Stimson & Baker PLANNING

Request for Secretary's Environmental Assessment Requirements

Expansion of Existing Clinical and Quarantine Waste Management Facility

9 Kenoma Place, Arndell Park
Lot 14 DP786328

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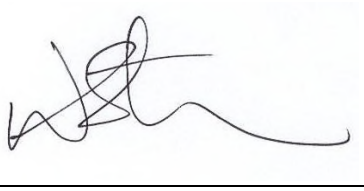

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1 Executive Summary

Stimson & Baker Planning has been engaged by State Waste Services (NSW) Pty Ltd to prepare this request for Secretary's Environmental Assessment Requirements (SEAR's) for the preparation of an Environmental Impact Statement (EIS) in relation to the proposed expansion of an existing Clinical and Quarantine Waste Management Facility on the property known as 9 Kenoma Place, Arndell Park.

The proposal is permissible within the *4(a) General Industrial* under *Blacktown Local Environmental Plan 1988 with* consent. However, the most appropriate definition of the proposal is a waste management facility under the State Environmental Planning Policy (infrastructure) 2007, which also makes this use permissible within the zone.

In accordance with Clause 8 of *State Environmental Planning Policy (State and Regional Development) 2011,* the proposal is declared as State Significant Development as specified under *Schedule 1 Clause 23(5).* The SEAR's are requested on this basis.

This request describes the proposed development, the subject site and existing operation in detail. The key environmental and planning issues associated with the proposal have also been addressed to assist in determining the SEAR's relating to the preparation of an EIS.

2 Background

2.1 Introduction

Stimson & Baker Planning has been engaged by State Waste Services (NSW) Pty Ltd to prepare this request for SEAR's in relation to the preparation of an EIS for the proposed increase in handling capacity of an existing Clinical and Quarantine Waste Management Facility on the property known as 9 Kenoma Place, Arndell Park.

The proposed development includes the increase in the annual processing capacity of waste at the facility, which is currently in operation.

The site is zoned *4(a) General Industrial* under *Blacktown Local Environmental Plan* with the proposal being permissible with consent.

The proposal is declared as State Significant Development specified under *Schedule 1 Clause 23(5)* of *State Environmental Planning Policy (State and Regional Development) 2011.* The SEAR's are requested on this basis.

2.2 Introduction to the Client

State Waste Services (SWS) has been operating its fully licenced clinical waste processing facility at the site successfully for approximately two years. SWS are specialists in clinical and quarantine waste treatment and currently operate throughout New South Wales.

SWS are leaders in this area of waste management and as a result have experienced significant growth and offer an end-to-end clinical waste management service. SWS are always researching and seeking out best practice technology and processes to treat the specific type of waste.

2.3 Planning History

The use of the site as a Clinical and Quarantine Waste Management Facility is already in operation and in accordance with the approval issued on 23 April 2012 by the Sydney West Joint Regional Planning Panel (Approval 11/1642). The nature of the facility triggered the Designated Development provisions at the time and as a consequence an Environmental Impact Assessment was submitted. There were conditions of consent that limited the storage and processing capacity of the waste on the site.

Other minor approvals for the site and current operation include:

- A Section 96 application approved on 2 October 2012 for the removal of reference to a specific sterilising machine.
- Additions to the factory/warehouse. Consent was issued on the 13 September 2012 however has not been activated and is not considered necessary to activate at this stage.

2.4 State Significant Development Assessment Process

The proposal is seeking to increase its handling capacity and approved operation to 3,000 tonnes of clinical waste per year which triggers the use being declared as State Significant Development specified under *Schedule 1 Clause 23(5)* of *State Environmental Planning Policy (State and Regional Development) 2011.* Refer to Section 5.2 of this report. The SEAR's are requested on this basis.

The impacts of the proposal on the surrounding existing area and its operation will be assessed and included in the Environmental Impact Statement that will be prepared in accordance with Schedule 2 of the Environmental Planning and Assessment Regulations and the SEARs subject to this request.

3 The Site and Surrounds

3.1 The Subject Site

The site is located in the local government area (LGA) of Blacktown City Council within the industrial locality of Arndell Park. The site is located at an existing premise known as 9 Kenoma Place, north of the Western Motorway and Great Western Highway. An existing industrial use including a large warehouse/factory structure and hardstand areas occupy the site.

Limited vegetation is apparent on the site with the majority concentrated to the front setback area.

Figure 1 Subject site and surrounding area

3.2 Existing Development

The site is located at 9 Kenoma Place, Arndell Park. The site is legally described as Lot 14 DP 786328 and is some 1492m² in area. The site is currently occupied by a building comprising 505m² in warehouse floor space and approximately 150m² in office floor space.

Figure 2: Existing Building

The surrounding area is predominantly industrial in nature. There are no sensitive land uses within the locality.

Figure 3 View to Kenoma Place from inside the subject site (Looking north)

4 Development Proposal

4.1 Details of the Proposal

The current proposal is for the installation of an additional autoclave (sterilizing machinery abased on steam) to increase the capacity of the existing automated waste treatment system for clinical and quarantine waste within the existing factory building at the site. The proposed expansion of the existing automated waste treatment facility would include:

- Installation of additional autoclave to enable the processing of up to 3,000 tonnes of waste per year
- Installation of other associated infrastructure including utility connections as necessary to accommodate the expansion.

Autoclave

The proposal requires an additional autoclave to treat the increase in capacity of medical waste expected on the site. The autoclave is fully automated, enclosed and computerised and delivers convenience, control and reduction in risk, cost and space requirements. The autoclave system sterilises rather than disinfecting the waste thereby eliminating the risk of non-treatment of resistant pathogens. The Department of Health's 'log kill 6' category, the highest level of sterilization, is achieved through this process in this facility. Every batch is monitored on certified instrumentation thereby proving each load as sterile. The system grinds the waste after treatment thereby eliminating the risk of spreading airborne pathogens and contaminating equipment. The system does not convert solid waste into greenhouse gases and other airborne toxins, as is the case with incineration.

Figure 4: Existing Autoclave

Facility Operation

The system is simple to operate and the following steps clearly describe the process that applies to the current operation, which remains unchanged for the proposed development.

Step 1 Waste is collected from various places of business of a medical or quarantine nature. At these premises, waste is collected in a specially marked bin (SMB) that is provided by the proponent. The SMB is lined with a heavy-duty liner that is sealable. Given that the waste in the premises is collected firstly in smaller, lined bins, the waste is essentially 'double-bagged' by the time of collection.

The SMB is picked up by truck with the operator providing a replacement bin for the client.

Step 2 The truck then travels to the subject site carrying a number of loaded SMB's. The truck enters the site then reverses into the collection area.

Step 3 The SMB's are weighed and then lined up to prepare for the sterilising and shredding machine. Waste material is processed the same day on which it is delivered to the site.

Step 4 The SMB's are wheeled to the autoclave and are then lifted allowing the bagged waste to enter the 'steriliser drawer'. Once at capacity the autoclave is started and the bags enter the machine.

Step 5 The load is sterilised through a steam process. The time and temperature relationship within each load is controlled and monitored to ensure sterilisation has taken place throughout the load under the correct conditions to ensure complete sterilisation.

Temperature and pressure sensors control the steam inlet valve and also the electronic steam trap to control the time and temperature of each cycle. The effectiveness of the process is enhanced with a pre-vacuum stage to remove air and post-vacuum stage to remove vapour and odour from the steriliser and treated waste.

The pressure sensor acts as an accurate automatic safety device that prevents opening of the door under pressure. It also provides valuable information to support the time/temperature record and diagnostics.

Steam is introduced and replaces air in the chamber by the downward displacement or where a vacuum system is a feature, by mechanical air removal prior to the introduction of steam. The time, temperature and pressure parameters are monitored on the computer and also electronically archived on compact discs as official records.

Step 6 The load (including the bag) is transferred to a shredding machine where it is shredded into small pieces (<1cm²). Current testing shows that the shredding results in the volume of material being reduced at a rate of 5:1, that is the volume collected in 5 SMB's is reduced to a volume of 1 SMB for delivery to the land fill site.

Step 7 The sterilised, shredded product is deposited into a large 'wheelie' bin, and then using a bin lift, is tipped into a bulk collection bin.

Step 8 Once the bulk collection bin is at capacity, a truck will collect the bulk bin for disposal to land fill. The bulk bin, similar to the one pictured right, is a sealed enclosed bin that is mechanically 'pulled' on the back of a truck. It is noted that the waste material at this stage is sterile and inert. It is anticipated that the bulk bin would be collected and replaced with a new bulk bin every two days. There is ample area in front of the unit for the necessary maneuvering to facilitate this process.

Step 9 For maintenance purposes only, the SMB's are washed with a domestic grade detergent and stored for collection by another driver for delivery to client's premises.

Treatment and Storage Volumes

Currently, the proponent has approval for 650 tonnes per year. The current proposal is to increase this amount to 3,000 tonnes per year.

In essence the waste is initially voluminous but remains lightweight throughout the entire process. The additional tonnage required is as a result of demand for this level of service and a growth in this industry.

Vehicle Movement

The majority of vehicle movements will be via small trucks and vans. Currently the operation requires 3 trucks and 2 vans, with each vehicle making 1- 2 deliveries to the site each day. The vehicle movements will increase relative to the amount of waste being processed. As the proposal is three times the current operation it is anticipated that the required vehicle movements will be 9 trucks and 6 vans, with each vehicle making 1-2 deliveries to the site each day.

Hours of Operation

It is intended to operate the machinery between the hours of 6am and 10pm Monday to Saturday. This is an additional 4 hours per day to what has been already approved for the existing facility.

Employees

Two operators for the machine and three administrative staff are required for the proposed use of the site. All drivers are sub-contractors.

Noise

It is intended to only operate machinery within the nominated hours of operation. As it is in an existing use within an established industrial area it is expected that the noise levels will not exceed 5dBA above background noise levels at the property boundary.

Odour

The current operation has an air pollution control system in place to ensure that all air emissions from the process, plant and premises are maintained at acceptable levels. This system is monitored regularly and maintained in accordance with the current EPA licence. This will remain unchanged as a result of the proposed expansion of the site.

Utilities

The proposed expansion can rely on the existing sewer, water and electricity services to the site. An existing trade waste agreement will be reviewed as part of the proposal where required.

Chemical Storage

Apart from domestic grade detergents, there are no chemicals to be kept on the subject site as part of the development.

BCA Compliance

Fire protection as required by the BCA is already in place for the site. There will be unlikely any changes required in this regard as a result of the proposal.

5 Statutory Context

5.1 State Legislation

5.1.1 Protection of the Environment Operation Act 1997

The *Protection of the Environment Operation Act 1997* (POEO Act) prohibits any person from causing pollution of waters, or air and provides penalties for air, water and noise pollution offences. Section 48 of the POEO Act requires a person to obtain an Environment Protection License (EPL) from the Environment Protection Agency before carrying out any of the premises based activities described in Schedule 1 of that Act. The proposed waste management facility is a scheduled activity and is currently licensed by the EPA. The license will be amended as needed.

5.1.2 Dangerous Goods (Road and Rail Transport) Act 2008

The *Dangerous Goods (Road and Rail Transport) Act 2008* and associated *Dangerous Goods (Road and Rail Transport) Regulations 2009* establish a process for regulating the transport of dangerous goods by road and rail in order to promote public safety and protect property and the environment.

The proposed materials to be transported to and from the site may be classified as potentially hazardous. It is understood that as part of managing the proposed operations with respect to the transportation of the materials to be processed on the site, the proponent would ensure its entire transport contractor/operator(s) are fully and appropriately licensed to transport the proposed waste materials to and from the Arndell Park site prior to and following processing.

5.2 State Environmental Planning Policies

5.2.3 State Environmental Planning Policy (State and Regional Development) 2011

The proposal is declared as State Significant Development in accordance with Clause 8 of the SEPP (SRD) 2011. The proposal falls under Schedule 1 Clause 23(5), which states:

> ***23 Waste and resource management facility***
>
> *…*
>
> *(5) Development for the purpose of hazardous waste facilities that transfer, store or dispose of solid or liquid waste classified in the Australian Dangerous Good Code or medical, cytotoxic or quarantine waste that handles more than 1,000 tonnes per year of waste.*
>
> *…*

The proposal exceeds 1,000 tonnes of medical waste per year and satisfies the criteria above. Therefore, the SEAR's are sought in this regard.

5.2.4 State Environmental Planning Policy (Infrastructure) 2007

State Environmental Planning Policy (Infrastructure) 2007 (ISEPP) establishes the planning approvals process for various types of development and infrastructure across the State.

Part 3 of the ISEPP identifies development controls relating to various land uses. Relevant to this proposal is Division 23 Waste or Resource Management Facilities. Furthermore, Clauses 121 provides that the following development is permitted with consent.

> *(1) Development for the purpose of waste or resource management facilities, other than development referred to in subclause (2), may be carried out by any person with consent on land in a prescribed zone.*

Since the proposal does not satisfy the provisions of subclause 2, the occupation and use of the existing factory unit for the purposes of the proposed development, falls within the definition as described above and is permitted with consent on land in a prescribed zone.

The subject site is zoned *General Industrial 4(a)* under the provisions *Blacktown Local Environmental Plan 1998*, which is equivalent to either of the IN1 and IN2 Industrial zones deemed to be prescribed zones pursuant to the ISEPP.

Accordingly, the proposed waste management facility can be carried out on the subject site with consent.

It is also noted that the current Draft Blacktown LEP nominates an IN1 zoning to the subject site.

5.2.5 State Environmental Planning Policy No. 33 – Hazardous and Offensive Development

The aims of State Environmental Planning Policy No.33 – Hazardous and Offensive Development are set out in Clause 2 as follows:

> *a. to amend the definitions of hazardous and offensive industries where used in environmental planning instruments;*
>
> *b. to require development consent for hazardous or offensive development proposed to be carried out in the Western Division, and*
>
> *c. to ensure that in determining whether a development is a hazardous or offensive industry, any measures proposed to be employed to reduce the impact of the development are taken into account, and*
>
> *d. to ensure that in considering any application to carry out potentially hazardous or offensive development, the consent authority has sufficient information to assess whether the development is hazardous or offensive and to impose conditions to reduce or minimise any adverse impact, and*
>
> *e. to require the advertising of applications to carry out any such development.*

SEPP 33 requires the consent authority to consider whether an industrial proposal is a potentially hazardous or a potentially offensive industry. In doing so, the consent authority must give careful consideration to the specific characteristics and circumstances of the development, its location and the way in which the proposed activity is to be carried out.

SEPP 33 applies to applications for development made under Part 4 of the EP&A Act.

Relevance to proposed operations SEPP 33 defines potentially hazardous industries and potentially offensive industries as follows:

> ***potentially hazardous industry*** *means a development for the purposes of any industry which, if the development were to operate without employing any measures (including, for example, isolation from existing or likely future development on other land) to reduce or minimise its impact in the locality or on the existing or likely future development on other land, would pose a significant risk in relation to the locality:*
>
> *a. to human health, life or property, or*
> *b. to the biophysical environment, and*
> *c. includes a hazardous industry and a hazardous storage establishment.*

> ***potentially offensive industry*** *means a development for the purposes of an industry which, if the development were to operate without employing any measures (including, for example, isolation from existing or likely future development on other land) to reduce or minimise its impact in the locality or on the existing or likely future development on other land, would emit a polluting discharge (including for example, noise) in a manner which would have a significant adverse impact in the locality or on the existing or likely future development on other land, and includes an offensive industry and an offensive storage establishment.*

The Department's *Hazardous and Offensive Development Application Guidelines: Applying SEPP 33 (Jan 2011)* will be considered in the EIS.

The current proposal has a limited 0.5 tonnes storage limitation on site which meets the general screening threshold storage quantities of the Class 6.2 material (that includes clinical waste) under the *Australian Dangerous Goods Code, Edition 7.3 August 2014*. Given the proposal is to treat additional clinical waste, it is expected that the storage threshold will be exceeded and therefore trigger the requirements of a Preliminary Hazard Analysis to accompany the application.

5.3 Local Planning Instruments

5.3.6 Blacktown Local Environmental Plan 1988

Under Blacktown LEP 1998 the subject site is zoned General Industrial 4(a). The objectives of the 4(a) zone are noted as follows:

> *(a) to provide areas for accommodating both traditional and modern forms of industrial, warehousing and like development outside areas used or zoned*

for residential or business purposes and so encourage economic and employment growth in Blacktown,

(b) to encourage the establishment of new industry and other compatible, large-scale activity in appropriate locations,

(c) to accommodate large industrial, warehousing and like developments such as auction rooms, plant and equipment hire establishments, timber yards and the like, but to prohibit offensive or hazardous industries,

(d) to enable development for the purposes of retailing only where it is associated with, and ancillary to, manufacturing purposes on the same land or where it serves the daily convenience needs of the local workforce

(e) to enable development for the purposes of commercial offices only where it is associated with, and ancillary to, industrial, warehousing or like purposes on the same land or where it serves the daily convenience needs of the local workforce,

(f) to ensure permitted development creates areas which are pleasant to work in and are safe and efficient in terms of transportation and land utilisation,

(g) to enhance and improve the physical environment of the City of Blacktown by minimising disturbances caused by air pollutants, water pollutants, other pollutants and noise pollution...

The proposal for the occupation and use of an existing industrial factory premises and operation as waste management facility for clinical and quarantine waste falls within an established industrial site. The proposal involves the utilisation of existing industrial infrastructure and the existing road network, and is generally in accordance with the objectives of the 4(a) Industrial zone.

5.3.7 Blacktown Development Control Plan 2006

This development control plan applies to all development in the Blacktown LGA. In accordance with Clause 11 of the SEPP (SRD) 2011, development controls plans do not apply to State Significant Development. Matters usually required to be addressed within this DCP will be considered in the assessment of the proposal.

6 Consultation

The Consent Authority in accordance with statutory requirements will undertake consultation.

It is expected that consultation will be undertaken with the Office of Environment and Heritage, at a minimum, in regards to the licensing and hazard assessment.

It is understood that the SEAR's will nominate the required consultation with the relevant local, State or Commonwealth Government authorities, and the community during the preparation of the development application. The outcomes of this consultation will be detailed in the documentation that will be submitted to the Minister.

7 Preliminary Assessment

The following identifies the key environmental and land use planning issues that need to be addressed in an EIS:

7.1.1 Traffic Generation and Parking

The existing facility is approved and licenced to receive 650 tonnes of waste per year. As it proposed to increase the facility capacity to 3,000 tonnes per year it is expected that further detailed analysis will be carried out in relation to the traffic movements as a result of this. As described above it is anticipated that the additional waste will generate vehicle movements of 9 trucks and 6 vans each making 1-2 deliveries to the site each day. All trucks delivering to the site will unload and load wholly within the site. No trucks and vans will be stored on site.

A Traffic Impact Assessment will accompany an EIS.

7.1.2 Noise Impacts

The site is located within an existing industrial area. Any perceived noise generating activities are confined to within the industrial building and considered to be insignificant when compared to the existing level of traffic and noise from the surrounding road network and industrial activities. The only possible noise generating source would be from trucks/vans that will deliver raw material and remove material from the site during the hours of operation, which are reasonable given the location.

Hours of operation are currently limited to Monday to Saturday 7am to 7pm, however to meet the proposed additional capacity of the facility these hours will be required to be extended to 6am to 10pm Monday to Saturday. Any noise generated from the additional operational hours and truck movements is consistent with the existing industrial nature of the area. This will be addressed in more detail in the EIS.

7.1.3 Odour Impacts

It is not expected that the proposal will have any significant odour impacts. In the previous EIS it was accepted that the machine's odour management system successfully uses an ozone treatment to eliminate odours from the process. A hood is installed over the inlet of the machine extracting the air through a reaction chamber while treating the air with the appropriate dosage of ozone before eliminating the air. No external extractors or vents are required to be installed in the premises. In addition, the waste that is delivered to site is double bagged and secured.

In accordance with the General Terms of Approval issued for the original approval, an air pollution control system is in place for the operation. This is monitored regularly.

7.1.4 Hazardous Material

Volumes will trigger the threshold levels if SEPP 33. Accordingly, a Preliminary Hazard Analysis will be prepared in accordance with the *Hazardous and Offensive Development Application Guidelines: Applying SEPP 33 (Jan 2011)* will accompany the application and will assess the potential risk of the proposed development.

There are no chemicals stored on the property except for domestic grade detergents for cleaning of the bins. This will remain unchanged.

7.1.5 Water Management

Details will be provided in relation to the water supply, usage and water use minimisation. There is washing of waste collection bins but as described above (Section 4.1) these bins are lined with heavy duty liners and sealed. Washing is undertaken with domestic grade detergents and disposed of through normal trade waste arrangements with Sydney Water, who will be consulted in relation to the proposal.

Measures will be implemented within the facility to ensure efficient use of water and that surface water is appropriately managed and treated prior to disposal.

Erosion and Sediment Control measures will be put in place where required.

7.1.6 Waste Management

Any waste discharged from the facility is sterile and inert. There is no residual waste left in the chamber (autoclave), as the machine is self-cleaning.

A Waste Management Plan will accompany the EIS.

8 Conclusion

The information contained in this document is to assist the Secretary in determining the level and scope of any requirements for an EIS to accompany the development application.

The proposal is permissible with consent in the zone and can address the provisions of the relevant legislation, state policies and local plans.

The site is currently operating successfully and any increase in its capacity can be accommodated on site. It is anticipated that any potential impacts are fully assessed and mitigated. These matters will be fully addressed in a forthcoming EIS.

The proposal falls within the requirements of clause 23(5) of Schedule 1 of the SEPP SRD being declared a State Significant Development and therefore it is requested that the SEAR's for the proposal are issued to assist in the preparation of an EIS.