



St Marys Resource Recovery Facility

State Significant Development Assessment SSD-10474

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Glossary

Abbreviation	Definition
Applicant	ReDirect Recycling Pty Ltd
AQIA	Air Quality Impact Assessment
AQMP	Air Quality Management Plan
BDAR	Biodiversity Development Assessment Report
CIV	Capital Investment Value
Council	Penrith City Council
DA	Development Application
DCP	Development Control Plan
Department	Department of Planning, Industry and Environment
Demolition	The removal of buildings, sheds and other structures on the site
Development	The development as described in the EIS and RtS for the operation of the St Marys Resource Recovery Facility
EIS	Environmental Impact Statement titled ' <i>Proposed Increased Throughput at Existing Resource Recovery Facility - Wood/Plasterboard Recycling, 25 Dunheved Circuit, St Marys, SSD 10474</i> ' prepared by ReDirect Recycling, dated 25 February 2020
EPA	Environment Protection Authority
EP&A Act	<i>Environmental Planning and Assessment Act 1979</i>
EP&A Regulation	Environmental Planning and Assessment Regulation 2000
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
FSS	Fire Safety Study
GHG	Greenhouse Gas
LEP	Local Environmental Plan

LSPS	Local Strategic Planning Statement
Minister	Minister for Planning and Public Spaces
NCW	Non-complying Waste
NIA	Noise Impact Assessment
OSD	On-site Detention
Planning Secretary	Secretary of the Department of Planning, Industry and Environment
PNTL	Project Noise Trigger Level
RtS	Response to Submissions titled ' <i>Proposed Increased Throughput at an Existing Resource Recovery Facility - Wood/Plasterboard Recycling 25 Dunheved Circuit, St Marys, SSD 10474, Response to Submissions Report</i> ' prepared by Jackson Environment and Planning dated 27 July 2021
SEARs	Planning Secretary's Environmental Assessment Requirements
SEPP	State Environmental Planning Policy
SMP	Stormwater Management Plan
SRD SEPP	State Environmental Planning Policy (State and Regional Development) 2011
SSD	State Significant Development
TfNSW	Transport for NSW
TIA	Traffic Impact Assessment
WMP	Waste Management Plan

Executive Summary

Introduction

This report details the Department of Planning, Industry and Environment's (the Department) assessment of a State significant development application (SSD-10474) for the St Marys Resource Recovery Facility. ReDirect Recycling (the Applicant) proposes to operate a resource recovery facility (RRF) that would process up to 150,000 tonnes per annum (tpa) of primarily wood and timber waste from commercial and industrial sources at 25 Dunheved Circuit, St Marys in the Penrith local government area (LGA).

The site is located 43 kilometres (km) west of the Sydney central business district (CBD) and is 6.5 km north-east of the Penrith CBD. It covers 6,253 square metres (m²) of IN1 General Industrial zoned land under the *Penrith Local Environmental Plan 2010* (PLEP) and has been used as a resource recovery facility under development consents issued by Penrith City Council (Council) since 2001.

The Applicant is part of the Borg group of companies, which includes a number of timber product manufacturing facilities. The proposed expansion of operations on the site will complement Borg's broader operations and encourage a circular economy, whereby off-cuts and other timber waste produced by Borg customers will be collected and processed on site before transferring the majority of processed material to the Borg Manufacturing site in Oberon, NSW for use in manufacturing of particleboard and medium density fibreboard (MDF) products. This will support NSW Government policies to increase the recovery and reuse of waste and reduce the amount of material going into landfill.

The site is located within the northern precinct of the 290-hectare Dunheved Business Park and adjoins sites with existing warehouse and industrial land uses. The closest residential receivers are located approximately 850 m northwest and 1.3 km east of the site in the suburbs of Jordan Springs and Ropes Crossing respectively.

Current Proposal

The Applicant is seeking consent for the operation of a resource recovery facility with an annual throughput of 150,000 tonnes of primarily wood and timber waste. The existing facility that has operated on site since 2001 has approval from Council to process 18,000 tonnes of waste per year.

The waste to be received and processed would comprise 110,000 tonnes of wood and timber, 30,000 tonnes of plasterboard and up to 10,000 tonnes of metal per annum. Processing of waste material will occur within the existing building, with the majority of the processed wood waste to be transferred by trucks to the Borg Manufacturing site in Oberon to be used in the manufacture of particleboard and MDF.

No additional buildings or structures are proposed from those currently on site, with the primary physical works relating to the installation of new plant and equipment within the existing building to facilitate the proposed expansion of operations.

It is proposed to operate the facility 24 hours a day, 7 days per week including waste delivery, processing and collection. The development has a capital investment value of \$2.82 million and the ongoing operation of the facility will provide for 10 operational jobs.

Statutory Context

The development is classified as State significant development (SSD) under Part 4 of the *Environmental Planning and Assessment Act 1979* (EP&A Act) because it involves operation of a resource recovery facility that meets the criteria in Clause 23 of Schedule 1 in 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 proposed development under section 4.5(1) of the EP&A Act.

Engagement

The Department exhibited the EIS for the development from 5 March 2021 until 1 April 2021. During the exhibition period, the Department received advice from five government agencies, including Council and two submissions from private businesses.

Additional information was requested by government agencies relating to traffic modelling, asbestos handling procedures and stormwater management. Key issues raised by private businesses related to traffic and access and potential impacts on electricity infrastructure. The Department requested the Applicant address the matters raised in submissions and government agency advice in a Response to Submissions (RtS) report.

The Applicant submitted an RtS report on 4 August 2021. The RtS also proposed minor amendments to the development, including updates to the site plan to clarify operational areas and the reallocation of a storage bunker for storing scrap metal.

Following reviews of the RTS, Government agencies provided recommended conditions or reiterated conditions provided in their original submissions. The Applicant subsequently provided further additional information in relation to waste management, traffic, and impacts during fitout of the facility. Concerns were raised by the Applicant in relation to two conditions recommended by the NSW Environment Protection Authority (EPA) regarding hours of operation and a feasibility study to reduce particulate emissions, which were addressed through subsequent consultation between the Applicant, the Department and the EPA.

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 assessment issue as traffic and access but has also assessed all other relevant matters, including air quality, noise and vibration, waste management, fire safety, water management, hazard and risk, cultural heritage and greenhouse gas.

Traffic and Access

The development would generate up to 126 vehicle trips per day (approximately 94 less trips than the existing facility on the site), which would be adequately accommodated on the road network without the need for any upgrades. While background traffic growth will result in a deteriorating level of service at the Links Road/Forrester Road/Ropes Crossing Boulevard intersection by 2030, the impact of traffic generated by the development is predicted to be negligible. The Applicant has proposed additional

safety measures to reduce any potential conflicts of vehicles simultaneously entering and exiting the site and an easement over the adjoining property at the driveway entrance to 21 Dunheved Circuit to ensure access for heavy vehicles manoeuvring in and out of the site. The Department's assessment concluded the site access is suitable for heavy vehicles, there is adequate queuing space for trucks within the site and adequate parking would be provided for employees.

Council reviewed the proposal and requested vehicles 12.5 metres long or greater be restricted to left in / left out access to the site and to limit access to vehicles up to a maximum of 19.0 metres long, in accordance with the Applicant's assessment undertaken in the Traffic Impact Assessment. Council also recommended conditions in relation to vehicular access and manoeuvring, directional signage, marking of car parks and maintenance of sight lines. Standard operating conditions for traffic management, access and parking, consistent with relevant Australian Standards and guidelines, including the preparation of an Operational Traffic Management Plan, are also included in the Department's recommended conditions of consent. Subject to the implementation of these conditions, the Department concludes traffic from the development would be adequately managed and would not impact the performance of the local and regional road network.

Summary

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

Traffic generated by the development would be safely accommodated on the road network, the facility would have minimal impacts on stormwater, noise and air quality 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 and provides for ongoing employment, consistent with local planning strategies for the Penrith LGA.

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

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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 (SSD-10474) for the St Marys Resource Recovery Facility. The development involves the fitout and operation of a resource recovery facility (RRF) that would process up to 150,000 tonnes per annum (tpa) of primarily wood and timber waste from commercial and industrial sources. The Department's assessment considers all documentation submitted by the Applicant, including the Environmental Impact Statement (EIS) and Response to Submissions (RtS), submissions received from the public and advice from government agencies. The Department's assessment also considers the legislation and planning instruments relevant to the site and the development.

This report describes the proposed development, surrounding environment, relevant strategic and statutory planning provisions and the issues raised in submissions. The report evaluates the key issues associated with the development and provides recommendations for managing any impacts during construction and operation.

1.2 Development Background

ReDirect Recycling Pty Ltd (the Applicant) is seeking development consent for the fitout and operation of an RRF at 25 Dunheved Circuit, St Marys (the site) in the Penrith Local Government Area (LGA) (see **Figure 1** *Error! Reference source not found.*). The site is located 43 kilometres (km) west of the Sydney central business district (CBD) and is 6.5 km north-east of the Penrith CBD.

The site has previously been used as a waste management and recycling facility receiving up to 18,000 tpa of general solid waste (non-putrescible) since 2001. The Applicant now proposes to increase the waste input of the facility from 18,000 tpa to 150,000 tpa; comprising 110,000 tpa of wood and timber, 30,000 tpa of plasterboard and up to 10,000 tpa of metal waste.

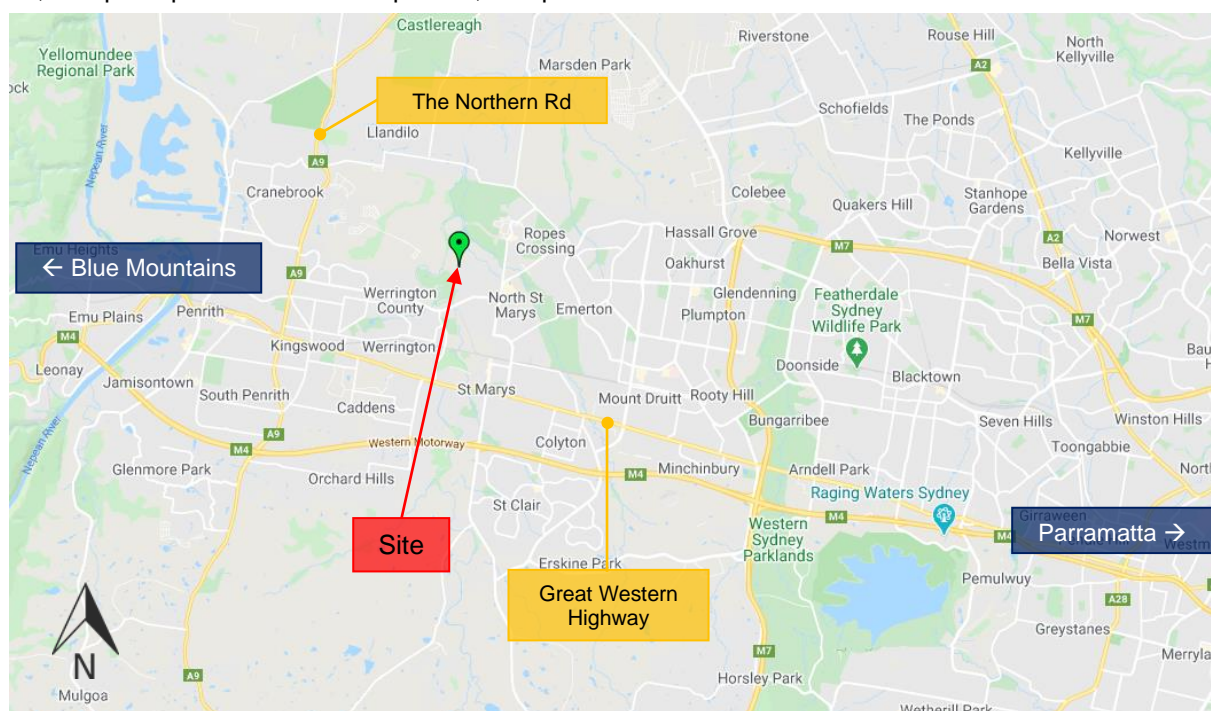


Figure 1 | Regional Context

The Applicant operates a number of other resource recovery facilities in New South Wales and is part of the Borg group of companies, which also includes timber manufacturing businesses. The proposed expansion of operations on the site will compliment Borg's broader operations and encourage a circular economy, whereby off-cuts and other timber waste produced by Borg customers will be collected and processed on site before transferring the majority of processed material to the Borg Manufacturing site in Oberon, NSW for use in manufacturing of particleboard and medium density fibreboard (MDF) products.

1.3 Site Description

The site comprises 6,253 square metres (m²) of IN1 General Industrial zoned land in the Penrith LGA. The property is legally described as Lot 143 in DP 1013185. It is irregular in shape with a battle-axe handle driveway fronting a short loop road off Dunheved Circuit. The land is predominantly flat, sealed and cleared of vegetation (see **Figures 2 and 3**) and contains:

- a 3,455 m² waste processing building with a ridge height of 11.9 m
- a 152 m² site office and amenities building
- two in-ground 20 m long weighbridges
- external areas sealed with concrete hardstand
- a fire sprinkler pump room and water tank.

On-site detention (OSD) water tanks servicing the site are located on the adjoining property (21 Dunheved Circuit), also owned by the Applicant. While accessed via separate gates fronting Dunheved Circuit, there is no internal fence separating the two properties at 21 and 25 Dunheved Circuit.

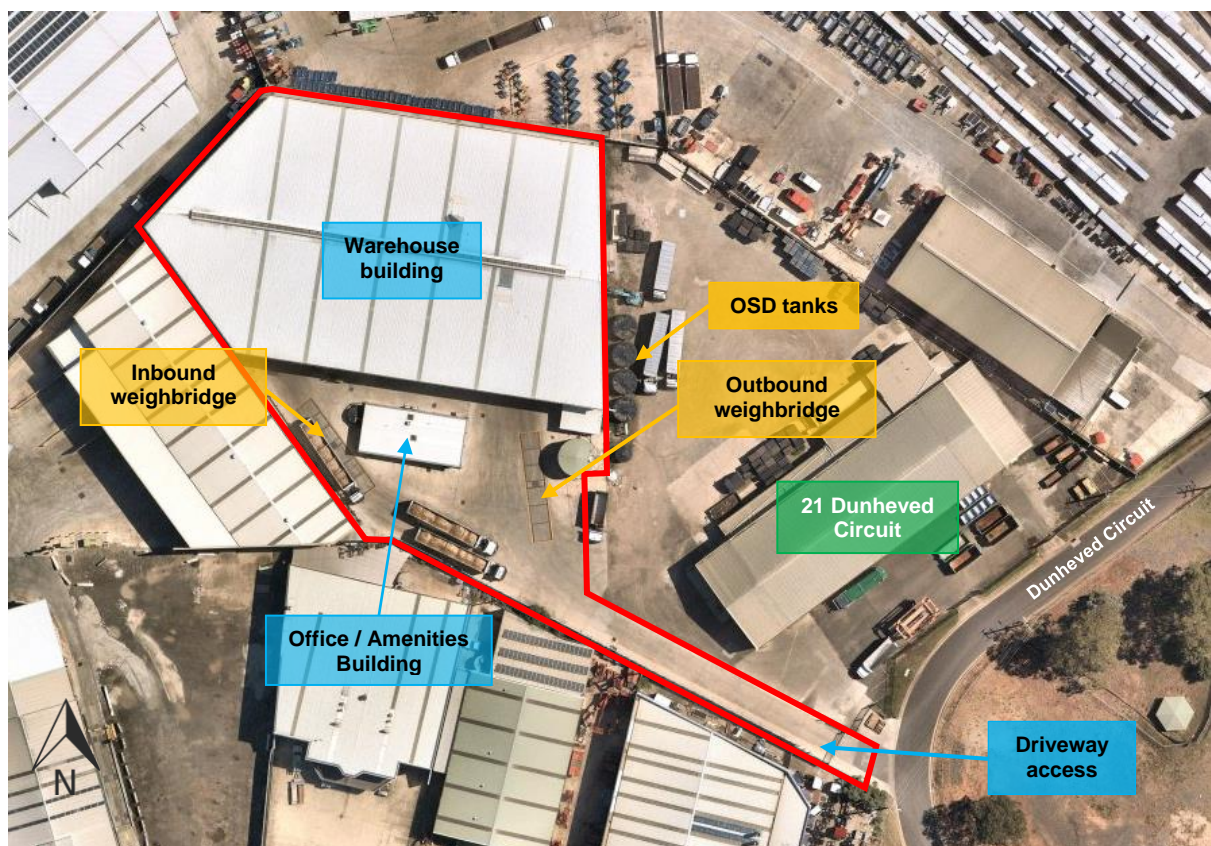


Figure 2 | Site features



Figure 3 | Existing structures on site

1.4 Surrounding Land Uses

The site is located within the north-west portion of an industrial area known as the Dunheved Business Park and adjoins sites with existing warehouse and industrial land uses (see **Figure 4**).

South Creek is located 370 m to the west of the site and Ropes Creek is 815 m to the north-east. The closest residential receivers are located approximately 850 m northwest of the site in Jordan Springs and 1.3 km east of the site in Ropes Crossing.

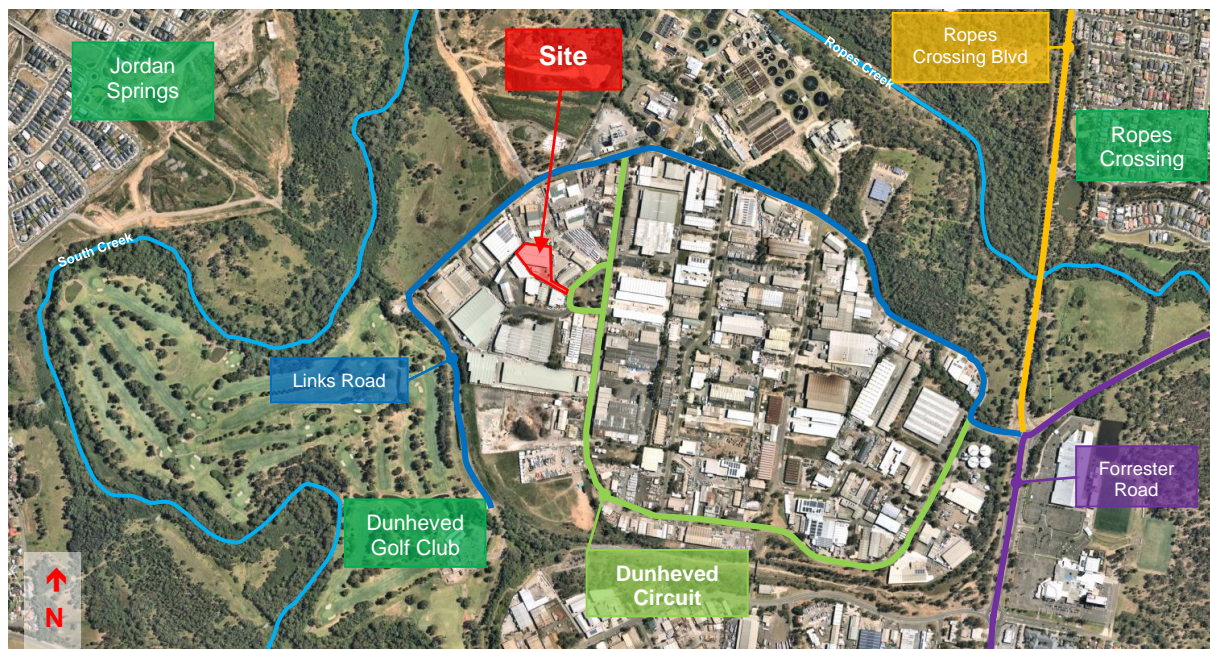


Figure 4 | Local Context

1.5 Other Development Approvals

The facility on the site currently operates under a development consent granted by Penrith City Council (DA01/1034) in 2001 for a waste management and recycling facility receiving up to 18,000 tpa of general solid waste (non-putrescible). A subsequent development consent issued by Council (DA15/1042) in 2016 permitted construction of a new processing building, office, weighbridges and vegetation removal. Construction of the new buildings and installation of new waste processing machinery was completed in April 2017. Condition 8 of DA15/1042 requires operations to be carried out in accordance with DA01/1034.

Development consent for an expanded RRF (SSD-8200) at 21 and 25 Dunheved Circuit was approved by the then Executive Director, Key Sites and Industry Assessments as delegate of the Minister on 6 November 2018. The development met the criteria for SSD and involved the construction and operation of a RRF to process up to 350,000 tonnes per year of general solid waste (non-putrescible). However, the development was not commenced and the consent was surrendered in April 2020.

2 Project

2.1 Description of the Development

The major components of the proposed development are summarised in **Table 1** and shown in **Figure 5**, and described in full in the Environmental Impact Statement (EIS) and Response to Submissions (RtS) report included in **Appendix A**.

Table 1 | Main Components of the Development

Aspect	Description
Development Summary	<ul style="list-style-type: none"> • Operation of a resource recovery facility with a capacity to process up to 150,000 tonnes per annum of wood and timber, plasterboard and metal waste and installation of additional waste processing equipment
Plant and equipment	<ul style="list-style-type: none"> • Installation of new waste processing plant and equipment within the existing building: <ul style="list-style-type: none"> - industrial woodchipper/shredder/grinder - manual picking station - turbo separator - loaders and excavators • Installation of new waste storage bays • Installation of above-ground wheel wash adjacent to the existing outbound weighbridge.
Waste volumes received	<ul style="list-style-type: none"> • Up to 110,000 tpa of wood/timber waste • Up to 30,000 tpa of plasterboard • Up to 10,000 tpa of metal waste
Operation	<ul style="list-style-type: none"> • Receive recyclable waste materials in specified tipping areas within the existing building, including: <ul style="list-style-type: none"> - timber/wood waste from either Borg product customers and others under commercial agreements or pre-sorted and separated timber/wood waste from waste facilities - pre-sorted plasterboard waste from waste facilities - metal waste extracted during the processing of wood and plasterboard waste - other metal waste brought to site by customers to be recycled off-site. • Process recyclable materials, including: <ul style="list-style-type: none"> - removal of contaminants and sorting of wood/timber waste and shredding of some waste on site - separation of plasterboard into paper and gypsum - collection of metal waste to be taken to a licenced recycling facility. • Product storage before transport off site for additional processing or reuse/recycling.
Material Storage	<ul style="list-style-type: none"> • Maximum total of 704 tonnes (t) of material to be stored at one time comprising: <ul style="list-style-type: none"> - 137 t of wood/timber waste - 114 t of plasterboard waste - 202 t of processed wood/timber - 82 t of processed plasterboard (gypsum)

Aspect	Description
	<ul style="list-style-type: none"> - 97 t of 'spare storage' for wood waste - 47 t of scrap metal - 3 t of recovered paper - 22 t of residual waste - 0.216 t of office/municipal solid waste
Stormwater management	<ul style="list-style-type: none"> • Installation of an additional stormwater treatment device to improve the effectiveness of the existing stormwater system on site.
Traffic	<ul style="list-style-type: none"> • Up to 126 vehicle trips per day comprising 34 light vehicle trips and 92 heavy vehicle trips
Hours of operation	<ul style="list-style-type: none"> • 24 hours, 7 days per week
Capital investment value	<ul style="list-style-type: none"> • \$2.8 million
Employment	<ul style="list-style-type: none"> • Up to 10 jobs during installation over a three-month period • 10 operational jobs
Easements and boundary adjustment	<ul style="list-style-type: none"> • Easement on neighbouring property (21 Dunheved Circuit) to ensure access for heavy vehicles crossing the adjoining driveway when entering the site • Adjustment of property boundary (or lot consolidation) to incorporate existing OSD tanks servicing the site that located on the adjoining property.

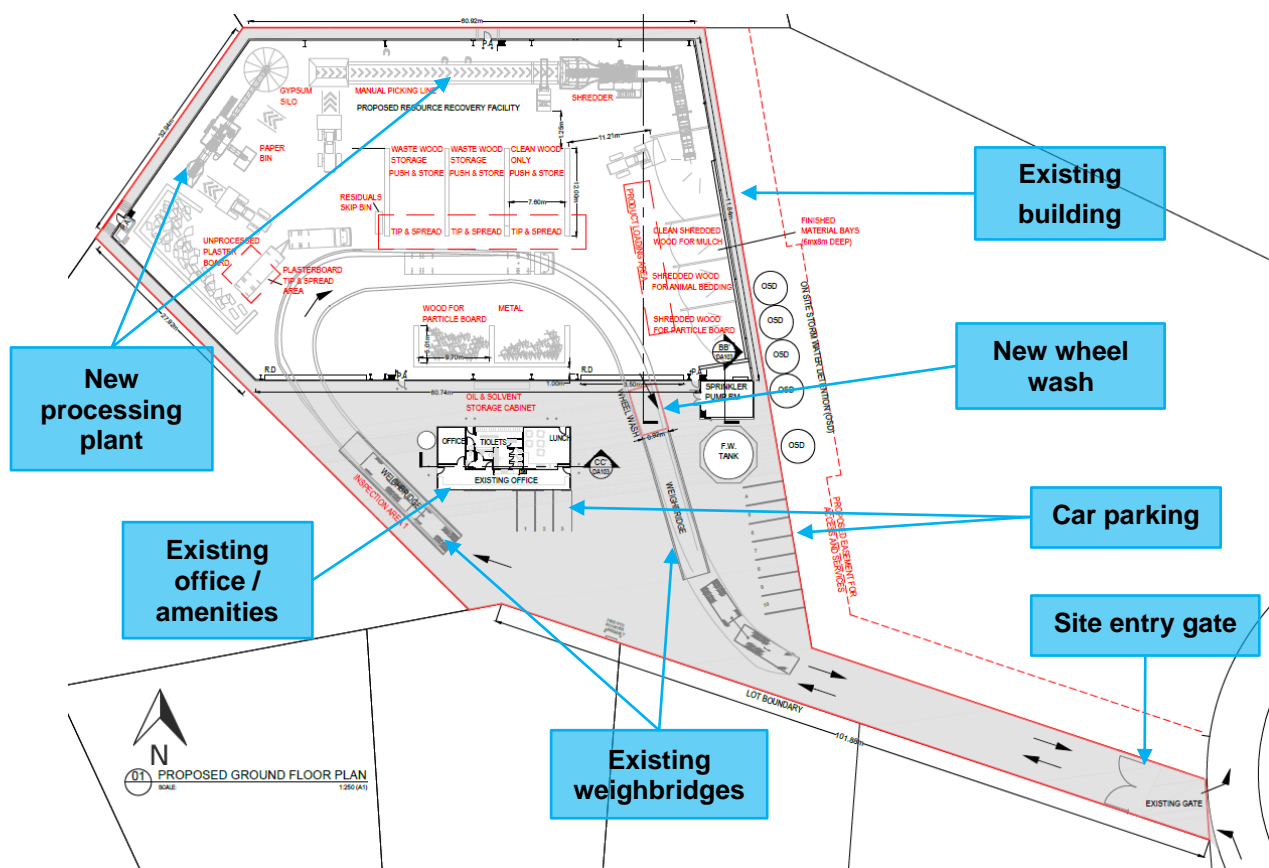


Figure 5 | Proposed Site Layout

2.2 Physical layout and process description

The layout of the proposed development is shown in **Figure 6**. New plant and equipment will be installed in the existing warehouse building to separate and process the waste material received. It is also proposed to install new storage bays for waste awaiting processing and processed materials awaiting dispatch from the site. No additional buildings are proposed to be constructed. All processing and storage of waste will happen inside the existing building.

Wood and timber waste received on site would be either:

- pre-sorted material from other waste facilities (identified as 'clean wood' in **Figure 6**), or
- material to be sorted on-site that is collected from a variety of commercial and industrial sources in accordance with commercial contracts/agreements with the Applicant.

Plasterboard waste will similarly be received pre-sorted from other waste facilities. All loads will be visually inspected at the incoming weighbridge and should the load be identified as containing, or is reasonably suspected to contain, any non-conforming waste, the entire load will be rejected. Incoming loads will then be tipped in dedicated waste unloading areas and inspected before being placed in storage bays prior to processing on site or removal to another facility.

Figure 7 presents flow diagrams of the waste processing steps. Approximately 90% of wood to be shredded on site will be ground to a fine particle size to make it suitable for manufacturing particleboard, while approximately 10% will be shredded and sold as a mulch product. The processed plasterboard waste will be stored in a gypsum silo and the separated paper is stored in a skip bin. Some metal waste will also be received that will not be processed on site, rather collected in a storage bay before dispatch to a licenced recycling facility.

The sorted and processed output materials would be transported off site to other facilities for reuse or recycling. Any remaining, non-recyclable waste (approximately 5,300 tpa or 3.5%) would be stored on site in a skip bin before removal and disposal at an appropriately licenced landfill.

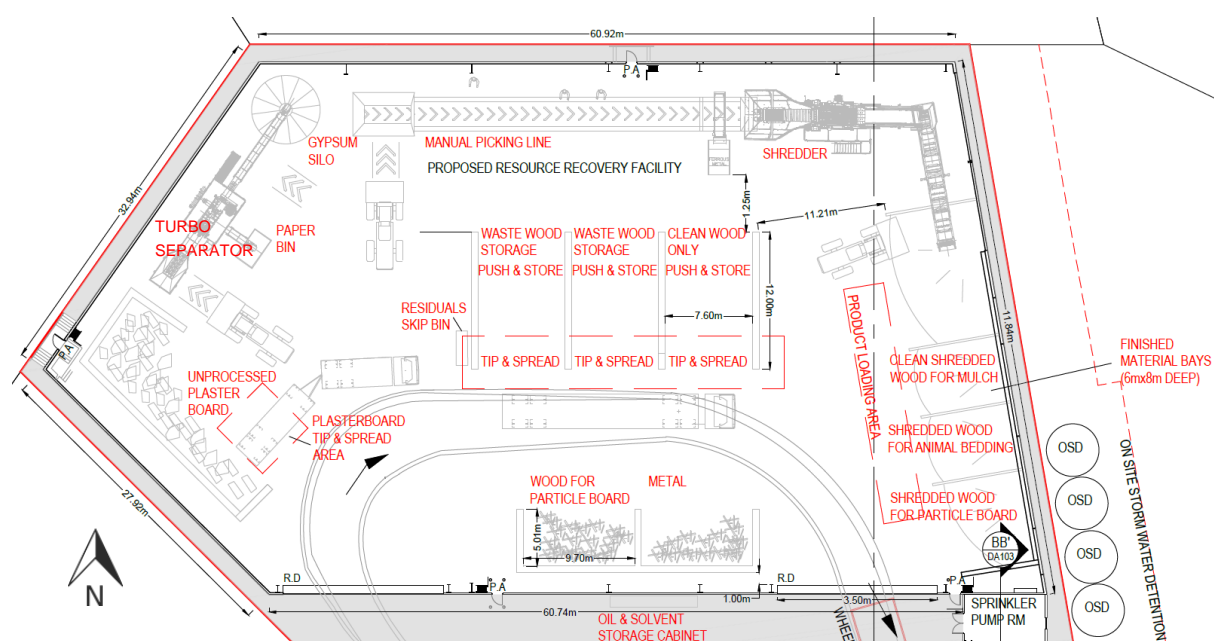


Figure 6 | Proposed internal layout

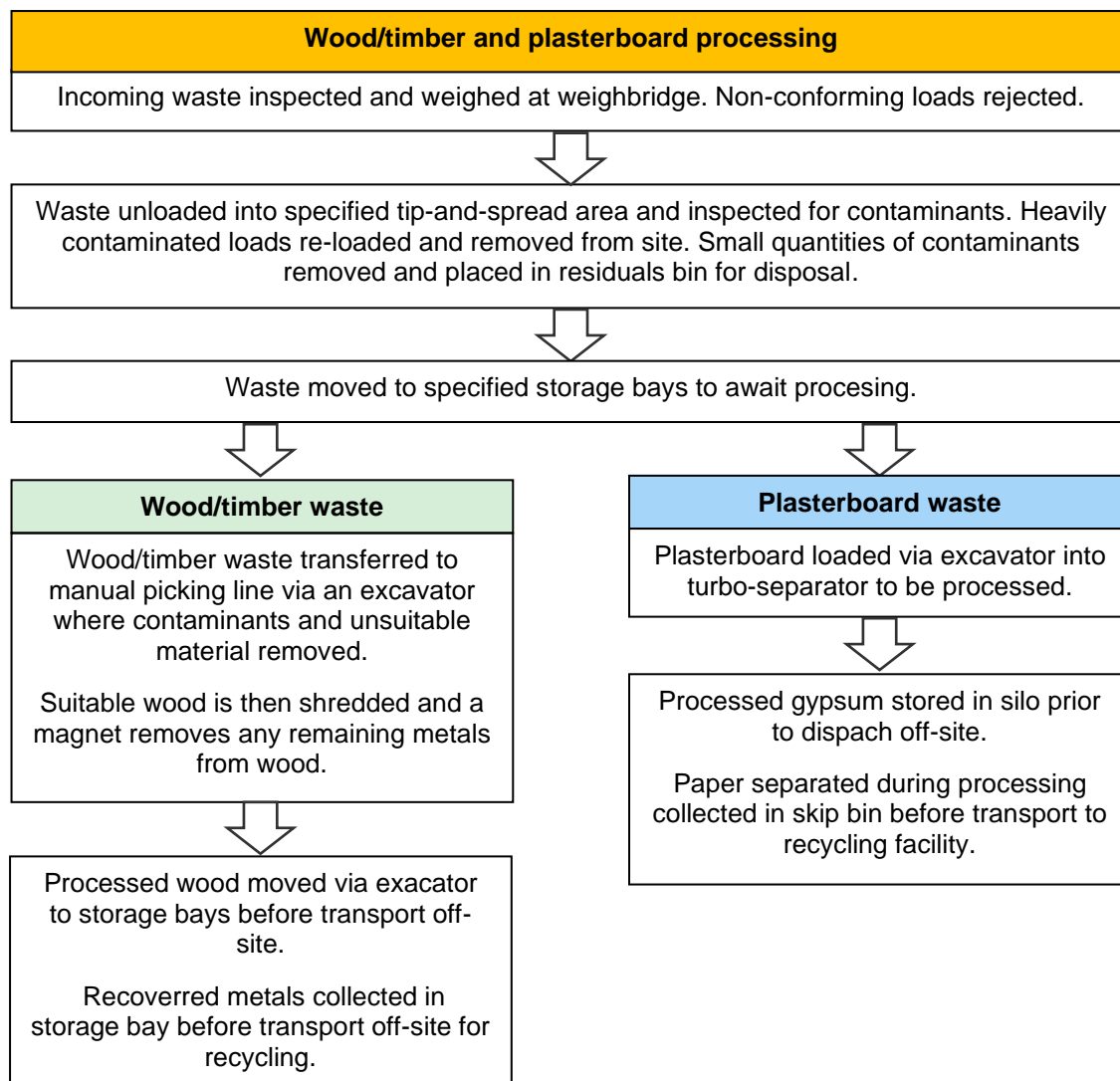


Figure 7 | Proposed wood/timber and plasterboard waste processing

2.3 Applicant's need and justification for the development

The Applicant identifies a number of benefits for the increased throughput of material received on site for reuse or recycling, including:

- creation of up to 10 jobs during installation over a three-month period and 10 full-time operational jobs
- promotion of a circular economy through the reuse of waste materials, including Borg products, to manufacture new products such as particleboard at the Borg site in Oberon
- reduced harvesting of forestry pines due to reuse of existing timber has economic benefits and allows plantation trees to grow for longer, which increases the amount of carbon that is sequestered and eventually captured and stored once harvested.
- diversion of waste from landfill and increased capacity for recycling and recovery of waste within the Sydney Metropolitan area.

3 Strategic context

3.1 Greater Sydney Region Plan

The *Greater Sydney Region 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 Eastern Harbour City. The development is located within the Western City District and is consistent with the directions and principles outlined in the Greater Sydney Region Plan and the Western City District Plan, specifically the planning priorities of growing investment, business opportunities and jobs in strategic centres and managing energy, water and waste efficiently.

3.2 NSW Waste and Sustainable Materials Strategy 2041

Since the Application was lodged, the NSW Government released the NSW Waste and Sustainable Material Strategy 2041 (WSM Strategy), updating the previous Waste Avoidance and Resource Recovery Strategy 2014-21. The WSM Strategy adopts targets from the National Waste Policy Action Plan, including:

- reduce total waste generated by 10% per person by 2030
- have an 80% average recovery rate from all waste streams by 2030
- significantly increase the use of recycled content by governments and industry
- phase out problematic and unnecessary plastics by 2025
- halve the amount of organic waste sent to landfill by 2030.

The WSM Strategy identifies that no new materials recovery facilities (MRF) are required in Greater Sydney to service NSW in 2030 if pipeline facilities come online, with only MRF upgrades to improve the quality of sorted materials. The Strategy also supports the transition to a circular economy, reducing carbon-intensive materials and increasing recycling.

The Department considers the development is consistent with the principal aim of the WSM Strategy, as the development would increase the facility's processing capacity, which would ultimately reduce the total volume of wood, plasterboard and metal waste directly delivered to landfills. The Applicant estimates that at least a recovery rate of at least 95% will be achieved for wood, plasterboard and metal waste received on site. By collecting and processing off-cuts and waste from Borg products for reuse and recycling, including the production of new products, the facility will support the Applicant's circular use of resources.

3.3 NSW Circular Economy Policy Statement 2019

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 provide opportunities to collect materials for recycling and reuse, including the use of waste materials, including Borg products, to manufacture new products at the Borg site in Oberon.

3.4 Penrith Local Strategic Planning Statement 2020

The Penrith Local Strategic Planning Statement (LSPS) was prepared by Penrith City Council in 2020 in accordance with Section 3.9 of the EP&A Act and forms the basis for strategic planning in the LGA. The LSPS identifies the ongoing role of St Marys industrial lands, including the Dunheved Business Park, in promoting employment generation. The development will support Planning Priority 12 of the

LSPS 'Enhance and grow Penrith's economic triangle', an area within which the site is located, by providing investment and ongoing employment opportunities on an existing industrial site.

4 Statutory Context

4.1 State significance

The proposal is State significant development pursuant to section 4.36 of *Environmental Planning and Assessment Act 1979* (EP&A Act) because it involves development for the purpose of a resource recovery or recycling facility that handles more than 100,000 tonnes per year of waste, which meets the criteria in Clause 23(3) of Schedule 1 in State Environmental Planning Policy (State and Regional Development) 2011 (SRD SEPP).

4.2 Permissibility

The IN1 General Industrial land use zone applies to the site under the *Penrith Local Environmental Plan 2010* (PLEP), as shown in **Figure 8**.

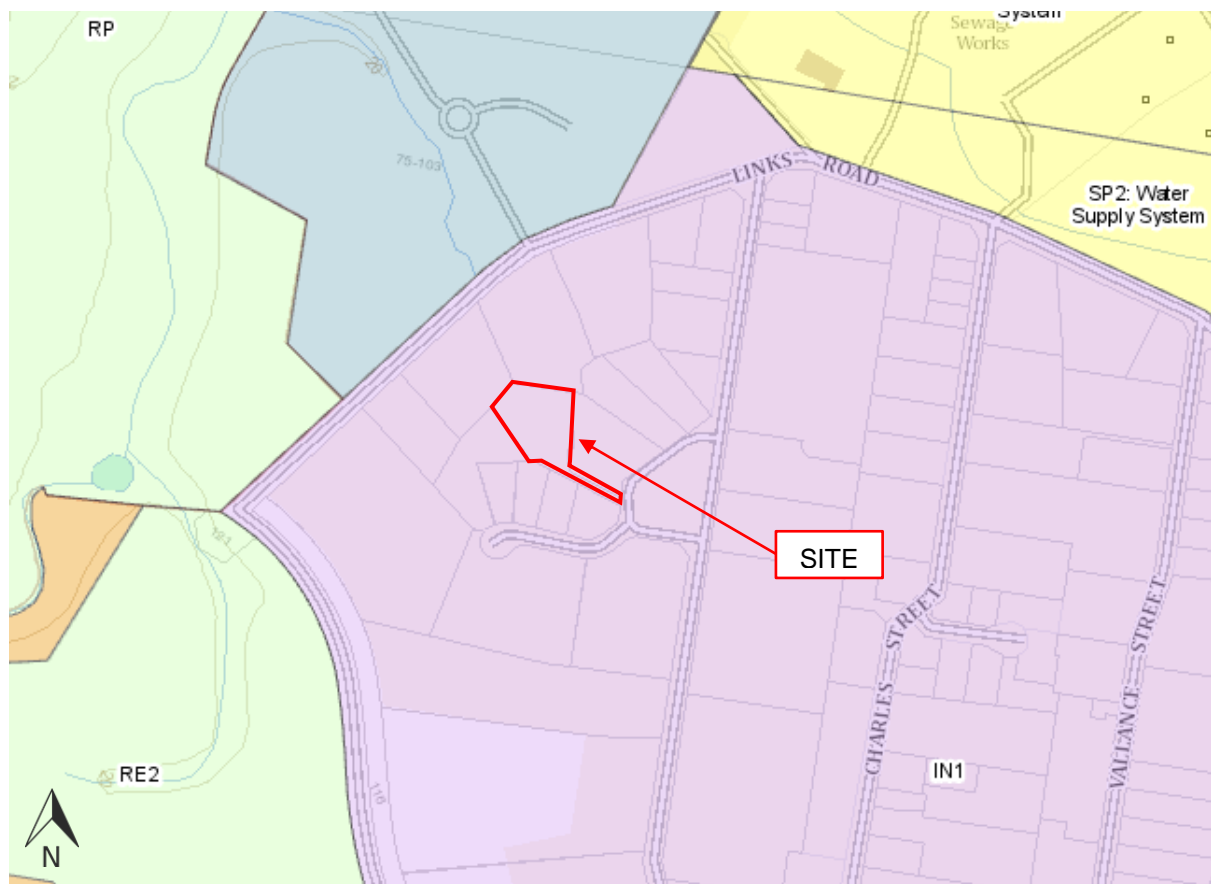


Figure 8 | Land use zoning of the site

Resource recovery facilities are prohibited in the IN1 zone under PLEP. However, clause 121 of State Environmental Planning Policy (Infrastructure) 2007 (ISEPP) permits development for the purpose of waste or resource management facilities (including resource recovery facilities) within a prescribed zone with development consent. The IN1 zone is identified as a prescribed zone, and consequently the development is permissible under the ISEPP. The provisions of ISEPP prevail over the PLEP if there is an inconsistency and so the proposal is permissible on the site with development consent.

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 relevant local council has not made an objection and
- there are less than 15 unique public submissions in the nature of objections and
- a political disclosure statement has not been made.

Of the two submissions received, one objected to the proposed development and the other provided comments. Council did not object to the development. No reportable political donations were made by the Applicant in the last two years.

Accordingly, the application can be determined by the Director, Industry Assessments under delegation.

4.4 Other approvals

Section 4.42 of the EP&A Act requires further approvals to be obtained, considered or determined in a manner that is consistent with any Part 4 approval for SSD projects under the EP&A Act.

In its submission, the NSW Environment Protection Authority (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 5** and **Appendix C**.

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)
- draft State Environmental Planning Policy (Remediation of Land) (draft Remediation SEPP)
- State Environmental Planning Policy No. 64 – Advertising Structures and Signage (SEPP 64)
- Penrith Local Environmental Plan 2010 (PLEP).

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 Penrith DCP 2014 in its assessment of the development.

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 generally complies with the relevant provisions of these EPIs.

4.6 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 5 March 2021 until 1 April 2021 (28 days). Details of the exhibition process and notifications are provided in **Section 5.1**.

4.7 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 2**).

Table 2 | Considerations Against the 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 enable the expansion of a resource recovery facility and assist in meeting the growing demand for waste recycling. It would reduce the amount of recyclable and reusable wastes going to landfill and produce materials that can be used to create new products, reducing demands for new natural resources.
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 Applicant has considered the ESD principles in the EIS. The Department's assessment has considered all socio-economic and environmental considerations in a holistic approach and is satisfied the development could avoid potentially serious or irreversible environmental damage while providing tangible socio-economic and environmental benefits. The Department is satisfied that the development could be carried out in a manner that is consistent with the ESD principles.
1.3(c) to promote the orderly and economic use and development of land,	The development would continue to use the land for industrial purposes consistent with IN1 zoning objectives.
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 development will have minimal impact on threatened species or ecological communities as it is an existing industrial site, clear of vegetation and sealed with concrete hardstand. The Department has considered impacts on water quality in Section 6 of this report. The Applicant proposes to upgrade the stormwater quality measures on site in order to meet Council's pollution reduction targets. The Department recommends conditions of consent in relation to stormwater management and maintenance of stormwater systems in order to ensure an acceptable level of environmental performance.
1.3(h) to promote the proper construction and maintenance of	The development has been designed to meet fire safety and building code requirements, including Fire Safety in

Object	Consideration
buildings, including the protection of the health and safety of their occupants,	Waste Facilities (Fire & Rescue 2020). The Department has recommended a number of conditions to ensure that maintenance and storage of waste materials, oils, fuels and lubricants is undertaken in accordance with applicable legislation, guidelines, policies and procedures.
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 has assessed the development in consultation with and given due consideration to the technical expertise and comments provided by Council and State government agencies which is consistent with the object of sharing the responsibility for environmental planning between the different levels of government.
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.

4.8 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.

As demonstrated by the Department's assessment in **Section 6** of this report, the development is not anticipated to have any adverse impacts on native flora or fauna, including threatened species, populations and ecological communities, and their habitats. As such, the Department considers that 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.

4.9 Biodiversity Development Assessment Report

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

On 22 June 2020, the Applicant submitted a request to the Planning Secretary to waive the requirement for a BDAR, on the basis that:

- the site is an existing RRF, composed of large industrial sheds on a concrete slab. No native vegetation is present on the site and no physical changes to the site are proposed
- it is considered unlikely that any threatened species would utilise the site at any point in time

- no remnant native vegetation remains on site, and hence no native vegetation communities will be affected by the proposal
- natural hydrological processes will not be affected by the proposal any further than the existing artificial regime.

The Environment Agency Head and Director, Industry Assessments, as nominee of the Planning Secretary, determined the proposed development is not likely to have any significant impact on biodiversity values. A BDAR waiver under section 7.9(2) of the BC Act was subsequently granted for the development on 15 July 2020.

4.10 Commonwealth matters

Under the *Environment Protection and Biodiversity Conservation Act 1999*, assessment and approval is required from the Commonwealth Government if a development is likely to impact on a matter of national environmental significance (MNES), as it is considered to be a 'controlled action'. The EIS for the development included a preliminary assessment of the MNES in relation to the development and concluded the development would not impact on any of these matters and is therefore not a 'controlled action'. 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 agencies as well as the community and affected landowners. 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:

- correspondence with government agencies requesting any further comments beyond those provided as input to the SEARs
- a letterbox drop to all properties within 500m of the site
- creation of a dedicated webpage with general information about the development.

Consultation by the Department

The Department consulted with relevant government agencies during the preparation of the SEARs. After accepting the SSD application and EIS, the Department:

- made it publicly available on the Department's website from **5 March 2021** to **1 April 2021** (28 days)
- notified landowners in the vicinity of the site about the exhibition period by letter
- notified and invited comment from relevant State government agencies and Penrith City Council (Council).

5.2 Summary of submissions

During the exhibition period, the Department received two submissions from private businesses and advice from five government agencies, including Council. One business objected to the development and all other submissions and advice were provided as comments. A summary of the submissions and government advice is provided below, and a link to the full copy of the submissions is provided in **Appendix A**.

5.2.1 Key Issues - Government agencies

Penrith City Council (Council) did not object to the proposal but requested additional information in relation to non-potable water requirements and recommended conditions of consent relating to traffic management and access.

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 apply for an EPL for the development.

SafeWork NSW reviewed the development in relation to asbestos management and provided recommendations in relation to the handling of asbestos on site. It was also requested that SafeWork NSW be given the opportunity to further review processes and procedures for the development, should consent be granted.

Transport for NSW (TfNSW) requested additional information in relation to the calculation of heavy vehicles generated by the development and traffic survey data. Recommended conditions of consent were also provided with regard to preparation of a Construction Pedestrian Traffic Management Plan and a Green Travel Plan and provision of bicycle parking and end of trip facilities.

Sydney Water did not object to the development however requested the Applicant lodge a Feasibility study with Sydney Water, as well as a trade wastewater permit application if required. Servicing advice and requirements were also provided should the development be approved.

5.2.2 Key Issues – Private Businesses

Endeavour Energy requested further consideration of potential impacts to electricity infrastructure on or near the site from dust emissions. The submission also referred to the advice that was provided in 2017 for the previous development application on the site (SSD-8200) and included recommendations about network capacity, safety clearances and work safety. Some issues raised in the previous submission are not relevant to the current proposal as no demolition, earthworks or tree planting is proposed. Standard Endeavour Energy safety guidelines and design requirements were also provided.

JSE Properties Pty Ltd, a landowner and business operator in the Dunheved Business Park, objected to the proposed development due to existing traffic congestion issues in the precinct. The submission included a peer review, prepared by transport consultants, of the Traffic Impact Assessment (TIA) that formed part of the Applicant's EIS. The peer review recommended that further information be provided in relation to the traffic generated on a 'busy day', traffic modelling during peak industrial traffic periods, car parking and vehicle access.

5.3 Response to Submissions and Supplementary Information

On 4 August 2021, the Applicant provided a Response to Submissions (RtS) on the issues raised during the exhibition of the development (see **Appendix B**). The RtS also proposed minor amendments to the development, including minor updates to the site plan to clarify operational areas and the reallocation of a storage bunker for storing scrap metal.

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

- **Council** recommended conditions relating to stormwater management, traffic management and non-potable water re-use
- **EPA** provided no additional comments and advised that the recommended conditions provided in its submission remain unchanged
- **TfNSW** provided no further comments and advised that access and traffic matters raised in the peer review of the TIA are a matter for Council given Dunheved Circuit is a local road
- **FRNSW**, who did not provide comments during the exhibition period, provided recommended conditions relating to fire safety systems, preparation of a Fire Safety Study and Emergency Response Plan
- **SafeWork NSW** provided further comments and recommendations on the updated Waste Management Plan included as part of the RtS, regarding the management of non-conforming waste (asbestos) and asbestos handling training for employees.
- **Endeavour Energy** re-iterated concerns about potential impacts to the nearby pole-mounted substation and overhead power lines.

The Applicant provided further additional information in relation to waste management, traffic, and impacts during fitout of the facility. In response to concerns about nearby electricity infrastructure, the

Applicant clarified that the pole and power lines are located on the neighbouring properties, rather than within the subject site. Concerns were raised by the Applicant in relation to two conditions recommended by the EPA relating to the hours of operation and a feasibility study for particulate emissions, which were addressed through subsequent consultation between the Applicant, the Department and the EPA and removal of those two conditions.

The Department has considered the issues raised in submissions, the RtS and the supplementary concerns raised, in its assessment of the development.

6 Assessment

The Department has considered the EIS, the issues raised in the submissions, the Applicant's RtS and supplementary information in its assessment of the development. The Department considers the key assessment issue is transport and access. A number of other issues have also been considered. These issues are relatively minor and are assessed in **Table 4** under **Section 6.2**.

6.1 Transport and Access

Traffic

The development would generate up to 126 vehicle trips per day (63 total vehicles) during operation, with peaks of 13 vehicle trips per hour (from 6 am – 7 am) and 16 vehicle trips per hour (from 2 pm – 3 pm) and 15 vehicle trips per hour (from 10 – 11 pm), corresponding with shift changeover times. Traffic generated by the development includes waste collection trucks entering and leaving the site, trucks collecting and taking processed material and staff vehicles. The identified 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 intersection to absorb the traffic generated by the development.

The site is accessed from a loop road off Dunheved Circuit with heavy vehicles to be limited to left-in and left-out movements when entering and exiting the site, as shown in **Figure 9**. Access to the State road network, including the Great Western Highway and M4 Western Motorway to the south of the site, is via Links Road and Forrester Road.

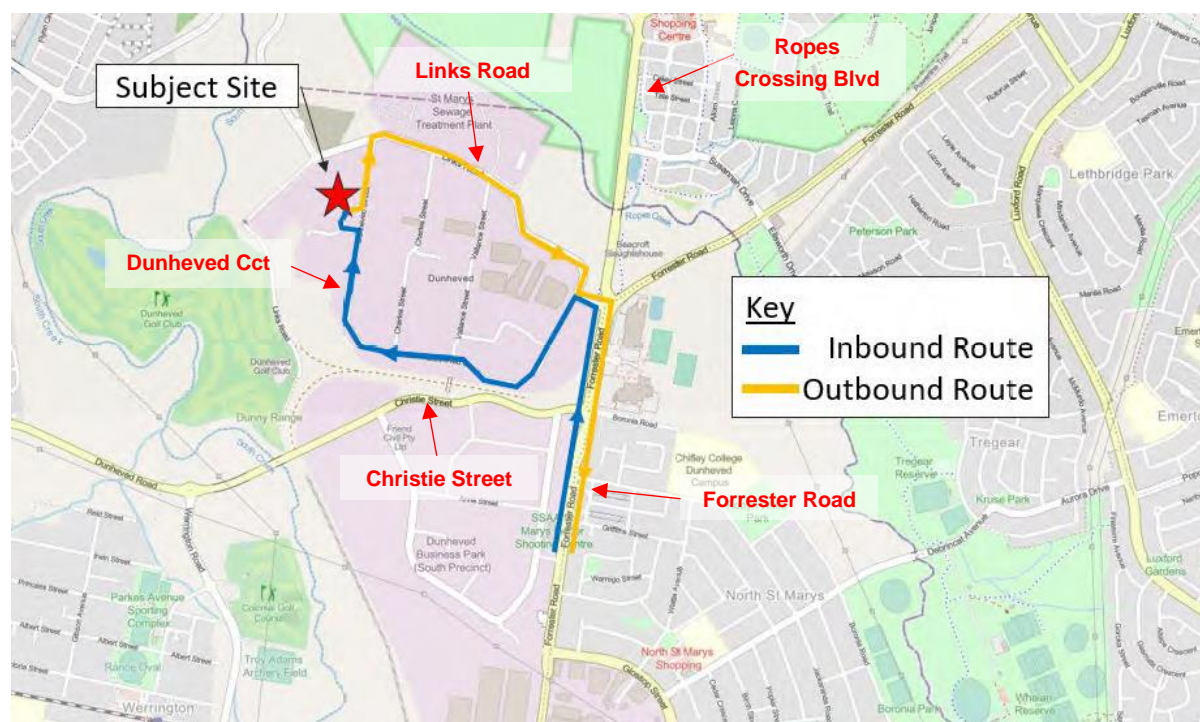


Figure 9 | Heavy vehicle routes to and from the site

The TIA identified that Dunheved Circuit has adequate capacity to accommodate the daily and peak traffic movements from the development, noting that the proposed development will generate

approximately half the amount of daily vehicle trips than the existing facility. This is due to the existing facility's use of trucks with a lower carrying capacity and the receipt of a wider variety of waste types from a larger number of different sources. The receipt and dispatch of material to and from the site is proposed to occur across the proposed 24-hour operations. This will disperse traffic movements throughout the day and outside peak hour traffic. For example, the TIA identifies that around 80% of processed material will be collected from the site after 6 pm.

The TIA modelled the performance of the Links Road/Forrester Road/Ropes Crossing Boulevard roundabout, which is the current access point for the northern precinct of the Dunheved Business Park in which the site is located. The analysis found there will be no increase in the average delays experienced at the intersection at the commencement of operations. However, there would be a deterioration in intersection performance at this intersection over a 10-year period (by 2030) because of background traffic growth. In 2030, development-generated traffic would result in an increase in average delay of two seconds in the AM peak hour and four seconds in the PM peak hour for the worst performing movements. As the average delays in 2030 would be 108 and 112 seconds respectively for these movements without the addition of development traffic, the Applicant's assessment concluded that this increase is considered negligible.

The Applicant also advised that traffic generated during fitout of the facility would be minimal as some equipment that will be used as part of the development is already onsite. The Applicant estimates that the installation work will occur over a three-month period. Large plant items used for processing waste will be assembled off-site and transported by truck to the facility, with an estimated maximum of five heavy vehicles required.

Access and parking

Vehicle access to the site is available via an existing driveway off the Dunheved Circuit loop road. The driveway entrance adjoins one of the driveways for the property at 21 Dunheved Circuit, which is currently also owned by the Applicant. While provided with separate entrance gates, there is no dividing fence within the site between the battle-axe handle accessway and the part of 21 Dunheved Circuit used to access the rear of that property.

In response to concerns raised by the Department regarding vehicles generated by the development manoeuvring onto the neighbouring property at 21 Dunheved Circuit, the RtS included additional swept path diagrams that demonstrated that there is adequate space within the site's driveway to accommodate two passing 19 m articulated vehicles, without relying on the adjoining property. However, the swept path diagrams also showed that 19 m articulated vehicles would cross over the side property boundary onto the driveway within 21 Dunheved Circuit between the entrance gate and the front boundary when manoeuvring into and out of the site. To address this, the Applicant proposes creating an easement on 21 Dunheved Crescent to ensure a right of vehicular access is maintained for heavy vehicles entering/exiting the proposed RRF.

The Department also raised concerns in relation to management of vehicle safety at the site entrance and the Applicant provided supplementary information prepared by its traffic consultants, which included a probability of conflict analysis based on the number of vehicles arriving in a peak hour from each direction, the distance of the conflict area and average vehicle speed through the conflict area. There would be a maximum of two inbound and two outbound heavy vehicle trips and six inbound and six outbound light vehicle trips in a one hour period during shift changeover. Within the identified 25 metre wide area at the site entrance where only one vehicle is able to travel at a time, the analysis

found the probability of a vehicle arriving when another vehicle is within the conflict area is calculated to be 0.050% (1 in 2020 chance). Should such a conflict occur, one driver would need to wait up to nine seconds for the driveway to be clear. Although there is a low probability of two vehicles entering/exiting the site at the same time, the Applicant has proposed mitigation measures to manage any potential conflicts between vehicles. This includes providing hatched line marking on the driveway to delineate the conflict area used for turning by large vehicles, installing a stop sign for exiting vehicles prior to the marked conflict area and installing a convex mirror opposite the site access driveway to enhance driver visibility between a vehicle exiting the site and a vehicle approaching the driveway from the south. Site induction training, a driver code of conduct and requirement for heavy vehicles to radio on approach to inform staff on site of their arrival are also proposed to ensure drivers are aware of safe practices when accessing the site.

The site has two existing weighbridges, one to measure incoming waste loads and one to measure outgoing loads. The incoming weighbridge is located approximately 110 m within the site, providing space for trucks to queue within the site along the battle-axe driveway. The TIA considered the mix of trucks accessing the site, the time spent on site and the peak vehicle numbers and found there is sufficient queuing capacity on the site.

The Applicant proposes to provide 10 car parking spaces for staff use, in line with the parking provided on site under the previous consent. It is stated that operational staff would be spread over three shifts (5 – 6 employees per shift), with the maximum number of staff on site at one time being 10 employees during shift changes. The Penrith DCP 2014 requires 48 parking spaces for an industrial facility of this size; however, the Applicant has identified that 48 spaces are in exceedance of what is required for its maximum 10 staff and inconsistent with previous approvals on the site. The Applicant advises that dedicated visitor parking has not been provided due to the infrequent number of anticipated visitors to site. While there is likely to be spare parking available outside of shift changes, on-site parking arrangements will be made in advance of pre-arranged visitations. No heavy vehicle parking is provided as trucks coming to the site delivering or collecting material will continue straight to their next destination and no trucks will originate from the site.

Assessment and Recommendations

The Department reviewed the TIA and consulted TfNSW and Council on the potential traffic impacts of the development. TfNSW reviewed additional information provided in the RtS on heavy vehicle types and movements and raised no further concerns and provided recommended conditions of consent in its initial comments on the EIS. Council similarly raised no further traffic management issues after reviewing the RtS and recommended vehicles 12.5 metres long or greater be restricted to left in / left out access to the site and to restrict access to vehicles up to a maximum of 19.0 metres long, in accordance with the assessment undertaken in the TIA. Council also provided recommend conditions in relation to vehicular access and manoeuvring, directional signage, marking of car parks and maintenance of sight lines. No concerns were raised with the proposed car parking provision.

The Department considers that the Applicant has given appropriate consideration to the safety of vehicles entering and exiting the site. The delivery and collection of materials will occur over a 24-hour period and there would be an average of two trucks per hour accessing the site. As such, the Department agrees that the likelihood of any conflicts at the site entrance is low. It is considered that the proposed mitigation measures and induction training for truck drivers, as outlined above, will

adequately manage any instances where two vehicles are at the site entrance simultaneously, enable heavy vehicles to manoeuvre safely and not result in vehicles queuing on the public road.

One submission from a private business raised concerns about the impacts of additional traffic on its operation of a neighbouring commercial premises. The Department notes the traffic from the fitout 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 2001 and the previous facility generated nearly 100 more daily vehicle movements than the proposed development, including more trips during the peak traffic periods on the local road network. It is expected that the proposed RRF will generate two vehicle trips in the AM peak hour and four vehicle trips in the PM peak hour. The TIA demonstrates there would be minimal increased intersection delays or queuing due to traffic generated by the development. While the TIA identified there would be an increase in the average delay for two turning movements at the Links Road/Forrester Road/Ropes Crossing Boulevard roundabout in 2030, the Department agrees with the Applicant's conclusion that the development's contribution to the increased delay is negligible. Furthermore, sufficient space is available on site to ensure trucks do not queue on the public road network. It is also noted, neither TfNSW or Council recommended that any road or intersection upgrades would be necessary to cater for the development.

The Department's assessment has concluded the traffic from the development would be adequately accommodated on the local and regional road network, without the need for additional road or intersection upgrades. It is considered that the proposed car parking is acceptable given the nature of the development and the limited number of staff on site at any time. A recommended condition of consent requires the Applicant implement the proposed mitigation measures to reduce the risk of potential conflict of vehicles at the site entrance prior to commencing operations. The Department has also recommended standard operating conditions for traffic management, access and parking, consistent with relevant Australian Standards and guidelines, including preparation of an Operational Traffic Management Plan (OTMP). The Department has also recommended the conditions provided by Council and TfNSW relating to management of traffic and parking on site, restricting heavy vehicles to a left in/left out access and a maximum of 19 m in length. With these conditions in place, the Department's assessment concludes traffic from the development would be adequately managed and would not impact the performance of the local and regional road network.

6.2 Other issues

The Department's assessment of other issues is provided in **Table 3**.

Table 3 | Assessment of other issues

Consideration	Recommendations
Air Quality	
<ul style="list-style-type: none"> Several operational activities associated with the development will generate dust and particulate emissions, including loading/unloading and processing of material, on-site truck movements and diesel exhaust from mobile plant. 	Require the Applicant to: <ul style="list-style-type: none"> carry out the development in accordance with the Applicant's

- To assess potential air quality impacts, the Applicant submitted an Air Quality Impact Assessment (AQIA), prepared in accordance with the EPA's 'Approved Methods for the Modelling and Assessment of Air Pollutants in New South Wales' (Approved Methods).
- The AQIA noted the closest residential receivers are located 850 m to the northwest of the site in Jordan Springs, with numerous other residential receivers approximately 1.5 km to the west, southeast and northeast in the suburbs of Werrington County, North St Marys and Ropes Crossing, respectively. The Dunheved Golf Course is located approximately 280 m southwest of the site.
- Background air quality for particulates (PM_{2.5} and PM₁₀) was determined using existing ambient air quality monitoring data from the St Marys air quality monitoring station (AQMS). This data was extrapolated to determine background Total Suspended Solids (TSP) and deposited dust.
- Dispersion modelling of the proposal's predicted particulate emissions found compliance with the relevant impact assessment criteria at all receivers except at the Dunheved Golf Course where the predicted 24-hour average PM₁₀ concentration of 50.6 µg/m³ would result in a minor exceedance of the EPA's impact assessment criterion of 50.0 µg/m³.
- A more detailed contemporaneous analysis found the proposal would not result in any additional exceedances of the impact assessment criterion at this location, and as such, no further mitigation would be required.
- Deposited dust levels were predicted to be less than 0.01 g/m²/month and 2.16 g/m²/month for incremental and total annual deposited dust at all residential receivers, which would comply with the impact assessment criteria of 2 g/m²/month and 4 g/m²/month, respectively.
- Notwithstanding the findings of the AQIA, the Applicant proposes a range of measures to reduce air quality impacts, including undertaking all activities indoors, switching off vehicles when not in use, maintaining vehicles and plant and fitting them with pollution reduction devices, dampening and reducing drop heights for dusty material, regular cleaning of trafficable areas, on-site speed limits and covering loads.
- The EPA advised it would be able to issue an EPL for the proposal subject to the following additional air quality mitigation measures:
 - carry out all loading, unloading, sorting and processing of materials within the enclosed building
 - always ensure the roller doors of the building remain closed, except when vehicles are entering or exiting
 - install and operate a wheel wash at the vehicle egress point
 - seal all roads, car parking, storage and loading/unloading areas.
- The EPA also recommended the Applicant be required to prepare an operational Air Quality Management Plan (AQMP) to manage dust impacts which would include emission controls, key performance indicators, monitoring methods and frequency, response mechanisms and compliance reporting.
- Given the existing high background levels of particulates, the EPA also recommended a feasibility study to investigate options to reduce particulate emissions from diesel powered machinery at the facility. However, after concern was raised by the Applicant that this study was not justified and that the development will use electric and low-emissions machinery, as far as practicable, the EPA agreed to remove this recommended condition.
- Endeavour Energy noted the electrical equipment / operation on the site could be affected by excessive / cumulative dust emissions management and mitigation measures
- implement the EPA's recommended operational air quality mitigation measures
- prepare and implement an AQMP as part of an overarching OEMP.

causing a fire or flashover and recommended that appropriate air quality management measures be implemented.

- The Department is satisfied the Applicant's AQIA provides a robust assessment of a worst-case operational scenario and has demonstrated predicted emissions would comply with the relevant impact assessment criteria at all residential receivers. The Department notes the development is an enclosed facility located a significant distance from the closest residential receiver and adjoining other industrial land uses.
- Conditions are recommended that require the Applicant to adopt the EPA's recommended air quality mitigation measures and prepare an AQMP.
- The Department's assessment concludes a suite of appropriate best practice air quality mitigation measures have been proposed by the Applicant. The implementation of these measures in conjunction with the additional measures recommended by the EPA as conditions of consent, will ensure air quality impacts of the proposal are minimised, and remain below the impact assessment criteria for all residential receivers and will not result in any additional exceedances at Dunheved Golf Course.

Noise and Vibration

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| <ul style="list-style-type: none"> • Noise from the proposal would primarily be generated within the processing shed by the processing line and mobile plant associated with tipping and spreading activities. Some external noise would also be generated by trucks entering and leaving the site. • As part of the EIS, the Applicant prepared a Noise Impact Assessment (NIA) in accordance with relevant EPA guidance. • Noise impacts were assessed at seven residential receivers located between 850 m and 1.5 km from the site. • An additional residential receiver on the haulage route along Forrester Road was selected for the assessment of off-site road traffic noise. • The NIA assessed the impacts of a worst-case conservative operational scenario with all plant and equipment operating simultaneously and continuously over a 15-minute assessment period against the Project Noise Trigger Levels (PNTLs). • The NIA concluded operational noise levels are predicted to comply with the PNTLs at all residential sensitive receivers during day, evening and night-time periods, including at the Dunheved Golf Course, approximately 300 m southwest of the site. Cumulative impacts are predicted to be negligible. • An assessment of sleep disturbance from maximum noise level events, such as truck reversing and truck dumping of waste, also predicted compliance at all residential receivers. • The NIA found daytime road traffic noise impacts on Forrester Road are predicted to be negligible due to existing high traffic volumes on this road. The cumulative increase in road traffic noise at night is predicted to be less than 1 dB which would not be noticeable at the nominated residential receiver on Forrester Road. • As noise levels are predicted to comply with all criteria, the Applicant proposes standard measures to mitigate noise impacts, including carrying out all processing activities inside the warehouse and keeping the roller doors shut to the greatest practical extent, switching off vehicles and plant when not in use, restricting vehicles to designated routes and enforcing on-site speed limits. • The EPA did not raise any concerns regarding noise impacts, but recommended operations are not permitted on Sundays and public | <p>Require the Applicant to:</p> <ul style="list-style-type: none"> • comply with the operational PNTLs which have been adopted as noise limits for the site • prepare and implement an ONMP and Driver Code of Conduct within an OTMP to minimise road traffic noise as part of an overarching OEMP. |
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holidays, and all operations be carried out in a manner that minimises the emission of noise from the site. The Applicant objected to the limited days of operation given that the NIA did not identify any significant noise impacts based on an assessment of 24 hour, seven days per week operation. The EPA subsequently agreed to remove this recommended condition.

- The Department is satisfied the Applicant's NIA provides a robust assessment of predicted noise impacts from the proposal, including road traffic noise impacts, at a range of suitably representative residential receivers surrounding the site. Noise impacts are expected to be minimal given the main noise generating activities will be within the warehouse and the site is in an existing industrial area, located a significant distance from residential areas.
- To ensure the mitigation measures proposed by the Applicant are implemented, the Department has recommended conditions of consent that impose noise limits as identified in the NIA, preparation of a Operational Noise Management Plan (ONMP) and a Driver Code of Conduct within the OTMP that clearly identifies the designated haulage route to minimise road traffic noise.

Waste Management

- The proposal seeks a significant increase in the volume of waste received at the site from a range of third-party suppliers. Best practice waste management and quality control procedures are critical to ensure only appropriate waste is received at the site and is processed and disposed of in a proper, safe and efficient manner.
- As part of the EIS, the Applicant carried out a throughput analysis of daily process and storage capacity for both timber and plasterboard on site and prepared a Waste Management Plan (WMP) for the proposal.
- The throughput analysis found the facility has sufficient storage available to handle both incoming waste and processed material and this material could be processed within an appropriate timeframe, including allowances for machine maintenance. The analysis concluded the site would have a total waste storage capacity of 704 tonnes and would seek authorisation from the EPA to store no more than that amount on the site at any one time.
- As a contingency for any prolonged machinery breakdown, the Applicant proposes to transfer waste materials to the Borg Oberon site for storage and processing, as this site has a much larger storage capacity.
- In response to queries from the Department regarding the proposed fit-out works, an updated WMP was submitted as part of the supplementary information, which found there would be minimal (~7 cubic metres) waste generated during the fit-out stage, comprised mostly of packaging and employee waste, which could be managed using on-site skip bins and standard bins.
- The Applicant advised waste receipt at the site is subject to quality control and inspection with third party suppliers being required to conform to a Quality Control Plan (QCP) and the EPA's 'Standards for managing construction waste in NSW'. Non-complying waste (NCW) would be managed in accordance with a NCW Procedure, which would ensure NCW is either directed to a dedicated on-site quarantine area or back to the original supplier.
- The WMP predicted a resource recovery rate of at least 95% from the processing of incoming waste streams and a maximum of

Require the Applicant to:

- prepare and implement a waste management plan in consultation with SafeWork NSW and a waste monitoring program
- direct all residual waste material removed from the site to a licensed facility
- classify all waste in accordance with the EPA's Waste Classification Guidelines
- retain all waste classification data for the life of the development.

approximately 5,300 tpa of residual waste which would require off-site disposal.

- The EPA recommended several conditions to ensure the total volume and type of waste received at the RRF does not exceed the volumes or descriptions identified in the Applicant's EIS, including a daily processing limit of 700 tonnes (t) of waste.
- SafeWork NSW noted the WMP included some discussion regarding asbestos and how it would be identified and managed on site. SafeWork requested the opportunity to review processes and procedures following determination of the proposal, when more detailed information would be available.
- The Department acknowledges the proposal would assist in achieving the NSW government target of an 80% resource recovery rate from all waste streams by 2030. The Applicant has proposed a range of best practice waste management procedures in accordance with relevant EPA guidance, including an appropriate means of managing NCW.
- Conditions are recommended limiting the total waste permitted to be received at the site as described in the EIS and RtS including a limit of 700 t of waste to be processed per day, as recommended by the EPA. A suite of standard statutory waste management conditions are also recommended to ensure the appropriate handling, processing and storage of waste, in addition to a waste monitoring program and an operational waste management plan which describes the management and handling of incoming waste, NCW, asbestos and the disposal of residual waste.
- The Department's assessment concludes the development proposes a range of best practice waste management processes and procedures to ensure consistency with relevant EPA guidance, and will contribute to the State's 80% resource recovery target.

Fire Safety

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| <ul style="list-style-type: none"> • The proposal relies on the use of existing buildings approved under DA2015/1042 and constructed in 2016 for the purpose of being used for resource recovery and waste processing. The Applicant advised a Final Fire Safety Certificate has been issued as part of the occupation certificate issued for the building and the uses. • The EIS confirmed the proposal complies with FRNSW's 'Fire Safety in Waste Facilities Guideline' (2020) and several fire safety measures exist within the building including, fire hydrants, fire hose reels, an automatic sprinkler system, fire extinguishers, building occupant warning system, emergency lighting and exit signage and smoke vents. • Notwithstanding the above, the EIS identifies that the storage of waste woodchips has the potential to generate a dust cloud which may cause an explosion under certain atmospheric conditions. However, the Applicant advises the risk of this occurring is low given the size, volume and ventilation of the building. • To further improve the fire safety of the building and operations, a suite of additional measures are proposed, including a fire suppression system installed above and below the manual picking line, a spray dust suppression system and the development of an Emergency Response Plan and Emergency Management Plan. • FRNSW advised waste facilities present 'special problems of firefighting' and therefore require compliance with the requirements | <p>Require the Applicant to:</p> <ul style="list-style-type: none"> • prepare a FSS prior to the commencement of operation and implement the FSS for the duration of the development • prepare and implement a comprehensive Emergency Plan as part of an overarching OEMP • engage a fire safety engineer to verify the design of all fire safety measures prior to the commencement of operations. |
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for 'special hazards' under the NCC to the satisfaction of FRNSW. FRNSW recommended a range of specific fire management measures relating to access for emergency vehicles, fire suppression and management systems, containment of fire water run-off, engagement of a fire safety engineer and preparation of an emergency plan and a Fire Safety Study.

- The Applicant noted many of the recommended fire protection measures have been installed at the development under the previous consent for the building. Notwithstanding, all FRNSW's requirements have been accepted by the Applicant and have been recommended by the Department as conditions of consent.
- The Department is satisfied the existing building has been designed to all relevant fire safety standards. These existing measures in conjunction with the implementation of the recommended conditions will ensure the risk of a dust explosion remains low and appropriate safeguards are in place to manage any residual risk.

Water Management

- The site is located within the South Creek catchment and has the potential to have adverse off-site water quality and quantity impacts. The main source of stormwater contamination will be oil/fuel from on-site vehicles on paved areas and dust carried from the warehouse on the tyres of vehicles.
- The EIS included a Stormwater Management Plan (SMP) to assess the capacity and efficacy of the existing site stormwater system to manage any potential water quantity and quality impacts from the proposed development.
- In response to a request from Council to provide additional information demonstrating how the proposal would achieve Council's requirement to source 80% of non-potable water from harvested rainwater, the Applicant submitted a revised SMP in the RtS.
- The revised SMP reported the entire 6,140 m² site consists of impervious roof and hardstand areas. Stormwater is collected in four linked 50 kilolitre (kL) on-site detention (OSD) tanks located on an adjoining lot to the east, via an existing gross pollutant trap. Stormwater is subsequently discharged to a drainage easement on the western boundary. A 10 kL rainwater tank collects rainwater from the administration building roof for re-use on site.
- A DRAINS hydrologic model and MUSIC water quality model were used to review pre- and post-development stormwater flows and quality, respectively, from the site.
- The revised SMP found the OSD tanks ensure post-development flows can be reduced to match pre-development flows for all extreme rainfall events. However, the stormwater quality modelling found the existing stormwater system would not achieve Council's pollutant load reduction requirements for total suspended solids, total phosphorous and total nitrogen.
- A water balance analysis found the total water demand for the site would be 0.6 kL/day for on-site staff amenities and the truck wheel wash, which is met by the existing on-site 10 kL rainwater tank. This would therefore meet Council's requirement for 80% of the on-site water demand being sourced from harvested rainwater.
- To ensure Council's pollution reduction targets are met, the Applicant proposes to install a stormwater quality device (Ocean Protect StormFilter) in the stormwater treatment train and a wheel wash in the

Require the Applicant to:

- design, install and operate the upgraded stormwater system prior to the commencement of the expanded operations
- prepare and implement a SWMP to monitor surface water impacts and ensure the stormwater system is maintained as part of an overarching OEMP.

outbound lane of the driveway. A commitment has also been made to establish a maintenance schedule for the stormwater system and wheel wash.

- The Applicant's assessment concluded the proposed stormwater system upgrades would result in improved stormwater treatment at the site.
- Council advised it was satisfied with the Applicant's proposed stormwater treatment and management measures and recommended the lots upon which the OSD system is located be consolidated with the existing development site lot or a drainage easement be created.
- The EPA recommended several standard water management conditions to ensure the development is carried out in a manner that prevents and minimises the emission of water pollutants from the site.
- The Department is satisfied the existing stormwater system has the capacity to maintain off-site discharge flows when the expanded operations commence. Similarly, the proposed upgrade to the stormwater treatment train will ensure the site meets Council's water pollution load reduction requirements.
- The Department concurs with Council that the OSD tanks should be located on one property rather than an easement being created, as proposed by the Applicant. The Department has therefore recommended the Applicant undertake a boundary adjustment to ensure all parts of the facility are located on the one property.
- The Applicant agreed to the boundary adjustment and this has been included as a condition of consent.
- Conditions are recommended requiring the Applicant to install and operate the upgraded stormwater system prior to the commencement of the expanded operations and prepare and implement a surface water management plan (SWMP) which identifies assessment criteria and includes a program to monitor surface water impacts, a stormwater system maintenance schedule and a protocol to respond to any exceedances of the assessment criteria.
- The Department's assessment concludes the development provides sufficient upgraded stormwater controls to ensure any adverse water impacts are avoided, subject to the implementation of the recommended conditions.

Hazard and Risk

- Small amounts of potentially hazardous materials would be stored on site, including lubricating oil and solvents for equipment maintenance.
- A preliminary risk screening was carried out in accordance with State Environmental Planning Policy No.33 – Hazardous and Offensive Development and Applying SEPP 33 (DoP, 2011).
- The risk screening identified that the hazardous materials being stored did not exceed the thresholds in SEPP 33 and identified that a Preliminary Hazard Analysis was not required.
- The applicant undertook a qualitative risk assessment for the proposed development activities and identified potentially hazardous events including, vehicle collision, theft and malicious damage, dust generation, spills of hydrocarbons and fires for ignition of stockpiles. The risks were found to be low to moderate and the controls adequate for the activities proposed.
- On this basis, the Applicant's assessment concluded the development is not considered a potentially hazardous development.

Require the Applicant to:

- store all dangerous goods in accordance with relevant Australian Standards.

- The Department is satisfied the Applicant has demonstrated the proposed development will not store any hazardous materials in excess of the thresholds limits in Applying SEPP 33 and that the risk associated with the proposed operations can be sufficiently controlled.
- A condition is recommended requiring all dangerous goods, as defined by the Australian Dangerous Goods Code, to be stored and handled strictly in accordance with all relevant Australian Standards.

Cultural Heritage

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| <ul style="list-style-type: none"> • An Aboriginal and Historic Heritage Due Diligence Assessment was carried as part of the EIS to assess the potential impacts on Aboriginal cultural heritage and European heritage. • No known historic heritage, Aboriginal sites or potential Aboriginal sites were identified on the site. Given the scale and land use impacts of the previous development of the site, the Applicant concluded most physical cultural heritage items have likely been removed and as such, the site is considered to have no Aboriginal or historic heritage value. • Furthermore, the proposed development does not propose any sub-surface ground disturbance impacts. • The Department is satisfied the proposed development is unlikely to cause any impacts on Aboriginal or historic heritage items as the site consists of an existing industrial operation with sealed hardstand areas and the proposed development will not involve any sub-surface ground disturbance. • On this basis, no conditions are required to manage or mitigate impacts. | <p>No conditions are required</p> |
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Greenhouse Gas

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| <ul style="list-style-type: none"> • The EIS included a Greenhouse Gas Assessment (GHGA) which considered both direct (Scope 1) emission from combustion of fuel in plant and equipment on the site and indirect (Scope 2) emissions from electricity generated off-site or that is consumed on the site. • The total estimated annual operational GHG emissions are 3,300 tonnes of carbon dioxide emissions (CO₂-e emissions), comprised of 293 CO₂-e direct emissions and 3,007 CO₂-e indirect emissions. The Applicant's assessment concluded the proposal would account for approximately 0.003% of current NSW emissions. • The Applicant noted the activity of resource recovery would have a positive effect on overall carbon emissions by diverting waste from landfill and reducing the need for new raw material generation. • The Applicant proposes to implement a range of mitigation measures to reduce GHG emissions, including building design features such as natural ventilation and lighting, insulation, consideration of on-site renewable energy (e.g. solar power) and the use of electric powered mobile plant on site. • The Department is satisfied the Applicant's GHGA demonstrates the proposal would have a very minor contribution to total NSW GHG emissions. The Applicant's assessment is considered conservative as it did not quantify the positive effect of the diversion of waste from landfill and reuse of materials on the total GHG emissions estimate for the proposal. | <p>No conditions are required</p> |
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- The Department's assessment concludes the impact of the proposed development on GHG emissions is negligible.
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7 Evaluation

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 considered the development on its merits, taking into consideration strategic plans that guide development in the area, the EPIs that apply to the development, advice received from the relevant government agencies, including Council, and submissions from private businesses.

None of the State government agencies or Council objected to the proposal and the Department has sought to address any issues raised through consultation with both the government agencies and the Applicant. One submission received during exhibition of the development objected to the proposal due to concerns about traffic impacts.

The development would generate up to 126 vehicle trips per day, however this is approximately 94 less trips than the existing facility on the site. While background traffic growth will result in a deteriorating level of service at the Links Road/Forrester Road/Ropes Crossing Boulevard intersection by 2030, the impact of traffic generated by the development will be negligible. Transport for NSW and Council were satisfied with the traffic impact assessment following review of the RtS and Council provided conditions in relation to vehicular access and manoeuvring, directional signage, marking of car parks and maintenance of sight lines. The Department's assessment concluded that traffic generated by the development would be adequately accommodated on the road network without the need for any upgrades.

Other issues considered in the Department's assessment of the application include air quality, noise and stormwater management. The Department considers the impacts of the development can be appropriately managed through implementation of the recommended conditions of consent. The conditions were developed in conjunction with government agencies and Council.

The Department's assessment concludes that the development would support the conversion of waste into reusable products or recycling. In economic terms, recycling reduces waste disposal costs for both government and industry and the development would provide 10 construction jobs and 10 operational jobs. The Department considers that these benefits can be realised without any significant amenity of environmental impacts and therefore, considers the development is in the public interest and should be approved, subject to conditions.

8 Recommendation

It is recommended that the A/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 SSD-10474, subject to the conditions in the attached development consent / project approval
- **signs** the attached development consent (see **Appendix E**).

Recommended by:



23 September 2021

David Schwebel
Planning Officer
Industry Assessments

Recommended by:



23 September 2021

Sally Munk
Principal Planner
Industry Assessments

9 Determination

The recommendation is **Adopted** by:

A handwritten signature in blue ink, appearing to read 'W Hodgkinson', is positioned above the printed name.

30 September 2021

William Hodgkinson

A/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

- 'Environmental Impact Assessment, Proposed Increased Throughput at Existing Resource Recovery Facility - Wood/Plasterboard Recycling' prepared by Borg and dated 25 February 2021.

Submissions

- All submissions received from relevant public authorities and the general public

Response to Submissions

- 'Proposed Increased Throughput at an Existing Resource Recovery Facility - Wood/Plasterboard Recycling 25 Dunheved Circuit, St Marys, SSD 10474, Response to Submissions Report' prepared by Jackson Environment and Planning and dated 27 July 2021.
- 'Response to Agency Comments – Wood and Plasterboard Recycling Facility, 25 Dunheved Cct, St Marys (SSD-10474)' prepared by Jackson Environment and Planning and dated 8 September 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/37091>

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
<p>a) the provisions of:</p> <ul style="list-style-type: none"> i.) any environmental planning instrument, and 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 Secretary has notified the consent authority that the making of the proposed instrument has been deferred indefinitely or has not been approved), and iii.) any development control plan, and 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 iv.) the regulations (to the extent that they prescribe matters for the purposes of this paragraph). 	<p>Detailed consideration of the provisions of all environmental planning instruments (including draft instruments subject to public consultation under this Act) that apply to the development is provided below.</p> <p>The Applicant has not entered into any planning agreement under section 7.4.</p> <p>The Department has undertaken its assessment of the development in accordance with all relevant matters as prescribed by the regulations, the findings of which are contained within this report.</p>
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 would continue to use the land for industrial purposes consistent with IN1 zoning objectives.
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.
e) the public interest.	The development would provide 10 jobs during operation and direct \$2.8 million in capital investment in the Penrith local government area. The environmental impacts of the development would be appropriately managed via the recommended conditions. The Department considers the development is in the public interest.

Appendix C – Consideration of Environmental Planning Instruments

To satisfy the requirements of section 4.15(1) of the EP&A Act, the following EPI's were considered as part of the Department's assessment:

- State Environmental Planning Policy (State and Regional Development) 2011 (SRD SEPP)
- State Environmental Planning Policy (Infrastructure) 2007 (Infrastructure SEPP)
- State Environmental Planning Policy No. 33 – Hazardous and Offensive Development (SEPP 33)
- State Environmental Planning Policy No. 55 – Remediation of Land (SEPP 55)
- draft State Environmental Planning Policy (Remediation of Land) (draft Remediation SEPP)
- State Environmental Planning Policy No. 64 – Advertising Structures and Signage (SEPP 64)
- Penrith Local Environmental Plan 2010 (PLEP)
- Penrith Development Control Plan 2014 (DCP)

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

The SRD SEPP identifies certain classes of development as SSD. The proposal is State significant development pursuant to section 4.36 of EP&A Act because it involves the operation of a resource recovery facility that processes over 100,000 tonnes per annum of waste, which meets the criteria in Clause 23(3) of Schedule 1 in the SRD SEPP.

State Environmental Planning Policy (Infrastructure) 2007 (ISEPP)

The ISEPP aims to facilitate the effective delivery of infrastructure across the State by improving regulatory certainty and efficiency, identifying matters to be considered in the assessment of development adjacent to certain types of infrastructure development, and providing for consultation with relevant public authorities about certain types of development during the assessment process.

As a waste or resource management facility, the development constitutes traffic generating development in accordance with Schedule 3 of the ISEPP and therefore the application was referred to TfNSW for comment and consideration of access and traffic impacts. TfNSW's comments are detailed in **Section 5** of the report. TfNSW provided comments and recommended conditions during exhibition of the proposed development. Following a review of the Response to Submissions no further concerns were raised by TfNSW. The development is therefore considered consistent with the ISEPP.

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 reviewed the development in accordance with SEPP 33 and advised the development would not store dangerous goods above the threshold limits specified in SEPP 33. The EPA has advised it can issue an EPL for the development. On this basis, the development would not be considered potentially hazardous or offensive development.

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

SEPP 55 aims to provide a State-wide approach to the remediation of contaminated land. In particular, SEPP 55 aims to promote the remediation of contaminated land to reduce the risk of harm to human health and the environment by specifying:

- under what circumstances consent is required
- the relevant considerations for consent to carry out remediation work
- the remediation works undertaken meet certain standards and notification requirements.

The Applicant did not provide an assessment of land contamination as the development does not include ground disturbance or excavation. As the site is sealed with concrete hardstand and doesn't involve building construction or excavation, the Department is satisfied the development does not require further assessment or remediation is required.

Draft State Environmental Planning Policy (Remediation of Land) (draft Remediation SEPP)

The draft Remediation SEPP seeks to retain the key operational framework of the current SEPP 55, while also adding new provisions relating to changes in categorisation and introducing modern approaches to the management of contaminated land. The development has been assessed against SEPP 55 (see above), and the Department is satisfied the development would be consistent with 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.

No signage is proposed as part of the development apart from some minor safety and directional signs. The Department considers no assessment of these signs is required in accordance with the provisions of SEPP 64.

Penrith Local Environmental Plan 2010 (PLEP)

The PLEP aims to encourage the development of housing, employment, infrastructure and community services to meet the needs of existing and future residents of the Penrith LGA. The PLEP also aims to conserve and protect natural resources and foster economic, environmental and social well-being.

The development is located in the IN1 General Industrial zone and the area immediately surrounding the site is being utilised for industrial uses. The proposed development is consistent with the objectives of the IN1 zone identified in the PLEP.

The Department has consulted with Council throughout the assessment process and has considered all relevant provisions of the PLEP and those matters raised by Council in its assessment of the development (see **Section 5** of this report). The Department concludes that the development is consistent with the relevant provisions of the PLEP.

Penrith Development Control Plan 2014 (DCP)

The DCP includes specific development controls for the Penrith LGA. The relevant provisions for the development include Chapters C1-13 and Chapter D4 – Industrial Development. The EIS includes brief consideration of these provisions as the development involves use of an existing facility with no new buildings or construction works proposed.

The Department has consulted with Council throughout the assessment process and has considered all relevant provisions of the DCP and those matters raised by Council in its assessment of the development (see **Section 5** of this report).

Appendix D – Community Views for Draft Notice of Decision

Issue	Consideration
<p><i>Traffic</i></p> <ul style="list-style-type: none"> • There are existing congestion issues within the business park, particularly at the single entry-exit • The proposed development will lead to increased traffic congestion • The Traffic Impact Assessment should be updated in accordance with the peer-review provided 	<p><i>Assessment</i></p> <ul style="list-style-type: none"> • The development would generate up to 126 vehicle trips per day, approximately 94 less daily trips than the facility previously operating at the site. • Traffic generated by the development 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. • Council and Transport for NSW have reviewed the additional information provided in the Response to Submissions report and have raised no concerns with the information provided in relation to traffic impacts. <p><i>Conditions:</i></p> <ul style="list-style-type: none"> • The Department's recommended conditions require the Applicant to implement the proposed mitigation measures to improve traffic safety at the site entrance and prepare an operational traffic management plan detailing access arrangements, transport routes, site inductions and internal pedestrian routes. Standard operating conditions for traffic management are also recommended.

Appendix E – Recommended Instrument of Consent