

WESTERN SYDNEY RECYCLING PTY LIMITED

**REQUEST FOR SECRETARY ENVIRONMENTAL
ASSESSMENT REQUIREMENTS
WESTERN SYDNEY RECYCLING PTY LIMITED
1725-1743 ELIZABETH DRIVE BADGERYS CREEK**

Prepared for: NSW Department of Planning and Environment
Western Sydney Recycling Pty Limited

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ABBREVIATIONS & GLOSSARY OF TERMS

AHD	Australian Height Datum
Appropriate Regulatory Authority (ARA)	Generally, the appropriate regulatory authority is the EPA for licensed premises and local Council for non-licensed premises. There are exceptions to this definition as stated in Clause 6 of the POEO Act.
AS	Australian Standard
AWS	Automatic Weather Station
BCA	Building Code of Australia
Council	Penrith City Council
WSR	Western Sydney Recycling Pty Limited which is the occupier of the premises and future operator of the business subject to this report
CSIRO	Commonwealth Scientific and Industrial Research Organisation
DEC	NSW Department of the Environment and Conservation
DECC	NSW Department of Environment and Climate Change
Environment	As defined in the POEO Act, <i>"environment" means components of the earth, including:</i> <i>(a) land, air and water, and</i> <i>(b) any layer of the atmosphere, and</i> <i>(c) any organic or inorganic matter and any living organism, and</i> <i>(d) human-made or modified structures and areas,</i> <i>and includes interacting natural ecosystems that include components referred to in paragraphs (a)-(c).</i>
EPA	NSW Environment Protection Authority
EP&A Act	Environmental Planning and Assessment Act 1979
Harm	As defined in the POEO Act, <i>"harm" to the environment includes any direct or indirect alteration of the environment that has the effect of degrading the environment and, without limiting the generality of the above, includes any act or omission that results in pollution.</i>
Immediately	Promptly and without delay.
Material risk of harm	"Material risk of harm to the environment" is defined under Section 147 of the POEO Act as: <i>(a) harm to the environment is material if:</i> <i>(i) It involves actual or potential harm to the health or safety of human beings or to ecosystems that is not trivial, or</i> <i>(ii) It results in actual or potential loss or property damage of an amount, or amounts in aggregate, exceeding \$10,000 (or such other amount as is</i>

	<i>prescribed by the regulations), and</i>
	<i>(b) loss includes the reasonable costs and expenses that would be incurred in taking all reasonable and practicable measures to prevent, mitigate or make good harm to the environment.</i>
NHMRC	National Health and Medical Research Council
Occupier	As defined under the POEO Act, " <i>occupier</i> " of premises means the person who has the management or control of the premises.
POEO Act	Protection of the Environment Operations Act 1997
Pollution	As defined under the POEO Act, " <i>pollution</i> " means: <ul style="list-style-type: none"> <i>(a) water pollution, or</i> <i>(b) air pollution, or</i> <i>(c) noise pollution, or</i> <i>(d) land pollution.</i>
Premises	As defined under the POEO Act, " <i>premises</i> " includes: <ul style="list-style-type: none"> <i>(a) a building or structure, or</i> <i>(b) land or a place (whether enclosed or built on or not), or</i> <i>(c) a mobile plant, vehicle, vessel or aircraft.</i>
Premises	Northern part of 1725-1743 Elizabeth Drive, Badgerys Creek NSW as described within this report
Prevention of pollution	Use of processes, practices, materials or products that avoid, reduce or control pollution, which may include recycling, treatment, process changes, control mechanisms, efficient use of resources and material substitution. Note: The potential benefits of prevention of pollution include the reduction of adverse environmental impacts, improved efficiency and reduced costs.
Scheduled activity	"scheduled activity" means an activity listed in Schedule 1 of the POEO Act. Scheduled activities must be licensed under the POEO Act.

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1. INTRODUCTION

Balmain Lawyers in collaboration with National Integrated Creative Solutions (NICS) were instructed by Western Sydney Recycling Pty Limited (WSR) (also referred to as the proponent) to prepare the application for the Secretary Environmental Assessment Requirements (SEARs) for a proposed resource recovery facility at the northern part of 1725-1743 Elizabeth Drive, Badgerys Creek. The proposed processing capacity is 300,000 tonnes per year for all activities to be undertaken on the premises. This proposal is urgently required due to the significant increase in demand for such facilities as many growth centres are being established in the western, north western and southern western areas of Sydney. In addition the construction of Western Sydney Airport has already commenced and this has resulted in significant upgrades to all major roads leading to the airport from most Motorways.

The proposed premises is located within the Zone RU2 – Rural Landscape under Penrith Local Environmental Plan 2010 (BLEP).

The proposed development includes the installation of a site office, two weighbridges, storage containers, a small weighbridge office, a car park, a pug mill, sand washing facility, staff amenities, access road, operation of a resource recovery facility, earth mounds, on-going rehabilitation and premises screening involving tree planting. The premises will be used to perform the recovery of materials that are predominantly classified as Virgin Excavated Natural Materials (VENM), raw materials received directly from quarries or the balance being material covered by relevant Resource Recovery orders. Most materials will be crushed, screened and blended to provide a range of materials for use mainly in the construction industry and civil works. The balance of materials will be sold without being processed.

This document presents a brief description of the existing premises and its various activities, including the surrounding environment, the proposed activities, and a preliminary assessment of potential environmental impacts of the proposed development

1.1 THE APPLICANT

The applicant is Western Sydney Recycling Pty Limited with an ACN 613 672 852. The Company was incorporated in July 2016, for the purpose of operating the recycling facility. However, the Company's directors and their family members have been directly and indirectly involved in handling the same or similar materials for over thirty (30) years and have had experience in undertaking some medium and large civil works related projects around NSW. In addition, the whole family has been involved in quarrying activities in different locations within NSW for decades. The whole of the family is to be involved in the day to day operation of the recycling facility.

Joseph Cauchi, a director of WSR and full-time operations manager is considered to be an expert in the blending of materials to generate in specification road making materials, in the material supply industry for major infrastructure projects and will applying this expertise in recycling material for that purpose.

The applicant's details are provided below.

Western Sydney Recycling Pty Limited is an Australian owned and operated family company which was established in 2016.

Physical address:	1725-1743 Elizabeth Drive, Badgerys Creek NSW 2555
Postal address:	283 The Northern Road, Londonderry NSW 2753
Current applicant contact details are:	
Phone:	0438 774 102
Fax:	N/A
Mobile:	0419 211 642
Email:	Luke@crushnhaul.com.au

The details of the premises are provided below.

Grid reference:	292942E and 6249927N (Middle of premises)
(DGA94 – MGA 56)	292894E and 6249494N (Street address)
	293051E and 6249119N (Entry/exit)
Zone:	56
Elevation:	59-63 m
Local Government Area:	Penrith City Council
Land Use Zoning:	RU2 – Rural landscape

2. PREMISES DESCRIPTION

A brief outline of the subject premises has been provided below.

2.1 DESCRIPTION OF THE PREMISES AND SURROUNDS

The premises the subject of this application which is the northern part of 1725-1743 Elizabeth Drive, Badgerys Creek in the State of New South Wales and in the Local Government Area of Penrith City Council.

The property of which the premises form part is also legally known as Lot 4 DP 860456.

The property of which the premises form part is located on the Northern side of Elizabeth Drive and access to the premises is via an access road which connects with Elizabeth Drive near the south eastern corner of the premises.

The premises will be divided into two (2) parts; the first part is the main active working area where all activities associated with the business will occur and the second which is left as per its original condition (non-active working area) and will be fenced for that purpose. The premises is located to the north of the property.

The premises is approximately 40,500 m² which is mostly the active working area for this development. The Total land area of the property is approximately 101,000 m².

The property is surrounded by the following sites:

- ❖ North – Lot 1 DP 542395
- ❖ South – Southern part of 1725-1743 Elizabeth Drive (Lot 8 DP 860456) and then Elizabeth Drive followed by Lot 10 DP 860338
- ❖ West – Lot 3 DP 240718
- ❖ East – Lot 5 DP 860456

The premises' driveway starts at street level (Reserved Road which in turn it is off Elizabeth Drive) with an approximate elevation of 61 m. The driveway has a slight decline of about 0.5 m along its entire length.

The active working area is reasonably flat with a slope from South East and North East to South West of between 1-3 m depending of the location of the measurement.

The premises has also an overall slope from east to west of approximately 2.5 m. This topography is extremely important for the management of surface water runoff within the premises where water could be easily contained within the active working area and be directed to the south south western side where it is proposed to install an appropriately designed sediment pond as it will be outlined in the Site Water Management Plan. A summary of premises details are provided in **Table 2-1**.

Table 2-1: Summary of Property and Premises Details

Location of Premises	The northern portion of 1725-1743 Elizabeth Drive, Badgerys Creek, NSW - Lot 4 in DP 860456
Land Dimensions of Property (Approximate)	Northern Boundary: 184 m Eastern Boundary: 501 m Southern Boundary: 184 m Western Boundary: 551 m
Total Area of Property	Approximately 10.1 hectares or 101,000 m ²
Premises Land Dimensions (Approximate)	Northern Boundary: 167 m Eastern Boundary: 191 m Southern Boundary: 184 m Western Boundary: 223 m
Premises Land Area (Approximate)	Approximately 4.0466 hectares or 40,466m ²
Grid Reference (GDA94 – MGA56)	Middle of Premises=Easting: 292942 Northing: 624992 Elevation: 61 Street Address = Easting: 292894 Northing: 6249494 Elevation: 63 Entry/Exit = Easting: 293051 Northing: 6249119 Elevation: 60
Local Government Area	Penrith City Council
Existing Land Use	The environment of the premises and surrounding properties is modified rural, consisting of grazing, crops in hot house environments and some dwellings, some waste processing facilities, resource recovery facilities, a landfill that accepts special and other wastes. Western Sydney Airport is being constructed at the Southern side of Elizabeth Drive in the suburb of Badgerys Creek which is south west of this premises
Current Land Zoning	RU2 – Rural Landscape
Proposed Development	The establishment of a resource recovery facility and associated structures (i.e. site office, weighbridge with a small office)
Proposed Ancillary Facilities/Activities	The operation of a Pug Mill and a Sand Washing facilities

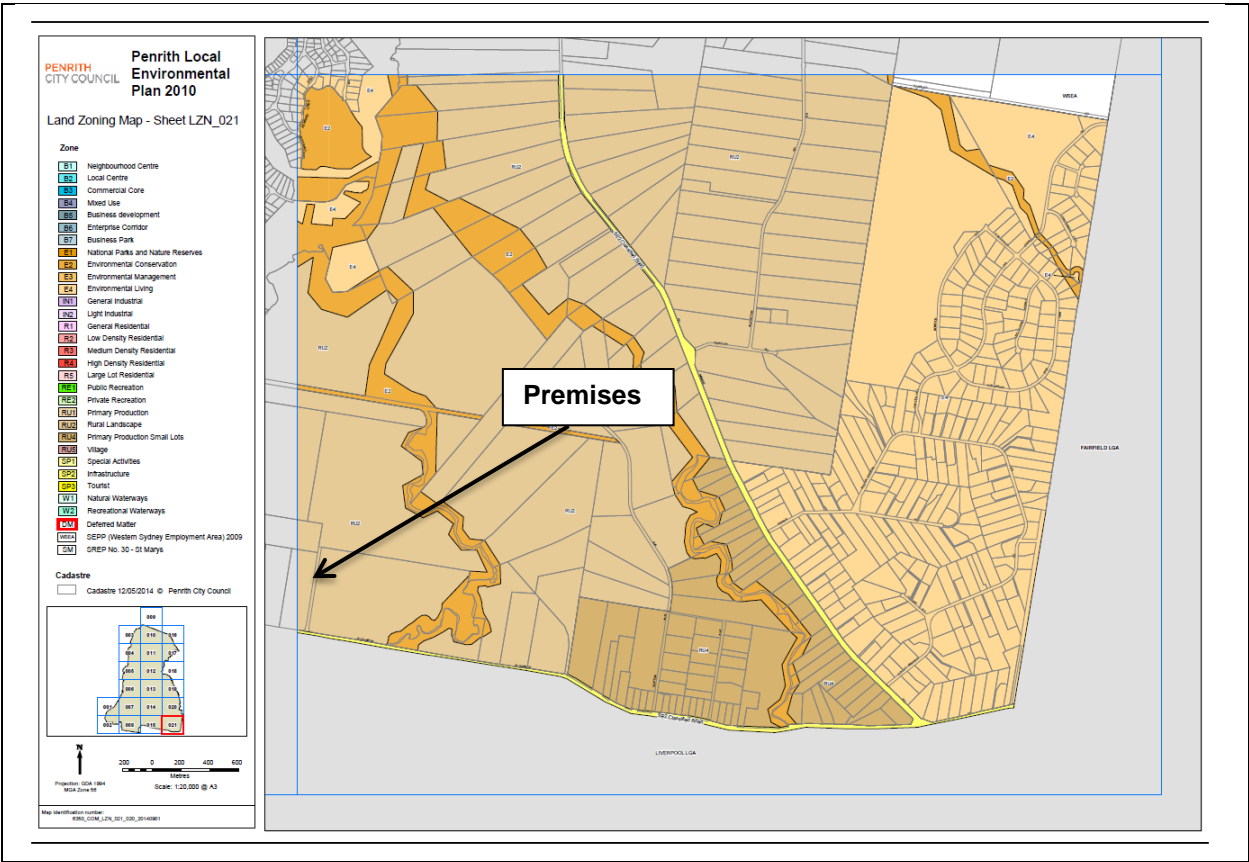
To give the reader a better understanding of the location of the premises, **Figure 2-1** shows an aerial view of the premises in the local context including the surrounding activities/developments.

Extract from the land zoning map showing the subject premises location is presented in **Figure 2-2**.

Figure 2-1: Aerial View of the premises including Surrounding Areas – Closer View



Figure 2-2: Location of the premises within the Zone RU2 – Rural Landscape



2.2 POTENTIALLY SENSITIVE RESIDENTIAL RECEPTORS

As previously stated, the premises is located within a mainly rural residential area combined with some industrial and commercial activities. The activities will be well shielded from the surrounding rural residential environment by the existing built environment such as the topography of the premises, the bushlands located within and in the vicinity of the premises including the large trees and shrubs. In addition, large earth mounds will be constructed to provide additional shielding of the activities as detailed in the Preliminary Environmental Assessment will assist further in protecting humans and the environment from any potential impact.

Based on the EPA's document "NSW DEC (EPA) Approved Methods for the Modelling and Assessment of Air Pollutants in New South Wales – August 2005", the following definition of sensitive receptor is provided: "**Sensitive receptor** A location where people are likely to work or reside; this may include a dwelling, school, hospital, office or public recreational area.". However, as the premises is located within a RU2 – Rural Landscape where a variety of activities are permitted, it was considered appropriate to pay greater attention to the location of the premises relative to the residential zoned areas under PLEP and to the rural residential dwelling. The locations of the closest potentially sensitive residential receptors are included in **Table 2-2** and **Figure 2-3**.

In any case, based on our assessment during our inspections of the premises and surrounding environment, the proposed activities are unlikely to have any adverse impact on any sensitive residential receptor when appropriate mitigation measures are implemented and maintained, as they will be, at all times. The activities are likely to have an impact on the employees working at the office used for the adjacent "Resource Recovery Park" operated by SITA Australia (now called SUEZ), however, again when appropriate mitigation measures are fully implemented, this will neutralise any such impact. Discussions have already commenced to work out a mutually agreed position on the best approach to ensure that the employees of both facilities are not adversely impacted by any of the activities undertaken in either facility.

It should be noted though that the SITA site, which is immediately adjacent to the premises, is one of the largest waste management facilities in Western Sydney which is used as a Resource Recovery facility, Waste Processing facility, Composting and a Waste landfilling facility. The SITA site is permitted to receive putrescible and non-putrescible waste as well as asbestos waste and restricted solid wastes.

Table 2-2: Closest Potentially Sensitive Residential Receptors

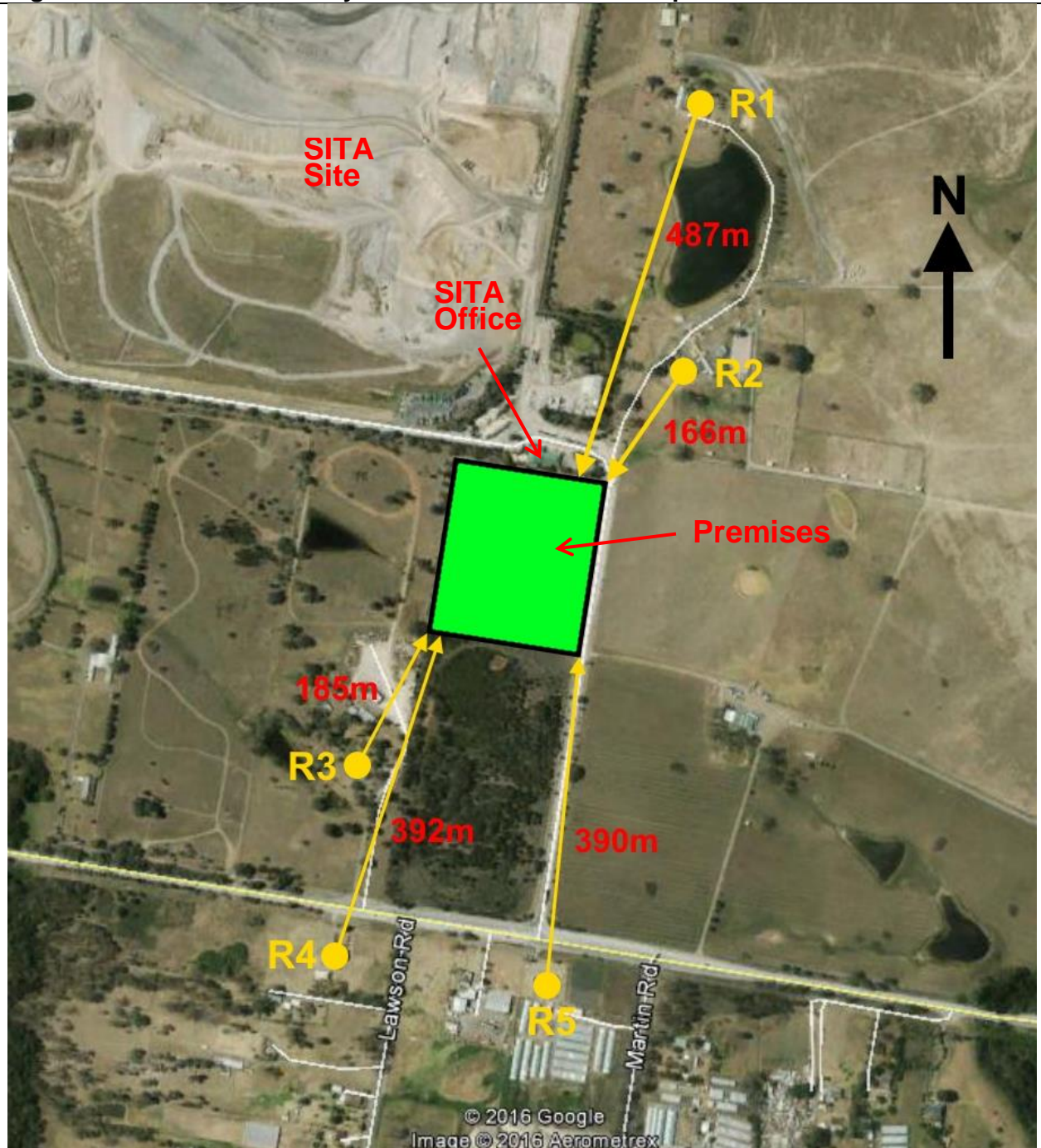
No	Direction	Location (m)			
		Easting	Northing	Elevation	Distance to Boundary ¹
0	Premises (Middle)	292965	6249985	61	0
R1	N	293167	6250500	61	487
R2	NE	293154	6250169	65	166
R3	SW	292768	6249664	63	185
R4	S	292748	6249437	63	392

R5	SE	293004	6249412	65	390
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¹ – Distance to closest boundary of the premises

In addition, the existing SITA industrial site located adjacent to the Western Sydney Recycling premises has an office which is near the northern boundary of the premises.

Figure 2-3: Closest Potentially Sensitive Residential Receptors



Ref: NICS_172003_FIG06 REV01	National Integrated Creative Solutions PO Box 150 Seven Hills Mobile: 0421776003 Nicolas Israel – 25/03/2017	Scale: Not to Scale	Western Sydney Recycling Pty Ltd 1725-1743 Elizabeth Drive Badgerys Creek Potentially Sensitive Receptors
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3. PROJECT DESCRIPTION

3.1 PROPOSED ACTIVITIES

The proposed facility will be divided into three main facilities and activities as detailed below; Resource Recovery facility, Pug Mill plant and Sand Washing facility.

3.1.1 Resource Recovery facility

The proposed activities will include the receipt, sorting, blending, and recycling within the existing active working area of waste materials including building, construction, demolition, excavation, concrete, metal, and other similar non-putrescible materials. It is noted though that a majority of these materials will be received partially sorted and sourced from within the Greater Sydney Metropolitan area only. The premises will be used, also, for the receipt and storage of products capable for immediate use in the building, construction and infrastructure industries. Examples of these materials are listed below. Sandstone, for example, may be received and sold without the need for processing, being readily available for recycling. No retail sales will take place on the premises, and the public will have no access to the premises.

In addition to the above, Western Sydney Recycling will receive materials that are Excavated Natural Materials (ENM) as defined in the EPA's Waste Classification Guidelines ("**finished product**"). These materials will be extracted from quarries across NSW and transported to the premises for either direct sale to the public or further processing, by blending other recyclable products, to obtain more refined products.

The majority of activities to be undertaken by Western Sydney Recycling are the supply of recycled and natural materials to individuals, government and non-government organisations for landscaping, agriculture, construction and civil works. These include: gardens, extensive agricultures, professional and non-professional landscaping organisations, roads, pavements, footpaths, stormwater systems, drainage, driveways, car parks and other related works.

None of the following products will be received on the premises:

- ❖ Putrescible or liquid wastes,
- ❖ Green wastes,
- ❖ Hazardous wastes,
- ❖ Special wastes,
- ❖ Restricted solid wastes,
- ❖ Potentially flammable wastes.

In addition, the applicant will not conduct any composting activities on the premises.

For most of the finished products, trucks will unload the products into the relevant stockpiles dedicated to that finished product.

The process is outlined below.

- The premises will not be open to the general public,
- The feed materials will be brought onto the premises from known sources only. Most materials will be VENM, comply with a Resource Recovery Order or Construction & Demolition materials. Only a small percentage of the materials will be classified as Construction and Demolition waste (less than 10%),
- All vehicles will be weighed on the weighbridge,
- While vehicles are on the weighbridge, the truck covers will be removed and the loads inspected by the resource recovery manager and checked against the documentation submitted from the source of the materials to ensure that the materials are the same as described in the waste classification report or validation certificate. Special attention will be paid to the identification of any contaminants such as asbestos, tyres, etc....,
- If the feed materials pass the visual inspection, the driver will be directed to the specific area for those feed materials for unloading,
- The resource recovery manager or his/her delegate will inspect the unloaded materials for a second time to ensure that the materials comply with the waste classification report or validation certificate. Special attention is paid to the identification of any contaminants such as asbestos, tyres, etc....,
- If hazardous or special wastes are found in the unloaded materials, the resource recovery manager will segregate (fence off, cover and sign post) the stockpile, containing same, call the company where the materials were transported from and inform them that the materials are not accepted on the premises and must be removed immediately. The resource recovery manager or a delegate will record all relevant details in the "Rejected Load Register" and notify the EPA of the notifiable event.

For all the VENM materials, the following process will be followed:

- ❖ When sufficient quantities of materials of this particular type are available, the materials will be loaded onto a screen to produce different sizes of VENM materials. If the materials contain large sizes of rocks or stones, they will be loaded into the crusher first, then onto the screen,
- ❖ These finished products will be stockpiled in the finished products areas ready for dispatch.

For the construction and demolition materials, the following process will be followed:

- As soon as the materials are unloaded, the materials will be sorted into recyclables and non-recyclables,
- The recyclables, which are not to become a finished product, will be stockpiled in smaller stockpiles depending on the type of these recyclables such as glass, plastics, metals, etc. These will be transported to lawfully licensed recycling facilities for further processing,
- The non-recyclable materials will be stockpiled separately and transported to a lawfully licensed landfill for disposal.

It is extremely difficult to predict the quantities and types of materials that will be required at any stage in the building and construction industry. Sometimes sandstone will be required in very large quantities for the construction or upgrading of a road. Other times, crushed concrete and road-millings will be required as road base. Accordingly, physical barriers, differentiating between different types of materials in the working area on the premises, are not practical for

this resource recovery facility since they will limit the quantities of materials to be received on the premises and the finished products of each type of materials.

Again, on occasions some clients may request different mixes of finished products to suit their particular jobs (specifications that are governed by a Government Department or a Civil Works Contractor) or to suit the characteristics of the soil where landscaping work is undertaken. This does not change the chemical characteristics of the finished products since it is only a mix of two (2) or more dry finished products together without any change or reaction.

There is no wastewater generated as a result of processing of waste materials. In addition, there is no thermal treatment of the waste on the premises at any stage of the process. There are no furnaces or other heat generating equipment required as part of these activities.

3.1.2 Pug Mill plant

As part of the proposed development, the proponent is planning on installing a pug mill to provide it with flexibility in the range of products that can be delivered to the construction industry and civil works.

A pug mill may be a fast continuous mixer. A continuous pug mill can achieve a thoroughly mixed, homogeneous mixture in a few seconds, and the right machines can be matched to the right application by taking into account the factors of agitation, drive assembly, inlet, discharge, cost and maintenance. A typical pug mill consists of a horizontal boxlike chamber with a top inlet and a bottom discharge at the other end, two (2) shafts with opposing paddles, and a drive assembly.

3.1.3 Sand Wash facility

As part of the proposed development, WSR is installing a sand wash facility to provide high quality sands at different particle sizes. This sand will be used for specific purposes which normal sand cannot be used for.

The operation of a sand wash facility is very simple and involves the turning of sand through a wheel with small bucket like containers. Normally, the sand wash plant separates the sand particles thus allowing for their recycling. More details of the sand wash plant will be provided in the EIS.

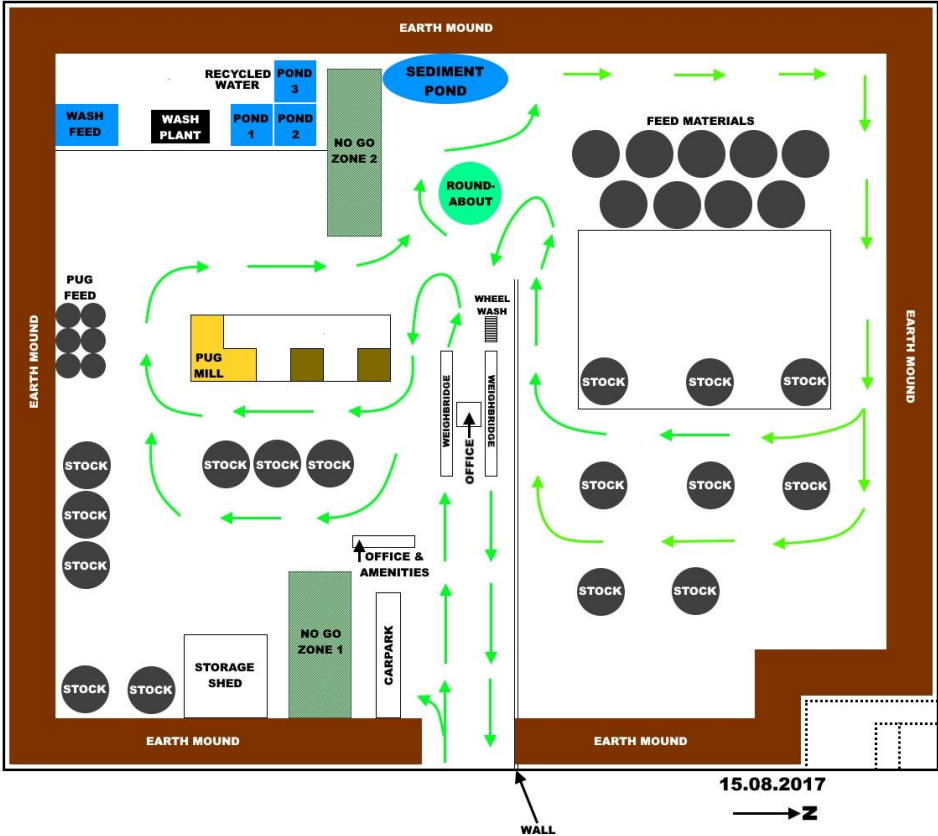
The active working area will also be used for the storage of empty trucks, trailers, crusher, screener, car parking and vehicle manoeuvring. Minor maintenance and service of machinery will be undertaken within the active working area, with appropriate facilities being applied to avoid any chance of environmental impact. Major maintenance, service and repairs of plant/equipment and other vehicles will be undertaken by professional companies offsite.

For this development, the active working area is approximately 40% of the total land area. The majority of the premises will be made of partially impervious and compacted materials to assist in surface water management and reduction of dust generation. The non-impervious areas are mainly at the southern section of the property and other sections as recommended by the Flora

& Fauna experts. The latter sections will be signposted as “No Go Zones”. These sections will not be used for any purpose associated with the proposed activities. These sections will be segregated from the active working area to assist in better management of surface water, waste and dust minimisation by installing appropriate mitigation measures between these sections such as fences and barriers.

To give the reader a better understanding of the proposed facilities to be installed on the premises and the proposed activities to be undertaken within the active working area, a concept design premises layout has been included in **Figure 3-1**. This premises layout is most likely to be amended following the implementation of all recommendations made by the experts in the field of Flora & Fauna, Noise, Air, Water as well as any other recommendations made by the Government Authorities. However, the final design will surely include all features included in this premises layout as presented in **Figure 3-1**.

Figure 3-1: Concept Design Layout of the Proposed Facility



Ref: 171003_FIG01 REV03	National Integrated Creative Solutions PO Box 150 Seven Hills Mobile: 0421 776 003 Nicolas Israel – 22/09/2017	Scale: Not to scale	Western Sydney Recycling Pty Ltd 1725-1743 Elizabeth Drive Badgerys Creek Proposed premises Layout
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3.2 IMPORTED MATERIALS

The materials to be received on the premises include VENM materials, material that are pre-classified, pre-validated, or compliant with existing Resource Recovery Order. Furthermore, all materials will be received from known sources such as approved quarries/mines, government projects, etc.

Following discussions with the applicant we understand that the waste materials to be received at the premises are:

- 1 Clay
- 2 Shale
- 3 Sand
- 4 Sandstone
- 5 Cracked concrete
- 6 Construction and demolition materials (except timber)
- 7 Top soil
- 8 Road profiling/road-milling - aggregate
- 9 Hard rock
- 10 Recovered asphalt
- 11 Bricks
- 12 Tiles

3.3 FINISHED GOODS

The finished products are chemically and physically identical to the materials used prior to being received on the premises with the difference being that the materials are now sorted into stockpiles in accordance with their final uses, or imported materials may be blended to create the finished product. Also a large percentage of the imported materials to create the finished products are simply crushed and screened to the required sizes. In addition to the above, on occasion, some clients may request a mixture of for example sand and soil (30/70). This can be accommodated as it does not alter the chemical characteristics of the finished product; it is simply a mixture of sand and soil. It will be the responsibility of either the clients or WSR to transport off the premises the finished product.

The proposed list of possible finished products and the processes to which the imported materials will be subjected to is included in **Table 3-1**.

Table 3-1: List of possible Finished Products

Finished Product	Process	Proposed Use
Clay	screened and blended	landscaping
Shale	crushing and screening	civil works
Sand	Sand Washing, crushing and screening	Civil works
Blended Materials	Pug Mill	Concrete Works
Sandstone	crushing and screening	civil works

Crushed concrete	crushing and screening	civil works
Crushed bricks	crushing and screening	civil works
Top soil	Screening and blending	landscaping
Road-milling	crushing and screening	civil works
Crusher dust	by-product of crushing	civil works
Sydney sand	crushing and screening	civil works + landscaping
20mm river stone	crushing and screening	civil works + landscaping
Soil conditioner	Crushing, screening and blending	Landscaping

In relation to soil conditioners, they are made out of a mix of two or more dry products such as soil and sand. Gypsum is also used as soil conditioner. Soil conditioning will not include green waste.

The list of machinery that is likely to be used for the proposed facilities is presented below. It should be noted that these machines will not all be used at the same time but rather a combination of only a few machines will be used depending of the activities on a particular day.

1 Machinery List For Resource Recovery Activity

- 50T Jaw Crusher
- 30T Cone Crusher
- 35T Triple Deck Material sizing screener
- 30T Excavator
- 20T Excavator
- 5T Excavator
- 35T Front end loader (2)
- Backhoe
- Electricity Generator
- Trucks and trailers
- Water truck

2 The premises Infrastructure

- Pug mill plant and related equipment
- Sand wash facility (25T Finesmaster)
- Site office (including staff amenities)
- Facilities for management of grey- and blackwater
- Car park
- Earth mounds
- Shed
- Storage container (2)
- Weighbridge (2)
- Weighbridge office
- Rumble grid – wheel wash
- Driveway to the premises office, weighbridges and other sections of the premises

- Security compound fencing around infrastructure (including lockable access gate to Access Road)
- Electricity extension to the premises office
- Telephone extension to the premises office
- Potable water to the premises office
- Water supply – proposed sediment pond on the premises

3.4 HOURS OF OPERATION

Under normal circumstances, the hours of operation would depend on demand with some periods when activity is limited to the occasional loading of haulage trucks. The proposed hours of operation are:

- ❖ Monday to Saturday 7:00am - 6.00pm
- ❖ Sunday 8:00am - 6.00pm
- ❖ Public holidays No work

3.5 EMPLOYMENT

The proposed development is expected to generate employment for 10 people at the subject the premises, as well as many additional employment opportunities for trucking contractors, once operational. Construction of the facility will also result in the generation of temporary employment for approximately 20 people

4. STATUTORY CONTEXT

This section will focus on all statutory requirements under current NSW planning and environmental legislation to ensure that there is a clear understanding of these requirements for the proposed development.

4.1 PLANNING

The *Environmental Planning and Assessment Act 1979* and the *Environmental Planning and Assessment Regulation 2000* provide the framework for environmental planning in NSW. The Act and the Regulation include Provisions to ensure that proposals, which have the potential to impact on the environment, are subject to detailed assessment. Under this legislation the proposed development could be as defined as both Integrated and Designated however, since it will be defined as State Significant as outlined below, this definition will override the previous two (2) definitions.

4.1.1 Environmental Planning and Assessment Act 1979

As part of this application, it is considered appropriate to include some information about the most relevant planning legislation including the *Environmental Planning and Assessment Act 1979* (EP&A Act).

General

The main objects of the EP&A Act are included in Clause 5 of the EP&A Act and are outlined below.

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,
- (iii) the protection, provision and co-ordination of communication and utility services,
- (iv) the provision of land for public purposes,
- (v) the provision and co-ordination of community services and facilities, and
- (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, and
- (viii) the provision and maintenance of affordable housing, and

(b) to promote the sharing of the responsibility for environmental planning between the different levels of government in the State, and

(c) to provide increased opportunity for public involvement and participation in environmental planning and assessment.

It is clear that the activities proposed to be conducted on the premises are consistent with the objects of the EP&A Act.

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

The aim of this Policy is to facilitate the effective delivery of infrastructure across the State by:

- (a) improving regulatory certainty and efficiency through a consistent planning regime for infrastructure and the provision of services, and*
- (b) providing greater flexibility in the location of infrastructure and service facilities, and*
- (c) allowing for the efficient development, redevelopment or disposal of surplus government owned land, and*
- (d) identifying the environmental assessment category into which different types of infrastructure and services development fall (including identifying certain development of minimal environmental impact as exempt development), and*
- (e) identifying matters to be considered in the assessment of development adjacent to particular types of infrastructure development, and*
- (f) providing for consultation with relevant public authorities about certain development during the assessment process or prior to development commencing.*

Clause 121 of this SEPP 2007 permits certain activities such as “**waste or resource management facilities**” which includes resource recovery facilities, to be undertaken by any person with development consent on land in a prescribed zone. Clause 120 provides a definition of prescribed zone which includes **RU2- Rural Landscape**.

4.1.3 Penrith Local Environmental Plan 2010

- (1) This Plan aims to make local environmental planning provisions for land in Penrith in accordance with the relevant standard environmental planning instrument under section 33A of the Act.*
- (2) The particular aims of this Plan are as follows:*
 - (a) to provide the mechanism and planning framework for the management, orderly and economic development, and conservation of land in Penrith,*
 - (b) to promote development that is consistent with the Council's vision for Penrith, namely, one of a sustainable and prosperous region with harmony of urban and rural qualities and with a strong commitment to healthy and safe communities and environmental protection and enhancement,*
 - (c) to accommodate and support Penrith's future population growth by providing a diversity of housing types, in areas well located with regard to services, facilities and transport, that meet the current and emerging needs of Penrith's communities and safeguard residential amenity,*
 - (d) to foster viable employment, transport, education, agricultural production and future investment opportunities and recreational activities that are suitable for the needs and skills of residents, the workforce and visitors, allowing Penrith to fulfil its role as a regional city in the Sydney Metropolitan Region,*
 - (e) to reinforce Penrith's urban growth limits by allowing rural living opportunities where they will promote the intrinsic rural values and functions of Penrith's rural lands and the social well-being of its rural communities,*

- (f) *to protect and enhance the environmental values and heritage of Penrith, including places of historical, aesthetic, architectural, natural, cultural, visual and Aboriginal significance,*
- (g) *to minimise the risk to the community in areas subject to environmental hazards, particularly flooding and bushfire, by managing development in sensitive areas,*
- (h) *to ensure that development incorporates the principles of sustainable development through the delivery of balanced social, economic and environmental outcomes, and that development is designed in a way that assists in reducing and adapting to the likely impacts of climate change.*

As previously stated the premises are located within the zone ***RU2 – Rural Landscape*** under the current Penrith Local Environmental Plan 2010 (PLEP).

4.1.4 Zone RU2 – Rural Landscape

1 Objectives of zone

- *To encourage sustainable primary industry production by maintaining and enhancing the natural resource base.*
- *To maintain the rural landscape character of the land.*
- *To provide for a range of compatible land uses, including extensive agriculture.*
- *To minimise conflict between land uses within the zone and land uses within adjoining zones.*
- *To preserve and improve natural resources through appropriate land management practices.*
- *To ensure development is compatible with the environmental capabilities of the land and does not unreasonably increase the demand for public services or public facilities.*

2 Permitted without consent

Extensive agriculture; Home occupations

3 Permitted with consent

Agricultural produce industries; Agriculture; Animal boarding or training establishments; Building identification signs; Business identification signs; Cellar door premises; Cemeteries; Community facilities; Crematoria; Dual occupancies; Dwelling houses; Environmental facilities; Environmental protection works; Farm buildings; Flood mitigation works; Forestry; Funeral homes; Helipads; Home-based child care; Home businesses; Home industries; Information and education facilities; Places of public worship; Public administration buildings; Recreation areas; Recreation facilities (outdoor); Roads; Roadside stalls; Rural supplies; Schools; Secondary dwellings; Stock and sale yards; Tourist and visitor accommodation; Veterinary hospitals

4 Prohibited

Hotel or motel accommodation; Serviced apartments; Any other development not specified in item 2 or 3

4.2 DESIGNATED DEVELOPMENT

The proposed development constitutes designated development as it is captured by Clauses 32(1)(b)(iii), 32(1)(c) and, partly, 32(1)(d) under Schedule 3, Part 1 of the *Environmental Planning and Assessment Regulation 2000*, reported below.

32 Waste management facilities or works

(1) *Waste management facilities or works that store, treat, purify or dispose of waste or sort, process, recycle, recover, use or reuse material from waste and:*

(a) *that dispose (by landfilling, incinerating, storing, placing or other means) of solid or liquid waste:*

(i) *that includes any substance classified in the Australian Dangerous Goods Code or medical, cytotoxic or quarantine waste, or*

(ii) *that comprises more than 100,000 tonnes of “clean fill” (such as soil, sand, gravel, bricks or other excavated or hard material) in a manner that, in the opinion of the consent authority, is likely to cause significant impacts on drainage or flooding,*

or

(iii) *that comprises more than 1,000 tonnes per year of sludge or effluent, or (iv) that comprises more than 200 tonnes per year of other waste material, or*

(b) *that sort, consolidate or temporarily store waste at transfer stations or materials recycling facilities for transfer to another the premises for final disposal, permanent storage, reprocessing, recycling, use or reuse and:*

(i) *that handle substances classified in the Australian Dangerous Goods Code or medical, cytotoxic or quarantine waste, or*

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

(iii) *that have an intended handling capacity of more than 30,000 tonnes per year of waste such as glass, plastic, paper, wood, metal, rubber or building demolition material, or*

(c) *that purify, recover, reprocess or process more than 5,000 tonnes per year of solid or liquid organic materials, or*

(d) *that are located:*

(i) *in or within 100 metres of a natural waterbody, wetland, coastal dune field or environmentally sensitive area, or*

(ii) *in an area of high watertable, highly permeable soils, acid sulphate, sodic or saline soils, or*

(iii) *within a drinking water catchment, or*

(iv) *within a catchment of an estuary where the entrance to the sea is intermittently open, or*

(v) *on a floodplain, or*

(vi) *within 500 metres of a residential zone or 250 metres of a dwelling not associated with the development and, in the opinion of the consent authority, having regard to topography and local meteorological conditions, are likely to significantly affect the amenity of the neighbourhood by reason of noise, visual impacts, air pollution (including odour, smoke, fumes or dust), vermin or traffic.*

(2) *This clause does not apply to:*

(a) *development comprising or involving any use of sludge or effluent if:*

(i) *the dominant purpose is not waste disposal, and*

- (ii) the development is carried out in a location other than one listed in subclause (1) (d), above, or
- (b) development comprising or involving waste management facilities or works specifically referred to elsewhere in this Schedule, or
- (c) development for which *State Environmental Planning Policy No 52—Farm Dams and Other Works in Land and Water Management Plan Areas* requires consent.

The proposed development would fit the description of a waste management facility, with an intended handling capacity of more than 30,000 tonnes per year of building demolition material, and which processes more than 5,000 tonnes per year of solid organic materials.

4.3 INTEGRATED DEVELOPMENT

Clause 91 of the *Environmental Planning and Assessment Act 1979* defines that integrated development is development (not being State significant development or complying development) that, in order for it to be carried out, requires development consent and one or more approvals, including approvals under the *Protection of the Environment Operations Act 1997* (POEO Act).

The proponent will be required to hold an environment protection licence (EPL) under the *Protection of the Environment Operations Act 1997* and, therefore, it constitutes integrated development. Further details on the requirement for an EPL are provided in the following section.

4.4 STATE ENVIRONMENTAL PLANNING POLICIES (SEPPS)

4.4.1 SEPP 33

The proposed development is expected to have only minimal amounts of chemicals and dangerous goods stored on the premises for short periods of time before they are taken to appropriate and licensed premises and, therefore, it is highly unlikely to trigger the thresholds listed in SEPP No. 33 – Hazardous and Offensive Development and would not fit the definition of ‘potentially hazardous industry’ or ‘hazardous storage establishment’.

4.4.2 SEPP 55

The construction and installation of the resource recovery facility will require very little, if any, excavation works of a virgin land and therefore the proposal will not be assessable under SEPP No. 55 – Remediation of Land.

Since no previous activities were undertaken on the premises and the land is still virgin, a Stage 1 or 2 Preliminary or Detailed Site Investigations (contamination assessment reports) will not be required as part of the environmental assessment process.

4.5 STATE SIGNIFICANT

Under Clause 8 (1) of the *State Environmental Planning Policy (State and Regional Development) 2011*, development is potentially a state significant development if it is specified in Schedule 1 or Schedule 2. Clause 23(3) of Schedule 1 is relevant to the proposed activities:

23 Waste and resource management facilities

(1) Development for the purpose of regional putrescible landfills or an extension to a regional putrescible landfill that:

- (a) has a capacity to receive more than 75,000 tonnes per year of putrescible waste, or*
- (b) has a capacity to receive more than 650,000 tonnes per year of putrescible waste over the life of the site, or*
- (c) is located in an environmentally sensitive area of State significance.*

(2) Development for the purpose of waste or resource transfer stations in metropolitan areas of the Sydney region that handle more than 100,000 tonnes per year of waste.

(3) Development for the purpose of resource recovery or recycling facilities that handle more than 100,000 tonnes per year of waste.

(4) Development for the purpose of waste incineration that handles more than 1,000 tonnes per year of waste.

(5) Development for the purpose of hazardous waste facilities that transfer, store or dispose of solid or liquid waste classified in the Australian Dangerous Goods Code or medical, cytotoxic or quarantine waste that handles more than 1,000 tonnes per year of waste.

(6) Development for the purpose of any other liquid waste depot that treats, stores or disposes of industrial liquid waste and:

- (a) handles more than 10,000 tonnes per year of liquid food or grease trap waste, or*
- (b) handles more than 1,000 tonnes per year of other aqueous or non-aqueous liquid industrial waste.*

The proposed development is State Significant as it involves the handling of more than 100,000 tonnes per year of waste. Hence, the Minister for Planning would be the consent authority.

4.6 ENVIRONMENTAL

Under current NSW environmental legislation, two statutory instruments are considered to be relevant for the proposed activities; the *Protection of the Environment Operations Act 1997* (POEO Act) and the *Protection of the Environment Operations Regulation 2009* (POEO Regulation 2009). The following sub-sections include the requirements under these two statutory instruments.

4.6.1 Protection of the Environment Operations Act 1997 & Protection of the Environment Operations (General) Regulation 2009

The Protection of the Environment Operations Act 1997 (POEO Act) establishes the NSW environmental regulatory framework and includes a licensing requirement for certain activities.

The Protection of the Environment Operations (General) Regulation 2009 (POEO Regulation 2009) includes provisions for licensing and notices fees, load based licensing requirements and fees, national pollutant inventory requirements, etc....

The POEO Act contains a list of activities that are classified as scheduled activities and those that require an environment protection licence. These activities are listed in Schedule 1 of the POEO Act.

Environment Protection Licences are a central means to control the localised, cumulative and acute impacts of pollution in NSW.

The proposed activities will be considered as premises-based activities and are classified as scheduled activities under the provisions of the POEO Act. Hence, the activities do require an Environment Protection Licence possibly for three (3) classifications of scheduled activities as outlined below.

In preparing this report and particularly this Section, many sections of NSW environmental legislation (i.e. POEO Act) were used to demonstrate that the proposed activities will be considered under the provisions of these statutory requirements.

Based on the amended schedule 1 of the POEO Act, three (3) scheduled categories may apply to the activities intended to be undertaken on the premises. These scheduled activities are outlined below.

34 Resource Recovery

(1) This clause applies to the following activities:

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

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

***"recovery of waste oil"**, meaning the receiving of waste oil from off site and its processing, otherwise than for the recovery of energy.*

***"recovery of waste tyres"**, meaning the receiving of waste tyres from off site and their processing, otherwise than for the recovery of energy.*

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

(a) contaminated soil,

(b) contaminated groundwater,

(c) sewage within a sewage treatment system (whether or not that system is licensed).

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

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

(b) either:

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

(ii) an exemption granted under Part 9 of the Protection of the

Environment Operations (Waste) Regulation 2014 exempts the person carrying out the activity from the requirements of section 48 (2) as they apply to waste disposal (application to land), waste disposal (thermal treatment), waste processing (non-thermal treatment) and waste storage.

41: Waste processing (non-thermal treatment)

(1) *This clause applies to the following activities:*

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

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

***"non-thermal treatment of liquid waste"**, meaning the receiving of liquid waste (other than waste oil) from off site and its processing otherwise than by thermal treatment.*

***"non-thermal treatment of waste oil"**, meaning the receiving of waste oil from off site and its processing otherwise than by thermal treatment.*

***"non-thermal treatment of waste tyres"**, meaning the receiving of waste tyres from off site and their processing otherwise than by thermal treatment.*

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

(a) stormwater,

(b) contaminated soil,

(c) contaminated groundwater,

(d) sewage within a sewage treatment system (whether or not that system is licensed).

(2A) *The activity of non-thermal treatment of liquid waste is declared to be a scheduled activity if it meets the criteria for that activity set out in Column 2 of the Table to this clause.*

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

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

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

(4) *For the purposes of this clause, 1 litre of waste is taken to weigh 1 kilogram.*

42: Waste storage

(1) *This clause applies to **"waste storage"**, meaning the receiving from off site and storing (including storage for transfer) of waste.*

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

(a) the storage of stormwater,

(b) the storage of up to 60 tonnes at any time of any of the following kinds of waste (but not when accompanied by any other kind of waste):

- (i) drilling mud,*
 - (ii) grease trap waste,*
 - (iii) waste lead acid batteries,*
 - (iv) waste oil,*
 - (c) the storage of sewage within a sewage treatment system,*
 - (d) the storage and transfer of liquid waste that is generated and treated on site prior to sewer discharge, or lawful discharge to waters.*
- (3) The activity to which this clause applies is declared to be a scheduled activity if:*
 - (a) more than 5 tonnes of hazardous waste, restricted solid waste, liquid waste or special waste (other than waste tyres) is stored on the premises at any time, or*
 - (b) more than 5 tonnes of waste tyres or 500 waste tyres is stored on the premises at any time (other than in or on a vehicle used to transport the tyres to or from the premises), or*
 - (c) more than the following amounts of waste (other than waste referred to in paragraph (a) or (b)) are stored on the premises at any time:*
 - (i) in the case of premises in the regulated area--more than 1,000 tonnes or 1,000 cubic metres,*
 - (ii) in the case of premises outside the regulated area--more than 2,500 tonnes or 2,500 cubic metres, or*
 - (d) more than the following amounts of waste (other than waste referred to in paragraph (a) or (b)) is received per year from off site:*
 - (i) in the case of premises in the regulated area--6,000 tonnes,*
 - (ii) in the case of premises outside the regulated area--12,000 tonnes.*
- (4) For the purposes of this clause, 1 litre of waste is taken to weigh 1 kilogram.*

5. KEY ISSUES

As part of this request, it is considered appropriate to include brief information associated with previous environmental and other related assessments as well as potential impacts and the required additional assessments that may be considered necessary. All assessments will pay additional attention to rural residential receivers and other potentially sensitive receptors as identified for each particular assessment.

5.1 AIR QUALITY

Due to the proposed processing capacity of 300,000 tonnes per year, it is expected that there will be air emissions (mainly dust emissions) from the proposed activities within the premises. The revised Air quality Impact Assessment previously undertaken by National Integrated Creative Solutions (NICS) will be referenced to assist in gauging the potential impacts on the potentially sensitive residential receptors that have already been identified. An Air Quality Impact Assessment will be undertaken to determine the extent of the impact of the activities and recommended actions to minimise the air emission impact on the surrounding environment.

5.2 NOISE IMPACT

Due to the proposed processing capacity of 300,000 tonnes per year, it is expected that there will be noise emissions associated with both the activities undertaken within the premises and the additional trucks entering and leaving the premises. A Noise Impact Assessment will be referenced to assist in gauging the potential impacts on the potentially sensitive residential receptors that have already been identified. A new Noise Impact Assessment will be undertaken to determine the extent of the impact of the activities and recommended actions to minimise the noise impact on the surrounding environment.

5.3 TRAFFIC AND ACCESS

A Traffic Impact Statement report by Thompson Stanbury Associates will be referenced to the proposed processing capacity of 300,000 tonnes per year as it is expected that there will be a significant increase in traffic movements to and from the premises. The Traffic Impact Assessment will be undertaken to determine the extent of the impact of the activities in traffic movements and recommended actions to minimise the impact on the local and regional roads.

5.4 STORMWATER AND GROUNDWATER

Due to the activities proposed for the premises in the processing capacity of 300,000 tonnes per year, it is expected that there will be a significant water demand for the processing of materials as well as the proposed facilities. A stormwater management assessment will be undertaken to ensure that firstly, no water is discharged from the premises to the outside

environment and secondly there will be sufficient water stored on the premises to feed and supply all the proposed facilities as well fully supply all relevant mitigation measures.

It should be noted that based on the latest values of rainfalls versus evapotranspiration for that specific area as obtained from the nearest Bureau of Meteorology Automated Weather Station, there has been water deficit in most recent years.

5.5 VISUAL AMENITY AND AESTHETICS

The proposed premises are well placed further away from Elizabeth Drive and well shielded from the public with the existing relatively dense bushland and existing topography. The proposed landscaping strip and earth mounds to be constructed around most of the perimeter of the premises as part of the main mitigation measures will provide great visual protection to all potentially affected receptors.

5.6 FLORA & FAUNA

A comprehensive Flora and Fauna survey and assessment was undertaken in late August 2017 by Lesryk Environmental Pty Ltd. The report was titled “*Flora and Fauna Survey and Assessment – 1725-1743 Elizabeth Drive, Badgerys Creek, NSW*” and was dated August 2017. The report included all findings and recommended actions to ensure that the proposed development will have no impact on any flora and fauna species that are covered by any State or Commonwealth legislation. Certain areas will be fenced off and signposted with “**No Go Zones**” to ensure that these areas are well protected and that the side activities and people undertaking those activities do not interfere with these areas/zones.

5.7 HERITAGE AND ARCHAEOLOGY

As part of this report, it is considered appropriate to review whether there are any Heritage-related (European or Aboriginal) issues associated with the premises. Based on **Schedule 5 – Part 1 Heritage Items** of Penrith Local Environmental Plan 2010 (PLEP) titled “**Environmental Heritage**”, it is clearly evident that there are no sites or objects of heritage values found or identified within or immediately adjacent to the premises.

Based on the same Schedule the closest such heritage-related sites, which are of local significance, are listed below in **Table 5-1**.

Table 5-1: Heritage listed items that are within 5 km radius of the Premises

Item No	Item Name	Address	Property Description	Significance
106	Brick farmhouse	282 Aldington Road, Kemps Creek	Lot 142, DP 1033686	Local
105	Gateposts to Colesbrook	269–285 Mamre Road, Kemps Creek	Lot 8, DP 253503	Local

832	The Fleurs Radio Telescope site	885(a) Mamre Road, Kemps Creek	Lot 21, DP 258414	Local
104	"Bayley Park", house	919–929 Mamre Road, Kemps Creek	Lot 35, DP 258414	Local
857	McGarvie-Smith Farm	1793-1951 Elizabeth Drive, Badgerys Creek	Lot 63, DP 1087838	Local

Schedule 5 – Part 3 Archaeological Sites does not include any archaeological sites within or near the proposed premises.

Based on the above table, the following findings are noted:

- *No sites or objects of heritage values were found or identified within or adjacent to the site,*
- *No sites or objects of archaeological values were found or identified within or adjacent to the site.*

The activities conducted on the premises will have no impact on the identified heritage-related sites since they are too far away.

In addition to the above, a comprehensive inspection by highly qualified and experienced environmental consultants was undertaken on 14 February 2016 and again in Early September 2017. Those consultants could not find or identify any places or objects that may have any Aboriginal or archaeological heritage values.

5.8 CONSULTATION

Consultation with government departments and the local community plays an important role in ensuring all potential environmental impacts are evaluated. The consultation process provides the opportunity to identify and prioritise issues. Key aspects identified through both the government and community consultation process are addressed in varying degrees throughout this report.

The three (3) items listed are considered to be extremely important in the consultation process for most proposals included this one:

- Liaison with relevant Local, State and Federal government authorities regarding the proposed development and requirements of the report;
- Consultation with relevant stakeholders including community and industry in the vicinity of the subject premises; and
- Compilation of issues of concern raised and outcomes of any meetings undertaken during the consultation process.

Penrith City Council undertook consultation and notification in accordance with its own planning legislation, guidelines and policies.

A State Significant Development will require comprehensive and formal consultation in accordance with the Department of Planning and Environment consultation related documents as updated from time to time.

6. CONCLUSIONS

Based on the information presented in this document, we believe that we have qualified the proposed development and addressed all aspects of concern.

Therefore, Balmain Lawyers request on behalf of Western Sydney Recycling Pty Ltd the Secretary's Environmental Assessment Requirements (SEARs) that are applicable to the proposed development as outlined in this document.

7. LIMITATIONS

Our services for this report are carried out in accordance with our current professional standards for the preparation of similar reports. No guarantees are either expressed or implied.

This report has been prepared solely for the use of Western Sydney Recycling Pty Limited (Western Sydney Recycling), as per our agreement for providing environmental services. Only Western Sydney Recycling is entitled to rely upon the information provided in this report within the scope of work described in this report. Otherwise, no responsibility is accepted for the use of any part of the report by another in any other context or for any other purpose.

Although all due care has been taken in the preparation of this report, no warranty is given, nor liability accepted (except what otherwise is required by law) in relation to any of the information contained within this document. We accept no responsibility for the accuracy of any data or information provided to us by Western Sydney Recycling for the purposes of preparing this report.

Any opinions and judgements expressed herein, which are based on our understanding and interpretation of current regulatory standards, should not be construed as legal advice.

8. REFERENCES

1. Protection of the Environment Operations Act 1997
2. Protection of the Environment Operations (General) Regulation 2009
3. Protection of the Environment Operations (Waste) Regulation 2014
4. Environmental Planning & Assessment Act 1979
5. Environmental Planning and Assessment Regulation 2000
6. Penrith Local Environmental Plan 2010
7. Penrith Development Control Plan 2010