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Sent: Friday, 21 July 2017 5:49 PM

To: Susan Fox <Susan.Fox@planning.nsw.gov.au>

Subject: SSD: Notice of Exhibition Ingleburn Battery Recycling Facility SSD 7195 (Campbelltown LGA)
- 10 Lancaster St, Ingleburn - 2889/2016DA-SSD (additional comments)

Dear Susan

Council's further comments to the proposal are below:

Council Comment

1. The DA seeks approval for the approval of a lead acid battery recycling facility including:

- Installation of machinery to extract recyclable components from exhausted batteries
- Temporary storage tanks of extracted materials
- Vehicle loading spaces for removal of components and
- Office space

Response

There are a number of amendments proposed based on submissions received and from re-design of the machinery:

- No vegetation is to be removed;
- The number of car spaces to be provided has been increased to 15. This is not anticipated to have a significant impact on the traffic movements to and from the site as assessed in the Traffic Impact Assessment;
- The acid tank has been removed from the process and replaced with a sodium carbonate silo, located outside the building;
- The separator bunker has been relocated inside the building;
- The height of the scrubber stack has increased; and
- The roof height of part of the building has been increased.

These amendments are not considered to increase the environmental impact of the proposed development.

Further Council Comment

Council is supportive that the acid tank has been replaced by a sodium carbonate silo, to reduce potential for acid spill into the stormwater.

Council Comment

2. The facility will break down the batteries and output four materials in the following proportions:

- 5% Plastic
- 15% Sulphuric Acid
- 32% Metallic lead and
- 48% Lead carbonate converted from sulphur paste or lead sludge

Response

NA

Further Council Comment

NA

Council Comment

3. The EIS Section Statutory and Strategic Context has not made reference to the Campbelltown DCP 2015 Part 7 Industrial Development.

Response

The proposed development is SSD and therefore the DCP 2015 is not relevant to this application.

Further Council Comment

NA

Council Comment

4. The EIS does not describe the current landuse on the site, however it states that the development will not result in a change of landuse and concludes there will be no change to the existing contamination risk.

Response

Currently, the site is vacant with no use occurring within the existing building. It was previously used for the purposes of a timber storage and delivery yard.

Further Council Comment

NA

Council Comment

5. The EIS does not outline the current planning approvals or history relating to Building and Fire Safety matters. There appear to be outstanding conditions of consent that relate to Building and Fire Safety.

Response

No previous development consent is being relied on for the purposes of this proposal. Any outstanding conditions of consent in relation to the existing building are the responsibility of the owner of the site and should not impact on a determination of this proposal.

Further Council Comment

NA

Council Comment

6. The EIS does not describe the dimensions of the building or quantify the amounts of waste, except in the very broad terms, or the capacity of the processing or storage structures, so that an assessment of their adequacy is not possible.

Response

The existing building is not being increased in terms of floor space. Dimensions are provided on the submitted architectural plans. The building has wall lengths of 29.1m (north-west), 50.9m (north-east), 57.9m (south-west) and 39m (south-east). The overall floor space of the building is not increasing. The external scrubber and sodium carbonate silo do not add to the floor space of the building.

From 1,200t per month of batteries, Ledox anticipates 280t of metallic lead, 420t of lead paste (lead carbonate) and 84t of polymers will be returned, suitable for sale.

The waste products from 1,200t per month of batteries are 400t (0.4ML) of

wastewater, 60t of separator and 300t (0.3ML) of acid. The acid generated from the process generally equates to 25% of the load of batteries. However, as the process seeks to recycle wastewater, the total amount will decrease as parts of the 400t will be re-used in the process. Furthermore, any decrease in production rate will result in less outputs.

Further Council Comment

NA

Council Comment

7. The Water usage is estimated at 7.8 ML per annum, however there is no assessment of whether the water storage is adequate for usage.

Response

However, as the process seeks to recycle wastewater, the total amount will decrease as parts of the 400t will be re-used in the process. Furthermore, any decrease in production rate will result in less outputs.

No water storage is occurring as part of this proposal – it is anticipated that the town water supply will be used to service the facility. There is opportunity for rainwater to be captured from the roof if necessary to supplement the supply. The site has sufficient space for an appropriately sized water tank to be introduced at a later stage if required. Water tanks could be used for:

- Rainwater capture/reuse; or
- Fire water storage (if required as part of the fire strategy).

As mentioned previously a fire safety assessment is being undertaken by a fire engineer and will be provided when complete as part of the construction certificate process. This will include details on fire water demand amongst other fire related issues.

Further Council Comment

Conditions of consent should include:

- An appropriately sized water tank should be included on the site for rainwater capture and reuse to be submitted for Council's or the PCA's written approval prior to Construction Certificate.
- The fire tank sizing is to contain the design quantity of firewater and is to be submitted for Council's or the PCA's written approval prior to Construction Certificate.

Council Comment

8. The EIS states there will be removal of smaller trees and ground shrubs but does not identify the species, height or condition. No Landscaping Plan has been submitted in accordance with Campbelltown DCP Section 7.4a) – d).

Response

A landscaping plan has not been provided as due to Council comments no vegetation is now proposed to be removed.

Further Council Comment

NA

Council Comment

9. The EIS states that there will be a small amount of soil excavation that will occur. It has made no assessment of the potential for salinity to occur on the site, even though the site is mapped as having moderate salinity potential on the Sydney Metropolitan Catchment Management Authority Western Sydney Salinity Potential Study Map (Department of Natural Resources).

Response

The site is classed as having 'moderate' salinity potential (Appendix H). This risk rating indicates that saline areas that have not yet been identified may occur in this zone. Saline areas may also occur in this zone if new risk factors arise.

As such, testing of the soil will be undertaken during any excavation works with appropriate management measures documented (in accordance with the "Guidelines to accompany Map of Salinity Potential in Western Sydney 2002") and implemented, as required. A condition of consent regarding this can be imposed. It is important to note that works below the existing hardstand surface will be limited to a small number of intrusions for plant and machine footings. The proposal does not involve any substantial excavation beneath the existing hardstand surface will be limited to a small number of intrusions for plant and machine footings. The proposal does not involve any substantial excavation beneath the existing hardstand.

Further Council Comment

Conditions of consent should include:

- Prior to commencement of works if excavation of soil is to occur, the soil is to be tested for salinity, with test results and management measures proposed in accordance with the "Guidelines to accompany Map of Salinity Potential in Western Sydney 2002" be reported to Council or the PCA for its prior written approval.
- If excavation of soil is to occur during works, the results of soil testing during and management measures implemented are to be reported to Council or the PCA prior to Occupation Certificate.

Council Comment

10. The EIS has made reference to the Liverpool Acid Sulfate Soil Risk Map, which would not seem to relate to the Campbelltown Local Government Area.

Response

Refer to Appendix G for a copy of the Department of Land and Water Conservations acid sulfate soil risk map for Liverpool (Edition 2). Note that this risk map does not specifically relate to the Liverpool LGA, and covers the subject site. This map indicates that the map class description for the site is "no known occurrence", meaning acid sulfate soils are not known or expected to occur in the area.

Further Council Comment

NA

Council Comment

11. A Fire Risk Assessment should be prepared for the site at DA stage not CC stage, so that any changes to the development can be made. The building has a history of non-compliance with Building and Fire Safety matters.

Response

Emergency access and fire safety will be addressed in a Fire Safety Study.

Further Council Comment

The Hazardous Industry Planning Advisory Paper No 2 Fire Safety Study Guidelines 2011 state that Fire safety studies should be carried out as early as possible in the detailed design stage of a facility, with modifications incorporated into the design as necessary. Therefore conditions of consent should require that:

- a Fire Safety Study be prepared for Council's or the PCA's written approval prior to Construction Certificate in accordance with Hazardous Industry Planning Advisory Paper No 2 Fire Safety Study Guidelines 2011.
- Findings of the Fire Study are to be incorporated into the design of the facility for Council's or the PCA's written approval prior to Construction Certificate.

Council Comment

12. There is no information on Fire water, either how much would be required to fight a fire of a certain time period duration, or where this will be stored on site. There is no information on how Fire water, should it be used in a fire incident, will be contained and prevented from entering the Stormwater system. There is no information on how the fire water will be dewatered from the site. Fire water is omitted from the Water Demand Supply and Reuse Section of Appendix D.

Response

Emergency access and fire safety will be addressed in a Fire Safety Study. Should the proposal be approved then it is expected that a Fire Safety Study compliant with HIPAP 2 will be required. This study will then include final design information such as fire system drawings. A fire engineer has been appointed by the proponent and will provide recommendations to manage fire safety for the development as part of the construction certificate stage.

Further Council Comment

The HIPIP 2 Guidelines state that crucial part of the Fire Safety Study is ensuring that the hydraulic design is sufficiently satisfactory to cope with the hazards and consequences. There are three elements: fire fighting water demand, fire fighting water supply and contaminated water containment and disposal. The demand calculation is based on the worst case scenario. If the supply cannot be made sufficient to meet the demand, or the contaminated water systems cannot cope with water applied, the choices of protection systems will need to be reviewed. Consent conditions should include:

- A Fire Safety Study is to include fire fighting water demand, fire fighting water supply and contaminated water containment and disposal, in accordance with Hazardous Industry Planning Advisory Paper No 2 Fire Safety Study Guidelines 2011. The Fire Safety Study be prepared for Council's or the PCA's written approval prior to Construction Certificate.
- The adequacy of the water supply available from town mains should be assessed based on written advice from Sydney Water Corporation.

Council Comment

13. There is no emergency evacuation plan, no identification of location emergency exit lights and signs, exit door handle or fire hose reel.

Response

Emergency access will be addressed in a Fire Safety Study.

The Amended Environmental Safeguards state *Prepare an evacuation plan showing the appropriate routes and muster location* as an action.

Further Council Comment

Conditions of consent should include:

- Prior to Construction Certificate an emergency evacuation plan be prepared that includes emergency infrastructure such as exit lights and signs, exit door handle or fire hose reel within the detailed design for Council's or the PCA's written approval.

Council Comment

14. The EIS and architectural plans have no bunds identified for the site, even though the Soil and Water Study (Appendix D) states they will be located around the wastewater storage tank and that fuels, chemicals and lubricants will be stored in bunded areas. Construction of bunds and liquid storage areas must comply with the requirements of AS 1940:2004 in accordance with Campbelltown DCP 2015 Chapter 7 Environmental Management 7.7.1 Liquid Storage and the EPA's *Liquid Storage Guidelines Bunding and spill management, issued June 2007, updated August 2012, EPA 080/12*. They must comply with the Campbelltown DCP Part 7.7.1 a) – d) design requirements for liquid storage and bunds.

Response

The response to Public Submissions states that appropriate bunding is to be used around the facility and all tanks to capture any spillages of liquids. The facility is to be appropriately bunded, with all storage tanks to be bunded to 110% of capacity. The building is also to be bunded around its entrances. These areas will be emptied of rainwater as required to ensure bunding capacity is maintained.

Further Council Comment

A Condition of consent should include:

- Prior to Construction Certificate a detailed plan is to be prepared for Council's or the PCA's written approval that demonstrates the location of bunds and liquid storage areas to comply with the requirements of AS 1940:2004 and the EPA's *Liquid Storage Guidelines Bunding and spill management, issued June 2007, updated August 2012, EPA 080/12*.
- Prior to Occupation Certificate written certification from a civil engineer is to be provided to Council or the PCA that demonstrates the construction of bunds and liquid storage areas comply with the requirements of AS 1940:2004 and the EPA's *Liquid Storage Guidelines Bunding and spill management, issued June 2007, updated August 2012, EPA 080/12*.

Council Comment

15. The architectural plans show no eyewash unit, or safety showers that should be located throughout the facility near the acid storage tank, the polymer bag opening area and the truck unloading area. The plans show no exhaust ventilation fans to address impacts of hazardous dust on staff.

Response

An evacuation plan will be prepared – this can be a condition of consent – as can the provision of eyewash units and safety showers. These will be the subject of the applicable workplace health and safety compliance requirements. Safety showers

and eyewash units have been nominated in the Preliminary Hazard Analysis as to be included in the facility's design. The final locations will be identified during detailed design and described in a Final Hazard Analysis and the Operational Safety Management System. The response in the Amended Environmental Safeguards states that eyewash units and safety showers will be provided as required within the facility.

No exhaust fans are proposed as the process is a wet process with no dust to be created.

Further Council Comment

Conditions of consent should include:

- Prior to Construction Certificate the detailed design is to be prepared for Council's or the PCA's written approval that shows the location and numbers of eyewash units and safety showers that are required to meet workplace health and safety compliance requirements in accordance with AS 4775-2007, *Emergency eyewash and shower equipment*.
- An evacuation plan is to be prepared for Council's written approval prior to Occupation Certificate.

16. The architectural plans do not show any scrubber with induced draught fan to address acidic mist.

Response

The Amended Environmental Safeguards states that impacts of air quality will be mitigated by using a scrubbing unit or mist suppression system for the acid storage tank vent and overflow if these are vented within the building.

The response to air quality states that *'The proposed scrubber unit and sodium carbonate tank (silo) are to be located on the outside of the building at the north-eastern corner of the building. While this does restrict 360-degree access around the building, access is still provided along the remaining boundaries to those areas. The scrubber unit can be reached from the north-eastern boundary and the sodium carbonate silo from the south-western and north-western boundaries. The rear of the site can still be reached via vehicle through the building utilising the roller doors.'*

Further Council Comment

A condition of consent should include:

- Prior to Construction Certificate the detailed design is to be prepared for Council's written approval that shows the location of the scrubber with induced draught fan to address acidic mist.

Council Comment

17. WHS Regulations require that people not eat or drink in a lead processing area, however the architectural plans do not have a lunchroom provided

Response

The office space located on Level 1 of the building will have a dedicated lunch room provided.

Further Council Comment

The amended Architectural Plan indicates that there is a small kitchenette will be located on the first floor however its dimensions are not shown as the plan has no measurements. There is no dedicated lunchroom on the plan – this needs to have a

separated space with sufficient room for tables and seating and a door. The toilet access is unhygienic being located through and directly adjoining the two toilets.

A condition of consent needs to include:

- Prior to Construction Certificate an amended Architectural Plan with measurements of rooms is to be provided showing a dedicated lunchroom with sufficient space for tables and seating and a door to accommodate all the staff employed on the site. The toilets are to be separated and not to be accessible directly from the kitchenette; the plan is to be submitted for Council's or the PCA's prior written approval.

Council Comment

18. The facility will be storing dangerous goods and is to comply with the relevant Australian Standards:

- Sulphuric Acid is a Class 8 (Corrosive Substances) PG II – stored in a 30m3 tank and is to comply with *AS 3780-2008 The storage and handling of corrosive substances*. Eyewash facilities used in areas where corrosive substances are being used should conform to the requirements defined in *AS 4775-2007, Emergency eyewash and shower equipment*;
- Lead is a probable carcinogen and may be a teratogen (agent or factor causing malfunction of an embryo) Class 6.1 PG II (Toxic substances – serious toxicity) and is to comply with *AS 4452B1997: The Storage and Handling of Toxic Substances*;
- Polymer is a Class 9 (Miscellaneous) Dangerous Good and is to comply with *AS/NZS 4681:2000, The storage and handling of Class 9 (miscellaneous) dangerous goods and articles*
- Sodium carbonate (that is utilised to convert lead sulphate paste into lead carbonate - solid) is a hazardous material (Safe Work Australia) and should conform to the requirements of *AS 4775-2007, Emergency eyewash and shower equipment*;
- The facility should comply with *AS/NZS 3833:2007, The storage and handling of mixed classes*.

Response

Storage of the dangerous goods will comply with the relevant Australian Standards.

Dangerous goods are to be stored as per the requirements of the relevant Australian Standards. This can be a condition of consent.

Further Council Comment

A condition of consent needs to include:

- Prior to Occupation Certificate certification is to be provided to Council or the PCA that the storage of dangerous goods complies with the following Australian Standards:
 - *AS 3780-2008 The storage and handling of corrosive substances*
 - *AS 4775-2007, Emergency eyewash and shower equipment*
 - *AS4452B1997: The Storage and Handling of Toxic Substances*;
 - *AS/NZS 4681:2000, The storage and handling of Class 9 (miscellaneous) dangerous goods and articles*
 - *AS 4775-2007, Emergency eyewash and shower equipment*;
 - *AS/NZS 3833:2007, The storage and handling of mixed classes*.

Council Comment

19. An Environmental Management Plan and Environmental Management System including audit by an independent Environmental Auditor is to be submitted for Council written approval prior to Occupation Certificate.

Response

An Environmental Management Plan and Environmental Management System can be a condition of consent. An audit can be conditioned as part of any consent to occur after one year of operation to ensure operation is occurring as approved.

Further Council Comment

Conditions of consent should include:

- Prior to Occupation Certificate an Environmental Management Plan and Environmental Management System are to be prepared for Council's or the PCA's written approval.
- One year after operation an Audit or the Environmental Management Plan and Environmental Management System is to be provided for the Council or the PCA's review of operation to ensure it is occurring as approved.

Regards

Rad

Rad Blagojevic

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