

SSD-29999239 – ROOTY HILL MATERIALS RECYCLING FACILITY

APPENDIX C – STATUTORY COMPLIANCE TABLE

Statutory Reference	Relevant Considerations	Relevance	Refer EIS Section
Environmental Pla	nning and Assessment Act 1979		
Section 1.3	(a) to promote the social and economic welfare of the community and a better environment by the proper management, development and conservation of the State's natural and other resources,	The proposed development will promote the economic welfare of the community by providing employment opportunities on an industrial zoned site, whilst minimising any impacts on amenity.	Refer to Section 6.13 of the EIS.
	(b) to facilitate ecologically sustainable development by integrating relevant economic, environmental and social considerations in decision-making about environmental planning and assessment,	The proposal addresses the principles of ESD being; the precautionary principle, intergenerational equity, conservation of biological and ecological integrity and improved valuation, pricing and incentive mechanisms in accordance with the requirements of the Environmental Planning and Assessment Regulation 2000 and as outlined in the main body of the EIS.	Refer to Section 6.15 of the EIS.
	(c) to promote the orderly and economic use and development of land,	The proposed development provides for the highest and best use of the site through the development of industrial land in accordance with the strategic industrial allocation. The proposal will deliver a state-of-the-art materials recycling facility that will process waste streams in the Blacktown LGA and Western Sydney.	Refer to Section 4 and Section 6 of the EIS.
	(d) to promote the delivery and maintenance of affordable housing,	Not applicable.	N/A
	(e) to protect the environment, including the conservation of threatened and other species of native animals and plants, ecological communities and their habitats,	The site has been used for industrial purposes. The proposal will result in the removal of some existing remnant native vegetation. However, mitigation measures including the planting of Cumberland Plain Woodland trees and purchase of ecosystems credits will offset any potential impacts.	Refer to Section 6.14 of the EIS.
	(f) to promote the sustainable management of built and cultural heritage (including Aboriginal cultural heritage),	The site does not contain any built and cultural heritage significance. An Aboriginal Cultural Heritage Assessment Report (ACHAR) has been prepared and submitted with the EIS.	Refer to Section 6.11 of the EIS.
	(g) to promote good design and amenity of the built environment,	The proposal is consistent with the surrounding industrial built form in scale and bulk. The proposal will retain, refurbish and will reuse an existing office building on site and the proposed structures will utilise a colour palette that will provide visual interest and break up the bulk of the structures.	Refer to Section 6.12 of the EIS.
	(h) to promote the proper construction and maintenance of buildings, including the protection of the health and safety of their occupants,	The proposal will comply with all relevant Australian Standards.	Refer to Section 3 of the EIS.
Section 4.15	Relevant environmental planning instruments include:	State and Local Environmental Planning Instruments have been assessed.	



Statutory Reference	Relevant Considerations	Relevance	Refer EIS Section
	State Environmental Planning Policy (State and Regional Development) 2011	See detail below under State Environmental Planning Policies (SEPPs).	Refer to Section 4
	State Environmental Planning Policy No. 55 – Remediation of Land	See detail below under Blacktown LEP 2015.	of the EIS.
	State Environmental Planning Policy No.33 – Hazardous and Offensive Development		
	State Environmental Planning Policy (Infrastructure) 2007		
	Blacktown Local Environmental Plan 2015		
	There are no relevant draft environmental planning instruments.	See detail below under State Environmental Planning Policies (SEPPs).	
	Blacktown Development Control Plan 2015	The proposed development has been assessed against the Blacktown Development Control Plan 2015. Although we note the provision of Clause 11 of the SEPP (State and Regional Development) 2011 which excludes the application of DCPs to SSD. See detail below under Blacktown Development Control Plan 2015.	
	Section 6 and Section 7 of Part 3 in Schedule 2 of the <i>Environmental Planning and Assessment Regulation 2000.</i>	This EIS has been prepared in accordance with Sections 6 and 7, Part 3 in Schedule 2 of the <i>Environmental Planning and Assessment Regulation 2000.</i>	
	The likely impacts of the development, including environmental impacts on both the natural and built environments, and social and economic impacts in the locality.	 This EIS has been prepared in accordance with Sections 6 and 7, Part 3 in Schedule 2 of the <i>Environmental Planning and Assessment Regulation 2000</i>. Built Environment: The proposal has been designed having regard for the site's constraints and to minimise the environmental impact of the proposal. The built form is consistent with the existing industrial development within the precinct. Adequate space is allocated in the design for building clearance, landscaping and infrastructure provision. The site has been designed with sufficient access points to enable the safe manoeuvring of heavy vehicles separated from light vehicles for staff and visitor parking. The proposal will have low visual impact on its surroundings. Social: The proposal is expected to result in positive social impacts in the locality and the wider Western Sydney area through the provision of additional industrial/warehousing infrastructure. Economic: Positive economic impacts and contributions to the economic health of Western Sydney and NSW is expected through the provision of jobs and industrial employment in an area of high growth and demand for this infrastructure. In addition to supporting additional employment and economic growth, the proposed development will provide a range of other economic benefits for Sydney and New South Wales more broadly, including: 	
		 Reducing the state's dependency on international markets for the export of waste commodities. By contributing critical recycling 	



Statutory Reference	Relevant Considerations	Relevance	Refer EIS Section
		 infrastructure to the local economy, the facility will help to meet future growth in domestic demand as a result of domestic and international trade policies. Contributing to achieving Australia's recycling target of 80% across all waste streams. By adding 120,000 tonnes of additional annual processing capacity, valuable materials will be diverted from landfill, relieving pressure on Greater Sydney's landfills. 	
	The suitability of the site	 The site is considered suitable for the proposed development for the reasons outlined in this EIS and summarised below: The proposed use is permissible with consent in the IN1 General Industrial zone. The proposal complies with the relevant planning controls applicable to the site. The site is within an existing industrial area away from sensitive land. The proposed built form design, bulk and scale is consistent and compatible with the surrounding industrial land uses. The proposal is consistent and compatible with the strategic land use and transport policies and will deliver a substantial investment in Western Sydney with significant construction and ongoing employment opportunities close to the growing residential population 	
		 The site has excellent vehicle access, including to the M7 Motorway. The site meets the specific criteria identified by the Applicant to meet the requirements for the proposed MRF and has good road access. 	
	Any submissions made.	Submissions will be considered following exhibition of the application.	
	The public interest.	The development is compliant with the relevant planning instruments and controls applying to this site.	
		The proposal will not create any adverse significant social, economic or amenity impacts which cannot be mitigated via the proposed mitigation measures in this application. The proposal will create significant public benefit through creation of new jobs, and provide a new recycling facility that will service the local area and Western Sydney.	
Environmental P	lanning and Assessment Regulation 2000		
Schedule 2	Schedule 2 of the EP&A Reg provides that environmental assessment requirements will be issued by the Secretary with respect to the proposed EIS.	This EIS has been prepared to address the requirements of Schedule 2 of the EP&A Reg and the SEARs.	N/A



Statutory Reference	Relevant Considerations	Relevance	Refer EIS Section		
State Environmenta	State Environmental Planning Policy (State and Regional Development) 2011				
Schedule 1, Clause 23(3)	Schedule 1 lists the types of development activities, including minimum thresholds, for projects to be declared SSD.	The proposal is classified as SSD under Schedule 1, clause 23(3) of the State Environmental Planning Policy (State and Regional Development) 2011 due to	Refer to Section 4 of the EIS and Appendix W for QS Report.		
	Schedule 1, Clause 23 identifies:	the proposed sorting capacity of the MRF exceeding 100,000 TPA.			
	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 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.				
State Environmenta	l Planning Policy No.55				
Clause 7	Land must not be rezoned or developed unless contamination has been considered and, where relevant, land has been appropriately remediated.	A Phase 1 and Phase 2 site investigation has been completed and identified that any contaminants on site are below adopted assessment criteria and can be satisfactorily mitigated, minimised or managed through the measures identified within the Site contamination assessment.	Refer to Section 6.7 of the EIS.		
		The site is suitable for the proposed industrial use			



Statutory Reference	Relevant Considerations	Relevance	Refer EIS Section
State Environme	ental Planning Policy No. 33 – Hazardous and Offensive Development		
Clause 8	Departmental guidelines: Applying SEPP 33 (identify relevant requirements) HIPAP No.3 – Risk Assessment (identify relevant requirements) HIPAP No.12 – Hazards – related Conditions of Consent	The EIS has identified the proposal will include storage of dangerous goods below the threshold of SEPP 33. No further assessment is required.	Refer to Section 6.10 of the EIS.
Clause 104	The proposal is identified as 'traffic generating development' in accordance with clause 104 of the Infrastructure SEPP as the development is categorised as a waste or resource management facility.	The Traffic Impact Assessment has identified that the proposed development will result in a net reduction of vehicle trips generated in comparison to the previous use. SIDRA modelling has indicated that the road network will operate at a LoS A in the current and 2029 scenarios. Based on the assessment, the proposed development will have minimal impact on the road network and no external infrastructure improvements (intersection upgrades, etc) are required to accommodate the proposed development.	Refer to Section 6.3 of the EIS.
Sydney Regiona	al Environmental Plan 20 – Hawksbury – Nepean River		
Clause 6	Specific planning policies and recommended strategies for this plan are as follows: 1. Total catchment management 2. Environmentally sensitive areas (not applicable to proposal) 3. Water quality 4. Water quantity 5. Cultural heritage 6. Flora and fauna 7. Riverine scenic quality (not applicable to proposal) 8. Agriculture/aquaculture and fishing (not applicable to proposal) 9. Rural residential development (not applicable to proposal) 10. Urban development (not applicable to proposal) 11. Recreation and tourism (not applicable to proposal) 12. Metropolitan strategy	 Total catchment management has been integrated into the stormwater management plan prepared by Northrop, including requirements for an Onsite Stormwater Detention (OSD). The design solutions will prevent the proposed development causing adverse impact on the water catchment. Refer to Section 3.2.6.4 of the EIS. N/A The applicant has also negotiated with Council a voluntary planning agreement to offset water quality requirements off-site. The stormwater quality system also includes a gross pollutant trap (GPT) and other design solutions. Refer to Section 3.2.6.4 of the EIS. Total catchment management has been integrated into the stormwater management plan prepared by Northrop, including requirements for an Onsite Stormwater Detention (OSD). The design solutions will prevent the proposed development causing adverse impact on the water catchment. Refer to Section 3.2.6.4 of the EIS. An Aboriginal Cultural Heritage Assessment Report (ACHAR) has been prepared to assess the potential impacts of the project on cultural heritage. Findings indicate there is nil-low potential impact on aboriginal heritage significance. Refer to Section 6.11 of the EIS. A Biodiversity Development Assessment Report (BDAR) has been prepared to assess the potential impacts of the project on flora and fauna. The 	Refer to reference sections of the EIS



Statutory Reference	Relevant Considerations	Relevance	Refer EIS Section
		assessment identifies the required removal of native vegetation on the site to facilitate the proposed development. Mitigation measures have been proposed to offset impacts, including purchase of credits and planting of new species associated with Cumberland Plain Woodland. Refer to Section 6.14 of the EIS.	
		7. N/A	
		8. N/A	
		9. N/A	
		10. N/A	
		11. N/A	
		12. The site is located on the border of the Western Parkland City and the Central River City. The Region Plan supports the retention of industrial land and recycling waste, which aligns with the development aspirations for the site.	
		13. The District Plan identifies the site as being within an industrial land precinct. The site is adjacent to the M7 Motorway and close to the Greater Penrith to Eastern Creek Growth Area. It is well-placed to generate jobs and services, including advanced manufacturing as indicated in Planning Priority C11. The proposed Cleanaway facility would contribute to the management of waste as provided in Planning Priority C19. The site is located within an industrial precinct in a strategic location with good access to regional roads and so it is logical to consider the current land use is unlikely to change in the near term. Refer to Section 2.1 of the EIS.	
		Overall, the proposed development is consistent with the specific planning policies and recommend strategies for consideration that are relevant to the site and are acceptable for approval.	
Blacktown Loca	I Environmental Plan 2015		
Clause 2.3	The site is zoned IN1 General Industrial. The objectives of the zone including:	The proposed development will provide a land use on site which is consistent with the land use objectives as summarised below:	Refer to Section 4 of the EIS.
	To provide a wide range of industrial and warehouse land uses.	 The proposed development is for an industrial use, permissible with consent 	
	To encourage employment opportunities.	in the IN1 - General Industrial zone.	
	To minimise any adverse effect of industry on other land uses.	The proposal will generate over 430 jobs (direct and indirect) during the	
	To support and protect industrial land for industrial uses.	construction and operation of the development.	
	To enable other land uses that provide facilities or services to meet the day to day needs of workers in the area.	The proposal has been designed to minimise adverse impacts on surrounding land uses, including mitigation of noise, air quality and traffic.	



Statutory Reference	Relevant Considerations	Relevance	Refer EIS Section
	To minimise adverse impacts on the natural environment As such, the proposed development is permissible with consent.	 The proposed development will provide recycling services to the Blacktown LGA. The proposal will include mitigation measures to offset impacts on the loss of remnant native vegetation on site. The proposal also incorporates ESD initiatives to maximise its efficiency and reduce impacts on the climate. 	
Clause 7.2	The objective of the clause includes the conservation and recovery of native fauna and flora and their habitats.	The site is not mapped as containing Biodiversity on the Terrestrial Biodiversity Map Sheet BIO_008. However, the proposed development includes the removal of existing vegetation, including CEEC. The SSDA includes a BDAR and strategy for planting and offsetting removed vegetation.	Refer to Section 4 of the EIS.
Clause 7.8	This clause applies to any land within Zone IN1 General Industrial that is within 250 metres of land in a residential zone.	The nearest residential zoned land is greater than 250 metres from the site. However, detailed consideration has been given to the amenity impacts of the proposal in the assessment of key issues.	Refer to Section 4 of the EIS.
Clause 7.9	The objective of this clause includes ensuring that new development does not compromise the effective and ongoing operation and function of roads zoned SP2.	The proposed development will retain its existing access onto Woodstock Avenue to provide access to a car park for staff and visitors. A traffic impact assessment has been considered in the EIS.	Refer to Section 4 of the EIS.
Blacktown Develop	oment Control Plan 2015		
Part A Introduction and General Guidelines Section 6 Car Parking	Section 6.3 Specific Land Use Requirements Light industry, general industry, heavy industry and warehouse or distribution centre 1 space per 75sq.m GFA Plus 1 space per 40sq.m GFA for the office component	The proposed development will provide 40 at-grade car spaces onsite, which complies with the required number of parking spaces for the proposed use.	Refer to Section 4 of the EIS.
Part E Development in Industrial Zones Section 4.1 Setbacks	The objectives of this section are as follows: (a) To define the building area within each allotment by specifying minimum setbacks (b) To provide for landscaping and other beautification works on the site's street frontages by using setbacks exclusively for landscaping works (c) To ensure that buildings present an acceptable scale and bulk when viewed from the street by varying minimum setbacks as circumstances may dictate.	The proposed development includes a primary frontage to Woodstock Avenue, and secondary frontage to Kellogg Road on the western boundary. The frontage to Woodstock Avenue has a minimum setback of 8 metres. This setback is below the minimum requirement in the DCP, however is justified as the setback is measured to the existing office that is being retained on site. The secondary frontage along Kellogg Road has a 3 metre landscape and building setback, which is justified by complying with the minimum secondary setback in the DCP and is dictated by the specific nature of the facility, which has been designed to the minimum dimensions possible for a MRF. The setback is crucial to allow for hardstands on the east and west boundaries to allow for heavy vehicles to circle the perimeter of the site in a forward movement only. Landscaping is proposed within the frontage to Kellogg Road to provide tree screening that will complement existing street trees and soften the streetscape interface.	Refer to Section 3 of the EIS.



Statutory Reference	Relevant Considerations	Relevance	Refer EIS Section
		The proposed development is 2 storeys in height and consistent in bulk and scale with surrounding industrial structures.	
Section 4.2 Landscaping	Objectives in respect to landscaping in the industrial and B5 zones are as follows: (a) To encourage a high standard of environmental quality of individual developments, whilst enhancing the general steetscape and amenity of the area by providing high standard landscaping (b) To minimise loss of vegetation during the land development process by incorporating as many existing trees as possible within landscaped setbacks (c) To ensure that vegetation removed as part of the land development process is replaced by suitable indigenous species.	The proposed development will require the removal of a majority of existing trees on site. This includes the clearing of native vegetation, as assessed in the EIS . Street trees on the southern frontage will be retained. A landscaping strategy has been developed that will result in a net increase in tree planting across the site within landscape setback zones, designed to provide tree cover and screening. This will be achieved through feature planting fronting in the existing setback between the commercial office building and Woodstock Avenue; and a 3 metre landscape zone along the secondary setbacks along Kellogg Road (western frontage and southern frontage).	Refer to Section 3.2.4 of the EIS and Appendix K for Landscaping Strategy
Section 4.5 Building Design and Construction	To complement landscaping and ensure a high standard of visual and environmental quality, Council encourages high aesthetic standards for building designs.	The existing two storey brick commercial office fronting Woodstock Avenue will be retained and refurbished. The existing brick façade will be rendered and painted natural white and new perforated mesh screening will be mounted on the façade to provide passive shading and visual articulation. Existing façade elements and the roof parapet will be painted blue to match the Cleanaway corporate colour palette. The existing concrete bricks at the lower part of the building will be painted black. The commercial office building will contain an open plan office with amenities on Level 1, and open plan office, meeting rooms, amenities and lunch room facilities on Ground floor. The office space is designed to accommodate up to 11 office staff. The warehouse component complements the existing two storey brick	Refer to Section 3.2.3 of the EIS and Appendix B for Architectural Plans.
		commercial office, with a full height precast and external steel portal frame with the warehouse stepping at mid site to allow for heavy vehicular movement within the site. Locating the steel frame on the external side of the warehouse walls allows the maximisation of the internal spaces and improved internal working environment. The façade of the warehouse utilises the same colour palette of light and dark greys and blue accents as the commercial office building to provide a consistent aesthetic across the site. The façade will also interchange the colour scheme across the façade to break up the scale of the built form to minimise visual	
0 " 17		impact.	
Section 4.7 Vehicular Access and Circulation	The objectives for this Section are as follows: (a) To ensure that vehicular circulation is safe and efficient and minimises potential vehicular and pedestrian conflict by encouraging the grouping of like activities	 The development proposes three driveway crossings, including: An existing driveway crossing to Woodstock Avenue to be used by staff and visitors in private vehicles to enter and exit the car parking area only. A new driveway crossing to Kellogg Road (western frontage) for truck entries only. 	Refer to Section 3.2.7 of the EIS and Appendix B for Architectural Plans.



Statutory Reference	Relevant Considerations	Relevance	Refer EIS Section
	(b) To ensure that adequate areas are set aside to allow for the safe and efficient manoeuvring of vehicles on site by compliance with Austroads Guide to Traffic Management and Austroads Guide to Road Design(c) To ensure traffic circulation arrangements are compatible with the local road system by implementing appropriate controls on ingress/egress to sites.	 An existing driveway crossing to Kellogg Road (southern frontage) for truck exits only. This arrangement will facilitate the separation of light vehicles and trucks on-site, and trucks to manoeuvre around the site in a single direction. 	
Section 4.8 Car Parking	The objectives for this Section are as follows: (a) To ensure that adequate provision is made for on-site car parking for employees' and visitors' vehicles (b) To ensure that car parking areas are attractive through the provision of landscaping (c) To ensure that traffic circulation arrangements within the site are compatible with the local road system by implementing appropriate controls on ingress/egress to sites (d) To ensure that opportunities for cycling to work are realised by encouraging the provision of bicycle parking areas and associated facilities within the workplace.	The proposed development will provide 40 at-grade parking spaces for staff and visitors in the north eastern corner of the site, off Woodstock Avenue. 28 parking spaces will be in a tandem parking arrangement. Use of these spaces will be managed by Cleanaway through an allocation system based on employee shifts. One car space will be reserved as an accessible parking space.	Refer to Section 3.2.7 of the EIS and Appendix B for Architectural Plans.
Section 7.1 Services	Development consent will not be granted unless Council is satisfied that all utility services that are required for the proposed development are made available in accordance with Clause 7.5 of Blacktown LEP 2015.	The EIS identifies that the site has existing access to all required utility services.	Refer to Section 6.8 of the EIS
Section 7.2 Pollution Control	This section requires a proposed development to consider air, water noise and waste pollution.	The EIS has considered technical assessment undertaken for air quality, stormwater quality, noise and vibration, and waste management. The EIS concludes that all environmental impacts can be managed and the development is acceptable for approval.	Refer to Section 6 of the EIS
Part I Contaminated Lands Guidelines	This Part requires assessment in accordance with SEPP 55.	The EIS considers the site contamination assessment conducted for the site. The site is considered suitable for the proposed development.	Refer to Section 6.7 of the EIS and Appendix P .
Part J Water Sensitive Urban Design and Integrated Water Cycle Management	This Part provides direction on water sensitive urban design.	Part J has informed the design of the Stormwater Management Plan for the project, prepared by Northrop. The design has also nominated a Voluntary Planning Agreement to offset water quality requirements offsite.	Refer to Section 3.2.6.4 of the EIS and Appendix O .