

Date 4/04/2019
To Katelyn Symington (Department of Planning and Environment),
Kelly McNicol (Department of Planning and Environment)
From Sean Fishwick (Arcadis)
Copy to Jordan Rodgers (Sell and Parker), Westley Owers (Arcadis)
Subject SSD 5041, Modification 3 - Response to Submissions

1. Introduction

Sell and Parker (the Applicant) currently own and operate a metal recycling facility at 23-43 and 45 Tattersall Road, Kings Park (The Site). The Site currently operates under approval SSD 5041 (the Original Approval) and two associated modifications (the Project). Due to recent changes in market and policy conditions including the introduction of China's National Sword Policy have resulted in the need to Modify the Original Approval (the Modification Proposal). To respond to these changes, the Applicant proposes to modify the following elements:

- Installation of a metal awning and processing equipment
- Changes to fencing and signage
- Installation of offices and amenities within Building A and Building B
- Installation of amenities with the yard area
- Relocation of the pre-shredder
- Minor realignment of the conveyor
- Extension of operational hours
- Administrative changes

Approval for the Modification Proposal (within the Modification Application) is sought in accordance with Section 4.55 (1A) of the EP&A Act, submitted to the Department of Planning and Environment (DP&E) on 21st February 2019. Notification of the Modification Application has recently completed.

During the notification of the Modification Application responses were received (via DP&E) from the following agencies:

- Environment Protection Authority (EPA)
- Blacktown City Council
- NSW Fire and Rescue.

Responses to each of the comments raised within the submissions have been provided below and in the attached documentation.

2. Agency responses

Environment Protection Authority

A response to the Modification Proposal was provided by the EPA on 5th March 2019. The EPA noted that they had no objection to, or comments on the Modification Proposal.

Comment

In relation to the extension of operational hours for cleaning and maintenance the EPA has no objection to this proposed change but recommends that Sell & Parker be reminded that the delivery of material to the premises may only occur between 6am to 9pm Monday to Saturday.

Response

As noted within the Modification Proposal, the extension of operational hours would allow for cleaning and maintenance activities only. The delivery of waste materials would not be accepted outside of the hours of 6am – 9pm (Monday to Saturday) in accordance with the EPL and Conditions of Consent.

Blacktown City Council

Feedback on the modification was provided by Blacktown City Council (BCC) in their letter dated 13th March 2019.

Comment

The site plan indicates that 3 signs at gates A, B and C are proposed to be constructed in our nature reserve along Tattersall Road. This is not supported and all signs are required to be constructed wholly within the property boundary.

Response

The proposed signage at gates A, B and C have been incorrectly shown within the Engineering Plans (Appendix B of the Modification Application) to be within the Council nature reserve. As shown within the updated Engineering Plans (Attachment A), all signage would be located wholly within the site boundary.

Comment

Additional car parking is required to be provided for the additional commercial floor space proposed within buildings A & B. The rate to be applied is 1 space per 40 square metres in accordance with Part A, Clause 6 Car parking of Blacktown Development Control Plan 2015.

Response

SSD 5041 concluded that the level of parking provided at the site would be sufficient for the Project needs (ERM, 2014). As the Modification Proposal does not propose to alter the number of operational staff at the site¹ or parking spaces, an assessment of DCP parking rates is not considered necessary or applicable to this modification.

¹ See Section 4.4 of the Modification Proposal

Fire and Rescue

A response to the Modification Application was provided by Fire and Rescue on the 19th March 2019.

Comment

Following a review of the Environmental Impact Statement (EIS) report FRNSW provides the following recommendations for your consideration:

- The provision of details for the proposed fire safety systems and a summary of the existing fire safety systems including smoke hazard management measures.
- Consideration be given to the compatibility of the water cannons to be utilised with foam as a special provision of firefighting under E1.10 of the NCC.
- The provision of details on the proposed water cannon coverage, displaying consideration of the water projection angles which may be restricted due to the enclosed roofing.
- The provision of details for the worse credible fire scenario.
- Demonstration as to how the proposed fire safety measures adequately mitigate a worse credible fire scenario
- Consent authorities should issue a condition on the development consent requiring Clause E1.10 and E2.3 of the NCC be complied with to the satisfaction of FRNSW, achieved through either providing an acceptable solution or through direct consultation with FRNSW with details of building compliance with the NCC – including building class, type, construction and heights.
- The waste facility is to have effective and automatic means of containing fire water run-off, with primary containment having a net capacity not less than the total hydraulic discharge of the worst-case fire scenario. The total hydraulic discharge is the discharge from both the fire hydrant system and automatic fire sprinkler system for a duration of four hours. Failure to contain fire water run-off can result in pollution of the environment and require a protracted hazardous materials response.
- The waste facility is to provide safe, efficient and effective access for emergency vehicles as detailed in FRNSW guideline Access for emergency vehicles. Aerial appliance access is to be provided if the facility is located within a fire district covered by an aerial appliance.
- The waste facility is to have a fire hydrant system installed appropriate to the risks and hazards for the facility. FRNSW recommends a fire hydrant system designed and installed to Australian Standard AS 2419.1-2017 and have an enhanced standard of performance appropriate to special hazards.

Response

As a result of a fire order placed on the site operations in January 2018 (DP&E, 18th January 2018), a complete fire engineering design process has been undertaken in consultation with Fire and Rescue NSW. The fire engineering solution has since been implemented on site to the satisfaction of Fire and Rescue NSW.

Recently (early March 2019), a fire that originated on the neighbouring site has proven the efficacy of this system as it was utilised to assist with controlling the fire on that adjacent site. Recent correspondence with Fire and Rescue NSW² thanking Sell and Parker for their assistance and use of their fire systems, confirms their satisfaction. Given the recent work undertaken to satisfy the Fire Order, a Fire Safety Study is not considered to be required.

² Correspondence with Inspector Kernin Lambert, Duty Commander, Metropolitan West 1.

The Modification Proposal would retain the fire safety equipment and install suitable equipment for machinery that is proposed to be modified. The Fire Report (included as Appendix C of the Modification Application) confirmed that the fire safety of the site would not be adversely affected by the proposed modifications.

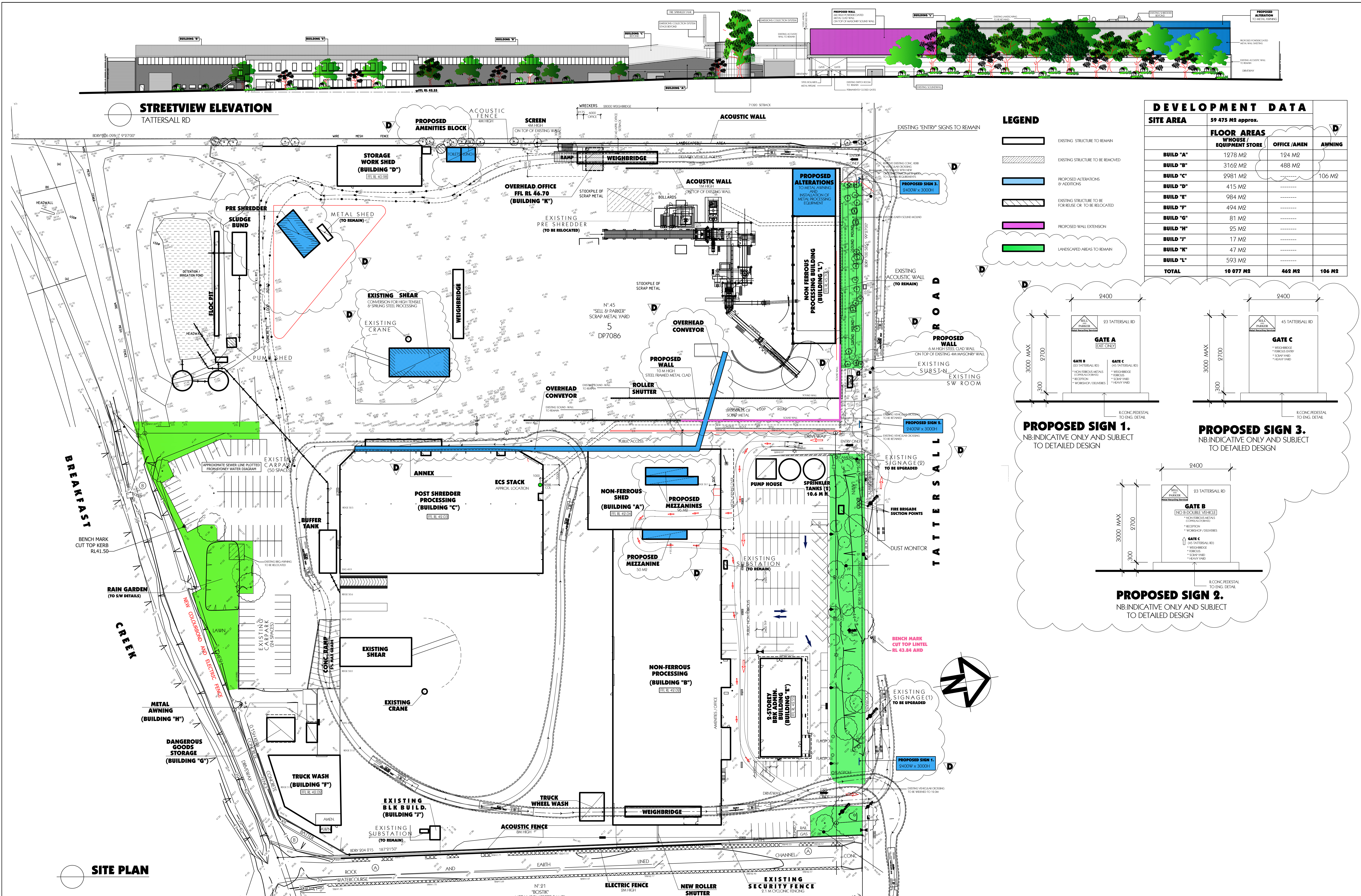
3. Conclusion

This memorandum has been prepared to address comments raised by key stakeholders during the notification period for the Modification Proposal for SSD 5041 (Modification 3) at the Site.

Further, as identified above and within the Modification Application, with the implementation of the mitigation measures as proposed, the Modification Proposal would not result in a change in impact from that presented within the Original Approval.

ATTACHMENT A

Updated Engineering Plans



DEVELOPMENT DATA			
SITE AREA	59 475 M2 approx.		
	FLOOR AREAS		
	WHOUSE / EQUIPMENT STORE	OFFICE / AMEN	AWNING
BUILD "A"	1878 M2	124 M2	
BUILD "B"	3162 M2	488 M2	
BUILD "C"	2981 M2		106 M2
BUILD "D"	415 M2		
BUILD "E"	984 M2		
BUILD "F"	494 M2		
BUILD "G"	81 M2		
BUILD "H"	25 M2		
BUILD "I"	17 M2		
BUILD "K"	47 M2		
BUILD "L"	593 M2		
TOTAL	10 077 M2	462 M2	106 M2

