



Our reference: P-415131-D4H3
Contact: Robert Craig
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Emma Barnet
NSW Department of Planning and Environment

Email: emma.barnet@planning.nsw.gov.au

Dear Emma,

Section 4.55(2) Modification Application: SSD-5267-Mod-3 – Proposed Penrith Glass Recycling Facility Volume Increase at 126 Andrews Road, Penrith

I refer to the Department's request for comments in relation to the subject modification application.

It is noted that the modification application seeks to increase the processing of glass on the site from 150,000 tonnes per annum to 225,000 tonnes per annum.

The following comments are provided for the Department's consideration in relation to the application.

1. Planning Considerations

It is noted that extensive refurbishment works have recently occurred on the site, including stormwater management measures and the installation of an acoustic gate to protect residential receivers from night-time noise and light impacts. This occurred in response to noise complaints raised by those residential receivers located to the north-east of the site regarding night-time noise and light impacts. Mod-3 seeks retrospective approval for the acoustic gate, however this structure will require authorisation via a Building Information Certificate process, noting that retrospective development consent cannot be issued for existing unauthorised structures.

2. Environmental Management Considerations

The Penrith Glass Beneficiation Plant is licensed and regulated by the NSW Environment Protection Authority (EPA) via EPL 20381. It is noted that in December 2021, the EPA provided written advice to the Department of Planning and Environment (DPE) regarding Mod-3 and this is recorded on the DPE website. In its advice, the EPA noted the extensive refurbishment works that have recently occurred on the site and stated it had no objection to Mod-3 as the environmental impacts associated with the proposal have been adequately assessed and the environmental management measures currently in place are appropriate. As the appropriate regulatory authority (ARA) for this facility, the EPA both assesses and regulates environmental management and mitigation measures and impacts.

Based on the submitted Environmental Impact Statement (EIS), including the

related environmental assessment reports, it is anticipated that the proposed increase in processing volume can be satisfactorily managed to minimise environmental impacts, minimise impact to nearby residential receivers and comply with applicable air quality and noise criteria. However, in terms of noise impacts, there appears to be inconsistency in the definition of 'day' period between the development consent for SSD-5267, the Noise and Vibration Impact Assessment (NVIA) and the Noise Policy for Industry (NPfI). The day period is defined in the consent as 6am-6pm, with the shoulder period being 5am-6am. The NPfI defines the day period as 7am-6pm Monday to Saturday and 8am-6pm on Sundays and public holidays.

The NVIA includes Table 2-2 'Recommended Amenity Noise Levels' and these are consistent with the NPfI definition of day, evening and night-time periods. However, Table 2-4 'Impact Assessment Criteria' in the NVIA refers to day being 6am-6pm (and the shoulder period being 5am-6am). This variance to the NPfI and the shoulder period adopted is not discussed or justified.

The NVIA adopts a criterion of 46dBA for the shoulder period from 5am (the night-time criteria for residential receivers is 35dBA). While the NVIA predicts in Table 4-3 that noise levels will be significantly below the impact assessment criteria, the duration of the shoulder period and adopted criteria of 46dBA is significantly above the night-time criteria of 35dBA for residential receivers. The NVIA will be assessed by the EPA as the ARA and it is requested that the proposed shoulder period duration and criteria be considered by the EPA to ensure appropriate noise limits are applied to protect residential receivers.

3. Traffic Management Considerations

(a) Parking

The submitted Traffic Impact Assessment (TIA) indicates that due to much of the site being used for storage and circulation, and given there is no proposed increase in staff numbers, a first principles analysis in relation to parking demand based on the number of site employees is more appropriate than applying Council's DCP parking rates.

The TIA outlines a maximum of 8 weekday operations staff, 2 office-based staff and 8 night operations staff, resulting in a requirement of 18 car spaces during shift change overs. Section 3.2.6 of the EIS indicates there are 10 weekday operations staff, 7 office and maintenance staff and 7 night and weekend staff. Applying the same principles as the TIA results in a requirement of 24 car spaces. The site currently has 30 car spaces, resulting in a surplus of 6 car spaces for visitors or contractors attending the site.

The existing car parking is therefore acceptable for the proposal, although consideration should be given to bicycle parking being provided.

(b) Access

The intersection on Andrews Road utilised for site access was upgraded in 2020 to accommodate heavy vehicles entering and exiting the site.

The EIS indicates that in accordance with existing operations, the longest vehicle to access the site will be an A-double truck. Swept paths demonstrate A-double truck access from the access road into the site. The use of 30m PBS Level 2 Type B vehicles on local roads will require approval from NHVR (National Heavy

Vehicle Regulator) and Council's Assets Department.

(c) Traffic Generation

The proposed maximum number of trucks accessing the site is 50 trucks per day, an increase of 16 trucks from current site operations. Of the 16 additional trucks, 2 trucks will utilise an existing internal road to deliver product to the adjoining glass manufacturing plant. This will result in an increase of 14 additional heavy vehicles utilising Andrews Road, resulting in an increase of 28 heavy vehicle trips on the external road network. There is no anticipated increase in passenger vehicle movements as part of the proposal.

Overall, the proposal will result in an additional 2 vehicle trips per hour, which can be accommodated by the local road network.

Thank you for providing Council with the opportunity to comment on this proposal.

Should you wish to discuss any aspect of Council's comments, please do not hesitate to contact me on (02) 4732 7593.

Yours sincerely,



Robert Craig
Principal Planner