

26 November 2021

NSW Department of Planning, Industry & Environment Locked Bag 5022 Parramatta NSW 2124

Dear Sir/Madam

Request for Secretary's Environmental Assessment Requirementsv | 58 Riverside Rd, Chipping Norton

1. Introduction

Gyde Consulting (Gyde) acts on behalf of Norton Recycling (proponent). The proponent seeks to use the site at 58 Riverside Road, Chipping Norton (subject site) for the sorting, including crushing, of uncontaminated and nonputrescible building materials, soil, bitumen, and the like, for off site reuse. It is proposed to process approximately 890,000 tonnes of material annually, as part of 24 hour, 7 day a week operations.

Given the above, we are of the view that the proposal is a 'resource recovery facility', as well as State Significant Development (SSD) pursuant to Clause 8 and Clause 23(3) in Schedule 1 of State Environmental Planning Policy (State & Regional Development) 2011 (SRD SEPP). As such, the purpose of this correspondence is to gain the Secretary's Environmental Assessment Requirements (SEARs) for any upcoming SSD Development Application (SSDDA). It is also expected that the proposal will represent Designated Development and will require consideration by the NSW Environmental Protection Authority (EPA).

This correspondence also provides a brief summary of the proposal as well as the environmental investigations undertaken to date. Various specialist consultants will be engaged for the purposes of any future SSDDA. For the purposes of this initial phase, Northstar Consultants as well as McLaren Traffic Engineering have been engaged to provide advice in relation to air quality and traffic impacts, respectively.

An assessment of the proposal against the primary local statutory planning provisions, which in this case are prescribed by the Liverpool Local Environmental Plan 2008 (LLEP 2008), is also provided in this correspondence.

2. Site & Locality Description

The subject site is commonly referred to as 58 Riverside Road, Chipping Norton. It is formally recognised as Lot 317 in DP 776166. The lot is rectangular in shape with a depth of 80m and a width of 25m. Its total area is 2,000m². The site is currently used as a vehicle wrecking yard and contains a part masonry and part aluminium warehouse which is equivalent to 2 storeys in height. Pedestrian and vehicular access is available directly to/from Riverside Road. Aerial images of the subject site and its context are provided on the following page.

The subject site is located within an established industrial locality. That said, public open space is located on the eastern side of Riverside Road. The locality's industrial context includes a wide variety of industrial uses including light industry as well as a heavy industry. Specifically, the include vehicle repair stations, metal fabrication, storage, storage and distribution warehouses, as well as a number of resource recovery facilities. In fact, a metal scrap yard is located immediately to the south of the subject site, whilst a soil and building material crushing and sorting facility is located 80m north from the subject site (along Riverside Road). This site is operated by Benedict Recycling and whilst it is the same land use as that proposed in this correspondence, it is of a much larger scale.

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Figure 1: Aerial view of subject site (Source: SixMaps)

Figure 2: Context aerial view (Source: Google Maps)

3. Proposal Description

Land Use

The proposal is for a 'resource recovery facility' as defined in the Liverpool Local Environmental Plan 2008 (LLEP 2008) and the SRD SEPP.

Operation

The proposal's primary function is as follows:

- Unprocessed materials will be delivered to the site. The largest vehicle would be a long heavy rigid vehicle. Vehicles would pass through an onsite weighbridge.
- Unprocessed materials will be unloaded and stored into various covered holding bays.

- Unprocessed material will be transferred into the crushing machine which would be located within the existing enclosed warehouse. Other than some storage capacity for processed material, the warehouse will not accommodate any other notable items, machinery or the like.
- Processed material will be stored within covered holding bays.
- Processed materials will be loaded into delivery vehicles, which will be up to heavy vehicles. The processed materials will be delivered to offsite locations.
- All vehicles entering and exiting the site will pass through a weighbridge.
- All vehicles exiting the site will pass through a 'wheel wash' to minimise dust tracking along streets.
- The proposed hours of operation are 24 hours per day, 7 days a week.
- Material for processing will primarily be demolition waste from construction sites, as well as from road works where existing road surfaces and bases are replaced.
- A maximum of 3 'truck and dogs' are anticipated on the site currently, only 1 of which will be loading and/or unloading. Whilst 1 truck is loading/unloading, the other vehicles can que along the southern (side) boundary.

Figure 3: Preliminary queuing and loading/unloading analysis (Source: MTE)

Annual Tonnage

The proposal seeks to process up to 890,000 tonnes of uncontaminated and non-putrescible building material, soil, bitumen, and the like, for offsite reuse.

As will be outlined below, the proposal's processing capacity is based largely on the number of service vehicles which the site and surrounding road network can safely accommodate. In this regard, McLaren Traffic Engineering (MTE) were engaged to advise on this matter. In summary, MTE advised that 3 'truck and dogs' per hour could be accommodated onsite and within the surrounding road network safely. Each vehicle could accommodate a maximum of 35 tonnes of material. Therefore:

- 3 'truck and dogs' per hour x 24 hours = 72 trucks a day which equates to 2,520 tonnes per day.
- 72 'truck and dogs' per day x 7 days = 504 trucks per week which equates to 17.640 tonnes per week.
- 2,520 tonnes per day x 352 days a year = 887,040 tonnes per year.

Construction and/or Building Envelopes

The extent of construction for the proposal is relatively limited. The existing warehouse at the subject site will be retained and will house the crushing machine as well as both processed and unprocessed material. A small office and bathroom facilities is proposed adjacent the existing warehouse's eastern elevation.

New holding bays are proposed along the rear (western) boundary, as well as along the mid point of the northern (side) boundary. The holding bays will be roofed and include some side panelling to protect the processed and unprocessed materials from the weather. Their maximum height is 10m. Maximum storage capacity within the holding bays is 3,160 tonnes.

Two (2) weighbridges are also proposed at about the midpoint of the southern (side) boundary. A wash bay is also provided for exiting vehicles. Existing landscaping along the site's eastern (front) boundary will be updated.

Type & Frequency of Delivery Vehicles

McLaren Traffic Engineers were engaged to analyse the existing street network as well as the site's configuration to determine the maximum number, and type of delivery vehicles which could service the site. Their advice provides that up to four (4) 12.5m long heavy rigid vehicles can service the site per hour. Although, for the purpose of this application, only 3 'truck and dogs' are proposed to service the site per hour.

The site is configured such that vehicles can enter and exit in a forward direction. Turning circles have been tested by McLaren Traffic Engineering to ensure this can occur in accordance with relevant standards (see Figure 3 above).

Transport Routes

In most cases, the proposal will rely on the following routes for servicing:

- M5/M8
- The River Road and then Milperra Rd, or Henry Lawson Drive and then Newbridge Road,
- Governor Macquarie Drive.
- Alfred Road or Childs Road.

These routes are demonstrated in the aerial image on the following page.

Except for Childs Road and Alfreds Road, all of the nominated roads are major transport routes and capable of accommodating the proposal based on initial traffic analysis by MTE. As DPIE would know, the M5/M8 provides practical access to much of the Sydney metropolitan area and is, therefore, suitable for the proposal based on current initial analysis.

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Figure 4: Regular transport routes (Source: Google Earth/Gyde)

Hours of Operation

It is proposed to operate the proposal for 24 hours, 7 days a week.

No. of Employees Onsite

The maximum number of employees proposed onsite is 4.

Onsite Parking

A total of 4 car spaces are proposed, including 1 'stacked' space.

4. Environmental Assessment

The following is an assessment of the proposal against the primary statutory and non-statutory environmental controls. A comprehensive assessment will provided as part of any Environmental Impact Statement (EIS).

State Environmental Planning Policy (State & Regional Development) 2011 (SRD SEPP)

The proponent seeks to use the subject site for the sorting, including crushing, of uncontaminated and nonputrescible building materials, soil, bitumen, and the like, for off site reuse. It is proposed to process approximately 890,000 tonnes of material annually.

Given the above, we are of the view that the proposal is a 'resource recovery facility', as well as State Significant Development (SSD) pursuant to Clause 8 and Clause 23(3) in Schedule 1 of State Environmental Planning Policy (State & Regional Development) 2011 (SRD SEPP).

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

Of most relevance to the proposal is clause 121 of Division 23 – Waste or Resource Management Facilities. In summary, this clause provides that a 'waste or resource management facility', which includes a 'resource recovery facility', is permitted in 'prescribed zones', with consent. 'Prescribed zones' include zone IN3 – Heavy Industrial, which is the land use zone applicable to the subject site according to the Liverpool Local Environmental Plan 2008 (LLEP 2008). In this case, the proposal is permissible at the subject site according to the Infrastructure SEPP, with consent.

It is also noted that the proposal represents 'traffic generating development' as prescribed by Clause 104 of the

Infrastructure SEPP. Specifically, Schedule 3 to Clause 104 prescribes that a 'waste or resource management facility' of any capacity, is traffic generating development.

State Environmental Planning Policy No 33—Hazardous and Offensive Development (SEPP 33)

Of most relevance to the proposal is Part 3 of SEPP 33 which prescribes the undertaking of a 'preliminary hazardous analysis' (PHA) for potentially hazardous developments.

The proposal would satisfy the generally accepted interpretation of 'potentially hazardous development', given the potential for dust and noise generation.

Any EIS for the proposal will be informed by a PHA. Environmental consultants Northstar have been engaged to provide preliminary input for the proposal, and they will be engaged to prepare any PHA. Their initial analysis indicates that the provision of a roof over the holding bays, together with misters and the like, will ensure that the proposal does not represent an unacceptable hazard. The location of the crusher within the existing warehouse also ensures that impacts remain acceptable.

State Environmental Planning Policy No 55 - Remediation of Land

The site is currently used as a vehicle wrecking yard and has so for an extended period. Given this use, contamination may have occurred. We are of the view, however, that extensive remediation is not necessary given the proposal is not a sensitive land use and not directly adjacent to any sensitive land uses. This will be confirmed as part of any EIS, however.

Liverpool Local Environmental Plan 2008 (LLEP 2008)

As indicated earlier, the subject site is within land use zone IN3 – Heavy Industrial according to the LLEP 2008. The LLEP 2008 also provides a definition for 'resource recovery facilities'. Such land uses are permissible in the IN3 zone, with consent. Therefore, the proposal is a permissible land use on the subject site according to both the Infrastructure SEPP as well as the LLEP 2008.

The objectives of the IN3 – Heavy Industrial zone are as follows:

- To provide suitable areas for those industries that need to be separated from other land uses.
- To encourage employment opportunities.
- To minimise any adverse effect of heavy industry on other land uses.
- To support and protect industrial land for industrial uses.
- To preserve opportunities for a wide range of industries and similar land uses by prohibiting land uses that detract from or undermine such opportunities.

Any EIS will demonstrate in detail how the proposal satisfies the objectives of the zone. In summary, however, the objectives would be satisfied given:

- The scale of the development is catered to the size of the site and, in particular, the surrounding road network.
- The proposal will employ use specific measures to avoid unreasonable environmental impacts, such as enclosing loose materials, located the crusher internally, not exceeding the road network capacity, misters, and the like.
- The proposal will provide, or at the least, maintain employment opportunities within a land use which adopts 'circular economy' principles.
- The proposal would not inhibit the operation of other industrial type land uses in the subject locality.

Liverpool Development Control Plan 2008 | Part 7 – Development in Industrial Areas (LDCP 2008)

For the purposes of this stage of the proposal, only the main controls of the LDCP 2008 have been considered. Any EIS will provide a comprehensive assessment.

Control	Proposed	Compliance (Y/N)
4 – Setbacks Minimum 10m	10m	Yes
5 – Landscape Area Sites <3,999m2 – 5m	5m	Yes
8 – Car Parking & Access (Also Part 1 of DCP) Parking requirements for a material recycling or recovery centre are to be determined by a traffic report.	4 spaces proposed.	Initial assessment by McLaren Traffic Engineers suggests this is sufficient.

Our assessment to date indicates that the proposal will be able to substantially comply with the controls and objectives of the LDCP 2008.

5. Environmental Impact Assessment

Below are listed the proposal's main likely amenity impacts. Preliminary consideration of such impacts has been undertaken with, in most cases, specialist consultants. For the purposes of any EIS, amenity impacts will be addressed in detail.

<u>Noise</u>

The crushing and sorting of unprocessed material is likely to generate noise. This will be assessed in detail as part of any EIS preparation. However, the crushing/sorting machine will be located entirely within the existing warehouse onsite. This should ensure any noise impacts are adequately mitigated.

Dust, Erosion & Sedimentation

The crushing, sorting and storing of both processed and unprocessed material is likely to result in dust related impacts. As indicated in relation to noise impacts, the crushing/sorting machine will be located within the existing warehouse which will mitigate such impacts adequately.

Any materials stored outside of the existing warehouse will be within structures which have a roof as well as some portion of side walls. The following architectural section is indicative of such measures.

Figure 5: External storage areas with roof and side walls

Other measures such as misting devices, drainage, bunding and operational management plans will also be proposed to adequately mitigate potential dust, erosion and sedimentation impacts. Northstar Consulting have already been engaged to consider this aspect in detail, and provided the attached preliminary advice.

Traffic

The proposal is likely to result in traffic impacts, particularly given it relies on up to long heavy rigid vehicles. McLaren Traffic Engineers were engaged during the initial concept development phase of the proposal to address this potential impact. The proposal, including its site layout and annual capacity, was determined largely following their advice in relation to how many long rigid vehicles could service the site given the locality's existing road network, and the site's boundaries.

McLaren Traffic Engineering will assess the proposal in detail for the purposes of any EIS. To date, however, they advise that up to four (4) 12.5m long heavy rigid vehicles can service the site per hour. The site's configuration, in relation to onsite truck manoeuvrability in particular, has been devised in accordance with advice from McLaren Traffic Engineering.

Nearest Sensitive Residential Receivers

The nearest dwellings are approximately 510m to the west of the subject site. There are many industrial uses and building volumes between the subject site and the abovementioned dwellings. Given this distance and the quantity of development between the 2 land uses, our initial analysis suggests the proposal will not result in unreasonable impacts. This will assessed in detail as part of any EIS.

Public open space, including sporting fields are located some 400m to the south along Riverside. This is likely to be the most sensitive receiver given the vehicles attending the site. Potential impacts will be analysed in detail as part of any EIS. At this stage, impacts are likely to be adequately minimised by requiring vehicles to use Childs Road to access and egress the site, rather than Alfreds Road.

Figure 6: Nearest sensitive receivers (Source: Google/Gyde)

6. Consultation

Given the location of the proposal within an established industrial estate, anticipated consultation is intended to be limited to direct liaison with the following stakeholders:

- Liverpool City Council.
- EPA.
- Transport for NSW (TfNSW).

7. Conclusion

This correspondence is submitted for the purposes of receiving the SEARs.

The proposal is for the purposes of a 'resource recovery facility' which is permissible at the subject site pursuant to both the Infrastructure SEPP and the LLEP 2008. The subject site is located within an established industrial area, which provides the opportunity to adequately manage potential environmental impacts. It is noted that there are other similar land uses in the subject locality.

The proposal is consistent with the established, but nevertheless expanding recycling and 'circular economy' industries. As such, we look forward to discussing the proposal with DPIE further. Please contact Carlo Di Giulio on 0421 285 782 should you have any questions in the meantime.

Yours sincerely

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Carlo Di Giulio Associate Director