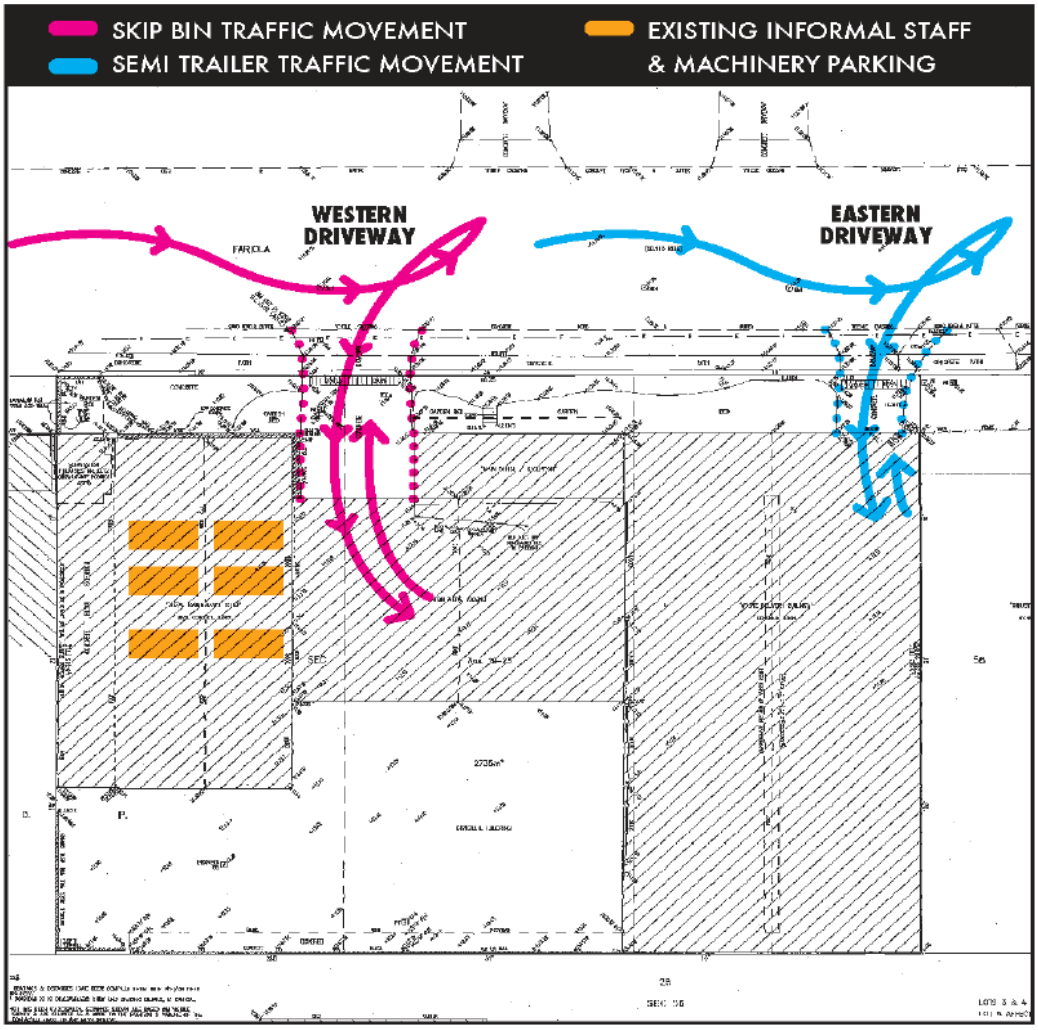


Figure 2: *Current Site Access Arrangements – Fariola St*

1.1 Project Setting

The facility, which has been operating since 1995, is located within a long established and large industrial area. The uses surrounding the facility are generally industries or light industries with a dominance of warehousing and factory units and components of office space.

The nearest residences are located approximately 270 metres (m) and 170 m to the east of the Fariola Street and the Derby Street sites respectively, within the suburb of Newington (refer to Figure 1). Some commuters from Newington use Fariola Street to access Silverwater Road. The road system is designed to avoid this, but it is still possible.

2. PROPOSED PROJECT

The main components of the Project are described in Table 1 and illustrated in Figures 3 & 4. Approval is sought for alterations and additions to the existing Smartskip facility and an increase in handling capacity from 21,000 to 70,000 t of waste per annum. Smartskip would require an Environment Protection Licence from DECCW as a result of the expansion project.

The original project application sought to increase the facility's handling capacity from 21,000 to 80,000 t per annum. However, following discussions with Auburn Council and the Department regarding the site's handling capacity and truck access, Smartskip has reduced the proposed capacity to 70,000 t per annum.

The Project involves physical works on both sites including demolition and construction of minor ancillary structures, internal building modifications, relocation of car parking spaces, driveway widening and site resurfacing.

***Table 1**: Major Components of the Project*

Component	Description
Fariola St Site	This site is used for the receival, sorting, storage and transfer of materials. Works at this site would involve: • removing existing demountable buildings and mechanical equipment from the workshop building along the western side of the site and freeing up space for additional staff car parking; • relocating existing car parking from the south-western corner of the site to the western factory building; • installing revised dust suppression sprinklers to capture any fine dust particles; and • widening the existing eastern access driveway to cater for improved truck manoeuvring.
Derby St Site	This site is used for the storage of waste bins and Smartskip vehicles on occasion. Works at this site would involve: • removing existing portable building; • removing the existing Day Street northern driveway and Derby Street western driveway; • reinstating the existing Derby Street eastern driveway; • resurfacing the site to include a consistent concrete base; and • new landscaping around the revised entry arrangements.
Materials Accepted / Recovered at the Facility	• plastics used in packaging; • cardboard used in packaging; • heavy materials including clean soil, bricks, concrete / cement and stone; • timber and plasterboard sheeting; and • metals.
Materials NOT accepted at the Facility	• putrescible waste; • special waste (including asbestos); and • hazardous waste.
Handling	Smartskip's fleet of trucks deliver the materials to the site where they are unloaded into a stockpile for inspection and sorting. Materials that can be recovered are first sorted into "heavy" and "light" material streams. Heavy materials are temporarily stored before being loaded onto trucks by excavators for reuse in landscaping or as clean fill in roadworks. The balance of recoverable materials, being "light" materials are then sorted into empty bins according to their type and transported to construction companies, quarries, metal recyclers or waste transfer stations.
Outputs	The quantity of each material processed varies depending on market demand. Materials that cannot be recovered are sorted and stored in skip bins and taken to landfill sites. Over a 12 month period, it is estimated that 20 - 30% of all materials at the facility would be sent to landfill.
Transportation of Materials	Materials would be brought to the site by Smartskip's fleet of trucks. Vehicles range from small hook lifts to larger rigid vehicles with sliding bins. Reticulated vehicles up to 12.5 m are planned for the expansion Project.
Vehicle Movements	Peak hour truck movements are predicted to be 7 lift trucks, 2 barnyard trucks and 1 walking floor articulated rigid vehicle (ARV). Walking floor trucks are semi-trailers with a single, long trailer.
Access and Parking	Access to the Fariola Street site is via the two existing driveways on Fariola Street. The Site access arrangements would not change. There would be provision for 10 car parking spaces (including one disabled). Access to the Derby Street site would be via two driveways which would permit a circular path of travel.
Equipment	The machinery used in the handling of materials comprises 2 excavators and 1 bulldozer. No shredders, screens, shears or hammermills would be used on site and excavators would not be fitted with rock-breakers, augers or rock-saws.
Employment	The Project would not need to employ any additional administrative or operation staff. Currently, 9 staff are employed at the Fariola St site.
Hours of Construction and Operation	Construction hours would be 7am to 6pm Monday to Friday and 7am to 4pm Saturday. Operation hours would be 7am to 6pm Monday to Friday and 8am to 1pm Saturday. There would be no work on Sundays or public holidays.

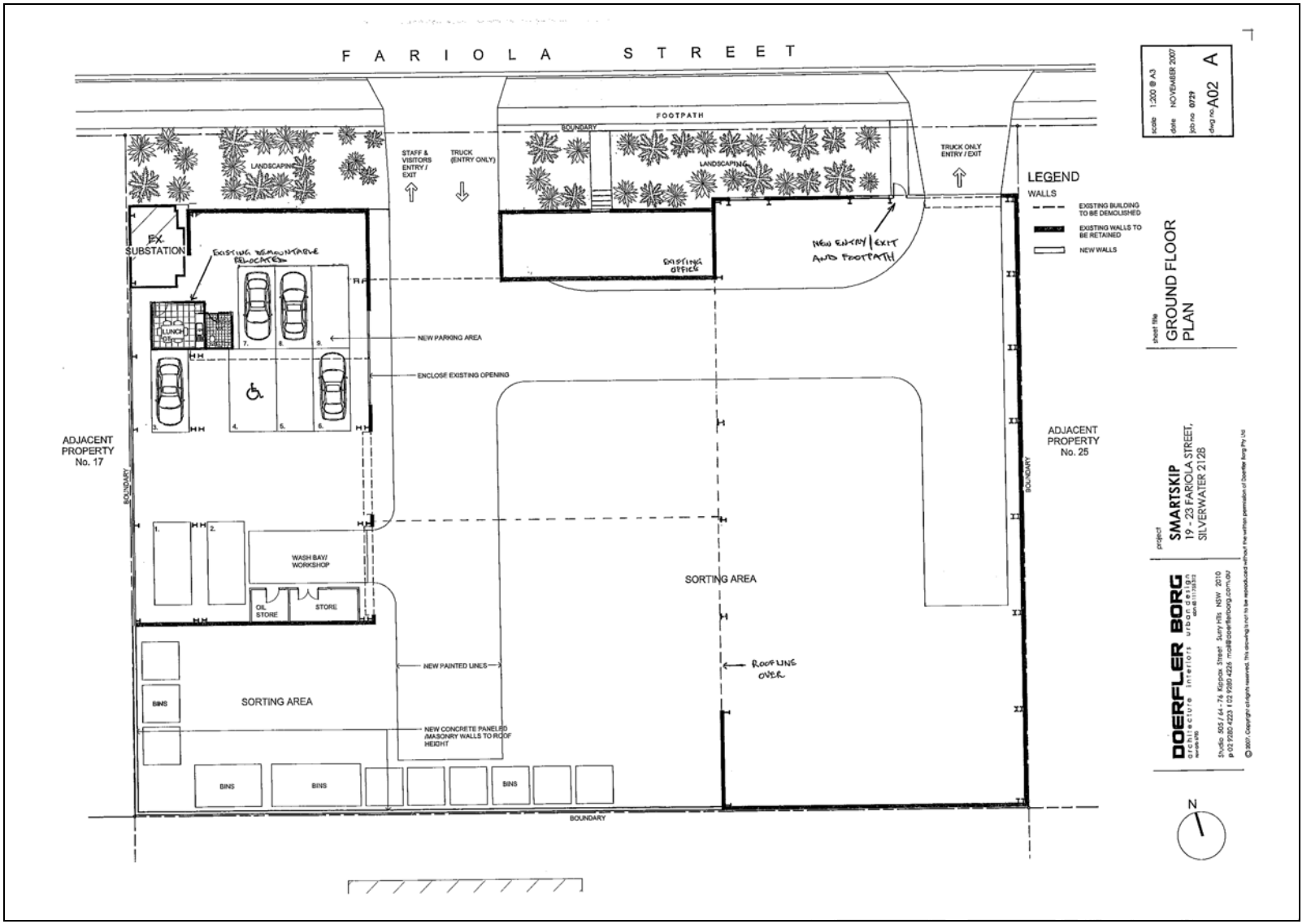


Figure 3: *Proposed Site Layout - Fariola St*

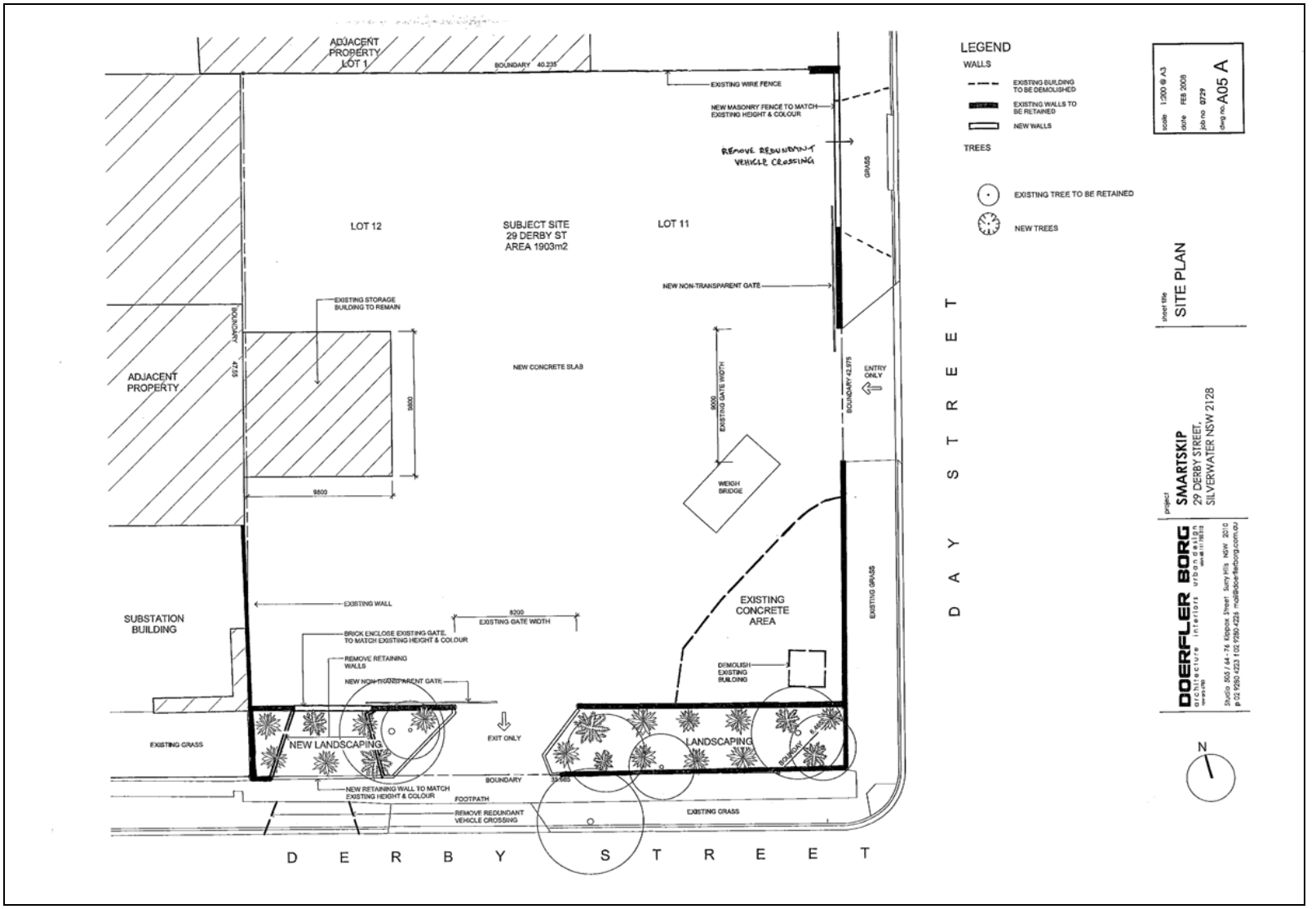


***Figure 4**: Proposed Site Layout - Derby St*

3. STATUTORY AND STRATEGIC CONTEXT

3.1 Strategic

The key strategic documents applicable to the Project are the State Plan and the State Government's Waste Avoidance and Resource Recovery Strategy (WARR Strategy).

The State Plan provides priorities for Government action for the State of NSW. In relation to the western Sydney region, the State Plan seeks to improve access to employment lands, simplify planning processes and enhance transport infrastructure, particularly around employment lands. The western Sydney region is a major contributor to the economic output of NSW and the provision of jobs closer to home for the people of western Sydney is seen as a key objective for the area. The Department considers that the Project would meet several of the Plan's key priorities since it would provide increased business investment, investment in infrastructure and employment opportunities within the western Sydney region.

The NSW WARR Strategy sets aggressive resource recovery targets. The majority of the waste received at the site would be recovered for recycling. It is predicted that around 70% of waste received would be recycled, leaving 30% to be sent to the landfill. The Department is therefore satisfied the Project is consistent with the WARR strategy, as extensive resource recovery and recycling is proposed, thereby reducing the amount of waste sent to landfill.

3.2 Major Project

On 9 August 2007, the Director-General, as delegate of the Minister for Planning, formed the opinion that the development constituted a Major Project under Part 3A of the *Environmental Planning and Assessment Act 1979* (EP&A Act) as it complied with the non-discretionary criteria in Schedule 1 of the *State Environmental Planning Policy (Major Development) 2005*, being development for the purpose of resource recovery or recycling facilities that handle more than 75,000 tonnes per year of waste. Consequently, the Minister is the approval authority for the project.

Although the Project currently seeks approval to handle less than 75,000 tonnes per year, the original application which was the subject of this assessment and publicly exhibited exceeded this threshold and a Clause 6 opinion was formed. The proposed handling capacity of the facility was then reduced as a result of the assessment process. The Department considers that, once a Clause 6 opinion has been formed, there is no continuing requirement to revisit that opinion during the assessment process.

3.3 Permissibility

Under Section 75J of the EP&A Act, the Minister cannot approve the carrying out of a project that would be wholly prohibited under an environmental planning instrument. The site is zoned 4(a) "General Industrial" under the *Auburn Local Environmental Plan 2000*, and development for the purposes of a "materials recycling depot" is permissible with development consent in this zone. Consequently the Minister may approve the carrying out of the project.

3.4 Exhibition

Under Section 75H(3) of the EP&A Act, the Director-General is required to make the environmental assessment of a project publicly available for at least 30 days.

After accepting the environmental assessment for the project, the Department:

- made it publicly available from 3 February 2010 until 8 March 2010:
  - on the Department's website, and
  - at the Department's Information Centre, Auburn Council and the Nature Conservation Council;
- notified landowners in the vicinity of the site about the exhibition period by letter;
- notified relevant State government authorities and Auburn Council by letter; and
- advertised the exhibition in the Auburn Review Pictorial.

This satisfies the requirements in Section 75H(3) of the EP&A Act.

3.5 Environmental Planning Instruments

Under Section 75I of the EP&A Act, the Director-General's report is to include a copy of or reference to the provisions of any:

- *State Environmental Planning Policy* (SEPP) that substantially govern the carrying out of the project; and
- environmental planning instrument that would (but for Part 3A) substantially govern the carrying out of the project and that have been taken into consideration in the environmental assessment of the project.

The Department has assessed the proposal against the relevant provisions of relevant environmental planning instruments and is satisfied that none of these substantially govern the carrying out of this project.

Consideration of the relevant Environmental Planning Instruments, namely SEPP 33 and the *Auburn Local Environmental Plan 2000*, is provided in Appendix E.

3.6 Objects of the Environmental Planning and Assessment Act 1979

The Minister's consideration and determination of the application must be consistent with the relevant provisions of the EP&A Act, including the objects set out in the Act's section 5. The objects of most relevance to the Minister's decision on whether or not to approve the project are found in section 5(a)(i), (ii), (vi) and (vii). They are:

'The objects of this Act are:

(a) to encourage:

(i) the proper management, development and conservation of natural and artificial resources, including agricultural land, natural areas, forests, minerals, water, cities, towns and villages for the purpose of promoting the social and economic welfare of the community and a better environment,

(ii) the promotion and co-ordination of the orderly and economic use and development of land,

(vi) the protection of the environment, including the protection and conservation of native animals and plants, including threatened species, populations and ecological communities, and their habitats, and

(vii) ecologically sustainable development".

The Department has fully considered the objects of the EP&A Act, including the encouragement of ESD, in its assessment of the application. The assessment integrates all significant economic and environmental considerations and seeks to avoid any potential serious or irreversible damage to the environment, based on an assessment of risk-weighted consequences. Smartskip has undertaken an environmental assessment of the project, and considered the project in the light of the principles of ESD.

3.7 Statement of Compliance

Under Section 75I of the EP&A Act, the Director-General's report is required to include a statement relating to compliance with the environmental assessment requirements with respect to the project. The Department is satisfied that the environmental assessment requirements have been complied with.

4. ISSUES RAISED IN SUBMISSIONS

During the exhibition period, the Department received 31 submissions on the Project, including:

- 4 submissions from public authorities (Department of Environment, Climate Change and Water, Auburn Council, Roads and Traffic Authority and Sydney Water); and
- 27 submissions from the general public.

The **Department of Environment, Climate Change and Water (DECCW)** does not object to the Project, and provided recommended conditions of approval.

Auburn Council objects to the Project on the basis that the site is not suitable for its intended expansion in that all vehicles accessing the site cannot enter and leave in a forward direction. Council also raised concerns in relation to traffic congestion, local amenity and compliance with the facility's existing Council consent, in terms of production capacity.

The **Sydney Regional Development Advisory Committee (SRDAC)**, on behalf of the **Roads and Traffic Authority (RTA)**, provided comments on the Project and recommended conditions of approval. These conditions call for compliance with the relevant Australian Standards for driveways, grades, turning movements and parking and other traffic management measures to improve the safety of the Project's operations.

Sydney Water does not object to the Project and provided comments in relation to stormwater and pollution for the Department's consideration.

Most of the public submissions were from neighbours within the surrounding industrial area who objected to the Project on the grounds of traffic (vehicle congestion and pedestrian safety), air quality (dust) and other amenity impacts.

The submissions and Smartskip's response to the issues raised in submissions are attached in Appendix C. Smartskip has also prepared a Statement of Commitments which is attached as Appendix B.

The Department has considered the issues raised in submissions, and Smartskip's responses to these issues in its assessment of the project.

5. ASSESSMENT

5.1 Traffic

Smartskip commissioned Cardno Eppell Olsen to undertake a Traffic Impact Assessment (TIA) for the Project. The TIA considered the existing traffic situation, the predicted impacts of the Project, the acceptability of these impacts and recommended measures to mitigate against residual impacts. The TIA was prepared on the basis of an increased handling capacity of 80,000 t per year and predictions were forecasted for the years 2016 and 2026.

For the purposes of the TIA, the numbers of trucks arriving at and departing the site were averaged out to provide an indicative rate. Also, the AM peak hour has been defined as between 9am and 10am and the PM peak hour as between 3pm and 4pm. These times reflect the business peak hours for the Smartskip facility, rather than the commuter peak hours (8am to 9am and 4pm to 5pm).

The local road network, including the roads and key intersections which would be used to access both sites are shown in Figure 5.

Current Operations
On average, approximately 5-6 trucks access the Fariola Street site each hour. These trucks are typically medium sized rigid vehicles carrying waste and bins. All of the vehicles carrying bins are medium or heavy rigid vehicles. Due to access and internal layout constraints, all of these rigid vehicles (up to 60 per day) enter the site by reversing into the site (see Figure 2). A waste transfer vehicle, which is a walking floor articulated rigid vehicle (ARV), also accesses the Fariola Street site (approximately 1 per day) and does so by reversing into the eastern entrance. Due to the size of the ARVs, this manoeuvre is quite difficult and the TIA has recommended traffic control to manage this.

The Derby Street site is used for storage of waste skip bins that can be removed from the truck (3 or 6 t). In a typical day, not more than 10 visits to this site would occur per day or just over 1 per hour. The vehicles using this site are medium rigid vehicles.

The TIA identified the following traffic issues resulting from the current operations of the Smartskip facility:

- The internal arrangements of the Fariola Street site create a need for Smartskip vehicles to reverse into the site because there is a lack of manoeuvrability;

- Smartskip vehicles currently reverse into the Fariola Street site through the combined entrance / exit on the western side of the office and amenities buildings, which involves crossing into the opposing (westbound) traffic movement;
- Smartskip vehicles also reverse into the Derby St site and exit in a forward direction. This is unsafe because of sight issues and the crossing into opposing traffic movement. The manoeuvrability of vehicles on this site is also restricted by the manner in which bins are stored;
- On some occasions, if two Smartskip vehicles arrive at the same time to unload materials at the Fariola St site, the second vehicle parks on the street until the first vehicle has left the site. Sometimes the parked Smartskip vehicles encroach on the pedestrian footpath area, creating safety issues for pedestrians; and
- The manoeuvring of Smartksip vehicles into and out of the Fariola Street site (especially ARVs) is damaging the kerb and verge of the driveway. Cones have to be used to indicate to the drivers the extent of the turning path.

In summary, the TIA found that current truck movements into and out of both the Fariola Street and Derby Street sites can be managed but needs improvement from a road safety perspective.

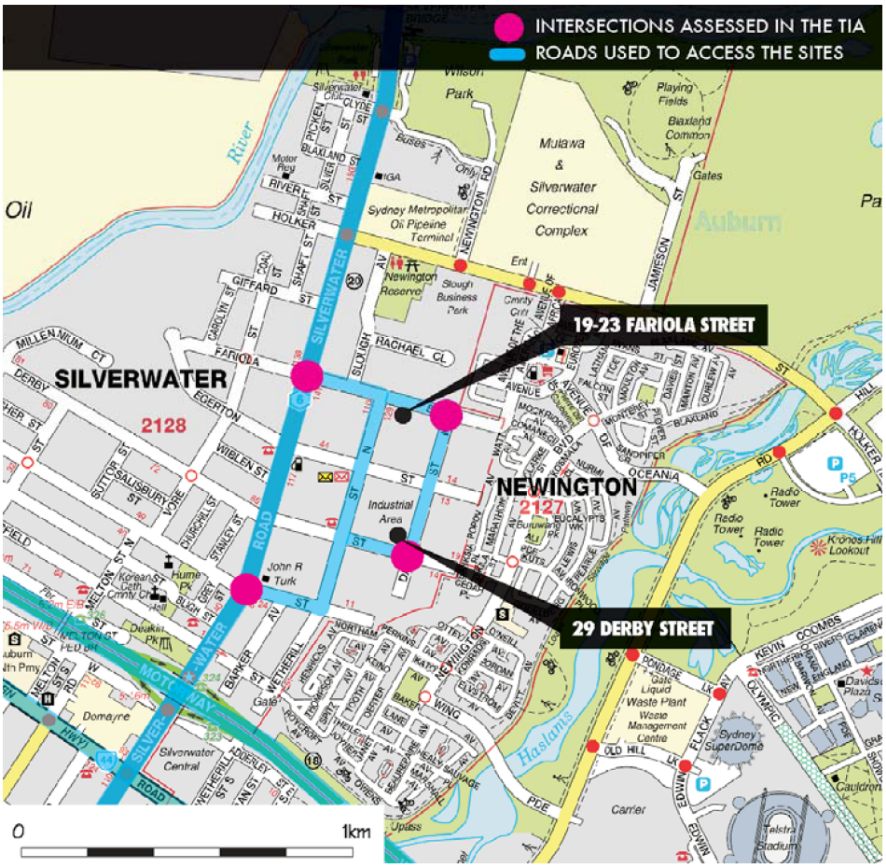


Figure 5: *Roads and Key Intersections Used to Access the Fariola and Derby Street Sites.*

Proposed Operations

To allow for the proposed increase to occur, both the Fariola and Derby Street sites need to be reconfigured. Figures 3 & 4 show the amended layouts of both sites. Apart from road safety, the key issue in assessing the traffic impacts of the Project is whether adequate access and egress to the site can be provided.

Fariola Street Access

Currently, approximately 5 trucks per hour (or 50 per day) reverse into the Fariola Street site. This access arrangement is considered unsuitable for the increased tonnages proposed. The method for accessing the site is proposed to be changed so that medium rigid vehicles can enter and exit in a forward direction, with all manoeuvring occurring within the site. Trucks delivering materials would enter through the western driveway and exit through the eastern driveway. The swept path analysis in the TIA indicates that these movements can be achieved within the confines of the site, while still allowing room for the loader / excavator to operate.

ARVs picking up recyclable and waste materials would still need to reverse into the eastern driveway (approximately 1 per hour or 10 per day). The TIA states that it would be necessary to provide a traffic controller on Fariola Street to hold traffic while the ARV makes the manoeuvre. The manoeuvre takes approximately 20 – 30 seconds to complete and Smartskip has agreed to provide two traffic controllers to manage this. The TIA also recommends widening of the footpath and gutter crossings of the eastern driveway to avoid damage to the kerb, gutter and footpath area.

The Department considers that the proposed changes to the internal layout of the Fariola Street site represent a substantial improvement on current operations as the majority of heavy vehicles accessing the site would no longer need to reverse into the site. However, the Department and Auburn Council expressed reservations about the fact that ARVs would continue to reverse into the site and discussions were held to address this issue. Consequently, Smartskip has agreed to restrict ARV's from accessing the site during both the commercial and commuter peak periods (between the hours of 8am to 10am in the morning and 3pm and 5pm in the evening). This means that all vehicles accessing the site during the commercial and commuter peak hour periods would do so in a forward direction, thereby reducing potential conflicts between Smartskip vehicles and residential traffic / lighter vehicles.

The reduction in ARV working hours from 10 to 6 hours per day would result in an average of 1.5 vehicles accessing the site per hour (up from one ARV per hour for a 10 hour working day). This assumes a worst case scenario whereby all materials leaving the site are despatched by ARVs. In reality, less than 1.5 trucks per hour would be required.

The Department also requested further justification for the use of ARVs to remove materials from site instead of lighter vehicles that would not need to reverse onto site. Smartskip explained that in order to despatch material using skip bin trucks or smaller trucks (instead of ARVs), the despatch movements from the site would significantly increase (up to treble the amount of predicted movements). This would reduce the efficiency of Smartskip's operations, impact on the safety of site operations and increase traffic volumes.

The Department considers that the impact of one ARV reversing every 45 minutes, outside of the peak hour periods for 20 – 30 seconds at a time, is not a significant impact and can be adequately managed with the measures proposed by Smartskip, including the implementation of a Traffic Management Plan prepared by an independent expert and the provision of two traffic controllers. The Department has recommended conditions of approval which correspond with these commitments.

The TIA also recommends that the driveways and gutter crossings on both the eastern and western driveways of the Fariola Street site be widened to accommodate the turning movements of trucks and to conform with Australian Standards. The RTA also raised this issue in its submission. The Department has recommended conditions of approval to ensure that the driveways comply with the relevant Australian Standards.

Derby Street Access

At present, all access to this site is off Day Street with all trucks reversing into the site. It is proposed to provide a separate entry and exit driveway which would provide entry and exit in a forward direction. The entry would be located in Day Street and the exit would be via a new driveway to Derby Street.

The Department is satisfied these changes represent an improvement to the current arrangements.

Traffic Volumes

The number of trucks accessing the Fariola St site each hour would vary considerably throughout the day. However, when averaged out as a worst case scenario over a 10 hour day, there would be 10 vehicles in each direction at the Fariola St site (a maximum of 100 per day). The ten heavy vehicles would typically consist of seven "lift" vehicles, two "barnyard" vehicles and one walking floor ARV. The Derby Street site currently generates approximately two vehicle trips in each direction per hour and this volume is not expected to change as most bins would continue to be returned from Fariola Street to building sites.

The forecast traffic volumes indicate that the section of Fariola Street east of the site is operating well within the capacity of the road and would continue to do so until 2026. However, the section of Fariola Street on the approach to Silverwater Road is operating near capacity and may well exceed capacity in the forecast years of 2016 and 2026. The TIA considers that this is mainly due to the increase in background (non-Smartskip) traffic. Similarly, the intersections of Fariola Street/Silverwater Road and Silverwater Road/Carnarvon Street are currently experiencing a poor level of service during peak

periods. This relates mainly to traffic volumes along Silverwater Road and the impact of the Project on these intersections would be minimal. The TIA concludes that the increased traffic as a result of the Project would have minimal impact on the level of service of the surrounding road network.

Nevertheless, the Department has included a condition of approval to restrict the number of heavy vehicles accessing the site each day to a maximum of 100 per day and an average of 80 per day when averaged out over the working week.

Many of the public submissions raised concerns in relation to the potential for increased traffic congestion, delays and conflicts with light vehicles and pedestrians. Although the number of heavy vehicles would increase, the potential for congestion and delays in the immediate vicinity of the site is likely to be reduced since the majority of vehicles would now access the site in a forward direction. The recommended conditions of approval, including the requirement for a Traffic Management Plan, Traffic Controllers and the restriction on peak hour operations, would further reduce potential conflicts with other vehicles and pedestrians. These measures would also provide improved road safety when compared to current operations.

Parking

There are no staffing requirements for the Derby Street site and there is therefore no requirements for staff parking at this site, either on-street or on-site.

No additional staff would be required for operations at the Fariola Street site. A total of ten carspaces (including one disabled space) would be provided at the Fariola Street site and this is considered adequate to cater for the nine full time staff working at the site. There is minimal, if any, demand for visitor parking due to the nature of the operations. The Department has included a condition of approval to ensure that the dimensions of the parking spaces are compliant with the relevant Australian Standard.

Members of the public raised concerns in relation to trucks double parking outside the facility while they wait to load / unload. The Department has included conditions of approval to ensure that the Project does not result in any vehicles queuing on the public road network and that all vehicles are contained wholly within the site before being required to stop. The fact that the majority of vehicles would now be able to enter and exit the site in a forward direction, would prevent the need for Smartskip vehicles to queue or double park on the public road network.

Conclusion

The Department is satisfied that the traffic impacts of the Project can be managed and in some cases would represent an improvement on current operations as the vast majority of trucks would be accessing both sites in a forward direction. The Department considers that the recommended conditions of approval would satisfactorily manage potential conflicts with light vehicles, residential traffic and/or pedestrians.

5.2 Noise

A noise impact assessment (NIA) was undertaken by Acoustic Logic Consultancy in accordance with DECCW's *Industrial Noise Policy* (INP) and considered the impacts on surrounding receivers, including residences in Newington, during both construction and operation. The NIA contains the results of unattended noise monitoring data which is representative of the existing background noise levels in the absence of the Project.

Operation

The facility would operate (loading and unloading) from 7:00am to 6:00pm Monday to Friday and 8:00am to 1:00pm on Saturdays. Truck drivers may attend the site between 5:00am and 7:00am to collect trucks although most Smartskip trucks would be parked at the residence of the driver overnight. There would be no operations on Sundays or public holidays.

The nearest potentially affected receivers are the residential premises located approximately 270 and 170 m to the east of the Fariola Street and Derby Street sites respectively, within the suburb of Newington (see Figure 6).

The NIA found that background noise levels during the day time are dominated by general industrial noise, predominantly from the metal Foundry located immediately to the east of the Fariola Street site,

with additional latent traffic noise from local streets. A background noise level of 45 dB(A)$L_{90,\ 15min}$ for the daytime period was set for the Project, based on the INP and the monitoring location (6 Watt Avenue). It is not necessary to set background levels or assess noise levels for the evening or night time periods since the Project would not operate outside the daytime period.

Potential noise sources from the Project are limited since there would only be 2 excavators and 1 bulldozer on site. Heavy machinery such as shredders, screens, shears, hammer-mills, rock-breakers, augers and rock-saws would not be used. Potential noise sources from the Derby Street site were not considered to be significant and were therefore not assessed.

The noise emissions of the Project were assessed against the INP criteria for both intrusiveness and amenity criteria for residential receivers and amenity criteria only for commercial premises. These criteria are set out in Table 2.

***Table 2**: Intrusiveness and Amenity Criterion for the Project*

Location	Measured Background Noise Level (dB(A)L_{A90})	Amenity Criterion (dB(A)$L_{Aeq(Daytime)}$)	Intrusiveness Criterion (dB(A)$L_{Aeq(Daytime)}$)
Residential Receivers	45	55	50
Commercial Receivers	45	65	na

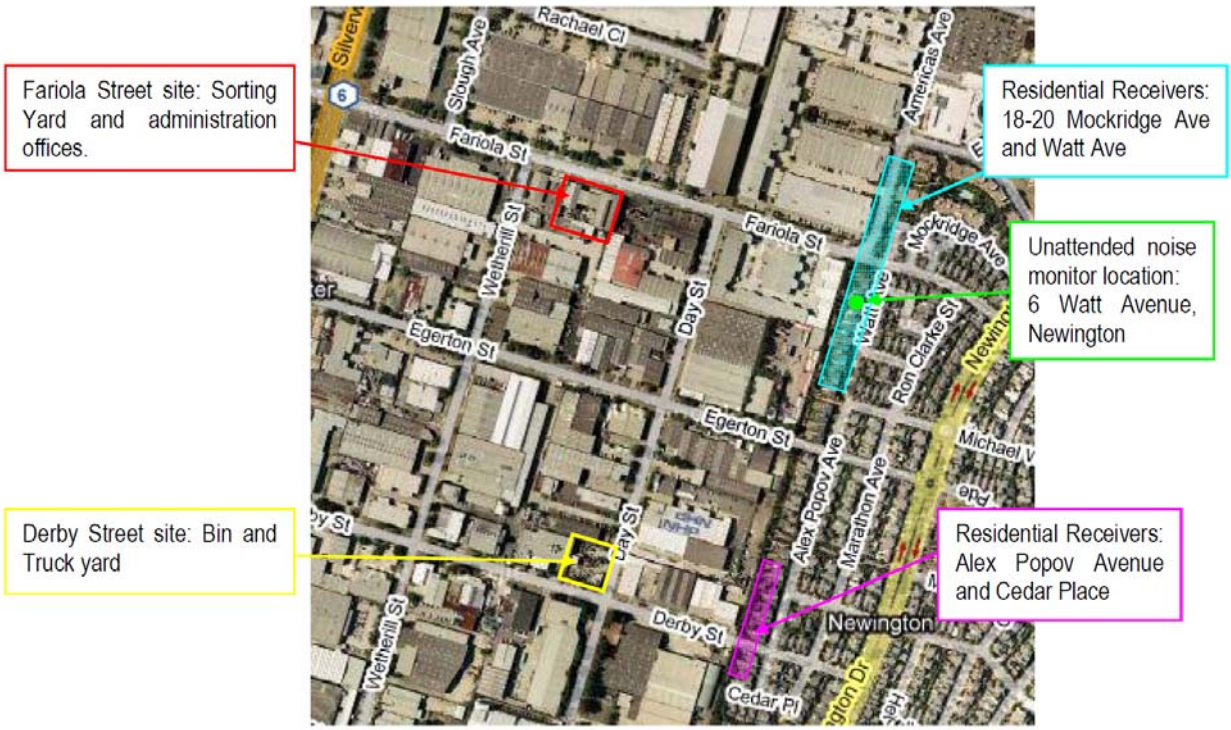


***Figure 6:** Location of Nearest Residential Receivers & Monitoring Location*

The two most potentially affected residential receivers were considered to be the residence at the eastern end of Derby Street and the residence at the eastern end of Mockridge Avenue. The predicted noise emission levels at these residences are 44 and 42 dB(A)$L_{Aeq(15\ minute)}$ respectively, which easily comply with the relevant criterion of 50 dB(A). These monitoring results also demonstrate compliance with the amenity criteria for commercial premises (65 dB(A)).

The NIA concludes that the Project would comply with the INP emission guidelines, provided that walking floor ARVs located within the collection area turn their engines off whilst loading and un-loading. The Department has recommended a condition of approval to ensure that this occurs.

The Department has also recommended conditions of approval which set noise criteria for the Project, to ensure compliance with the above predictions. The recommended conditions also require Smartskip to conduct a Noise Audit of its operations to ensure compliance with the specified criteria and to identify any additional measures to be implemented should any non-compliances occur.

Traffic Noise
The NIA also considered the impacts of road traffic noise associated with the development against DECCW's *Environmental Criteria for Road Traffic Noise* (ECRTN). The assessment found that the predicted road traffic noise from the Project would be no greater than 50 dB(A), and therefore complies with the ECRTN of 55 dB(A).

Construction
The EA did not include an assessment of the potential noise impacts from the construction of the project. However, the Department considers that due to the limited works required on site and their transitory nature, noise impacts from the construction of the facility are acceptable. To ensure these noise impacts are managed appropriately, the recommended conditions of approval require Smartskip to comply with construction noise criteria.

Conclusion
The noise monitoring results are considered conservative since they are based on a handling capacity of 80,000 tpa. The Department considers that the noise impacts of the Project would be minimal since the Project is in an already established industrial area and would comply with the relevant criteria. Furthermore, the recommended conditions of approval require the Project to comply with criteria in the event that the predictions contained within this report are inaccurate.

5.3 Air Quality

Heggies Pty Ltd undertook a detailed Air Quality Impact Assessment (AQIA) for the Project. The AQIA was limited to an assessment of air quality impacts at the Fariola Street site. Since no waste handling operations occur at the Derby Street site, the air quality impacts are considered to be insignificant and were therefore not assessed.

The nearest potentially affected receivers are the residential premises located approximately 270 m to the east of the Fariola Street, within the suburb of Newington. There is also a café located to the east on the corner of Fariola Street and Day Street and another located to the west of the site on the corner of Fariola and Wetherill Streets.

During dry conditions, activities at the site which have the potential to generate dust emissions include:
- unloading of construction and demolition waste; and
- Front End Loader (FEL) and excavator sorting wastes.

Construction activities associated with the Project are considered minor, relative to operational emissions and are likely to be short-term and largely controllable through good site management and housekeeping, vehicle maintenance and applying appropriate dust mitigation measures where required.

Emissions of particulate matter (PM_{10}) from the Project were assessed against DECCW's *Approved Methods for the Modelling and Assessment of Air Pollutants in NSW - 2005.* Based on these guidelines, the air quality goals for the project have been established as:
- a maximum 24-hour PM_{10} concentration of 50 $\mu g/m^3$;
- an annual average PM_{10} concentration of 30 $\mu g/m^3$;
- an annual average TSP concentration of 50 $\mu g/m^3$; and
- a maximum incremental increase in deposited dust of 2g/ m^2/month.

To determine a likely background air quality level for the area surrounding the handling site, data for Chullora was extracted from the NSW DECCW Quarterly Air Monitoring Reports for 2006 and 2007.

The 75th percentile of the maximum monthly 24-hour concentration is considered a suitable background PM_{10} concentration for assessment purposes. The 75th percentile maximum 24-hour concentration for both years is 39 $\mu g/m^3$. An annual average background PM_{10} concentration of 20 $\mu g/m^3$ is also adopted for assessment purposes.

Background dust deposition data is not available for the area surrounding the site. In the absence of background data, the NSW DECCW criteria for incremental increase in dust deposition were used as the governing criteria for this assessment.

A worst case scenario was developed to model the impacts of dust and particulate matter from the facility. The following worst case assumptions were applied:

- a total of 80,000 tpa of material is unloaded from trucks within the waste receival area;
- one excavator operates continuously, handling and sorting 100 % of the 80,000 tpa of material;
- one FEL operates continuously and concurrently with the excavator, handling and sorting 100% of the 80,000 tpa of material; and
- emission controls (water sprays, dust retention within enclosed buildings) have not been taken into account.

Based on this scenario, the results of the predicted maximum 24-hour PM_{10} concentration (background plus increment) are shown in Table 3.

***Table 3**: Predicted 24hr PM_{10} concentrations ($\mu g/m^3$)*

Receptor	Predicted Increment	Adopted Background	Total Predicted Concentration	DECC Goal
Cnr Fariola St / Wetherill St	11	39	50	50
Cnr Fariola St / Day St	5	39	44	50
Watt Av (Res 1)	3	39	42	50
Watt Av (Res 2)	3	39	42	50
Watt Av (Res 3)	3	39	42	50

The results in Table 3 indicate that background concentrations of PM_{10} are elevated and the contribution of the Project to the total predicted concentration of PM_{10} is minor. Importantly, under worst case operations, the 24-hour PM_{10} criteria is not exceeded at the receptor locations, notwithstanding the high background concentration and the conservative assumptions used in the modelling.

The results of the predicted annual average PM_{10} concentration (background plus increment) are presented in Table 4.

***Table 4**: Predicted Annual Average PM_{10} concentrations ($\mu g/m^3$)*

Receptor	Predicted Increment	Adopted Background	Annual Average Concentration	DECC Goal
Cnr Fariola St / Wetherill St	1.6	20	21.6	30
Cnr Fariola St / Day St	1.0	20	21.0	30
Watt Av (Res 1)	0.5	20	20.5	30
Watt Av (Res 2)	0.5	20	20.5	30
Watt Av (Res 3)	0.4	20	20.4	30

The results in Table 4 indicate that the annual average PM_{10} criterion of 30 $\mu g/m^3$ is not exceeded.

The predicted annual average concentration of TSP was found to be between 44 and 41 $\mu g/m^3$ for all receptor locations. This is well below the annual average TSP criterion of 90 $\mu g/m^3$. Similarly, the predicted deposited dust levels were significantly less than the project goal of 2g/ m^2/month.

Several of the public submissions raised concerns that the facility would contribute to air pollution in the area. However, the AQIA indicates that levels of particulate matter (PM_{10}) and dust deposition from the facility would meet DECCW criteria. Furthermore, the predictions contained in the assessment should be viewed as conservative since the worst-case scenario was modelled. For instance, it is assumed that all activities and materials would generate dust and all activities would occur simultaneously, although this is unlikely to be the case. Also, the predictions were based on a material throughput of 80,000 tpa. Thus, the levels are expected to be lower than those modelled in the AQIA.

Furthermore, the Project involves a number of measures which would further reduce the dust emissions of the project. These include:

- installing a revised sprinkler head system to produce a finer mist spray, designed to capture particles in the size range 10 - 50 microns:
- partially enclosing the material receival area; and
- concreting the currently unpaved surfaces of the site.

The Department has recommended conditions of approval to ensure that the above measures are implemented, including requirements to implement dust suppression measures and an Air Quality Monitoring and Management Plan for the Project to ensure any dust impacts are managed.

Both DECCW and the Department are satisfied that the air quality impacts of the Project would be minimal and can be adequately managed through the measures proposed and the recommended conditions of approval.

5.4 Other

Other issues raised during the assessment process and the Department's consideration of the issues are summarised in Table 5 below.

***Table 5**: Summary of Additional Environmental Issues*

Issue	Comment	Recommendation
Soil and Water	• The existing on-site stormwater detention tank at Fariola St has adequate capacity to cater for the proposed expansion. • There is no potential for waste water to discharge to adjoining properties as it is wholly contained within the site. Discharge of polluted water from the activities of the Fariola St site would be limited to rainwater potentially containing soil and dust particles from the driveways. • Stormwater management at the Derby Street site would be via graded concrete surfaces which would flow into Council's stormwater system. • Dust and mud tracking on the road would be minimised through use of a "Power Sweeper". A facility to clean the wheels and tyre of trucks was considered but not included in the Project. • There would be little disturbance to soils as both sites are proposed to be fully sealed with concrete. • Smartskip has committed to implementing an Erosion and Sediment Control Plan during construction of the Project.	• The Department has recommended a condition that requires the wheels and tyres of trucks to be cleaned before exiting the site.
Waste	• Waste generated by the Project during operation would include residual fuels/oils from vehicles and material not suitable for recycling. • There are currently procedures in place to ensure that unsuitable materials are not accepted or processed at the facility. Customers are advised what items are prohibited and the consequences if prohibited items are found. In addition, staff visually inspect collected materials prior to sorting. These measures would continue to be employed. • It is estimated that between 20 and 30% of all materials (by volume) would be sent to landfill.	• The Department has recommended conditions: – requiring Smartskip to screen and track all waste loads and implement measures to ensure the site does not accept wastes that are prohibited; – requiring Smartskip to prepare and implement a Waste and Resource Recovery Monitoring Program to the satisfaction of the Director-General; and – to ensure that the approved handling capacity is not exceeded.
Hazards and Risks	• The Department has considered the hazards and risks of the Project and is satisfied that is does not present any off-site risks. • Automotive fuel and oil supplies would be stored in a purpose built storeroom that is bunded for 110% of the storage volume. There is also a spill kit on site. • Fire Protection Systems are compliant with the BCA and relevant Australian Standards. • Procedures are in place to ensure hazardous materials do not enter the waste stream at the Fariola St site. • Nearest residence is located approximately 270m from the Fariola St site. • No hazards are present within the Derby St site.	• The Department has recommended that an emergency response plan be implemented and maintained, and submitted to the Director-General for approval.
Cumulative Impacts	• The proposed development is located within an existing industrial area, and is not considered likely to result in excessive cumulative traffic, noise or air	

Issue	Comment	Recommendation
	quality impacts.	

6. RECOMMENDED CONDITIONS OF APPROVAL

The Department has prepared recommended conditions of approval for the project (see Appendix A). These conditions are required to:

- prevent, minimise, and/or offset adverse environmental impacts;
- set standards and performance measures for acceptable environmental performance;
- ensure regular monitoring and reporting; and
- provide for the ongoing environmental management of the project.

The Department provided the draft conditions of approval for the Project to Council for comment on 25 August 2010. Council's objection still stands and they have not provided any further comment.

Smartskip has reviewed and accepts the recommended conditions.

7. CONCLUSION

The Department has assessed the Project and acknowledges the concerns raised by Auburn Council and members of the public, particularly in relation to trucks reversing onto site and the impacts of this on other road users. The Department has assessed these issues in detail and considers that potential conflicts between Smartskip vehicles and other road users can be satisfactorily managed through the measures proposed. Furthermore, the Department considers that the proposed access arrangements represent an improvement on current operations as the majority of vehicles would be accessing the site in a forward direction.

Although residential areas are located in proximity to the facility, the site is predominantly surrounded by other industrial developments. Additionally, the Department is satisfied that the traffic, air quality, noise and other impacts of the project can be adequately managed through conditions of approval and Smartskip's Statement of Commitments.

The Department also recognises the importance of the waste recycling facility in decreasing the amount of waste that is deposited into landfill. The project is also consistent with the strategic direction for waste management in NSW.

The Department is, therefore, satisfied that the Project is in the public interest and should be approved subject to conditions.

8. RECOMMENDATION

It is RECOMMENDED that the Minister:

- consider the findings and recommendations of this report;
- approve the project application, subject to conditions, under section 75J of the *Environmental Planning and Assessment Act 1979*; and
- sign the attached project approval (see Appendix A).

9.9.10

Chris Wilson
Executive Director
Major Projects Assessment

Anna Bradley
Planner
Ph:9228 6503

10/9/10

Richard Pearson
Deputy Director-General
Development Assessment and Systems Performance

Tony Kelly M.L.C
Minister for Planning

2 4 SEP 2010

APPENDIX A
RECOMMENDED CONDITIONS OF APPROVAL

Project Approval

Section 75J of the *Environmental Planning and Assessment Act 1979*

I approve the application referred to in Schedule 1, subject to the Conditions in Schedules 2 to 7.

These Conditions are required to:

- prevent, minimise, and/or offset adverse environmental impacts;
- set standards and performance measures for acceptable environmental performance;
- require regular monitoring and reporting; and
- provide for the ongoing environmental management of the Project.

The Hon Anthony Kelly MLC
Minister for Planning

Sydney 24 SEP 2010

2010

SCHEDULE 1

Application No:	09_0037	
Proponent:	Smartskip NSW Pty Ltd	
Approval Authority:	Minister for Planning	
Land:	Fariola St Site:	**19-23 Fariola St** Lots 3, 4 & 5 DP 5818
	Derby St Site:	**29 Derby St** Lot 12 DP 5818; Lot 11 DP 135314
Project:	Smartskip Materials Recycling Facility Expansion Project	

TABLE OF CONTENTS

SCHEDULE 2 - DEFINITIONS

AM Peak Hour Period	Between 8:00 am and 10:00 am
BCA	Building Code of Australia
Construction	The demolition of buildings or works, carrying out of works and erection of buildings and other infrastructure covered by this approval
Council	Auburn City Council
Day	The period from 7am to 6pm on Monday to Saturday, and 8am to 6pm on Sundays and Public Holidays
DECCW	Department of Environment, Climate Change and Water
Department	Department of Planning
DII	Department of Industry and Investment NSW
Director-General	Director-General of the Department (or delegate)
EA	Environmental assessment titled *Environmental Assessment - Expansion of Processing Capacity at the Smartskip Materials Recycling* Facility, dated November 2009 and the associated response to submissions, dated 13 April 2010.
EPA	Environment Protection Authority of DECCW
EP&A Act	Environmental Planning & Assessment Act 1979
EP&A Regulation	Environmental Planning & Assessment Regulation 2000
EPL	Environmental Protection Licence
Feasible	Feasible relates to engineering considerations and what is practical to build
Waste	General Solid Waste (Non-Putrescible) - As defined in the *Waste Classification Guidelines* (DECCW)
Heavy Vehicle	Any vehicle with a gross vehicle mass of 5 tonnes or more
Incident	An incident causing or threatening material harm to the environment, and/or an exceedance of the limits or performance criteria in this approval
Land	In general, the definition of land is consistent with the definition in the EP&A Act.
LGA	Local Government Area
Material harm to the environment	Harm to the environment is material if it involves actual or potential harm to the health or safety of human beings or to ecosystems that is not trivial
Minister	Minister for Planning
Mitigation	Activities associated with reducing the impacts of the Project
NOW	NSW Office of Water
Operations	Operations are triggered by the commissioning of works for the Project
PM Peak Hour Period	Between 3:00pm and 5:00pm
POEO Act	Protection of the Environment Operations Act 1997
Privately-owned Land	Land not owned by the Proponent or where a private agreement does not exist between the Proponent and the land owner
Project	The development described in the EA
Proponent	Smartskip NSW Pty Ltd, or its successor
Reasonable	Reasonable relates to the application of judgment in arriving at a decision, taking into account: mitigation benefits, costs of mitigation versus benefits provided, community views, and the nature and extent of potential improvements.
RTA	Roads and Traffic Authority
Site	Includes both the Fariola St Site and the Derby St Site. Reference to the Fariola St Site means the Lot in the Deposited Plan referred to as such in Schedule 1; and reference to the Derby St Site means the Lots in the Deposited Plans referred to as such in Schedule 1.
Statement of Commitments	The Proponent's Statement of Commitments in Appendix 1

SCHEDULE 3 - ADMINISTRATIVE CONDITIONS

OBLIGATION TO MINIMISE HARM TO THE ENVIRONMENT

1. The Proponent shall implement all reasonable and feasible measures to prevent and/or minimise any harm to the environment that may result from the construction, operation or decommissioning of the Project.

TERMS OF APPROVAL

2. The Proponent shall carry out the Project generally in accordance with the:
   a) EA;
   b) statement of commitments (see Appendix 1);
   c) site layout plans (see Appendix 2); and
   d) Conditions of this approval.

3. If there is any inconsistency between the above, the Conditions of this approval shall prevail to the extent of any inconsistency.

4. The Proponent shall comply with any reasonable requirement/s of the Director-General arising from the Department's assessment of:
   a) any reports, plans, strategies, programs or correspondence that are submitted in accordance with this approval; and
   b) the implementation of any actions or measures contained in these reports, plans, strategies, programs or correspondence.

LIMITS ON APPROVAL

5. The Proponent shall ensure that the Project does not receive more than 70,000 tonnes per annum of waste.

6. The Proponent shall ensure that all vehicles enter and leave the Fariola St site in a forward direction during the AM & PM peak hour periods.

7. The Proponent shall ensure that all vehicles enter and leave the Derby St site in a forward direction.

8. Unless the Director-General agrees otherwise, the Proponent shall ensure that the Project does not generate more than 100 heavy vehicle movements in each direction in any one day, and not more than 80 heavy vehicle movements a day when averaged over a week.

EXISTING DEVELOPMENT CONSENTS AND RIGHTS

9. The Proponent shall surrender all existing development consents in accordance with Clause 97 of the EP&A Regulation for the land referred to in Schedule 1, within twelve (12) months of this approval.

STRUCTURAL ADEQUACY

10. The Proponent shall ensure that all new buildings and structures, and any alterations or additions to existing buildings and structures are constructed in accordance with the relevant requirements of the BCA.

    Notes:
    - *Under Part 4A of the EP&A Act, the Proponent is required to obtain construction and occupation certificates for the proposed building works.*
    - *Part 8 of the EP&A Regulation sets out the requirements for the certification of the Project.*

DEMOLITION

11. The Proponent shall ensure that all demolition work is carried out in accordance with *Australian Standard AS 2601:2001: The Demolition of Structures*, or its latest version.

PROTECTION OF PUBLIC INFRASTRUCTURE

12. The Proponent shall:
    a) repair, or pay the full costs associated with repairing, any public infrastructure that is damaged by the Project; and
    b) relocate, or pay the full costs associated with relocating, any public infrastructure that needs to be relocated as a result of the Project.

OPERATION OF PLANT AND EQUIPMENT

13. The Proponent shall ensure that all plant and equipment used for the Project is:
    a) maintained in a proper and efficient condition; and
    b) operated in a proper and efficient manner.

STAGED SUBMISSION OF PLANS OR PROGRAMS

14. With the approval of the Director-General, the Proponent may submit any plan or program required by this approval on a progressive basis.

CONTRIBUTIONS TO COUNCIL

15. The Proponent shall make a contribution to Council in accordance with the *Auburn Development Contributions Plan 2007*, or its successor.

SCHEDULE 4 - SPECIFIC ENVIRONMENTAL CONDITIONS

WASTE

Restrictions on Receipt, Storage & Handling of Waste

1. The Proponent shall only receive waste on the Fariola St Site that is authorised for receipt by an EPL.
2. No waste shall be received or processed at the Derby St Site.

Waste Screening and Acceptance

3. The Proponent must:
   a) implement auditable procedures to:
      - ensure that the site does not accept wastes that are prohibited; and
      - screen incoming waste loads; and
   b) ensure that:
      - all waste that are controlled under a tracking system have the appropriate documentation prior to acceptance at the site; and
      - staff receive adequate training in order to be able to recognise and handle any hazardous or other prohibited waste.

Monitoring

4. The Proponent shall prepare and implement a Waste and Resource Recovery Monitoring Program for the site to the satisfaction of the Director-General. This program must:
   a) be prepared in consultation with DECCW, and submitted to the Director-General within six (6) months of this approval; and
   b) monitor:
      - the quantity, type and source of waste received on site per annum;
      - the outputs produced by the facility that are exported from the site; and
      - the effectiveness of the resource recovery measures (see Condition 3 above).

Pest & Vermin

5. The Proponent shall:
   a) implement suitable measures to manage pests and vermin on site; and
   b) inspect the site on a regular basis to ensure that these measures are working effectively, and that pests or vermin are not present on site in sufficient numbers to pose an environmental hazard, or cause the loss of amenity in surrounding area.

TRANSPORT

6. The Proponent shall ensure that:
   a) internal roads, driveways and parking (including grades, turn paths, sight distance requirements, aisle widths, aisle lengths and parking bay dimensions) associated with the Project are constructed and maintained in accordance with the latest versions of *AS 2890.1* and *AS 2890.2*;
   b) the swept path of the longest vehicle entering and exiting the subject site, as well as manoeuvrability through the site, is in accordance with AUSTROADS;
   c) the Project does not result in any vehicles queuing on the public road network;
   d) heavy vehicles and bins associated with the Project do not park or stand on local roads or footpaths in the vicinity of the site;
   e) all vehicles are wholly contained on site before being required to stop;
   f) all loading and unloading of materials is carried out on site; and
   g) the proposed turning areas in the car park are kept clear of any obstacles, including parked cars, at all times.

7. The Proponent shall prepare and implement a Traffic Management Plan for the Project in consultation with Council and to the satisfaction of the Director-General. This plan

shall be prepared by an independent and suitably qualified expert and submitted to the Director-General within three (3) months of this approval, and must:

a) describe the measures that would be implemented to ensure compliance with Condition 6 above;
b) describe the measures that would be implemented to ensure compliance with Conditions 6 and 7 of Schedule 3 of this approval;
c) describe the traffic management measures that would be implemented to manage the reversing of trucks onto site, to ensure the safety of other road users and pedestrians;
d) include a program for monitoring and auditing the effectiveness of these measures;
e) describe contingency measures that would be implemented should the above measures be unsuccessful; and
f) incorporate the Transport Code of Conduct which must describe the measures to be implemented to:
    - minimise the impacts of the Project on the local and regional road network, including traffic noise; and
    - ensure that heavy vehicles associated with the Project do not use the adjoining residential area of Newington as a thoroughfare.

AIR

Dust Suppression

8. The Proponent shall implement all reasonable and feasible measures on the site to minimise the dust generated by the Project.

9. The Proponent must ensure that:
    a) the existing sprinkler system is upgraded to produce a finer mist to prevent dust generation beyond the site boundary within 6 months of the date of this approval;
    b) all areas are maintained in a condition to minimise the emission of wind-blown or traffic-generated dust;
    c) any materials, including sediment and oil, are not tracked onto the public road from the facility;
    d) all vehicles entering and leaving the site are covered at all times (except during loading and unloading) in a manner that will prevent emission of dust from the vehicle;
    e) a device is provided to clean the wheels and tyres of heavy vehicles accessing the site to prevent dust, mud and any other substance from making its way onto the surrounding road network;
    f) all road surfaces are paved and regularly cleaned;
    g) the height of any stockpile of material must not exceed three (3) metres in height; and
    h) any mobile crusher used at the site is fitted with appropriate dust suppression measures.

Monitoring

10. The Proponent shall prepare and implement an Air Quality Management and Monitoring Plan for the Project, in consultation with DECCW, and to the satisfaction of the Director-General. The Air Quality Management and Monitoring Plan shall be submitted to the Director-General within three (3) months of this approval, and must:
    a) describe the measures that will be implemented to ensure compliance with Conditions 8 and 9 above;
    b) describe the operational air quality objectives for the Project and assess the potential air emissions from the Project against these objectives;
    c) include, where the objectives are predicted to be exceeded, an analysis of feasible and reasonable mitigation measures that can be implemented to reduce air quality impacts;
    d) describe management methods and procedures and specific dust mitigation treatments that will be implemented to control dust emissions during operation, including specific details on stockpile constraining bays, on-site truck movements, dust suppression systems and general housekeeping; and

e) detail a system of monitoring practices that identifies non-conformances, initiates and monitors corrective and preventive actions (including disciplinary action for breaches of procedures), and assesses the implementation and improvement of the Plan.

Odour

11. The Proponent shall not cause or permit the emission of offensive odours from the site, as defined under Section 129 of the POEO Act.

Greenhouse Gas

12. The Proponent shall implement all reasonable and feasible measures to minimise:
(a) energy use on site; and
(b) the greenhouse gas emissions produced on site,
to the satisfaction of the Director-General.

NOISE

13. The Proponent shall ensure that the noise generated by the Project complies with the noise limits in Table 1.

Table 1: Project Noise Limits (dB(A))

Activity	Time	Day ($L_{Aeq\ (15\ minute)}$)
Construction	Monday – Saturday	55
Operation	Monday – Saturday	50

Note: For the purposes of this Condition, day is defined as the period from 7am to 6pm, Monday to Saturday.

14. The Proponent shall comply with the construction and operation hours in Table 2, except in emergencies or as otherwise agreed with the Director-General.

Table 2: Construction and Operation Hours for the Project

Activity	Day	Time
Construction	Monday – Friday	7:00am to 6:00pm
	Saturday	8:00am to 1:00pm
	Sunday and Public Holidays	Nil
Operation	Monday - Friday	7:00am to 6:00pm
	Saturday	7:00am to 4:00pm
	Sunday and Public Holidays	Nil

Note: Construction activities may be conducted outside the hours in Table 1 provided that the activities are not audible at any premises beyond the boundary of the site. impact assessment criteria dB(A).

15. The proponent shall ensure that all articulated rigid vehicles located within the collection area turn off their engines whilst loading and un-loading.

Monitoring

16. Within six (6) months of this approval and during a period in which the Project is operating under normal operating Conditions, the Proponent shall conduct a Noise Audit of its operations. This Audit shall:
a) be undertaken by a suitability qualified and experienced person;
b) assess whether the Project is complying with the criteria specified in Table 1 of this schedule;
c) identify what additional measures would be implemented to ensure compliance should any non-compliance be detected and clearly indicate who would implement these measures, when these measures would be implemented, and

how the effectiveness of these measures would be measured and reported to the Director-General; and

d) provide details of any complaints received relating to noise generated by the Project, and action taken to respond to those complaints.

Within 28 days of conducting the Noise Audit, the Proponent shall provide the Director-General and the DECCW with a copy of the Noise Audit report.

SOIL & WATER

Discharge Limits

17. Except as may be expressly provided in an EPL for the site, the Proponent shall comply with Section 120 of the POEO Act

Wastewater

18. The Proponent must ensure that no wastewater leaves the site.

Stormwater

19. The Proponent shall collect all the runoff from the site in the existing surface water management system on site.

Bunding

20. The Proponent shall store all chemicals, fuels and oils used on site in appropriately bunded areas, with impervious flooring and sufficient capacity to contain 110% of the largest container stored within the bund, unless double-skinned tanks are used. These bunds shall be designed and installed in accordance with the requirements of all relevant Australian Standards, and/or DECCW's Environmental Protection Manual *Technical Bulletin Bunding and Spill Management.*

Erosion and Sediment Control

21. During the construction of the Project, the Proponent shall implement suitable erosion and sediment control measures on site, in accordance with the relevant requirements in the latest version of the *Managing Urban Stormwater: Soils and Construction* guideline

VISUAL AMENITY

Lighting

22. The Proponent shall ensure that the lighting associated with the Project:
    a) complies with the latest version of *AS 4282(INT) - Control of Obtrusive Effects of Outdoor Lighting*; and
    b) is mounted, screened and directed in such a manner that it does not create a nuisance to surrounding properties or the public road network.

Signage

23. The Proponent shall not install any advertising signs on site without the written approval of the Director-General.

FIRE & EMERGENCY RESPONSE

Fire Management

24. The Proponent shall:
    (a) implement suitable measures to minimise the risk of fire on site;
    (b) extinguish any fires on site promptly; and
    (c) maintain adequate fire-fighting capacity on site.

Emergency Response

25. The Proponent must maintain and implement, as necessary a current emergency response plan for the site. The Proponent must keep the emergency response plan on the site at all times. The emergency response plan must:
    a) be submitted to the Director-General for approval prior to within three (3) months of this approval;
    b) be kept on the site at all times; and
    c) document systems and procedures to deal with all types of incidents (e.g. spills, explosion or fire) that may occur at the site or that may be associated with activities that occur at the site and which are likely to cause harm to the environment.

SCHEDULE 5 - ENVIRONMENTAL MANAGEMENT, REPORTING & AUDITING

ENVIRONMENTAL MANAGEMENT STRATEGY

1. The Proponent shall prepare and implement an Environmental Management Strategy for the Project to the satisfaction of the Director-General. The Strategy must:
   a) be submitted to the Director-General for approval within six (6) months of the date of this approval;
   b) provide the strategic framework for environmental management of the Project;
   c) identify the statutory approvals that apply to the Project;
   d) describe the role, responsibility, authority and accountability of all key personnel involved in the environmental management of the Project;
   e) include procedures for regular testing of output waste materials to check for contamination prior to disposal;
   f) describe the procedures that would be implemented to:
      - keep the local community and relevant agencies informed about the operation and environmental performance of the Project;
      - receive, handle, respond to, and record complaints;
      - resolve any disputes that may arise during the course of the Project;
      - respond to any non-compliance; and
      - respond to emergencies;
   g) include:
      - copies of the various strategies, plans and programs that are required under the Conditions of this approval once they have been approved; and
      - a clear plan depicting all the monitoring currently being carried out within the Project area.

Incident Reporting

2. Within 24 hours of detecting an exceedance of the limits/performance criteria in this approval or the occurrence of an incident that causes (or may cause) harm to the environment, the Proponent shall notify the Department and other relevant agencies of the exceedance/incident.

3. Within six (6) days of notifying the Department and other relevant agencies of an exceedance/incident, the Proponent shall provide the Department and these agencies with a written report that:
   a) describes the date, time, and nature of the exceedance/incident;
   b) identifies the cause (or likely cause) of the exceedance/incident;
   c) describes what action has been taken to date; and
   d) describes the proposed measures to address the exceedance/incident.

Independent Environmental Audit

4. Within two (2) years of this approval, and every three (3) years thereafter, unless the Director-General directs otherwise, the Proponent shall commission and pay the full cost of an Independent Environmental Audit of the Project. This audit must:
   a) be conducted by a suitably qualified, experienced, and independent team of experts, including a traffic expert, whose appointment has been endorsed by the Director-General;
   b) assess the environmental performance of the Project, and its effects on the surrounding environment;
   c) assess whether the Project is complying with the relevant standards, performance measures, and statutory requirements;
   d) review the adequacy of any strategy/plan/program required under this approval; and, if necessary,
   e) recommend measures or actions to improve the environmental performance of the Project, and/or any strategy/plan/program required under this approval.

5. Within 3 months of submitting the audit report to the Director-General, the Proponent shall review and if necessary revise the strategies/plans/programs required under this approval, to the satisfaction of the Director-General.

Revision of Plans & Programs

6. Within 3 months of the submission of an:
   a) audit under Condition 10 of schedule 7;
   b) incident report under Condition 8 of schedule 7; and
   c) annual review under Condition 6 of schedule 7,

   the Proponent shall review, and if necessary revise the plans and programs required under this approval to the satisfaction of the Director-General.

   Note: This is to ensure the plans and programs are updated on a regular basis, and incorporate any recommended measures to improve the environmental performance of the Project.

ACCESS TO INFORMATION

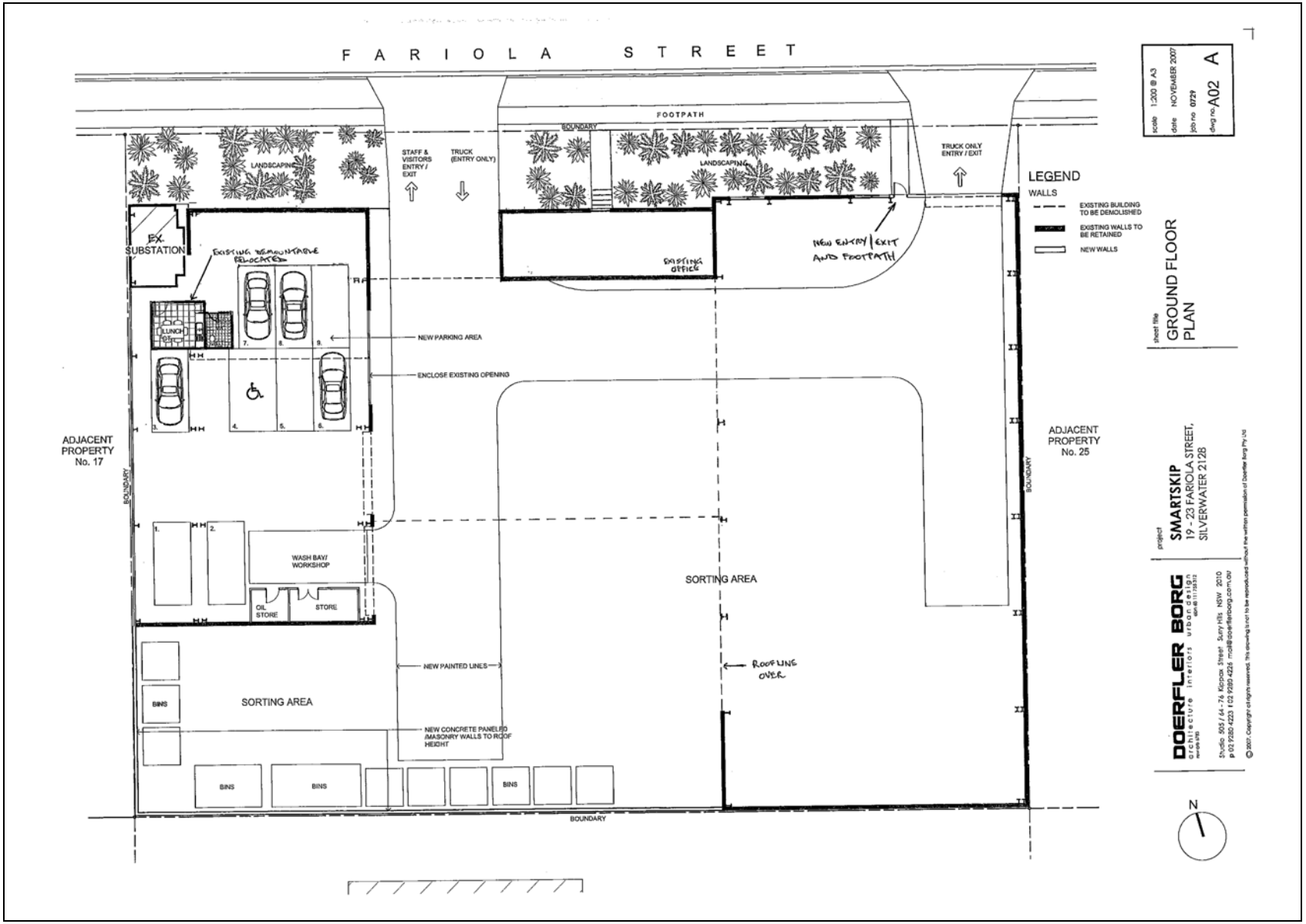
7. From the commencement of the construction of the Project, the Proponent shall make the following information publicly available on its website as it is progressively required by the approval:
   a) a copy of all current statutory approvals;
   b) a copy of the current plans and programs required under this approval;
   c) a summary of the monitoring results of the Project, which have been reported in accordance with the various plans and programs approved under the Conditions of this approval;
   d) a complaints register, which is to be updated on a monthly basis;
   e) a copy of the Annual Reviews (over the last 5 years);
   f) a copy of any Independent Environmental Audit, and the Proponent's response to the recommendations in any audit; and
   g) any other matter required by the Director-General.

APPENDIX 1
PROPONENTS STATEMENT OF COMMITMENTS

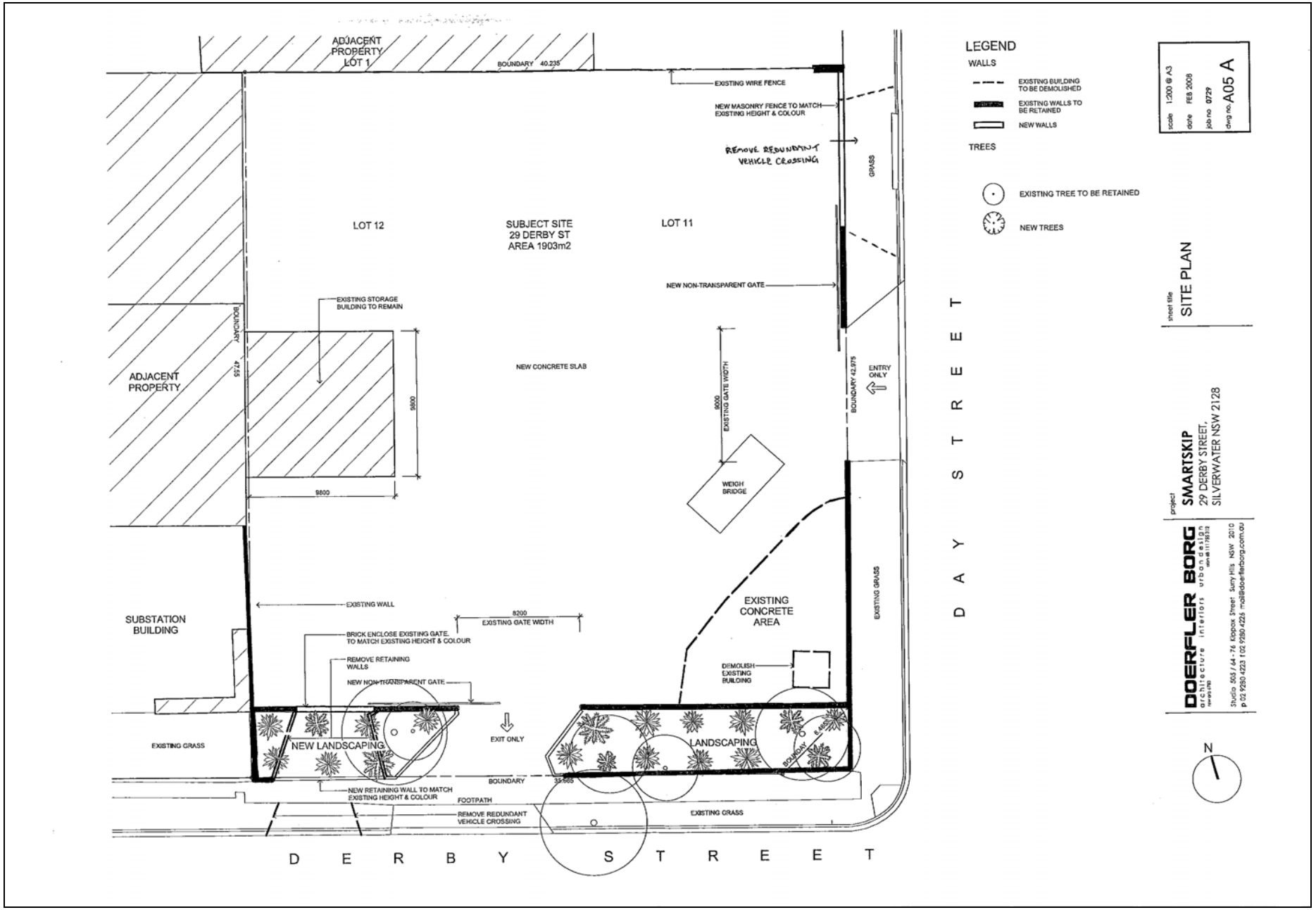
Statement of Commitments

APPENDIX 2
GENERAL LAYOUT OF THE PROJECT SITES

Fariola St Site



Derby St Site



APPENDIX B
FINAL STATEMENT OF COMMITMENTS

6. DRAFT STATEMENT OF COMMITMENTS

In accordance with the Director-General's Environmental Assessment Requirements, this section provides draft Statement of Commitments to outline the measures the Proponent is prepared to make in respect of environmental management and mitigation at the site. The draft Statement of Commitments for the Project below specifies how the Project will be managed to minimise potential impacts during pre-construction, construction and operation.

6.1 General

A. The development will be undertaken generally in accordance with the Environmental Assessment report prepared by BBC Consulting Planners, including accompanying appendices.

B. The development will be undertaken generally in accordance with the following drawings:-

Environmental Assessment Plans, prepared by Doerfler Borg Architects		
Fariola Street Site		
A02 Issue A	Ground Floor Plan	Nov 2007
A03 Issue A	Site / Roof Plan	Nov 2007
A04 Issue A	Streetscape Elevation (North)	Nov 2007
Derby Street Site		
A05 Issue A	Site Plan	Feb 2008

C. The Project will be constructed and operated in accordance with the Statement of Commitments.

D. The Proponent will develop a program of informing key stakeholders including the Department of Planning, Department of Environment and Climate Change and Auburn Council, of demolition and construction staging and activities throughout the development process.

6.2 Pre-Construction Phase

Further Approvals

A. Smartskip will obtain all necessary licences, permits and approvals required by State and Commonwealth legislation in undertaking the Project.

B. The Proponent will obtain a Construction Certificate prior to the implementation of the engineering and building works.

Complaints Handling

Prior to construction commencing, the proponent will establish a complaints handling procedure available for community complaints.

Construction and Environmental Management Plan ("CEMP")

The proponent will prepare and implement a CEMP to outline all environmental management practices and procedures to be followed during the construction of the Project. The CEMP is to contain the following plans and studies:

a. an Erosion and Sediment Control Plan prepared in accordance with Landcom's Managing Urban Stormwater: Soils and Construction ("the Blue Book");

b. a Construction Management Plan;

c. a Noise Management Plan and Noise Monitoring Program incorporating the mitigation measured outlined in the Construction Noise and Vibration Plan prepared Acoustic Logic Consultancy;

d. a Dust Management Plan and Dust Monitoring Program incorporating the findings of the Air Quality Assessment prepared by Heggies Australia;

e. a Construction Waste Management Plan addressing the type and quantities of materials to be removed from the site, the name and address of the contractor and the address of the proposed disposal site; and

f. a Construction Traffic and Pedestrian Management Plan.

Site Management Plan

The proponent will establish a Site Management Plan before work commences on-site to detail safe work methods and procedures to be followed on-site and to ensure compliance with OH&S and statutory requirements. Such a plan to address safety risks during demolition and construction activity, including:-

- stability of adjacent structures;
- falls from heights;
- protection of the public; and
- traffic controls around the perimeter of the site.

Safety Plan

The construction contractor will establish a Safety Plan before work commences on site to detail safe work methods and procedures to be followed on site and to ensure compliance

with Occupational Health and Safety requirements. Such a plan is to address safety risks during demolition and construction activity, including:-

- Stability of structures;
- Falls from height;
- Protection of the public;
- Traffic controls at the entrance and exit to the site;
- Working with high voltage electricity supply; and
- Working with high pressure water supply.

6.3 Construction Phase

Hours of Work

A. The hours of construction, including deliveries of materials to and from the site, shall be:
    - Monday to Friday inclusive: 7:00am to 6:00pm;
    - Saturday: 7:00am to 4:00pm; and
    - No work on Sundays or Public Holidays.

B. Notwithstanding the above, construction work may be undertaken outside the above hours where the delivery of materials is required outside these hours by the RTA, Police or other authorities.

Site Notices, Documentation

A. The building contractor will ensure that a 24 hour contact telephone number is displayed and attended by a person with authority over the works for the duration of the Project.

B. A site notice will be predominantly displayed at the Fariola Street and Derby Street boundaries of the sites for the purpose of informing the public of the Project details.

C. A copy of the approved and certified plans, specifications and documents including conditions of approval shall be kept on site at all times.

Protection of Public Places and Local Approvals

A. The proponent undertakes to obtain any approval necessary under the Local Government Act 1993 to erect a hoarding in a public place.

B. The proponent undertakes to ensure that the public way is not obstructed by any materials, vehicles, skip bins or the like during the construction period.

C. For construction activities which warrant the use of a mobile crane on the site or land surrounding the site, a permit will be obtained from Auburn Council. Any such permit will be obtained 48 hours in advance of any partial road closure required or 4 weeks in advance of any full road closure required.

Building Code of Australia

All building works will be carried out in accordance with the BCA as relevant at the time of lodgement of the Construction Certificate.

Services

The proponent will comply with the requirements of relevant public authorities in regard to the connection to, relocation and/or adjustment of services affected by the construction of the proposed development. Any public utility adjustments/relocation works necessitated by the Project shall be the responsibility of the Proponent.

Access, Traffic and Car Parking

A. That 10 car parking spaces will be provided at the Fariola Street site and 6 truck parking spaces will be provided at the Derby Street site for the Project.

B. The layout of the proposed car parking areas (including driveways, grades, turning paths, sight distance requirements, aisle widths, aisle lengths, and parking bay dimensions) shall be in accordance with AS 2890.1 – 2004 and AS 2890 – 2002 for heavy vehicles.

C. That the driveways and gutter crossings on the eastern and western driveways of the Fariola Street site be widened to accommodate the turning movements of trucks into and out of the site to conform to AS2890.1.

D. Vegetation and proposed landscaping/fencing shall not hinder sight lines to and from the proposed access driveways to motorists, pedestrians and cyclists.

E. All works/regulatory signposting associated with the Project are to be the responsibility of the Proponent.

Noise and Dust Management

A. During the construction of the Project, measures as outlined in the Noise, Dust and Traffic Management Plans as required by the Commitments in the pre-construction phase of the Project shall be implemented.

B. During the construction of the Project, the recommendations of the Construction Noise and Vibration Management Plan shall be followed. These include, but are not limited to:-

- During resurfacing of hard stand areas, the concrete pump must be located such that there is no line of sight between the pump and the nearest residences; and

- Complaints handling procedures as outlined in Section 10 and 11 of the Noise and Vibration Management Plan shall be implemented.

C. New sprinkler heads above the processing area are to be installed to create a fine mist spray, designed to suppress dust particles in the size range 10 – 50 microns.

Outdoor Lighting

Any new outdoor lighting shall comply with AS 1158.3: Pedestrian Area Lighting, and AS 4282: Control of the Obtrusive Effects of Outdoor Lighting.

6.4 Operational Phase

General

A contact telephone number shall be provided via which the public may seek information or make a complaint. A log of complaints should be maintained and actioned by the site superintended in a responsive manner.

Hours of Operation

The use of the premises shall be generally limited to the hours between 7:00am and 6:00pm Mondays to Friday and 7:00 to 1:00pm Saturdays. No work shall be undertaken on Sundays or Public Holidays. The operation of processing machinery shall only occur between the approved hours. There will be no processing of materials outside those hours.

Materials Handling

A. All materials stockpiled within the site shall not exceed a height of 5m to ensure the effective operation of the dust suppression system.

B. Any metal parts or compartments will be inspected prior to arrival at the facility to ensure there is no presence of residual liquids such as acid, fuel or oil.

Acoustic Matters

A. At all times, the concurrent use of plant and machinery at the facility shall be limited to times only when necessary.

B. All plant used in the construction and operation of the facility is to be properly maintained to ensure rated noise emissions levels are not exceeded.

C. The use of the site shall not give rise to the emission of an "offensive noise" as defined in the Protection of the Environment Operations Act.

D. The use of the site shall not exceed the established Project specific noise levels ("PSNL") as determined by Acoustic Logic Consultancy in the Noise Impact Assessment.

E. Vehicles, mobile and fixed plant shall be installed with the manufacturer's low noise kits where possible, such as low noise exhaust attenuators.

F. Walking floor trucks in the collection area shall turn their engines off whilst loading and unloading.

G. Once operational, all on-site plant will be assessed and diagnosed by a qualified acoustical consultant to establish whether further noise controls at source are reasonable and practicable.

Air Quality Matters

A. Water carts, sprinklers or hoses shall be used on any day there are visible dust emissions.

B. The roads immediately in front of the sites shall be regularly swept to ensure that accumulated dust is collected. The road sweeper shall be a Tennant Power Sweeper Model 3640, or similar.

Odour

The facility will not accept any materials that cause or permit the emission of any offensive odour pursuant to the Protection of the Environment Operations Act.

Risk Management

A. Fire protection systems are to be compliant with the BCA and AS 1940 – Storage and Handling of Flammable and Combustible Liquids.

B. An Asbestos Management Plan shall be prepared.

Vehicle Access

A. The driveways and car parking spaces shall be unobstructed at all times.

B. The turning areas within the car park are to be kept clear of any obstacles, including parked cars, at all time.

C. All skip bin vehicles are to enter and exit the site in a forward direction. A prominent sign shall be erected on the site to ensure that vehicles do so.

D. The access and egress of walking floor trucks be managed through traffic controllers to ensure that through traffic on Fariola Street are managed to reduce vehicle conflict points.

E. That all operational staff be fully trained to be traffic controllers.

F. The arrival of walking floor vehicles is given sufficient notice to allow for the traffic controllers to be ready to manage the traffic.

G. All vehicles shall be wholly contained on site before being required to stop.

H. All loading and unloading is to be carried out on site.

I. The swept path of the longest vehicle entering and exiting the sites, as well as manoeuvrability through the site, shall be in accordance with AUSTROADS.

Maintenance

The proponent will keep the site in clean and tidy order during the operation of the Project.

APPENDIX C
SUBMISSIONS & RESPONSE TO SUBMISSIONS

APPENDIX D
ENVIRONMENTAL ASSESSMENT

APPENDIX E
ENVIRONMENTAL PLANNING INSTRUMENTS CONSIDERATION

The assessment of the proposed development is subject to *Auburn Local Environmental Plan 2000* and the *State Environmental Planning Policy No 33 – Hazardous and Offensive Development.*

Consideration of the Project in the context of the objectives and provisions of these environmental planning instruments is provided below.

Auburn Local Environmental Plan (LEP) 2000
The site is zoned 4(a) General Industrial under the Auburn LEP and is permitted as a "waste recycling depot" within this zone. The project complies with all other relevant controls of the LEP.

State Environmental Planning Policy No. 33
State Environmental Planning Policy No. 33 – Hazardous and Offensive Development applies to the site. SEPP 33 aims to identify proposed developments with the potential for significant off-site impacts, in terms of risk and/ or offence (odour, noise etc). A development is defined as potentially hazardous and/ or potentially offensive if, without mitigating measures in place, the development would have a significant risk and/ or offence impact on off-site receptors.

The Department has assessed the Project against the provisions of SEPP 33 and considers that there is no significant risk from the proposed material recycling facility.