



Chullora Materials Recovery Facility

State Significant Development Assessment SSD-10401

August 2021



Published by the NSW Department of Planning, Industry and Environment

dpie.nsw.gov.au

Title: Chullora Materials Recovery Facility

Subtitle: State Significant Development Assessment SSD-10401

Cover image: Artist Impression – Environmental Impact Statement – Suez Recycling & Recovery Pty Ltd, Chullora Materials Recovery Facility, August 2020, prepared by ARCADIS

© State of New South Wales through Department of Planning, Industry and Environment 2021. You may copy, distribute, display, download and otherwise freely deal with this publication for any purpose, provided that you attribute the Department of Planning, Industry and Environment as the owner. However, you must obtain permission if you wish to charge others for access to the publication (other than at cost); include the publication in advertising or a product for sale; modify the publication; or republish the publication on a website. You may freely link to the publication on a departmental website.

Disclaimer: The information contained in this publication is based on knowledge and understanding at the time of writing (August 2021) and may not be accurate, current or complete. The State of New South Wales (including the NSW Department of Planning, Industry and Environment), the author and the publisher take no responsibility, and will accept no liability, for the accuracy, currency, reliability or correctness of any information included in the document (including material provided by third parties). Readers should make their own inquiries and rely on their own advice when making decisions related to material contained in this publication.

Glossary

| Abbreviation | Definition |
|----------------------------|---|
| Applicant | SUEZ Recycling & Recovery Pty Ltd |
| BDAR | Biodiversity Development Assessment Report |
| C&I | Commercial and Industrial |
| CIV | Capital Investment Value |
| Council | Canterbury-Bankstown City Council |
| Consent | Development Consent |
| Construction | The carrying out of works, including erection of buildings and other infrastructure covered by this consent |
| DA | Development Application |
| Department | Department of Planning, Industry and Environment |
| Development | The development as described in the EIS and RTS for the construction and operation of the Chullora Materials Recovery Facility |
| DPIE | Department of Planning, Industry and Environment |
| EESG | Environment, Energy and Science Group |
| EIS | Environmental Impact Statement titled <i>Chullora Material Recovery Facility Environmental Impact Statement (SSD-10401)</i> prepared by Arcadis Australia Pacific Pty Limited dated August 2020 |
| EPA | Environment Protection Authority |
| EP&A Act | <i>Environmental Planning and Assessment Act 1979</i> |
| EP&A Regulation | <i>Environmental Planning and Assessment Regulation 2000</i> |
| EPBC Act | <i>Environment Protection and Biodiversity Conservation Act 1999</i> |
| EPI | Environmental Planning Instrument |
| EPL | Environment Protection Licence |
| ESD | Ecologically Sustainable Development |
| FRNSW | Fire and Rescue NSW |
| LEP | Local Environmental Plan |
| Minister | Minister for Planning and Public Spaces |

| Abbreviation | Definition |
|---------------------------|--|
| NRAR | Natural Resources Access Regulator, DPIE |
| Planning Secretary | Secretary of the Department of Planning, Industry and Environment |
| POEO Act | <i>Protection of the Environment Operations Act, 1997</i> |
| RMS | Roads and Maritime Services, TfNSW |
| RTS | Response to Submissions titled <i>Chullora Materials Recycling Facility Response to Submissions</i> prepared by ARCADIS dated 10 June 2021 |
| SEARs | Planning Secretary's Environmental Assessment Requirements |
| Sensitive receiver | A location where people are likely to work or reside, this may include a dwelling, school, hospital |
| SEPP | State Environmental Planning Policy |
| SRD SEPP | State Environmental Planning Policy (State and Regional Development) 2011 |
| SSD | State Significant Development |
| TfNSW | Transport for NSW |
| tpa | Tonnes per annum |
| WARR | Waste Avoidance and Resource Recovery Strategy 2014 – 2021 |
| Waste | As defined in the <i>Protection of the Environment Operations Act 1997</i> |

Executive Summary

Introduction

SUEZ Recycling & Recovery Pty Ltd (the Applicant) proposes to develop a Materials Recovery Facility (MRF) at Chullora in the Canterbury-Bankstown local government area (LGA). The MRF would process up to 172,000 tonnes per annum (tpa) of recyclable waste from municipal, commercial and industrial sources.

This report details the Department of Planning, Industry and Environment's (the Department) assessment of the State significant development application (SSD 10401) for the Chullora MRF.

The proposed development (the development) is in an industrial area of Chullora that has been used for waste management activities since the 1990s. The Applicant operated a waste transfer station, MRF, garden organics and glass processing facility on the site from 2011 until 2017. Part of the operation was damaged by fire and the facilities were demolished in 2017. The site is currently used for storage of residential waste bins, maintenance and parking for waste trucks.

The Development

The Applicant now proposes to redevelop the 9.2-hectare industrial site in three stages to form the Chullora Resource Recovery Park (RRP). The three development stages include:

- Stage 0 – flood mitigation and site establishment
- Stage 1 – construct and operate an MRF
- Stage 2 – construct and operate a Resource Processing Facility (RPF)

Stage 0 - flood mitigation and site establishment works were approved by Canterbury-Bankstown Council on 2 June 2021 and would be completed before any other construction works on the site.

Stage 1 is the subject of this SSD application and involves receipt and processing of up to 172,000 tpa of recyclable municipal solid waste (MSW) and commercial and industrial waste (C&I).

Stage 2 involves processing non-putrescible waste including household furniture, timbers and textiles. This stage will be the subject of a separate State significant development (SSD) application and Planning Secretary's environmental assessment requirements for this stage were issued in April 2020.

Strategic Context

International markets for recycling have changed in recent years with options to export waste materials for recycling no longer available. This has created a demand for increased recycling capacity in Australia and a need for investment in best practice recycling methods to achieve the NSW Government's targets for 70% resource recovery from municipal, commercial and industrial waste sources. The development would increase recycling capacity in Sydney, divert more waste from landfill and would adopt best practice recycling methods to provide higher value reuse opportunities for waste materials.

Statutory Context

The development is State significant development pursuant to section 4.36 of the *Environmental Planning and Assessment Act 1979* (EP&A Act) as it is development for the purpose of resource recovery or recycling activities that handle more than 100,000 tonnes per year of waste, which meets the criteria in Clause 23 of *State Environmental Planning Policy (State and Regional Development)*

2011 (SRD SEPP). Consequently, the Minister for Planning and Public Spaces is the consent authority for the development under section 4.5(a) of the EP&A Act.

Engagement

The Department consulted extensively with government agencies and the public throughout its assessment of the application. The Department publicly exhibited the Environmental Impact Statement (EIS) from 20 August 2020 to 16 September 2020 and received 3 submissions from special interest groups and the public (1 objection, 1 comment and 1 support), and advice from 7 government agencies.

One public submission supported the environmental benefits of materials recovery. The special interest groups raised concerns about traffic, noise and air quality and construction over water infrastructure assets.

Government agencies, including Canterbury-Bankstown Council (Council), requested some clarifications on traffic, emergency management and water quality. Council noted that the flood mitigation works development application needed to be finalised before it could provide detailed consideration of the MRF application, as development on the site is contingent on the provision of adequate flood mitigation.

Following Council's determination of the development application for flood mitigation works on 2 June 2021, the Applicant submitted a Response to Submissions (RtS) report on 11 June 2021. The RtS included minor amendments to the development layout and design, including an additional weighbridge, minor changes to the fire water suppression strategy and minor location changes to external doors on the MRF building. The RtS was made publicly available on the Department's website and provided to government agencies to consider whether it adequately addressed the issues raised. Following reviews of the RtS, government agencies, including Council recommended conditions for traffic, noise, odour, waste management, emergency planning and flood management.

Assessment

The Department's assessment of the application has fully considered all relevant matters under section 4.15 of the EP&A Act, the objects of the EP&A Act and the principles of ecologically sustainable development. The Department has identified the key issues for assessment are stormwater management and flooding, traffic and fire safety. Other matters were also assessed including noise, air quality, contamination and biodiversity.

Stormwater and Flooding

The site is subject to flooding and requires flood detention to support further development. On 2 June 2021, Council issued development consent for construction of a 22,100 cubic metre flood detention basin and earthworks to raise the site above the 1 in 100-year flood level. These works would be completed before construction of the MRF. The Department's assessment of stormwater management and flooding concluded the development would not impact flooding upstream or downstream of the site and stormwater quality would be managed to achieve relevant pollutant reduction targets. The development would not impact on the approved flood mitigation works and would utilise the established earthworks pad to provide flood protection for the MRF building. The Department has recommended conditions, consistent with the recommendations of Council, requiring evidence that the flood detention and earthworks have been completed to Council's satisfaction before construction of the MRF. The Applicant would also prepare a flood management plan for the site.

Traffic

The development would generate up to 264 vehicle trips per day, which would be adequately accommodated on the road network without the need for any upgrades. The Department's assessment concluded the site access is suitable for heavy vehicles, there is adequate queuing lanes for trucks within the site and adequate parking would be provided for employees.

Council recommended the Applicant prepare detailed traffic movement reports and annual dilapidation studies to ascertain any damage caused to Council's road network during operation. The Department notes Muir Road is the only local road that would be used by heavy vehicles before accessing the State road network. Muir Road is also used by many other industrial operators within the Chullora industrial area, as well as general traffic. Even with detailed reporting, it would be difficult to attribute specific damage to a single premise and this approach has not been applied to other similar industrial facilities. The Department has recommended the Applicant provide Council with annual traffic movement reports but does not require annual dilapidation studies, given the difficulty of attributing road damage to a single operator. The Department also recommends the Applicant prepares an operational traffic management plan in consultation with Council. The plan would include provisions for the Applicant to implement additional traffic management measures if needed to maintain road safety. This approach is consistent with other development consents for waste facilities.

The Department also notes the Applicant is required to pay development contributions to Council for each stage of development on the site, with Section 94A contributions applied to the flood mitigation DA and Section 7.12 contributions applied to this SSD application. The funding would contribute to the provision of infrastructure within the Canterbury-Bankstown LGA.

Fire Safety

Risks of a fire occurring in a waste facility can be minimised through appropriate design. The proposed MRF has been designed to minimise the risk of a fire and meets the latest fire safety and building code requirements including *Fire Safety in Waste Facilities* (Fire & Rescue NSW, 2020). The key design feature for minimising fire risk is separation of the waste receipt, processing and product storage areas. The fire services and water supply tanks have been designed to accommodate the fully developed site including both the MRF and proposed Resource Processing Facility. The Department understands the Applicant consulted Fire & Rescue NSW during the design of the fire system elements for the facility. Fire & Rescue NSW reviewed the development and recommended conditions for continued engagement of Fire & Rescue through detailed design and preparation of an emergency plan. The Department's assessment concluded the fire risks have been adequately considered and addressed.

Conclusion

The Department's assessment concluded that the impacts of the development can be mitigated and managed to ensure an acceptable level of environmental performance, subject to the recommended conditions of consent.

The development would have minimal impacts on stormwater and flooding, the traffic generated would be safely accommodated on the road network and the development would be designed in accordance with current guidelines for fire safety. The development would increase recycling capacity in Sydney, diverting waste from landfill and would contribute to the NSW Government's waste recycling targets. The development optimises the use of existing industrial land to provide best practice waste recycling technology and to generate employment, consistent with local planning strategies for the Canterbury-Bankstown LGA.

Consequently, the Department considers the development is in the public interest and is recommended for approval, subject to conditions.

Contents

| | | |
|----------|--|-----------|
| 1 | Introduction | 1 |
| 1.1 | The Department's Assessment | 1 |
| 1.2 | Development Background | 1 |
| 1.3 | Site Description | 3 |
| 1.4 | Surrounding Land Uses | 4 |
| 1.5 | Other Development Approvals | 5 |
| 2 | Development | 7 |
| 2.1 | Description of the Development | 7 |
| 2.2 | Physical Layout and Design | 8 |
| 2.3 | Applicant's Need and Justification for the Development..... | 12 |
| 3 | Strategic context..... | 13 |
| 3.1 | NSW Waste Avoidance and Resource Recovery Strategy 2014-21 | 13 |
| 3.2 | National Waste Policy: Less Waste, More Resources..... | 13 |
| 3.3 | NSW Circular Economy Policy Statement – Too Good to Waste | 13 |
| 3.4 | Greater Sydney Plan and South District | 13 |
| 3.5 | Canterbury Bankstown Community Strategic Plan 2028..... | 14 |
| 3.6 | Connective City 2036 - Canterbury-Bankstown's Local Strategic Planning Statement.... | 14 |
| 4 | Statutory Context..... | 15 |
| 4.1 | State Significance..... | 15 |
| 4.2 | Permissibility | 15 |
| 4.3 | Consent Authority..... | 15 |
| 4.4 | Other approvals..... | 15 |
| 4.5 | Mandatory Matters for Consideration..... | 15 |
| 4.6 | Environmental Planning Instruments | 16 |
| 4.7 | Public Exhibition and Notification | 16 |
| 4.8 | Objects of the EP&A Act | 16 |
| 4.9 | Ecologically Sustainable Development | 17 |
| 4.10 | Biodiversity Development Assessment Report..... | 18 |
| 4.11 | Commonwealth matters | 18 |
| 5 | Engagement..... | 19 |
| 5.1 | Consultation | 19 |
| 5.2 | Submissions and Advice | 19 |
| 5.3 | Response to submissions | 21 |
| 6 | Assessment | 23 |
| 6.1 | Stormwater and Flooding | 23 |
| 6.2 | Transport, Access and Parking | 26 |
| 6.3 | Building Design and Fire Safety..... | 29 |

| | | |
|----------|--|-----------|
| 6.4 | Other issues | 30 |
| 7 | Evaluation | 35 |
| 8 | Recommendation | 37 |
| 9 | Determination | 38 |
| | Appendices | 39 |
| | Appendix A – List of Documents | 39 |
| | Appendix B – Considerations under Section 4.15 of the EP&A Act | 40 |
| | Appendix C – Consideration of Environmental Planning Instruments | 42 |
| | Appendix D – Community Views for Draft Notice of Decision | 44 |
| | Appendix E – Recommended Instrument of Consent | 45 |

1 Introduction

1.1 The Department's Assessment

This report details the Department of Planning, Industry and Environment's (the Department) assessment of the State significant development application (SSD-10401) for the Chullora Materials Recovery Facility (MRF).

The proposed development (the development) involves construction and operation of an MRF that would process up to 172,000 tonnes per annum (tpa) of recyclable waste from municipal, commercial and industrial sources.

The Department's assessment considers all documentation submitted by SUEZ Recycling & Recovery Pty Ltd (the Applicant), advice received from government authorities and submissions from stakeholders and the public. The Department's assessment also considers the legislation, waste policy and planning instruments relevant to the site and the development. This report evaluates the key issues and provides recommendations for managing any impacts during construction and operation.

The Department's assessment of the Chullora MRF has concluded the development is in the public interest and should be approved, subject to conditions.

1.2 Development Background

The Applicant is seeking development consent to construct and operate an MRF at 21 Muir Road, Chullora (the site) in the Canterbury-Bankstown Local Government Area (LGA), see **Figure 1**. The site is located 18 kilometres (km) west of the Sydney Central Business District (CBD).

The site is in an industrial area of Chullora with warehouses and industrial buildings on all boundaries, see **Figure 2**. The nearest residential area is located 450 metres (m) to the south-west in Yagoona.

The site has previously been used for waste management activities, with WSN Environmental Solutions operating a waste facility on the site from 1997 until 2011. The Applicant took ownership of the site in 2011 and operated a waste transfer station, MRF, garden organics facility and a glass processing shed. In 2017, the MRF was damaged by fire and the facilities were subsequently demolished. The Applicant has continued to use the site for storage of residential waste bins, maintenance and parking of waste trucks.

The Applicant now proposes to redevelop the 9.2-hectare (ha) site in three stages to form the Chullora Resource Recovery Park (RRP), see **Figure 2**. The three development stages include:

- Stage 0 – flood mitigation and site establishment
- Stage 1 – construct and operate an MRF
- Stage 2 – construct and operate a Resource Processing Facility (RPF)

Stage 0 was approved by Canterbury-Bankstown Council on 2 June 2021. The approved works include construction of a 22,100 cubic metre (m³) flood detention basin, earthworks across the whole site to create a level pad above the 1 in 100 year flood level and demolition of existing structures.

Stage 1, the subject of this SSD application, involves receipt and processing of up to 172,000 tpa of co-mingled recyclable municipal solid waste (MSW) and dry commercial and industrial waste (C&I). Recyclable material, including paper, cardboard, glass, metals and plastics, would be recovered from

the waste by mechanical separation and manual sorting processes. Recyclable materials would be transported to manufacturers for secondary processing into recycled products.

Stage 2 involves processing 250,000 tpa of non-putrescible waste including household furniture, timbers and textiles to recover recyclables and produce processed engineered fuel. The Planning Secretary issued environmental assessment requirements for Stage 2 in April 2020.

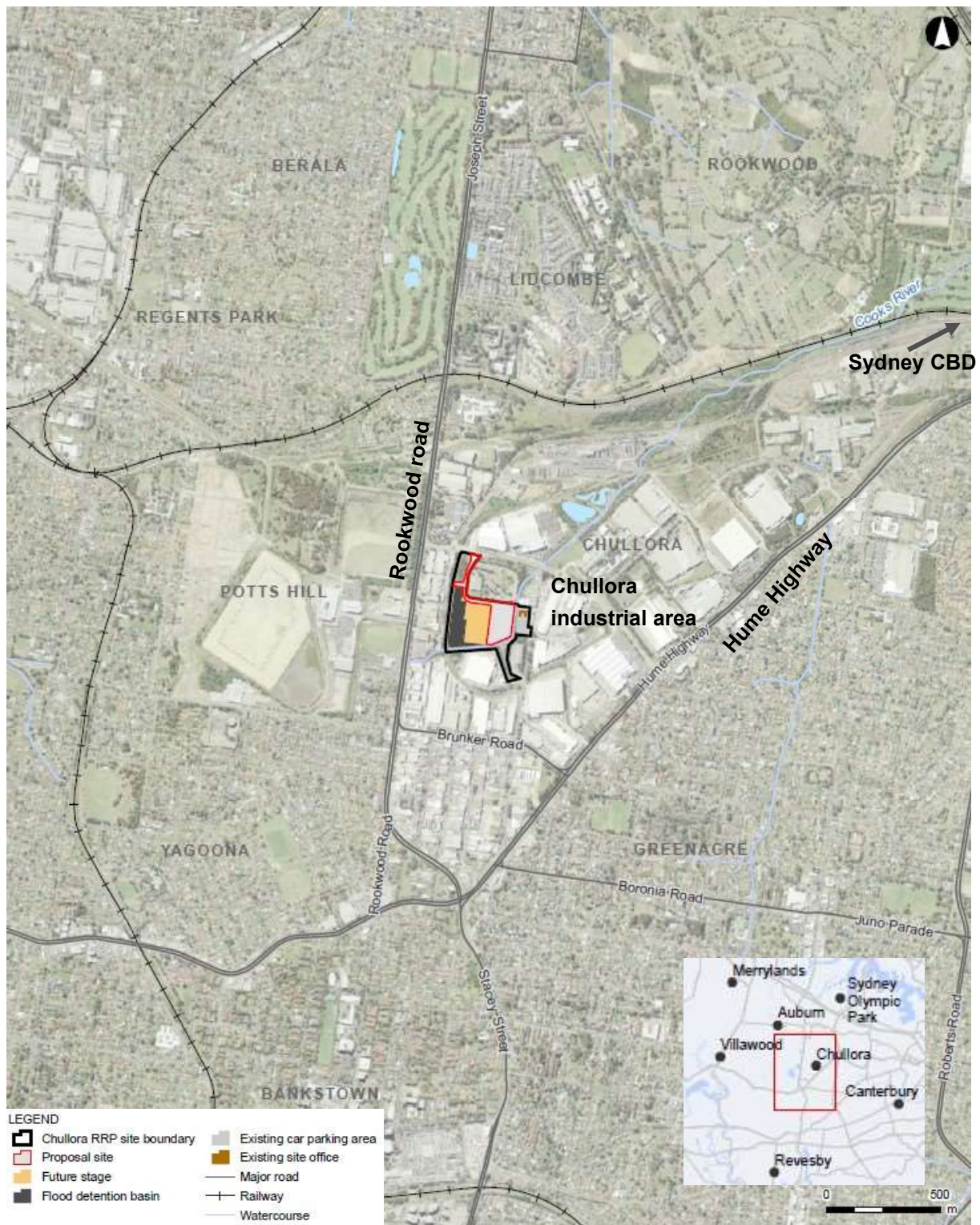


Figure 1 | Regional Context



Figure 2 | Local Context and Development Stages

1.3 Site Description

The site covers 9.2 ha of industrial zoned land in the Canterbury-Bankstown LGA. Stage 1, the subject of this application, covers 2.5 ha of the site and is legally described as Lot 2 DP 1227526.

The site is flat and contains a mix of hardstand and unpaved areas, see **Figure 3**. There is an existing paved access road suitable for heavy vehicles connecting the site to Muir Road to the north. The Cooks

River is contained within a concrete lined channel that runs along the southern boundary before turning north and dissecting the site. On the eastern side of the Cooks River channel is an existing site office and staff parking area that is accessed via Anzac Street to the south. There are isolated patches of vegetation in the north and south of the site. A disused rail line and corridor is located along the western boundary.

The site is in the Cooks River catchment and is below the 1 in 100-year flood level, meaning the site would become inundated during this storm event. The approved Stage 0 works would fill the site above the 1 in 100-year flood level to enable development.



Figure 3 | Existing Site

1.4 Surrounding Land Uses

The site is in an industrial area of Chullora with warehouses and industrial buildings on all sides. To the north is PFD food services and Volkswagen's offices, to the east is Tip Top Bakery and News Limited warehouse, to the south is BlueScope Steel and a Veolia resource recovery facility and to the east is a disused rail line and corridor.

The nearest residential receivers are in the suburb of Yagoona approximately 450 metres (m) to the south-west and Greenacre approximately 600 m to the east.

Heavy vehicle access is via Muir Road which connects to Rookwood Road in the west and the Hume Highway 1 kilometre (km) to the south-east, see **Figure 4**. A secondary access point for light vehicles is provided from Anzac Street in the south, which connects to Brunner Road, Rookwood Road and the Hume Highway.

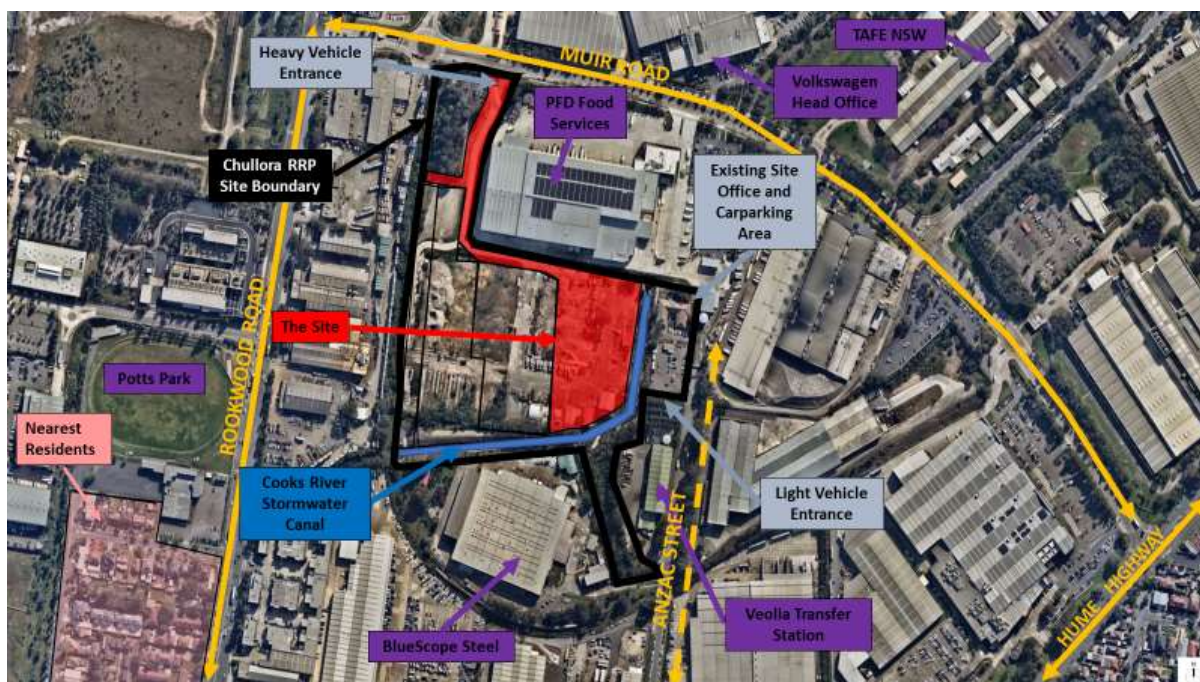


Figure 4 | Surrounding Land Uses and Key Roads

1.5 Other Development Approvals

A number of development consents apply to the site, covering previous waste management operations, see **Table 1**. The first three consents would be surrendered as part of this SSD application as they relate to previous waste facilities on the site which no longer operate. The last consent is for the flood mitigation and site establishment works, which would remain active for on-going management of the flood detention basin.

Table 1 | Existing Consents that Apply to the Site

| Development Consent | Approved Use |
|---------------------|---|
| DA 897/1994 | Putrescible waste transfer station with approval to process up to 66,000 tpa of putrescible waste and green waste |
| DA 287/1996 | MRF with approval to recycle up to 100,000 tpa of recyclable material |
| DA 973/2002 | A glass processing facility with approval to process up to 40,000 tpa of glass. |
| DA 366/2020 | Flood mitigation and earthworks across the site, approved 2 June 2021 |

Flood Mitigation Works (DA 366/2020)

On 2 June 2021, Canterbury-Bankstown Council (Council) approved flood mitigation and site establishment works across the site. The approval covers:

- demolition of existing structures, removal of trees and vegetation and crushing the existing concrete slab

- construction of a flood detention basin with 22,100 m³ of flood storage
- filling the remainder of the site using crushed recycled concrete and imported shale and sandstone to create a level pad above the 1 in 100 year flood level
- installation of a geofabric liner across the levelled area and establishment of a new landscaped area along the southern boundary of the site as a buffer to the Cooks River stormwater canal.

Flood mitigation and site establishment works would be completed prior to construction of the MRF.

2 Development

2.1 Description of the Development

The Applicant is proposing to construct and operate an MRF at 21 Muir Road, Chullora. The major components are summarised in **Table 2**, shown on **Figure 5** to **Figure 7** and described in full in the Environmental Impact Statement (EIS) and Response to Submissions (RtS) report in **Appendix B**.

Some minor amendments were made to the development and detailed in the Applicant's RtS, including:

- addition of a second outbound weighbridge
- adjustment to the fire water suppression strategy
- minor changes to the location of external doors on the MRF building, internal layout and substation design.

Table 2 | Main Components of the Development

| Aspect | Description |
|----------------------------|--|
| Development Summary | Construct and operate an MRF to process up to 172,000 tpa of waste for reuse and recycling |
| Construction | <ul style="list-style-type: none"> • establish hardstand and internal road network • construct the MRF building, 9,986 square metres (m²) in area and 12.3 metres (m) high, with high speed roller shutter doors. The MRF would include three main areas (receival, processing and product storage) • install and commission fixed plant and equipment inside the MRF building including conveyors, screens, sorters, baling and bagging systems • install weighbridges, internal site office, pedestrian overbridge to the existing office and fire water systems • install and connect services (electricity, gas, water, sewer and telecommunications) • install signage and formalise the Anzac Street access |
| Operation | <ul style="list-style-type: none"> • receive recyclable waste materials in an enclosed tipping area, including: <ul style="list-style-type: none"> - co-mingled material from kerbside collections and C&I sources - source separated paper and cardboard for baling - mixed plastics for secondary processing • process recyclable materials including: <ul style="list-style-type: none"> - manual removal of hazardous materials such as batteries - recovery of non-putrescible recyclables such as metals for export off site - mechanical separation and manual sorting of recyclables - value added processing of paper fibres and plastics • product storage before transport off site for additional processing and reuse |
| Processing Volumes | <ul style="list-style-type: none"> • up to 115,000 tpa of co-mingled recyclables • up to 50,000 tpa of source separated paper and cardboard • up to 7,000 tpa of mixed plastics |

| Aspect | Description |
|---------------------------------|---|
| Traffic | <ul style="list-style-type: none"> Construction – up to 16 heavy vehicle movements per day and up to 60 light vehicle movements per day Operation - up to 264 peak vehicle movements per day comprising 90 light vehicle movements and 174 heavy vehicles |
| Hours of Operation | <ul style="list-style-type: none"> Construction – approximately 12 months duration, standard construction working hours Operation - 24 hours, seven days a week |
| Capital Investment value | \$36.7 million |
| Employment | 30 jobs during construction and 45 during operation |

2.2 Physical Layout and Design

The MRF building would include three main areas that would be separated for fire safety. These include:

1. Receiving area – trucks would deposit cardboard, plastics and co-mingled recyclable waste material into the receiving area. The area would contain high-speed roller shutter doors to contain odour and dust. Materials would be separated and sorted to remove non-conforming wastes.
2. Processing area – fixed plant and machinery would process the waste using a combination of automated mechanical separation and manual sorting. Material would be baled and transferred to the storage area.
3. Storage area – multiple storage bays for glass, baled product and residual waste. Trucks would collect stored product and transport it off-site for further processing for reuse. The area would contain high-speed roller shutter doors to contain odour and dust.

Trucks would access the site throughout the day and night, with peak arrivals estimated to occur between 4 am – 5 am and 12 pm – 1 pm. All vehicles would enter and exit the site via the incoming and outgoing weighbridges to enable recording and reporting of waste volumes. The incoming weighbridges are located 300 m from the site entrance and include two 100 m long queuing lanes.

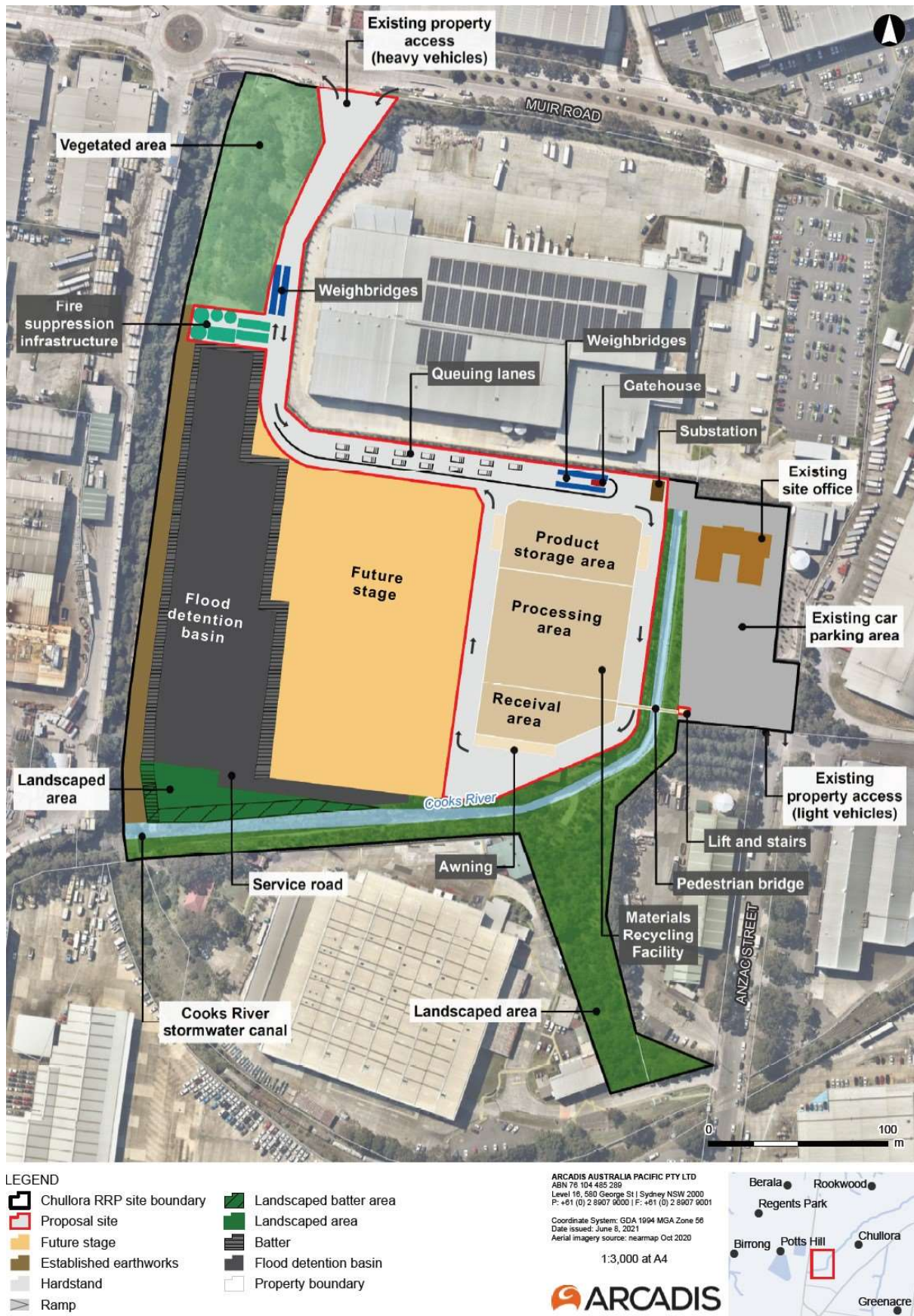


Figure 5 | Development Layout

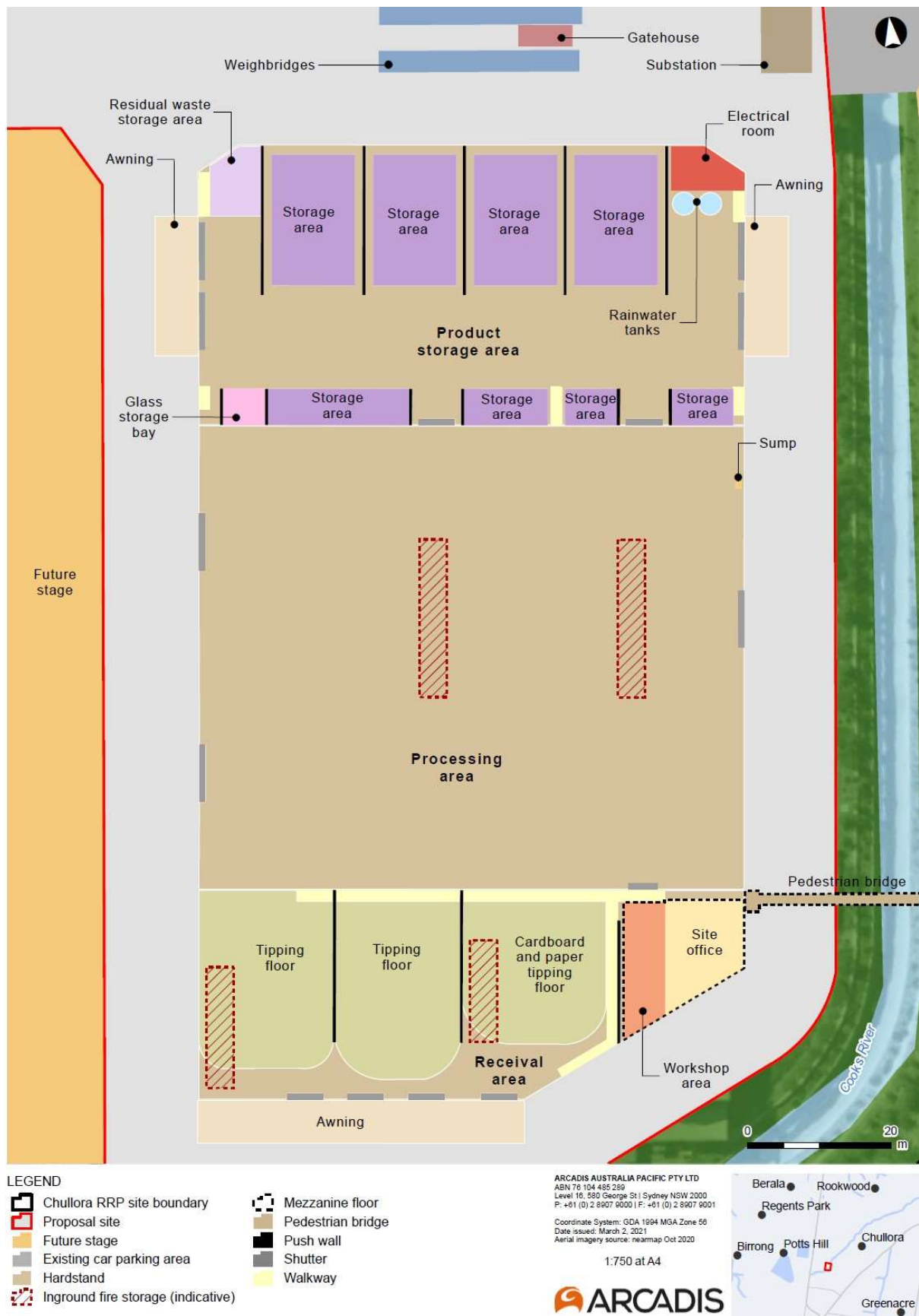
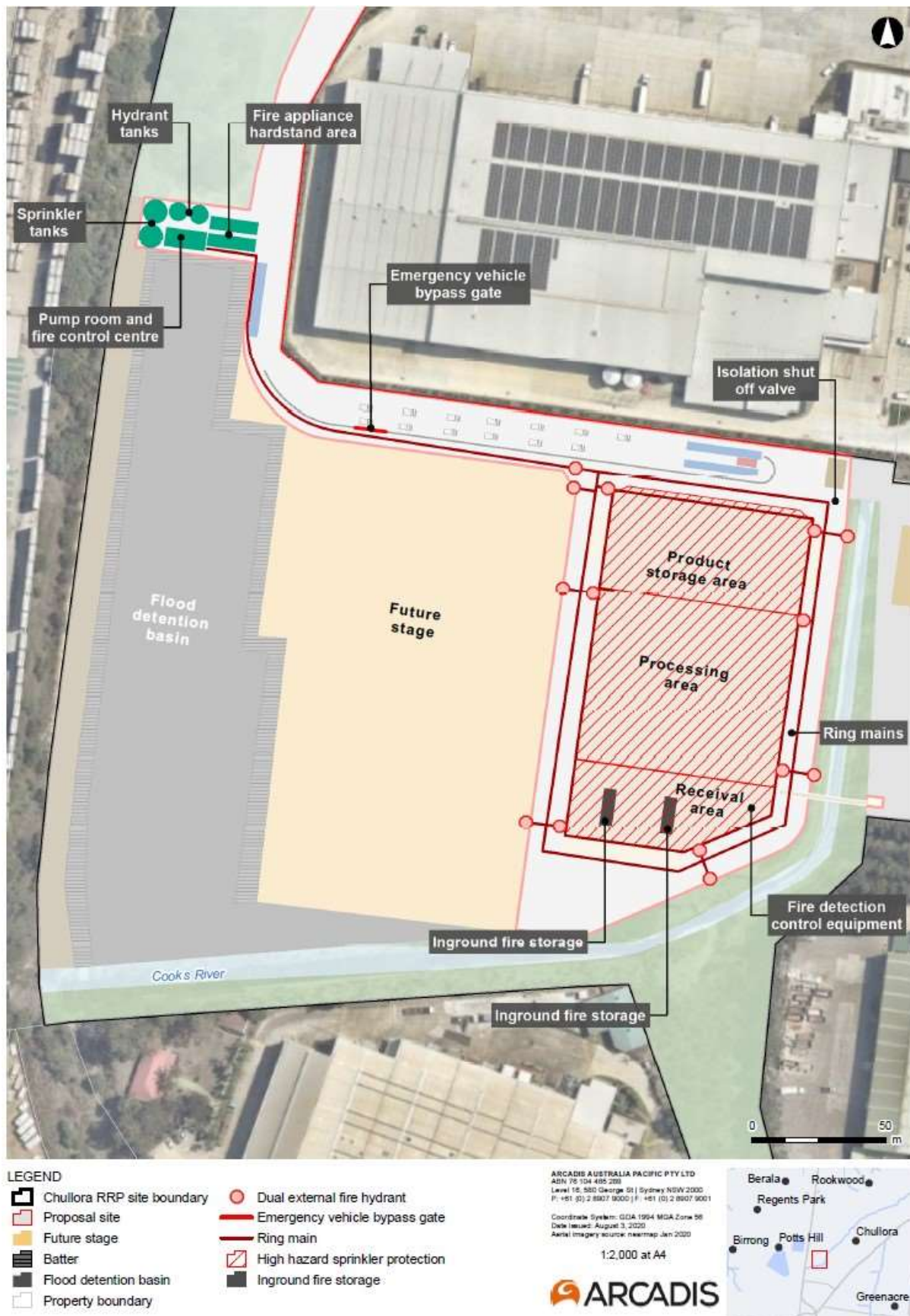


Figure 6 | MRF Building Layout



2.3 Applicant's Need and Justification for the Development

The Applicant provided five key reasons for providing additional recycling capacity in Sydney, including:

1. There is currently limited recycling capacity in Sydney, compromising the ability to meet the NSW Government's waste policy goals of 70% resource recovery from municipal waste.
2. Changes in international markets, with traditional 'sort and export' options no longer available, increasing demand for additional recycling capacity in Australia.
3. The proposed federal export ban on unrefined materials is promoting investment in materials reprocessing in Australia.
4. National Packaging Targets 2025 have created a need for a major expansion in the recycling rate of plastic packaging.
5. The development supports a shift in the waste management approach in Australia, moving away from low grade materials to a closed loop model that considers specific end uses for recyclable materials.

3 Strategic context

The Department has considered strategic plans relevant to the waste industry and the location of the site.

3.1 NSW Waste Avoidance and Resource Recovery Strategy 2014-21

The Waste Avoidance and Resource Recovery Strategy (WARR) sets goals for sustainably managing waste and resources by avoiding waste generation, increasing recycling targets and diverting more waste from landfill. The WARR sets targets for increased recycling rates by 2021-22, as follows:

- 70% for municipal solid waste (MSW)
- 70% for commercial and industrial (C&I) waste
- 80% for construction and demolition (C&D) waste

The WARR also aims to increase waste diverted from landfill to 75%.

The development would contribute to achieving these targets across Sydney by recycling up to 172,000 tpa of MSW and C&I waste. The development is consistent with the key objectives of the WARR Strategy to increase recycling rates and divert more waste from landfill.

3.2 National Waste Policy: Less Waste, More Resources

The National Waste Policy (NWP) outlines the Federal Government's objectives for improving the management of waste resources and promoting sustainable and innovative solutions to challenges in Australia's waste management industry. The development would assist in achieving a key outcome of the NWP, to ensure waste streams are routinely managed as a resource to achieve better environmental, social and economic outcomes.

The development would assist in achieving Strategy 7: Increasing industry capacity, by constructing and operating waste recycling infrastructure that would utilise best practice recycling methods to extract materials for beneficial reuse.

3.3 NSW Circular Economy Policy Statement – Too Good to Waste

The NSW Environment Protection Authority (EPA) prepared the Circular Economy Policy Statement in 2019, outlining principles for transitioning NSW towards a circular economy. The development is consistent with the principles of the policy, including maintaining the value of products and materials and providing innovative solutions for resource efficiency. The development would utilise best practice sorting and recycling methods to provide higher value reuse opportunities.

3.4 Greater Sydney Plan and South District

The Greater Sydney Plan, *A Metropolis of Three Cities*, seeks to transform Greater Sydney into a metropolis of three cities: the Western Parkland City, the Central River City and the Eastern Harbour City. The Greater Sydney Plan presents a 40-year vision for Greater Sydney, supported by five district plans. The development is located within the South District which includes Canterbury-Bankstown, Georges River and Sutherland LGAs. The Planning Priorities for this district are set out in the South District Plan.

The development is consistent with the vision of the South District Plan, to provide residents with quicker and easier access to a wide range of jobs and to reduce carbon emissions and manage waste efficiently. The development is consistent with Planning Priority S10 to retain and manage industrial and urban services land, as it would provide 45 jobs on existing industrial land in Chullora.

The development is also consistent with Planning Priority S17 to reduce carbon emissions and manage energy, water and waste efficiently. The South District Plan identifies the need to improve the efficiency and capacity of waste infrastructure to manage forecast growth in waste generation over the next 20 years. The development would increase the waste recycling capacity of the district.

3.5 Canterbury Bankstown Community Strategic Plan 2028

The Canterbury-Bankstown Community Strategic Plan provides a 10-year vision for Canterbury-Bankstown, with seven, specific 'destinations'. The destination 'Clean and Green' aims to provide a clean and sustainable city with a reduced carbon footprint and advanced recycling and waste services.

The development is consistent with this Plan, as it would provide additional waste recycling capacity for the LGA and increase the diversion of waste from landfill. The development would service the local area by receiving waste from locally generated sources, improving resource recovery rates within the Canterbury Bankstown LGA.

3.6 Connective City 2036 - Canterbury-Bankstown's Local Strategic Planning Statement

Canterbury-Bankstown's local strategic planning statement (LSPS), Connective City 2036 is a 20-year plan to guide renewal and growth in the LGA to support a population of 500,000 residents and 165,000 workers and visitors by 2036. The LSPS details 10 evolutions, identifying the infrastructure needed to support growth across the LGA.

The development is consistent with Evolution 9: Sustainability and Resilience, which sets out approaches for managing energy, water and waste efficiently. The LSPS identifies existing industrial land at Chullora as sustaining industries that support the circular economy, such as waste recycling and reuse. The development would assist in achieving the aims of the LSPS.

4 Statutory Context

4.1 State Significance

The development is State significant development pursuant to section 4.36 of the EP&A Act as it is development for the purpose of resource recovery or recycling activities that handle more than 100,000 tonnes per year of waste, which meets the criteria in Clause 23 of *State Environmental Planning Policy (State and Regional Development) 2011* (SRD SEPP).

4.2 Permissibility

The site is zoned IN1 General Industrial under *Bankstown Local Environmental Plan 2015* (BLEP 2015). The development is defined as a waste or resource management facility under the BLEP. These facilities are permissible with consent in the IN1 General Industrial zone.

Clause 121 of *State Environmental Planning Policy (Infrastructure) 2007* (ISEPP) permits development for the purpose of waste or resource management facilities with consent, on land in a prescribed zone, which includes the IN1 General Industrial zone. The development is also permissible with consent under the ISEPP.

4.3 Consent Authority

The Minister is the consent authority for the development under section 4.5 of the EP&A Act.

On 26 April 2021, the Minister delegated the functions to determine SSD applications to the Director, Industry Assessments where:

- the Council has not made a submission by way of objection;
- there are less than 15 unique public submissions in the nature of objections; and
- a political disclosure statement has not been made by the Applicant.

There was one public objection to the development. Council did not object and no reportable political donations were made by the Applicant in the last two years or by any persons who lodged a submission. Accordingly, the application can be determined by the Director, Industry Assessments under delegation.

4.4 Other approvals

Under section 4.42 of the EP&A Act, other approvals may be required and must be approved in a manner that is consistent with any Part 4 consent for the SSD under the EP&A Act.

In its submission, the EPA confirmed the development is a scheduled activity under the *Protection of the Environment Operations Act 1997* (POEO Act) and requires an Environment Protection Licence (EPL). The EPA recommended conditions for waste management, air quality, noise and water management. The Department has considered the EPA's advice in its assessment of the development and included its recommended conditions in the consent.

4.5 Mandatory Matters for Consideration

Section 4.15 of the EP&A Act sets out matters to be considered by a consent authority when determining a development application. The Department's consideration of these matters is set out in **Section 6** and **Appendix B**. The Department is satisfied the proposed development is consistent with the requirements of section 4.15 of the EP&A Act.

4.6 Environmental Planning Instruments

Under section 4.15 of the EP&A Act, the consent authority, when determining a development application, must take into consideration the provisions of any environmental planning instrument (EPI) and draft EPI (that has been subject to public consultation and notified under the EP&A Act) that apply to the proposed development.

The Department has considered the development against the relevant provisions of several key EPIs including:

- State Environmental Planning Policy (State and Regional Development) 2011 (SRD SEPP)
- State Environmental Planning Policy (Infrastructure) 2007 (ISEPP)
- State Environmental Planning Policy No. 33 – Hazardous and Offensive Development (SEPP 33)
- State Environmental Planning Policy No. 55 – Remediation of Land (SEPP 55) and the draft State Environmental Planning Policy (Remediation of Land) (draft Remediation SEPP)
- State Environmental Planning Policy No. 64 – Advertising Structures and Signage (SEPP 64)
- Bankstown Local Environmental Plan 2015 (BLEP).

Detailed consideration of the provisions of all EPIs that apply to the development is provided in **Appendix D**. The Department is satisfied the proposed development complies with the relevant provisions of these EPIs.

Development Control Plans (DCPs) do not apply to SSD under Clause 11 of the SRD SEPP. However, the Department has considered the relevant provisions of the Bankstown DCP 2015 in its assessment of the development in **Section 6** of this report.

4.7 Public Exhibition and Notification

In accordance with section 2.22 and Schedule 1 to the EP&A Act, the development application and any accompanying information of an SSD application are required to be publicly exhibited for at least 28 days. The application was on public exhibition from 20 August 2020 to 16 September 2020 (28 days). Details of the exhibition process and notifications are provided in **Section 5**.

4.8 Objects of the EP&A Act

In determining the application, the consent authority should consider whether the development is consistent with the relevant objects of the EP&A Act. The Department has fully considered the objects of the EP&A Act, including the encouragement of Ecologically Sustainable Development (ESD), in its assessment of the application (see **Table 3**).

Table 3 | Considerations Against the Relevant Objects of the EP&A Act

| Object | Consideration |
|---|--|
| 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 development would promote the social and economic welfare of the community by recycling resources for beneficial reuse and providing capital investment of \$36.7 million and 45 jobs in the local area. |

| Object | Consideration |
|--|---|
| 1.3(b) to facilitate ecologically sustainable development by integrating relevant economic, environmental and social considerations in decision-making about environmental planning and assessment | The development integrates all social, economic and environmental considerations and seeks to avoid potentially serious or irreversible environmental damage. The Department is satisfied the development can be carried out in a manner consistent with the principles of ESD. |
| 1.3(c) to promote the orderly and economic use and development of land | The development promotes orderly and economic use and development of industrial land that has previously been used for waste management infrastructure. |
| 1.3(e) to protect the environment, including the conservation of threatened and other species of native animals and plants, ecological communities and their habitats | The Department's assessment in Section 6 concludes the development would not impact on threatened species or ecological communities, with no vegetation clearing required for the development. |
| 1.3(g) to promote good design and amenity of the built environment | The development is appropriately designed and consistent with the surrounding industrial environment. The MRF shed would be 12.3 m high and would not be visible from any sensitive receiver. |
| 1.3(h) to promote the proper construction and maintenance of buildings, including the protection of the health and safety of their occupants | The development has been designed to meet fire safety and building code requirements, including <i>Fire Safety in Waste Facilities</i> (Fire & Rescue 2020) |
| 1.3(i) to promote the sharing of the responsibility for environmental planning and assessment between the different levels of government in the State | The Department assessed the development in consultation with Council and other Government agencies, incorporating the recommendations into the conditions of consent. |
| 1.3(j) to provide increased opportunity for community participation in environmental planning and assessment | The application was publicly exhibited for 28 days providing opportunity for public participation in the assessment process. The Department considered public submissions in its assessment. |

4.9 Ecologically Sustainable Development

The EP&A Act adopts the definition of ESD found in the *Protection of the Environment Administration Act 1991*. Section 6(2) of that Act states that ESD requires the effective integration of economic and environmental considerations in decision-making processes and that ESD can be achieved through the implementation of:

- (a) *the precautionary principle*
- (b) *inter-generational equity*
- (c) *conservation of biological diversity and ecological integrity*
- (d) *improved valuation, pricing and incentive mechanisms.*

The potential environmental impacts of the development have been assessed and, where potential impacts have been identified, mitigation measures and environmental safeguards have been recommended.

Based on its detailed assessment of the development, as described in **Section 6**, the Department considers the development would not adversely impact on the environment and is consistent with the objectives of the EP&A Act and the principles of ESD.

4.10 Biodiversity Development Assessment Report

Section 7.9(2) of the *Biodiversity Conservation Act 2016* (BC Act) requires all applications for SSI and SSD to be accompanied by a Biodiversity Development Assessment Report (BDAR) unless the Planning Agency Head and the Environment Agency Head determine that the proposed development is not likely to have any significant impact on biodiversity values.

The Applicant prepared a BDAR which confirmed the development would not have a significant impact on any threatened species or ecological communities. The Applicant committed to protecting an adjacent endangered ecological community from development impacts and the Department has recommended conditions to ensure this native vegetation is protected during construction and operation of the development.

4.11 Commonwealth matters

The Applicant considered whether the development would impact on matters of national environmental significance (MNES) and be a controlled action under the Commonwealth *Environment Protection and Biodiversity Conservation Act 1999* (EPBC Act). The BDAR confirmed there would be no impact on threatened species or ecological communities, with an existing endangered ecological community protected from development. As such, the Applicant determined a referral to the Commonwealth Government was not required.

5 Engagement

5.1 Consultation

The Applicant, as required by the Planning Secretary's Environmental Assessment Requirements (SEARs), undertook consultation with relevant local and State government authorities and surrounding businesses. The Department undertook further consultation with these stakeholders during the exhibition of the EIS and throughout the assessment of the application. These consultation activities are described in detail in the following sections.

Consultation by the Applicant

The Applicant undertook a range of consultation activities throughout preparation of the EIS including, emails, phone conversations and face-to-face meetings with government authorities, website updates, telephone calls and a fact sheet distributed to surrounding businesses. The Applicant recorded receiving one response from a nearby business which noted no major concerns with the development.

Consultation by the Department

After accepting the DA and EIS for the application, the Department:

- made it publicly available from **20 August 2020** until **16 September 2020** (28 days) on the Department's website;
- advertised the public exhibition in the local newspaper, the Canterbury-Bankstown Torch;
- wrote to landowners and occupiers in the vicinity of the site to advise them of the public exhibition and the procedures for making a submission;
- notified and invited comments from State government agencies and Canterbury-Bankstown City Council; and
- visited the site in August 2020.

5.2 Submissions and Advice

The Department received 3 submissions (1 public and 2 special interest groups) and advice from 7 government authorities. One special interest group objected, and one public submission supported the development. All other submissions and advice were provided as comments.

The key issues raised in the objection related to air, noise and traffic impacts on an adjacent business. The submission in support noted the positive environmental benefits of materials recycling.

Table 4 lists the submissions and advice received, with a link to all submissions and advice included in **Appendix A**.

Table 4 | List of Submissions and Advice

| Submitter | Total | Position |
|--|-------|----------|
| Government Agencies | | |
| Canterbury-Bankstown Council, Transport for NSW (Roads and Maritime Services), Environment Protection Authority, Fire & Rescue NSW, Environment, Energy & Science Group of DPIE, DPIE - Water, Sydney Trains | 7 | Comment |
| Special Interest Groups | | |

| Submitter | Total | Position |
|---------------------------|-----------|----------|
| Sydney Water | 1 | Comment |
| Oriental Merchant Pty Ltd | 1 | Object |
| Community Members | 1 | Support |
| TOTAL | 10 | |

5.2.1 Key Issues - Public Authorities

Canterbury-Bankstown Council (Council) did not object to the development but raised questions about flooding, biodiversity, and contamination, noting Council were considering these matters as part of the DA 366/2020 for the flood mitigation works. Council noted it could not comment on these aspects until the matters are resolved through the flood mitigation DA.

Council requested further consideration of cumulative traffic impacts of Stage 1 (MRF) and Stage 2 (RRP), clarification on fire safety and design and further consideration of water quality and leachate management, odour and dust control. Council also requested details of how the development meets Council's vision for providing innovation excellence in the Chullora industrial area.

Environment Protection Authority (EPA) did not object to the development and recommended conditions for waste management, dust, odour and noise management, water quality and emergency management. The EPA noted the Applicant would be required to either apply for a new EPL or submit a variation to update the existing licence.

Fire and Rescue NSW (FRNSW) recommended the Applicant engage with FRNSW during design of the fire safety systems for the development. FRNSW recommended the Applicant address all requirements of FRNSW's Fire Safety Guidelines – Fire Safety in Waste Facilities and Emergency Vehicle Access. FRNSW also recommended provisions be included for the automatic containment of contaminated fire water and the Applicant prepares an Emergency Plan in accordance with Australian Standards.

Transport for NSW (TfNSW) requested additional information on heavy vehicle types and movements for the development. A submission was also received from **Roads and Maritime Services (RMS)** that was a duplicate of the TfNSW submission.

Environment, Energy and Science Group (EES) of the Department reviewed the biodiversity and flooding aspects of the EIS. In relation to biodiversity, EES advised it could not provide comments as the proposed removal of vegetation is the subject of the flood mitigation works development application with Council. In relation to flooding, EES reviewed the EIS and the Rookwood Road Catchment Flood Study Report and advised it had no comments, subject to the Applicant developing a comprehensive flood risk management plan for the development.

The **Water Group** of the Department (**DPIE – Water**) and the **Natural Resources Access Regulator (NRAR)** did not object to the development and requested further information on groundwater conditions at the site and recommended the Applicant implement a vegetated riparian zone adjacent to the Cooks River in accordance with NRAR's Guidelines for controlled activities on waterfront land.

Sydney Trains noted the application had been assessed in accordance with the ISEPP and recommended conditions for protection of the disused rail line and corridor adjacent to the site.

5.2.2 Key Issues - Special Interest Groups/Private Businesses

Sydney Water provided its requirements for water and wastewater connections for the development. Sydney Water noted that it has critical assets that pass through, underneath and adjacent to the site and provided details of its requirements for building over and adjacent to these assets. This includes restrictions on permanent structures over or close to the stormwater channel that passes through the site. The Applicant confirmed it would meet the requirements of Sydney Water and noted the proposal includes a temporary pedestrian overbridge over the stormwater channel. The Applicant would obtain a building over and adjacent (BOA) works approval from Sydney Water for this structure. The Department has included conditions requiring the Applicant to obtain all relevant approvals from Sydney Water for works that affect or require connection to their assets.

Oriental Merchant Pty Ltd, a nearby business, objected to the development. Oriental Merchant requested the air and noise assessments consider the potential impacts on neighbouring commercial operators, food and drink premises and future receptors, noting this was omitted from the assessments. Oriental Merchant also requested the Applicant provide further consideration of traffic impacts on Muir Road, noting its premises is located opposite the entry and exit point for the development. The submission recommended further consideration of the impacts on its business from traffic queuing, congestion, emissions and road noise.

5.2.3 Key Issues - Public Submissions

One public submission was received supporting the development, stating that material recovery has a positive environmental impact.

5.3 Response to submissions

On 11 June 2021, the Applicant provided a Response to Submissions (RtS) to address the issues raised during the exhibition of the development (see **Appendix B**). The RtS noted that many issues raised by Council had been addressed through the development application for flood mitigation works, which was approved on 2 June 2021. The RtS also proposed minor amendments to the development, including:

- addition of a second outbound weighbridge
- changes to the fire suppression water strategy including changes to receival pits and addition of a 100 mm bund around the perimeter of the MRF for fire water containment
- minor changes to the location of external doors on the MRF building, the internal layout and the substation design.

The RtS was made publicly available on the Department's website and was provided to key government authorities to consider whether it adequately addressed the issues raised. A summary of the government authority responses is provided below:

- Council recommended conditions for construction and operational traffic management plans. Council also requested the Applicant provide detailed vehicle reports (truck volumes and types) for the development and annual dilapidation reports of the heavy vehicle routes on Councils road network. Council noted that construction of the MRF must not commence until the flood mitigation works are satisfactorily completed and requested a long-term environmental management plan to

ensure construction of the MRF does not impact the integrity of the cap placed over the earthworks pad.

- EPA noted the RtS included an additional weighbridge and noted its requirements for recording and reporting on the waste levy payable under the *Protection of the Environment Operations (Waste) Regulation 2014*. EPA also noted its requirements for an EPL for the premises.
- FRNSW review the RtS and confirmed it adequately addressed their comments and recommendations.
- TfNSW raised no further comments and recommended the Applicant prepare a construction pedestrian and traffic management plan.
- EES recommended the Applicant implement the biodiversity mitigation measures detailed in the BDAR.
- DPIE Water did not provide any further comments.
- Sydney Trains advised it had no further comments.

The Department has considered the issues raised in submissions, the RtS and final advice from government authorities, in its assessment of the development.

6 Assessment

The Department has considered the EIS, the issues raised in submissions and the Applicant's RtS in its assessment of the development. The Department considers the key assessment issues are:

- stormwater and flooding
- transport, access and parking
- building design and fire safety

A number of other issues have also been considered. These are considered minor and are addressed in **Table 5** of **Section 6.4**.

6.1 Stormwater and Flooding

The site is located adjacent to the Cooks River, which flows through a concrete stormwater canal along the southern boundary of the site then turns north, passing through the site between the existing office and the proposed MRF, see **Figure 8**. The Upper Cooks River catchment is highly urbanised and is in poor ecological health. The development has the potential to impact on water quality in the Cooks River, given its close proximity. Sydney Water also has stormwater assets that pass through the site, which need protecting during construction and operation.

The site is subject to flooding from upstream catchments and the current site level is below the 1% Annual Exceedance Probability (AEP) flood planning level. On 2 June 2021, Council provided development consent for earthworks across the site and construction of a large flood detention basin adjacent to the western boundary. The approved works are shown on **Figure 8**. These works would be completed prior to construction works commencing on the MRF. The Applicant's assessment of stormwater management and flooding for the MRF assumes the flood detention basin is in place and earthworks are completed to approved levels. The Department understands the site would be raised above the level of the 1% AEP event, providing flood protection for the new buildings and equipment.

Stormwater Management

The Applicant proposes to construct a stormwater management system for the MRF comprising of gross pollutant traps (GPT) and bio-retention filtration systems to meet the water quality objectives of the Botany Bay & Catchment Water Quality Improvement Plan (SCA 2011). The existing interceptor and discharge location in the north-eastern part of the site would be retained for the proposed MRF, subject to the requirements of an EPL.

A water and hydrology assessment for the development used modelling to determine the effectiveness of the proposed stormwater management system, confirming the system would provide pollutant reductions greater than the water quality objectives. The assessment considered potential loads of hydrocarbons and heavy metals from the MRF, concluding that loads would be low and adequately removed by the proposed GPT and bio-retention filtration.

The Applicant's approved flood detention basin (22,100 m³ volume) would provide adequate attenuation of stormwater flows on the site, such that further on-site detention is not required for the MRF. Council did not recommend any specific conditions for stormwater management. The site was formerly used for a waste facility with an impervious surface across most of the site. This would not change with the

proposed MRF, so the volume of stormwater runoff from the site would be consistent with the previous site condition.

The MRF is a dry operation, with internal misting sprays designed so no moisture reaches the facility floor. Water would be supplied to the development via the existing Sydney Water mains connection. Rainwater capture and reuse is proposed for toilet flushing and irrigation of existing landscaped areas, reducing non-potable water demand by 50%.

Sydney Water noted it has critical assets that pass through, underneath, and adjacent to the site and recommended the Applicant obtain approvals from Sydney Water for construction near its assets. This includes construction of the pedestrian overbridge that crosses the stormwater channel. These requirements are included in the recommended conditions.

A draft erosion and sediment control plan and soil and water management plan were included in the EIS. These plans detail measures to manage construction works, including sediment basins and fences around the site and other measures such as progressive stabilisation of disturbed areas. Erosion and sedimentation are expected to be minimal from construction of the MRF building as earthworks would already be completed under the Council consent.

Flooding

The Applicant's approved flood detention basin has a volume of 22,100 m³ and has been designed to contain flood events up to and including the 1% AEP. Detailed flood modelling for the flood mitigation works development application established the volume of detention needed to contain upstream flows and provide flood protection for the site and downstream areas. **Figure 9** shows the flood protection provided to the remainder of the site during the 1% AEP. The proposed MRF would be constructed above the 1% AEP and would not adversely impact flooding upstream or downstream, given the level of flood detention provided by the approved basin. Council's development consent for the flood detention basin requires the Applicant to ensure future buildings are constructed above the 1% AEP and development does not increase flood effects off-site. The Department has also included conditions requiring the MRF building to be constructed above the 1% AEP.

The Applicant would prepare a site-specific flood management plan including evacuation procedures, that may be required during a probable maximum flood (PMF) event.

Assessment and Recommendations

The Department has reviewed the water and hydrology assessment for the MRF in consultation with Council and considered Council's development consent for the earthworks and flood detention basin.

The Applicant's assessment has adequately demonstrated the proposed stormwater management system would meet the pollutant reduction objectives for the Cooks River. The approved flood detention basin and earthworks would raise the site above the 1% AEP and ensure the development does not adversely impact flooding upstream or downstream of the site. The Department recommends the Applicant provide an engineer's certification confirming the detailed design of the stormwater management system meets relevant guidelines and the Applicant prepares a flood emergency management plan for the development. Consistent with the recommendations of Council, the Department has included a condition requiring the Applicant to provide evidence to demonstrate the flood mitigation and earthworks have been completed to Council's satisfaction, prior to commencement of construction of the MRF. With these conditions in place, the Department is satisfied the water and hydrology impacts would be minimal and appropriately managed.



Figure 8 | Flood Detention and Earthworks (covered by Council consent)

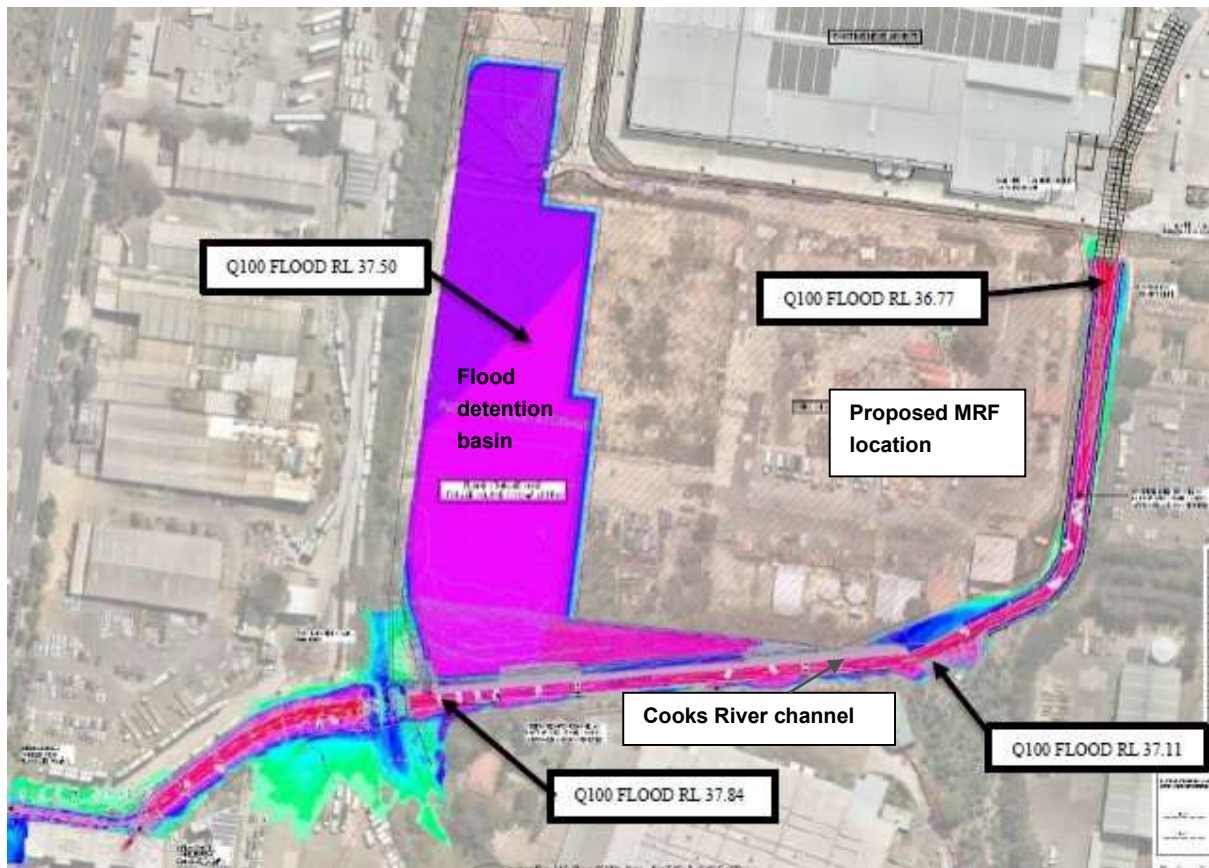


Figure 9 | 1% AEP flood levels following completion of the flood detention basin

6.2 Transport, Access and Parking

Traffic

The development would generate a peak of 264 vehicle trips per day (132 total vehicles) during operation, with a peak of 22 vehicle trips per hour (from 4 am – 5 am) and 18 vehicle trips per hour (from 12 pm – 1 pm), corresponding with shift commencement times. Traffic generated by the development includes waste collection trucks entering and leaving the site, trucks collecting and taking baled waste products from the site and staff vehicles. The increased traffic volumes have the potential to impact on the capacity of the surrounding road network, including increased delays.

The EIS included a traffic impact assessment (TIA) to evaluate the capacity of the existing road network and key intersections to absorb the additional traffic.

The site is located close to the State road network, including the Hume Highway, Rookwood Road and Brunner Road, see **Figure 10**. Access to the site is from Muir Road a local, four-lane road with egress from the site restricted to left-out movements, see **Figure 11**. Access for staff vehicles is from Anzac Street to the south, where the existing office building is located.

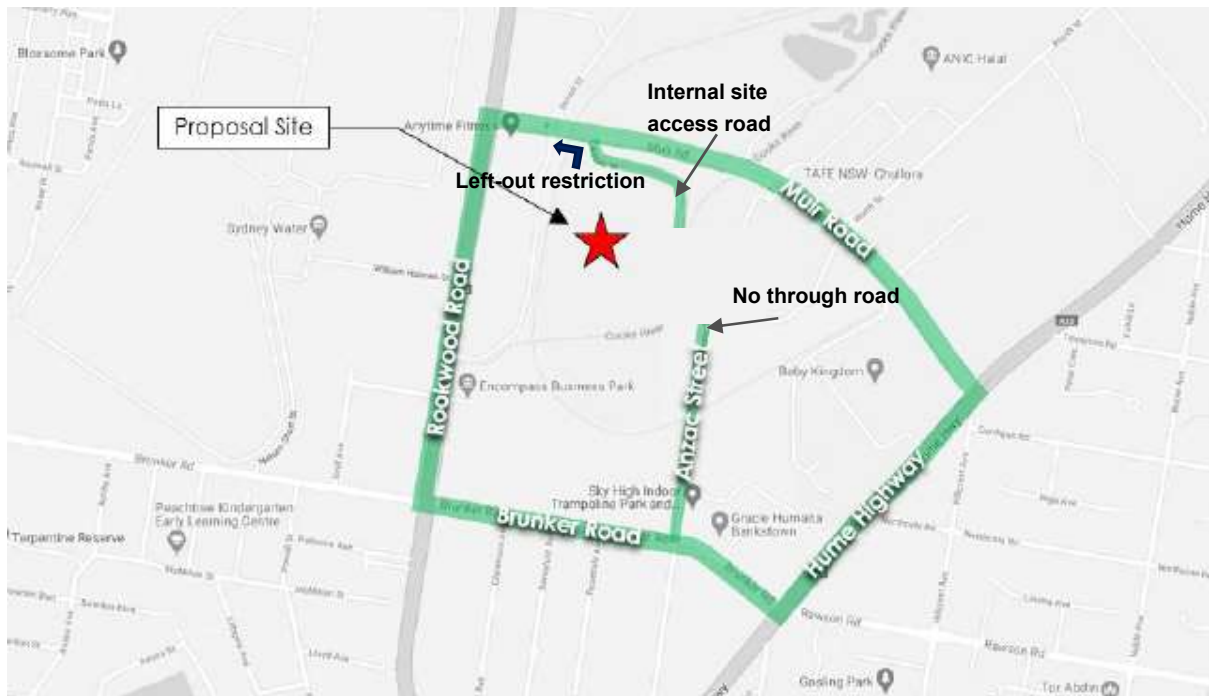


Figure 10 | Surrounding Road Network

The TIA noted the surrounding road network has adequate capacity to accommodate the additional daily and peak traffic movements from the development, noting there would be a negligible change to intersection delay (up to 1 second) across all key intersections.

There would be a deterioration in intersection performance at Rookwood Road / Muir Road when considering background traffic growth over a 10-year period (in 2032) but the development would not further increase average delays at this intersection. The development would marginally increase the queue length for the left turn movement from Rookwood Road into Muir Road by less than 2 car lengths. In this scenario, 10 years of background traffic growth already increases the queue length by 110 metres.

Construction traffic volumes would be low, with a maximum of 1 – 2 vehicle movements per hour over a 12-month period. These volumes would have a negligible impact on the capacity of the surrounding road network. Adequate parking is available for the estimated 30 construction personnel at the existing site office car park off Anzac Street. The Applicant would provide sheds and amenities on site for construction personnel to store tools and equipment, allowing them to use public transport to and from the site.

Public Transport

The site is well served by public transport with bus routes along Muir Road, Rookwood Road and the Hume Highway connecting to major transport interchanges at Parramatta, Lidcombe, Bankstown and Sutherland. The Applicant proposes to develop an employee transport plan to encourage public transport use. TfNSW noted a Green Travel Plan would not be required for the development but recommended end-of-trip facilities be provided to encourage active transport.



Figure 11 | Site Access from Muir Road

Access and Parking

The Applicant has designed the development to include four weighbridges, two to measure incoming waste loads, and two to measure outgoing loads. The two incoming weighbridges are located approximately 300 m within the site and include two 100 m long queuing lanes, providing adequate space for trucks to queue within the site boundary. The TIA considered the mix of trucks accessing the site, the time spent on site and the peak vehicle numbers, to design for sufficient queuing capacity on the site.

There are currently 70 parking spaces at the site office, which would accommodate all 45 staff from the development as well as the 20 existing staff, with an additional 5 spaces for visitors. The Applicant stated that the 45 staff would be spread over two shifts, indicating that there would be ample parking on site at all times. The Bankstown DCP 2015 requires 100 parking spaces for an industrial facility of this size; however, the Applicant has adequately demonstrated it would not need 100 spaces for its maximum 65 staff.

Assessment and Recommendations

The Department reviewed the TIA and consulted TfNSW and Council on the potential traffic impacts of the development. TfNSW reviewed the additional information provided in the RtS on heavy vehicle types and movements and raised no further questions, recommending the Applicant prepare a construction traffic management plan. Council requested the Applicant provide an equivalent axle impact report (detailing truck volumes and types) and annual dilapidation reports of the heavy vehicle routes on Council's road network to establish any damage to the road network caused by operation of the development. Council also recommended the Applicant prepare construction and operational traffic

management plans. One special interest group submission raised concerns about the impacts of additional traffic on the operation of their neighbouring commercial premises.

The Department notes the traffic from construction and operation of the development would be adequately accommodated on the surrounding road network without the need for any upgrades. The site has been used for waste management activities since the 1990s and the previous facilities would have generated similar vehicle movements to the proposed development. The TIA demonstrates there would be minimal increased intersection delays or queuing due to the development. Sufficient space has been provided on site to ensure trucks do not queue on the public road network. The Applicant has committed to prepare construction and operational traffic management plans detailing transport routes, speed limits, site inductions and internal pedestrian routes. With these plans in place, the Department considers any traffic impacts from the development would be appropriately managed. The Department has also recommended standard operating conditions for traffic management, access and parking, consistent with relevant Australian Standards and guidelines.

The Department considered Council's request for detailed traffic movement reports and annual dilapidation studies, noting Muir Road is the only local road that would be used by heavy vehicles before accessing the State road network. Muir Road is approximately 1.2 km long between the State roads, Rookwood Road and the Hume Highway. Muir Road is used by many other industrial operators within the Chullora industrial area, as well as general traffic. Even with detailed reporting, it would be difficult to attribute specific damage to a single premise and this approach has not been applied to other similar industrial facilities. The Department has included Council's request for annual traffic movement reports of vehicle numbers and types, but does not require annual dilapidation studies, given the difficulty of attributing road damage to a single operator. The Department has also recommended the Applicant prepare an operational traffic management plan in consultation with Council. The plan would include provisions for the Applicant to implement additional traffic management measures if needed to maintain road safety. The Department also notes the Applicant is required to pay development contributions to Council for each stage of development on the site, with Section 94A contributions applied to the flood mitigation DA and Section 7.12 contributions applied to this SSD application, which would contribute to the provision of Council infrastructure.

6.3 Building Design and Fire Safety

The Applicant previously operated a waste transfer station, materials recovery, garden organics and glass processing facilities on the site until 2017. The former MRF was damaged by fire in 2017 and was subsequently demolished. There are now new fire safety standards to comply with, to minimise fire risks in waste facilities.

The Applicant has designed the new facility to meet all relevant fire safety and building code requirements, including Fire Safety in Waste Facilities (Fire & Rescue NSW, 2020). The Applicant consulted with Fire & Rescue NSW (FRNSW) during the concept design process to ensure the proposed fire safety systems meet the guidelines. The EIS included a Fire Systems Design, Fire Safety Study and Building Code of Australia assessment.

The key design features for the prevention and management of fire at the MRF include separation of the waste receipt, processing and product storage areas.

Fire services and water supply tanks would be located in north-western part of the site near the road entrance. These would be designed to service the proposed development and future Stage 2 development (resource processing facility).

FRNSW reviewed the EIS and made the following recommendations for inclusion in the conditions of consent:

- FRNSW be engaged in the fire engineering brief (FEB) consultation process;
- the fire and life safety measures for the development are reassessed if there are any significant changes to the site layout, processing capacity or the accepted waste streams, including combustible materials; and
- an emergency plan is developed in accordance with the Australian Standard AS 3745 – 2010 *Planning for emergencies in facilities*.

The Department notes FRNSW did not raise any concerns about the development and provided recommended conditions. The Department notes the facility has been designed to meet current fire safety guidelines and the Applicant would consult with FRNSW during detailed design. The Department has incorporated FRNSW's recommendations in the conditions of consent to ensure the fire safety measures are implemented.

6.4 Other issues

The Department's assessment of other issues is provided in **Table 5**.

Table 5 | Assessment of Other Issues

| Issue | Findings | Recommendations |
|-------|--|--|
| Noise | <ul style="list-style-type: none"> • Peak truck movements to and from the site during the night-time (4 am – 5 am) would be a key noise source from the development. • A Noise Impact Assessment (NIA) predicted worst-case noise during construction and operation considering truck movements, unloading and waste processing with all building roller doors open. • The NIA predicted the development would comply with noise criteria at all residential and industrial receivers, including sleep disturbance criteria. • Increased truck movements are predicted to comply with the NSW Road Noise Policy, with only a minimal 0.1 decibel (dB) increase over existing levels. • Construction noise was predicted to exceed the noise management levels at the nearest residence by 1 dB during construction of the concrete hardstand (a 4-month period). While the exceedance is considered negligible, the Applicant proposes to implement noise management measures during construction. • One submission from a neighbouring commercial premise raised noise as a concern. Council and the EPA did not raise any concerns and the EPA recommended conditions including noise limits and management plans. • The Applicant's RtS noted the NVIA had been completed in accordance with relevant guidelines and concluded the development would not impact on sensitive receivers. The RtS also noted the | <ul style="list-style-type: none"> • Comply with noise limits for day, evening and night-time periods. • Adhere to day time working hours for construction. • Implement a noise management plan for construction. |

| Issue | Findings | Recommendations |
|--------------------|---|---|
| | <p>development is located in an industrial precinct which would limit its impacts on sensitive land uses.</p> <ul style="list-style-type: none"> The development is located in an industrial area with a large separation distance from residences (400 m). Waste unloading and processing would be undertaken inside the MRF building, reducing potential for noise impacts. The Department concludes noise from the development would have minimal impact on surrounding premises and residential areas. The Department has recommended the Applicant adhere to noise limits and working hours and implement a noise management plan for construction. | |
| Air Quality | <ul style="list-style-type: none"> An Air Quality Assessment (AQA) for the development predicted the odour and dust emissions from unloading, screening, crushing and baling wastes. Waste materials for processing include glass, aluminium, paper, cardboard and mixed plastics. No putrescible or odorous material would be received on site. All processing would be undertaken inside the MRF building with roller doors closed and misting sprays operating on all transfer points and screens. A worst-case assessment was modelled (with roller doors open) and considering cumulative emissions from background sources. The AQA concluded the development would comply with the impact assessment criteria for all pollutants (including particulates, odour, nitrogen dioxide, carbon monoxide, sulfur dioxide and volatile organic compounds). The development would not result in any additional exceedance days of particulate matter (PM₁₀ and PM_{2.5}), noting background levels already exceed the criteria between 1 to 8 days a year. Construction phase emissions would be very minor given earthworks would be completed separately as part of the Council development consent. A submission from a neighbouring commercial property requested the AQA consider impacts on commercial and industrial receivers. The Applicant's RTS noted the AQA had been completed in accordance with relevant guidelines and concluded the development would not impact on sensitive receivers and would meet relevant air quality criteria at neighbouring commercial and industrial receivers. The EPA did not raise any concerns but recommended the Applicant provide a dust and odour audit 6 months after commencing operation to benchmark the design and management practices against industry best practice. The audit would also identify specific mitigation measures and management practices to reduce emissions if issues are occurring. | <ul style="list-style-type: none"> Implement standard dust minimisation measures. Conduct a dust and odour audit 6 months after commencing operation. |

| Issue | Findings | Recommendations |
|---------------------------|--|---|
| | <ul style="list-style-type: none"> The Department concludes the MRF would generate minor particulate and combustion emissions and the enclosure of receipt, processing and storage areas would further minimise emissions. The Department has recommended standard conditions for the control of air emissions and has included the EPA's recommendation for a dust and odour audit. | |
| Contamination | <ul style="list-style-type: none"> The broader site was subject to remediation activities in 2016 and a Site Audit Statement was issued indicating the site is suitable for on-going commercial and industrial land uses. Some residual soil and groundwater contamination has been identified on the broader site, but none is located within the footprint of the MRF development. The Council approved flood mitigation and site establishment works involves installation of a geofabric capping layer across the whole site. This would create a barrier between isolated areas of residual contamination and the clean material imported to establish the earthworks pad. The development is unlikely to disturb any contaminated material. The MRF would be constructed on a concrete slab and internal roads would be paved. Council requested the Applicant provide a long-term environmental management plan to ensure future construction works do not impact the integrity of the capping layer. The Department considers the contamination issues have been adequately identified and notes the flood mitigation DA would implement a capping layer to manage minor residual contamination. The Department has incorporated Council's recommendation into the conditions. | <ul style="list-style-type: none"> Prepare a long-term environmental management plan to ensure the integrity of the capping layer is maintained. |
| Hazards & Risk | <ul style="list-style-type: none"> The Department's hazards team reviewed the EIS and risk assessment and confirmed the development is not potentially hazardous or offensive. The proposed dangerous goods storage and handling quantities and associated waste handling process do not trigger State Environmental Planning Policy No. 33 – Hazardous and Offensive Development (SEPP 33). The Applicant also confirmed the adjacent food warehouse operation does not trigger SEPP 33, so the site is unlikely to be affected by the neighbouring operation on the basis of hazards and risk. The Department recommends standard conditions for the storage of dangerous goods on the site. | <ul style="list-style-type: none"> Storage of dangerous goods must be below the threshold quantities. Dangerous goods must be stored in accordance with Australian Standards. |
| Biodiversity | <ul style="list-style-type: none"> There would be no vegetation clearing for the development, as these works would be completed as part of the flood detention and earthworks consent. | <ul style="list-style-type: none"> The Applicant must implement measures to protect the |

| Issue | Findings | Recommendations |
|----------------------|---|---|
| | <ul style="list-style-type: none"> The Applicant prepared a Biodiversity Development Assessment Report (BDAR) in accordance with relevant guidelines, which confirmed the development would not impact on any threatened species or ecological communities. One NSW listed endangered ecological community (EEC) is located close to the north-western site boundary, adjacent to the access road. This vegetation is elevated above the site and would be protected from any development impacts. No biodiversity credits are required to offset the development as there is no clearing or impacts on threatened species. The Applicant proposes to implement measures to protect the adjacent EEC through a Construction Environmental Management Plan (CEMP). The Department is satisfied there would be no biodiversity impacts from the development and recommends conditions for protection of the EEC adjacent to the site throughout construction and operation. | adjacent EEC during construction and operation. |
| Riparian zone | <ul style="list-style-type: none"> DPIE Water and NRAR recommended the Applicant establish a vegetated riparian zone (VRZ) adjacent to the Cooks River through the site. The Applicant's RtS confirmed that a landscaped buffer would be provided as part of the flood mitigation and earthworks stage. The RtS also noted there is an exemption from the requirement for a controlled activity approval where the river is fully concrete lined, as is the case on the site. The Department concludes the development would have a negligible impact on the Cooks River within the site. | <ul style="list-style-type: none"> No conditions required. |
| Heritage | <ul style="list-style-type: none"> A desktop assessment of non-Aboriginal heritage confirmed there are no local or State heritage items on the site. The development would have negligible indirect impacts on the nearest State heritage items (Potts Hill Reservoir 180 m to the west and a Pressure Tunnel and Shaft No. 1, 220 m to the north-west). An Aboriginal heritage due diligence assessment, including a site inspection found no Aboriginal heritage items on the site or within 200 m of the site. The site has been used previously for waste processing, and earthworks would be completed prior to construction of the MRF. The potential for intact archaeological deposits on the site is low. The Department concludes the development would have negligible heritage impacts and has recommended standard conditions for an unexpected finds protocol. | <ul style="list-style-type: none"> The Applicant would prepare an unexpected finds protocol to manage any non-Aboriginal or Aboriginal heritage items encountered during construction and operation. |

| Issue | Findings | Recommendations |
|-----------------------|---|--|
| Visual amenity | <ul style="list-style-type: none"> The MRF would be located in the Chullora Technology Park, surrounded by industrial premises, ranging in height from 10 – 15 m and including warehouses, container storage depots and manufacturing. A visual impact assessment found the proposed 12.3 m high MRF building would not be visible from residential or recreational areas and would only be visible in glimpses from Muir Road. The development is consistent with the industrial character of the area and would have negligible visual impacts. The development includes company identification signage at the site entrances, within the site and on the building. The proposed signage is compatible with the amenity and visual character of the industrial area. The Department recommends standard conditions for the control of lighting, noting the 24-hour operations, and the installation of signage in accordance with the EIS. | <ul style="list-style-type: none"> The Applicant must comply with Australian Standards for control of lighting. All signage and fencing must be installed in accordance with the plans in the EIS. |

7 Evaluation

The Department has assessed the proposed Chullora Materials Recycling Facility (SSD 10401) considering all relevant matters under section 4.15 of the EP&A Act, the objects of the EP&A Act and the principles of ecologically sustainable development. The Department has considered the development in the context of the aims and objectives of strategic waste policies and other relevant strategic and statutory planning instruments.

The proposal is State Significant Development as it involves resource recovery and recycling activities that would handle 172,000 tonnes per year of waste. The development would generate 30 construction jobs, 45 operational jobs and invest \$36.7 million in the Canterbury-Bankstown LGA.

The development is Stage 1 of a three-stage redevelopment of the industrial site to form the Chullora Resource Recovery Park. Stage 0, involving flood mitigation and site establishment works, was approved by Canterbury-Bankstown Council on 2 June 2021. These works would be completed before construction of the MRF. Stage 2 involves construction of a Resource Processing Facility. Planning Secretary's Environmental Assessment Requirements have been issued for Stage 2.

The Department has carried out a detailed assessment of the merits of the development, has consulted with key government agencies and the public and closely considered the issues raised during its assessment of the application. The key issues include stormwater management and flooding, traffic and fire safety. Other issues considered included noise, air quality, contamination, hazards, biodiversity, riparian zone, heritage and visual amenity.

The Department consulted Council on the stormwater, flooding and traffic aspects and Fire and Rescue NSW on the fire safety design of the development. Government agencies did not object to the development and provided recommended conditions. The Environment Protection Authority provided detailed conditions and noted that an Environment Protection Licence would be required to operate the facility. One public submission from a neighbouring commercial property objected based on traffic, noise and air quality impacts on their premises.

The Department's assessment concluded the development:

- would increase recycling capacity in Sydney and contribute to achieving the NSW Government's targets for 70% resource recovery from municipal, commercial and industrial waste sources
- adopts best practice recycling technology to provide higher value reuse opportunities for waste materials
- would not impact flooding upstream or downstream of the site and stormwater quality would be managed to achieve pollutant reduction targets for the Cooks River
- would be safely accommodated on the surrounding road network, with adequate queuing capacity on site for trucks and parking for staff
- has been designed to minimise the risk of fire and meets the latest fire safety and building code standards.

The Department's assessment concluded that the impacts of the development can be mitigated and managed to ensure an acceptable level of environmental performance. The development is consistent with strategic waste policy to improve recycling capacity and adopt innovative technologies to achieve

higher end uses for waste materials. The development optimises the use of existing industrial land to for waste recycling and to generate employment, consistent with local planning strategies for the Canterbury-Bankstown LGA.

The Department has recommended a range of conditions to manage the residual impacts of the development, including stormwater and traffic management, noise limits and dust and odour control. The Department's assessment has concluded the development is in the public interest and should be approved, subject to conditions.

8 Recommendation

It is recommended that the Director Industry Assessments, as delegate of the Minister for Planning and Public Spaces:

- **considers** the findings and recommendations of this report
- **accepts and adopts** all of the findings and recommendations in this report as the reasons for making the decision to grant consent to the application
- **agrees** with the key reasons for approval listed in the notice of decision
- **grants consent** for the application in respect of the Chullora Materials Recycling Facility (SSD 10401), subject to the conditions in the attached development consent
- **signs** the attached development consent and recommended conditions of consent (see **Appendix E**).

Recommended by:

A handwritten signature in black ink, appearing to read 'Deana Burn', is positioned above the date.

12 August 2021

Deana Burn
Specialist Planner
Industry Assessments

9 Determination

The recommendation is **Adopted** by:



12 August 2021

Chris Ritchie

Director

Industry Assessments

Appendices

Appendix A – List of Documents

The Department has relied upon the following key documents during its assessment of the proposed development:

Environmental Impact Statement

- Chullora Materials Recycling Facility Environmental Impact Statement (SSD-10401) prepared by ARCADIS dated August 2020

Submissions

- All submissions received from government agencies, interest groups and the public

Response to Submissions

- Chullora Materials Recycling Facility Response to Submissions prepared by ARCADIS dated 10 June 2021

Statutory Documents

- Relevant considerations under section 4.15 of the EP&A Act (see **Appendix B**)
- Relevant environmental planning instruments, policies and guidelines (see **Appendix C**)

All documents relied upon by the Department during its assessment of the application may be viewed at: <https://www.planningportal.nsw.gov.au/major-projects/project/26052>

Appendix B – Considerations under Section 4.15 of the EP&A Act

Matters for Consideration under Section 4.15 of the EP&A Act

| Matter | Consideration |
|---|---|
| a) the provisions of: <ul style="list-style-type: none"> i.) any environmental planning instrument, and | The Department has considered the relevant environmental planning instruments in its assessment of the development, see Appendix C . |
| <ul style="list-style-type: none"> ii.) any proposed instrument that is or has been the subject of public consultation under this Act and that has been notified to the consent authority (unless the Planning Secretary has notified the consent authority that the making of the proposed instrument has been deferred indefinitely or has not been approved), and | The Department has considered the relevant draft environmental planning instruments in its assessment of the development, see Appendix C . |
| <ul style="list-style-type: none"> iii.) any development control plan, and | Under clause 11 of the SRD SEPP, development control plans do not apply to State significant development. However, the Department has assessed the development against the Bankstown DCP 2015 and concluded it complies with the controls in the DCP. |
| <ul style="list-style-type: none"> iiia) any planning agreement that has been entered into under section 7.4, or any draft planning agreement that a developer has offered to enter into under section 7.4, and | There is no Planning Agreement for the development. |
| <ul style="list-style-type: none"> iv.) the regulations (to the extent that they prescribe matters for the purposes of this paragraph), that apply to the land to which the development application relates, | The Department has assessed the development in accordance with all relevant matters prescribed by the regulations, the findings of which are contained in this report. |
| b) the likely impacts of that development, including environmental impacts on both the natural and built environments, and social and economic impacts in the locality, | The Department has considered the likely impacts of the development in detail in Section 6 of this report. The Department concludes that all environmental impacts can be appropriately managed and mitigated through the recommended conditions of consent. |
| c) the suitability of the site for the development, | The development is located in an industrial area of Chullora that has been used for waste management activities for over 20 years. The site is suitable for on-going use for waste management activities. |
| d) any submissions made in accordance with this Act or the regulations, | All matters raised in submissions have been summarised in Section 5 of this report and given due consideration as part of the assessment of the development in Section 6 of this report. |

| Matter | Consideration |
|-------------------------|--|
| e) the public interest. | The development would generate 45 jobs during operation and direct \$36.7 million in capital investment in the Canterbury-Bankstown local government area . The environmental impacts of the development would be appropriately managed via the recommended conditions. The Department considers to the development is in the public interest. |

Appendix C – Consideration of Environmental Planning Instruments

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

The SRD SEPP identifies the types of development that are State Significant Development. Resource recovery or recycling activities that handle more than 100,000 tonnes per year of waste meet the criteria in Clause 23 of Schedule 1 and are classified as State Significant Development. The proposed materials recovery facility would process up to 172,000 tonnes per year of waste.

State Environmental Planning Policy (Infrastructure) 2007 (ISEPP)

The ISEPP aims to facilitate the effective delivery of infrastructure across the State and lists the types of development that are permissible in prescribed zones and the types of development defined as Traffic Generating Development. The ISEPP makes provision for waste or resource management facilities to be undertaken within a prescribed zone, which includes the IN1 General Industrial zone. The site is zoned IN1 General Industrial under the BLEP 2015, therefore the proposed development is permissible under the ISEPP.

Waste or resource management facilities are listed under Schedule 3 of the ISEPP as traffic generating developments and must be referred to TfNSW. The Applicant prepared a Traffic Impact Assessment in accordance with the requirements of TfNSW Guide to Traffic Generating Developments and the Department referred the application to TfNSW for comment. TfNSW's comments are considered in **Sections 5** and **6** of this report. The Department has incorporated TfNSW recommendations into the conditions of consent.

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

SEPP 33 aims to identify developments with the potential for significant off-site impacts, in terms of risk and/or offence. A development is defined as potentially hazardous and/or potentially offensive if, without mitigating measures in place, the development would have significant risk and/or adverse impact on off-site receptors. The Applicant prepared a risk screening which confirmed the development would not store dangerous goods above the threshold quantities listed in SEPP 33. The Applicant also confirmed the neighbouring warehouse does not trigger SEPP 33 and therefore does not pose any hazard or risk considerations for the development. The Department has recommended conditions requiring the storage of dangerous goods below the threshold quantities listed in SEPP 33.

State Environmental Planning Policy No. 55 – Remediation of Land (SEPP 55) and the draft State Environmental Planning Policy (Remediation of Land) (draft Remediation SEPP)

SEPP 55 aims to ensure that potential contamination issues are considered in the determination of a development application. The draft Remediation SEPP retains the key operational framework of SEPP 55. The Department reviewed the Applicant's contaminated site assessment and remedial action plan (RAP), that would be implemented as part of the flood mitigation works DA, and concludes the land would be made suitable for continued industrial use following implementation of the RAP. The Department has recommended conditions for a long-term environmental management plan to ensure the development does not compromise the integrity of the capping layer installed as part of the flood mitigation works DA. The Department is satisfied the development is consistent with the aims of SEPP 55 and the draft Remediation SEPP.

State Environmental Planning Policy No. 64 – Advertising Structures and Signage (SEPP 64)

SEPP 64 aims to ensure that outdoor signage is compatible with the desired amenity and visual character of an area, and provides effective communication in suitable locations, that is of a high-quality design and finish. The Applicant considered the proposed signage against the provisions of SEPP 64 in its EIS. The Department reviewed the assessment and notes the building signage would not be visible from residential areas. The Department concluded the proposed entry signage is consistent with the industrial character of the area and is of a high quality design and finish.

Bankstown Local Environmental Plan 2015 (BLEP)

The BLEP aims to protect the natural, cultural and built heritage of Bankstown and provide development opportunities that are compatible with the suburban character and amenity of residential areas. The development is consistent with the aim of providing industrial opportunities to encourage local employment and economic growth as it would provide 45 jobs in an existing industrial area of Chullora.

Bankstown Development Control Plan 2015 (DCP)

The Bankstown DCP details controls for industrial precincts, waste management and minimisation, flood management, parking, tree preservation and sustainable development. The Applicant considered the consistency of the development with the controls for industrial precincts, concluding the development complies with the DCP. The Department reviewed this assessment and agrees the development is consistent with the DCP.

Appendix D – Community Views for Draft Notice of Decision

| Issue | Consideration |
|---|---|
| Air Consideration of air quality impacts on neighbouring commercial, food and drink premises and future receptors | Assessment The development would comply with impact assessment criteria for all air quality pollutants at off-site receivers including neighbouring commercial and industrial premises. Enclosure of the MRF would minimise particulate and combustion emissions from the receipt, processing and storage areas. The development is located in an industrial area, minimising impacts on sensitive receivers. Recommended Conditions The Department has recommended the Applicant implement dust minimisation measures and has adopted the EPA's recommendation for a dust and odour audit, 6 months after commencing operation. |
| Noise Consideration of noise impacts on neighbouring commercial premises and future receptors | Assessment The development would comply with noise criteria at all residential and industrial receivers, including sleep disturbance and road noise criteria. Construction works would have negligible noise impacts at residential receivers and would be limited to day-time hours for a 12-month period. Recommended Conditions The Department has recommended noise limits for operation, day-time construction working hours and a noise management plan for construction. |
| Traffic Impacts of increased traffic on Muir Road on neighbouring premises, including queuing, congestion, emissions and road noise | Assessment The development would generate up to 264 vehicle trips per day, which would be adequately accommodated on the road network with minimal increased intersection delays or queuing. There would be adequate queuing lanes for trucks within the site and adequate on-site parking for employees. Recommended Conditions The Department has recommended construction and operational traffic management plans detailing transport routes, speed limits, site inductions and internal pedestrian routes. Standard operating conditions for traffic management are also recommended. |

Appendix E – Recommended Instrument of Consent