urban planning
integrated land use and transport
development advisory and management

13 April 2015

Secretary
NSW Department of Planning & Environment
GPO Box 39
Sydney NSW 2000

ATT: Chris Ritchie – Manager, Industry

Re: State Significant Development – Request for Secretary's Environmental Assessment Requirements – Kings Park Waste Metal Recovery, Processing and Recycling Facility

1. Introduction and Overview

1.1 Purpose of this Report

Mecone Pty Ltd (Mecone) act on behalf of Sell and Parker Pty Ltd (Sell and Parker) in relation to their intention to lodge a State Significant Development (SSD) application under Section 78A of the Environmental Planning and Assessment Act 1979 ("EP&A Act") with the Department of Planning & Environment (DP&E). The SSD application will seek the Minister's approval to increase the capacity of the existing waste metal recovery, processing and recycling facility at 45 Tattersall Road (Lot 5 DP 7086), Kings Park, from 90,000 tonnes per annum (tpa) to 350,000 tpa.

The increase in the processing capacity of the waste metal recovery and processing business requires the expansion of the facility to encompass the adjoining lot to the east (Lot 2 DP 550522 or 23-43 Tattersall Road). **Figure 1** illustrates the location of the existing site, as well as the adjoining site described in this application.

An Environmental Impact Statement (EIS) will be prepared in accordance with the EP&A Act and associated *Environmental Planning and Assessment Regulations 2000* (EP&A Regulation) to accompany the SSD Application. The EIS will comprehensively evaluate matters of relevance to the proposed development and likely environmental considerations, to a level of detail commensurate with the scale of proposed works. The planning and approvals process is presented in **Figure 2**.

This document has been prepared to inform the DP&E and other relevant government agencies, stakeholders and the community of the proposed development, to identify and provide an overview of the key environmental issues, and provide sufficient information to allow the Department to prepare Secretary's Environmental Assessment Requirements (SEARs).

The following information is provided in this document to support the facilitation of this process:

- A brief description of the site and surrounding development (Section 2);
- Summary of proposed development (Section 3);

- Previous applications and proposals (Section 4);
- Summary of Statutory Planning Considerations (Section 5);
- Identification of the key environmental issues (Section 6); and
- Justification for the Development (Section 7).

Figure 1. Site location
Source: SIX Maps, modified by Mecone

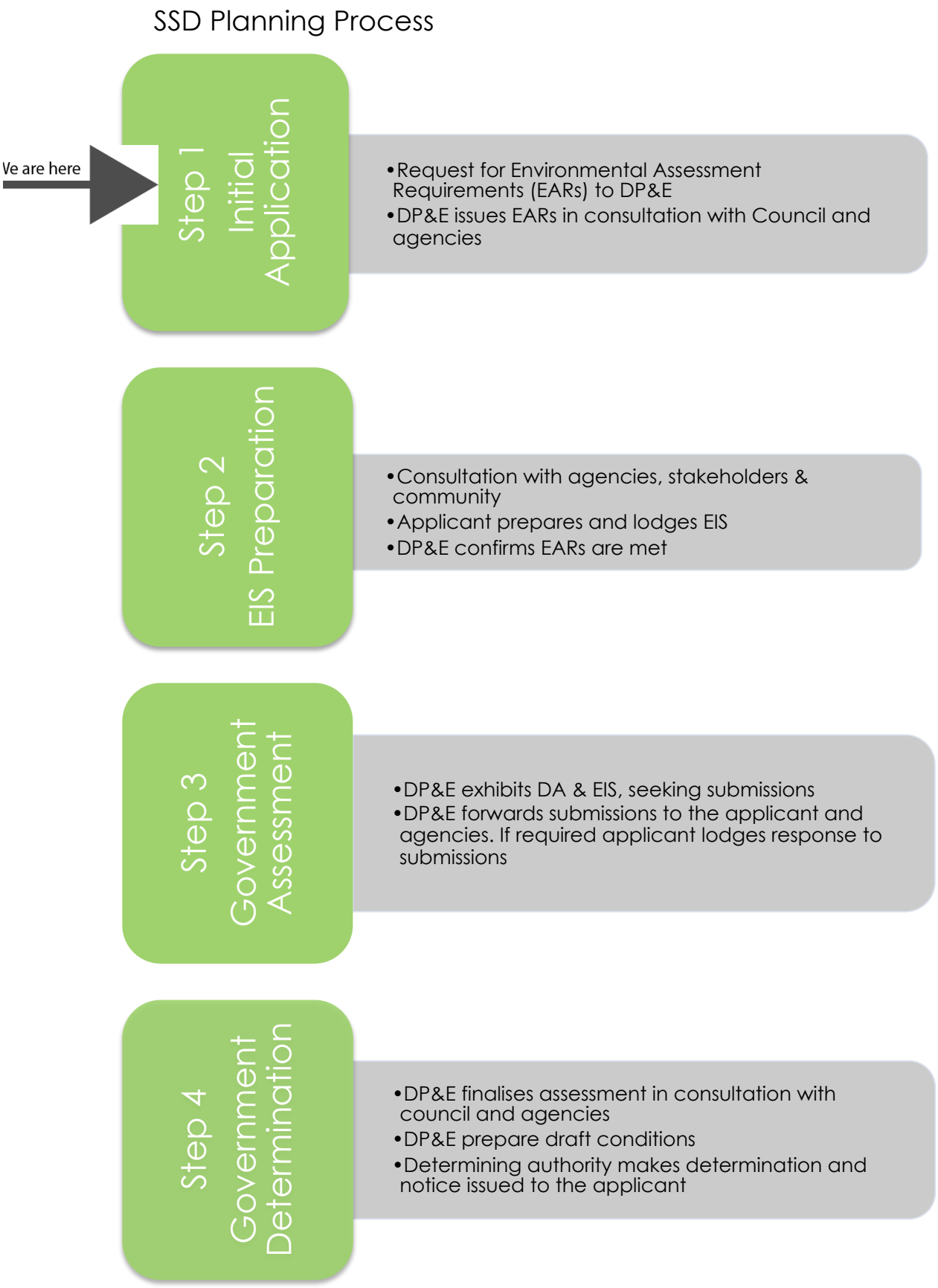


Figure 2. SSD Planning Process

1.2 Summary of Development

Approval is sought for an increase in the capacity of the existing waste metal recovery, processing and recycling facility at 45 Tattersall Road from 90,000 tpa to 350,000 tpa. To increase the capacity it is proposed that the site be reconfigured and expanded to the adjoining lot (23-43 Tattersall Road).

The proposed expansion would enable Sell and Parker to better utilise the existing plant and equipment in a manner which can respond to increasing demands, including community expectations for efficient and effective metal resource recovery and recycling facilities.

The DA has a capital investment value ("CIV"), as defined in State Environmental Planning Policy (State and Regional Development) 2011 of $1.1 million.

2. The Site

2.1 Location and Property Description

The existing waste metal recovery, processing and recycling facility, is located at 45 Tattersall Road, Kings Park, legally defined as Lot 5 DP 7086. The proposed expansion site, 23-43 Tattersall Road, Kings Park comprises Lot 2 DP 550522. Both lots are owned by Sell and Parker Pty Ltd and are referred herewith as the 'site'.

The existing site (45 Tattersall Road) has a total area of approximately 2.86 hectares, with the proposed expansion site (23-43 Tattersall Road) being approximately 3.24 hectares. The amalgamated development site will therefore be approximately 6.1 hectares. Access to the site is provided directly from Tattersall Road, which has good access to other arterial roads, such as Sunnyholt Road and the nearby M7 Motorway.

The site is located within the Kings Park industrial area, which is zoned 4(a) General Industrial, and includes a range of industrial land uses. Given the industrial nature of the locality and its accessibility to major arterial roads and transport linkages, it is considered an ideal site for the proposed development.

2.2 Land tenure and previous consents

2.2.1 Main Site History

The existing site first came into the ownership of Sell and Parker in 1996, when they purchased the site at 45 Tattersall Road for the purpose of operating a metal recycling facility. Under the provisions of *Blacktown Local Environmental Plan (LEP) 1988*, the site was zoned '4(a) General Industrial', and as such the use was permissible with development consent. Blacktown City Council (the Council) approved the metal recycling facility on the existing site in November 1996, with a condition imposed to the effect that a maximum output of 30,000 tpa would be permitted to the southern part of the site.

In 2001 the Land and Environment Court approved the establishment of a hammermill, which together with associated components, brought the approved handling capacity of the northern part of 45 Tattersall Road to 60,000 tpa. The intention of this judgement was to allow the operational capacity of the 1996 consent to exist concurrently with the 2001 consent, which allowed for a total of 90,000 tpa to be managed on site.

In 2007, Sell and Parker purchased the adjoining site, 23-43 Tattersall Road, to cater for the future expansion requirements of the metal recycling operation. Dexion had owned and operated the adjoining site, up until the purchase by Sell and Parker. Dexion is a manufacturer of racking, shelving and materials handling products, and up until the end of last year they occupied the proposed expansion site. However, Dexion is current still operating from this site, a

recent decision to relocate their business offshore has created an opportunity to expand existing operations to the new site, improving safety and efficiencies across the entire operable area.

2.2.2 Environment Protection Licence

The existing site is the subject of Environment Protection Licence No. 11555, which falls within the fee based activity as scrap metal processing and scheduled activity as "metallurgical activities".

The approved handling capacity of the existing site is 90,000 tonnes a year, pursuant to the relevant planning approvals detailed as a condition of the licence.

2.2.3 Environmental Management Plan

The existing site operates pursuant to an Environmental Management Plan ("EMP"). The EMP outlines the environmental management system for the site, identifies environment strategies for wastewater management, dust, noise, waste, fuels/oils/chemicals, etc., and establishes monitoring, performance evaluation and reporting procedures.

2.3 Land Use and Surrounding Development

2.3.1 45 Tattersall Road

The site is largely cleared and used for the existing waste metal recovery, processing and recycling facility. The site contains administrative buildings, maintenance facilities, a stormwater detention dam, employee and visitor car parking, raw material stockpiles, metal recycling equipment (including a pre-shredder, shredder and shear), a waste enclosure, a product stockpile and a mobile material handling plant.

2.3.2 23-43 Tattersall Road

Dexion, a manufacturer of racking, shelving and materials handling products, currently occupy the site. Dexion has announced the closure of its operations and its operations will be relocated offshore.

This site is also largely cleared and developed for industrial purposes, with an office and factory building presented to the street and further industrial buildings and driveway and heavy vehicle turning areas located further to the rear of the site.

2.3.3 Surrounding development

The existing site is located within an industrial estate, with the site and surrounding sites zoned IN1 General Industrial under the *Draft Blacktown Local Environmental Plan 2013*, which is deemed "imminent and certain". Land use of surrounding sites are consistent with the objectives of this zone, with general manufacturing and industrial activities including auto electrical and mechanical service and repair centres, bulk storage, panel beating, and building product manufacturers among the types of activities prevalent in the area.

3. Proposed Development

This application seeks approval to increase annual waste metal recovery, processing and recycling at Sell and Parker's Blacktown metal recycling facility from the currently operating 90,000 tpa to 350,000 tpa in order to meet projected future demands in waste metal recycling. To achieve this increase in capacity, it is proposed that the site be reconfigured and expanded to encompass the adjoining lot at 23-43 Tattersall Road.

The proposed expansion will enable Sell and Parker to better respond to increasing demands, as well as meeting community expectations for an efficient and effective metal resource recovery and recycling facility. The changes described in the proposed development relate mainly to the reconfiguration and expansion of the waste metal recovery and recycling facility on the adjoining allotment, and will:

- Improve site safety and the environmental effects of existing operations by shifting some processing indoors and relocating the existing site office to separate operational activities from pedestrians and visitors to the site; and
- Improving traffic flow and reducing off-site traffic by utilising the driveway at 23-43 Tattersall Road for retail customers, and widening the entry driveway on the existing site to increase service capacity.

To achieve these outcomes, the following works are proposed:

- The existing office at 45 Tattersall Road will be demolished and relocated to improve safety and improve access to the shredder. The office functions will be relocated to the existing office situated at the front of the expanded site (23-43 Tattersall Road) to isolate pedestrians and visitors from the operational activities on the site;
- Car parking for staff and visitors will be increased and moved adjacent to the new office on the expanded site (on 23-43 Tattersall Road) and isolated from the processing area of the facility;
- The pre-shedder will be relocated away from the boundary to where the shear is currently located on 45 Tattersall Road and the shear will be relocated to 23-43 Tattersall Road;
- The existing post shredder non ferrous recovery processing will be enclosed under roof to improve efficiency and reduce noise and dust nuisance;
- Parts of the existing building on 23-43 Tattersall Road will be demolished to allow for better circulation through the site;
- Relocation of the floc material from adjacent to the site boundary to inside a building in the centre of the site;
- Additional post shredder processing will be introduced to further extract remaining recyclables (metals and plastics) from floc material. This will involve conveying the floc via an enclosed conveyor after shredding to inside one of the existing buildings on the site (the Post Shredder Processing facility). The additional processing and storage of all floc will be located inside and hence reduce noise and dust nuisance;
- The non-ferrous shed and non-ferrous processing will be relocated from the building on the western site boundary to inside the remaining buildings on the expanded site to improve efficiency and reduce noise and dust nuisance;
- The existing maintenance shed will be demolished and relocated to inside the existing non-ferrous shed. This will improve access to the shredder;
- The existing driveway entry at 23 -43 Tattersall Road will be used for retail nonferrous customers so that they are isolated from the processing area of the facility;

- The current Sell and Parker entry driveway at 45 Tattersall Road will be widened so that two lanes of traffic can enter side by side at any time with two weighbridges installed so two customers can be served at the one time;
- The current exit driveway at 23-43 Tattersall Road will be widened and two weighbridges installed to handle truck movements;
- The current Sell and Parker exit driveway at No 45 Tattersall Road will be closed and excavated to provide additional finished goods storage;
- Part of the existing sound barrier wall and some vegetation will be removed between the two lots, with the existing 4m boundary fence relocated to the eastern boundary of the site adjoining Breakfast Creek;
- A community education and development facility will be incorporated into the office premises which will highlight recycling and resource recovery processes and its environmental benefits and will be available to the public on an appointment basis; and
- A new truck wash facility will be installed within the existing building on the enlarged site.

The proposed site layout is presented in Figure 3 below. Refer to **Appendix 1** for a scaled site layout diagram.

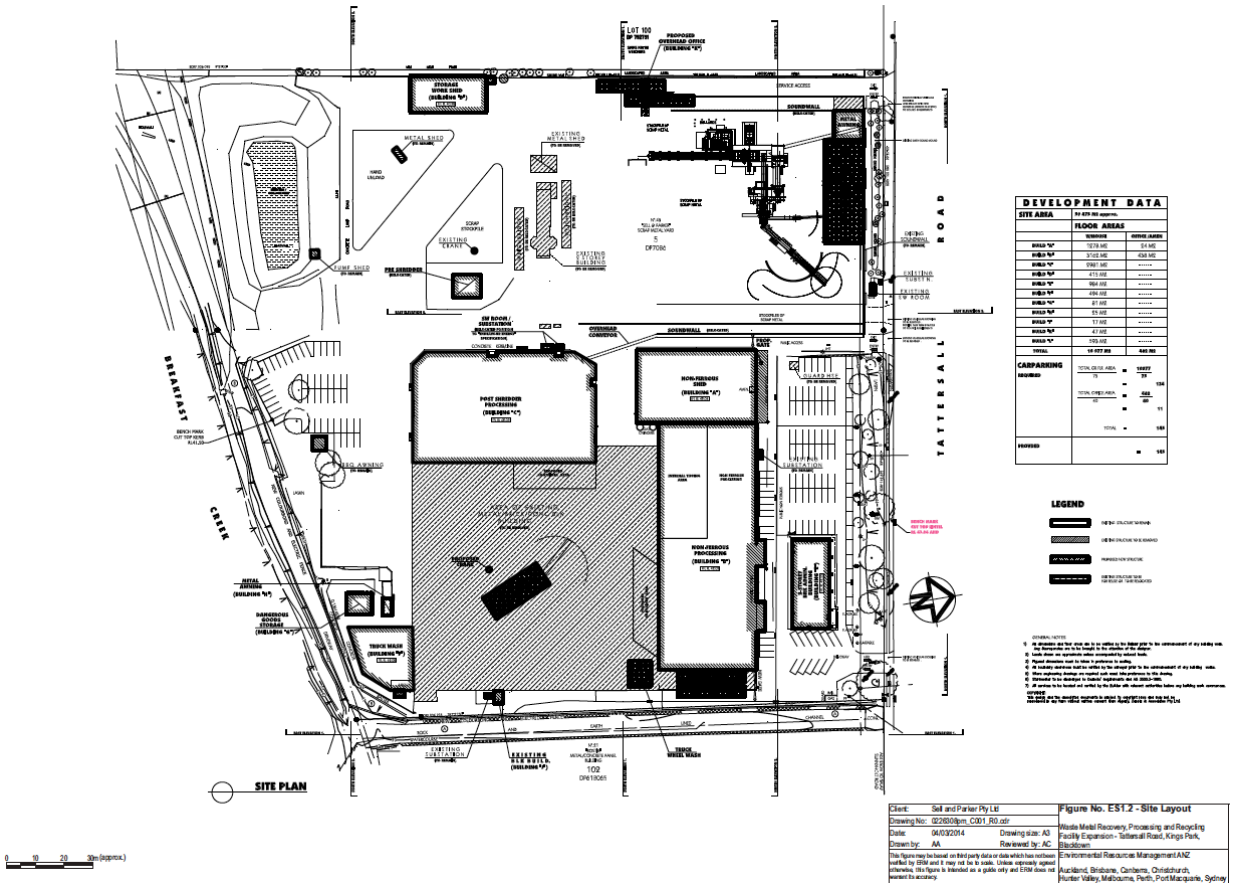


Figure 3. Proposed development site and objectors site
Source: ERM

4. Previous applications and proposal

In 2011 BBC Consulting Planners on behalf of Sell and Parker requested the then Director General to issue Director General Requirements (DGRs) for the preparation of an Environmental Impact Statement (EIS) for the above development under Section 78A of the Environmental Planning and Assessment Act 1979 ("the Act") in relation to a proposed expansion of the existing facility. DGRs were issued on 22 December 2011, based on information provided at that time.

Revised DGRs were issued in December 2013 in response to changes to the proposed development, which related to:

- Changes to the land to which the application related;
- Proposed reconfiguration of existing operations and expansion of the site on to the adjoining allotment (23-43 Tattersall Road, Kings Park);
- Amendments to the application to reflect changes in local planning provisions (Blacktown Draft Local Environmental Plan 2013) that had occurred in the period following lodgement;
- The potential for additional approval being under the *Water Management Act 2000* as a result of the changes to the land to which the application related, as well as the proposed reconfiguration of the site; and
- A request for an extension of time to submit the revised EIS to 2 years from the date of issue of any amended DGRs.

A State Significant Development Application was lodged by Sell and Parker (SDD 5041) on 17 March 2014. The SSD application was publicly exhibited from 27/08/2014 to 10/10/2014. During the exhibition period a total of nine submissions were received, which included six agencies and three community based submissions. Sell and Parker submitted a Response to Submissions Report on 7 January 2015. Following a late submission received by DP&E, Sell and Parker provided a further response to this submission on 19 January 2015.

At the time of writing, SSD 5041 remains undetermined.

5. Summary of Statutory Planning Considerations

5.1 Commonwealth Legislation

5.1.1 Environment Protection and Biodiversity Act 1999

The Environment Protection and Biodiversity Conservation Act 1999 (EPBC Act) relates to the protection of the environment and the conservation of biodiversity. The EPBC Act incorporates an assessment and approvals system for:

- Actions that have a significant impact on matters of national environmental significance (MNES);
- Actions that have a significant impact on the environment of Commonwealth land; and
- Actions carried out by the Commonwealth Government.

A search using the Department of the Environment Protected Matters Search Tool was undertaken on 15 January 2014 by Environmental Resources Management (ERM). The search found that the site does not lie within MNES specified protected areas, does not contain

ecological habitat for nationally listed threatened species, habitats or migratory species, and that the project does not involve nuclear actions, it is not expected to impact on any matter of MNES. It is therefore considered that this proposal would not require Commonwealth approval under the provisions of the EPBC Act.

5.2 State Legislation

5.2.1 Part 4 of the *Environmental Planning and Assessment Act 1979* and *State Environmental Planning Policy (State and Regional Development) 2011*

The development assessment and approval system in NSW is outlined in Parts 4 and 5 of the EP&A Action. Division 4.1 of Part 4 provides for the assessment and determination of State Significant Development (SSD). Pursuant with Section 89C if the EP&A Act, developments are classified as SSD is they are declared to be such by the *State Environmental Planning Policy (State and Regional Development) 2011* (SRD SEPP). Clause 23(3) of Schedule 1 in the SEPP describes development for the purpose of resource recovery or recycling facilities that handle more than 100,000 tonnes a year of waste.

The proposed increase in waste metal recovery, processing and recycling from 90,000 to 350,000 tonnes a year, is development specified in Schedule 1 of the SEPP, and the SRD SEPP framework will therefore apply.

5.2.2 Protection do the Environment Operations Act 1997

The *Protection of the Environment Act 1997* (POEO Act) establishes the NSW environmental regulatory framework and includes a licencing requirement for certain activities identified in *Schedule 1* of the Act. Specifically, scrap metal processing facilities with the capacity to process more than 150 tonnes of scrap metal per day or 30,000 tonnes per year (if the activity is conducted outdoors) or 50,000 tonnes per year (if the activity is conducted indoors) are classified as a "scheduled activity" under the Act.

Environment Protection Licence (EPL) 11555 currently applies to existing operations on-site, and an updated EPL will likely be required for the expanded site.

5.2.3 Waste Avoidance and Resource Recovery Act 2001

The *Waste Avoidance and Resource Recovery Act 2001* (WARR Act) provides a waste hierarchy and ensures that resource management options are considered against the priorities of avoidance, resource recovery, and disposal. The Act aims to achieve a reduction in waste generation and encourages turning waste into recoverable resources.

The proposed development is in accordance with the aims and objectives of the WARR Act as it provides a vital resource recovery facility. The facility is one of only two in the Sydney Metropolitan Area, and the proposed development will allow better and more efficient management of waste metal within the site, while also ensuring the facility can manage increased demand in the future for the region and state.

5.2.4 Water Management Act 2000

The *Water Management Act 2000* (WM Act) incorporates the provisions of various Acts relating to the management of surface and groundwater in NSW, and is administered by the NSW Office of Water (NOW).

The *Water Sharing Plan for the Greater Metropolitan Region Unregulated River Water Sources 2011* applies to the site and therefore the provisions of the WM Act apply to the site. However, as the proposed development does not involve works that require a water supply work

approval, water use approval or controlled activity approval and it is considered that further consideration of the WM Act is not required in relation to the proposed development or EIS.

5.2.5 Threatened Species Conservation Act 1995

The *Threatened Species Conservation Act 1995* (TSC Act) lists threatened species, populations and ecological communities under Schedules 1 and 2 of the Act, that are priorities for conservation within NSW. Projects determined by a statutory authority of the NSW Government are required to be assessed in accordance with the EP&A Act, as amended by the TSC Act.

The site is already significantly disturbed and the proposed increase in the handling capacity of the site will not result in any changes to the current approved development footprint on both existing sites. It is therefore considered unlikely that the proposed development will impact on any threatened species, ecological communities or their habitats.

5.2.6 National Parks and Wildlife Act 1994

The *National Parks and Wildlife Act 1994* (NPW Act) guides the management of conservation areas as well as the protection of native vegetation, native fauna and Aboriginal objects across the State. Under the NPW Act it is illegal to move, damage, deface or destroy a relic without written permission from the Office of Environment and Heritage (OEH).

There are no National Parks or Nature Reserves in the vicinity of the site. Given the site is already highly disturbed it is considered unlikely that the proposal will result in disturbance to any items of Aboriginal significance. It is considered that no further consideration of the NPW Act is required in the preparation of the EIS.

5.2.7 Building Code of Australia (BCA)

A preliminary BCA Assessment will be undertaken as part of a future EIS to determine the level of fire safety required to meet current building standards.

If the Project is approved by DP&E, compliance with the BCA would be verified by an independent Accredited Certifier who would check the drawings as part of the approval process, and undertake further consultation with Fire & Rescue NSW prior to the construction and operation of the facility. It is likely that a 'performance based' approach to complying with the BCA will be required, and Sell and Parker will engage a level one Accredited Certifier.

5.3 State Environmental Planning Policies

5.3.1 State Environmental Planning Policy 33 – Hazardous and Offensive Development

The aims of the SEPP 33 relate to defining hazardous and offensive development, and to ensure that the consent authority has sufficient information to assess whether a development is hazardous or offensive if a proposal is considered to have potential to be hazardous or offensive, in order to impose conditions to reduce or minimise any adverse impacts that may occur as a result of development approval.

Part 1 Section 3 of SEPP 33 defines a potentially hazardous industry to be:

"'*Potentially hazardous industry' means a development for the purposes of any industry which, if the development were to operate without employing any measures (including, for example, isolation from existing or likely future development on other land) to reduce or minimise its impact in the locality or on the existing or likely future development on other land, would pose a significant risk in relation to the locality:*
(a) to human health, life or property, or

(b) to the biophysical environment,

and includes a hazardous industry and a hazardous storage establishment."

The metal recycling facility is considered to be a 'potentially hazardous industry' and therefore a Preliminary Hazard Analysis (PHA) will be undertaken in the EIS.

5.3.2 SEPP (Infrastructure) 2007

State Environmental Planning Policy (Infrastructure) 2007 (ISEPP) aims to facilitate the effective delivery of infrastructure across the State by the following:

"*(a) improving regulatory certainty and efficiency through a consistent planning regime for infrastructure and the provision of services,*

(b) providing greater flexibility in the location of infrastructure and service facilities,

(c) allowing for the efficient development, redevelopment or disposal of surplus government owned land,

(d) identifying the environmental assessment category into which different types of infrastructure and services development fall (including identifying certain development of minimal environmental impact as exempt development),

(e) identifying matters to be considered in the assessment of development adjacent to particular types of infrastructure development,

(f) providing for consultation with relevant public authorities about certain development during the assessment process or prior to development commencing."

Specifically the ISEPP requires new or expansions to existing development to be referred to the Roads and Maritime Services (RMS) if it involves "Landfill, recycling facilities, waste transfer station". On the basis of the development including recycling and waste transfer components, then a referral to Regional Traffic Development Committee of RMS will be required in accordance with the ISEPP.

The remaining provisions of the SEPP are considered to be of limited relevance.

5.3.3 State Environmental Planning Policy 55 – Remediation of Land

SEPP 55 aims to provide a state wide planning approach to the remediation of contaminated land and in particular promotes the remediation of contaminated land for the purpose of reducing risk of harm to human health and any other aspect of the environment.

Clause 7 of SEPP 55 requires a consent authority to consider whether the land to which a development application relates is contaminated and if the land is contaminated to be satisfied that the land is suitable in its contaminated state, or will be suitable after remediation, prior to granting consent.

The proposed expansion of the Project onto the adjoining site does not result in a change in the classification or land use of the site. Whilst there are no known contamination risks identified by the expanded site, a preliminary environmental site investigation report will be undertaken as part of the EIS.

5.4 Sydney Metropolitan Plan

5.4.1 *A Plan for Growing Sydney*

Announced in December 2014, *A Plan for Growing Sydney* is the new metropolitan plan for Sydney and will guide land use planning decisions for the next 20 years. The Plan continues to reinforce the strategic role of employment centres, such as Kings Park, in providing employment opportunities in close proximity to housing precincts and centres, such as Blacktown.

The 'Plan' references the Kings Park industrial area, with a specific picture of the Sell and Parker (see page 38 of the Plan) facility, as an example of the type of industry to be accommodated within such precincts.

The Plan notes the importance of locating new jobs close to centres and transport, which this site demonstrates given its proximity to the state and federal highway network, as well as local public transport.

5.5 Local Planning Provisions

5.5.1 Blacktown Local Environmental Plan 1988

5.5.1.1 Zoning

The site is zoned 4(a) Industrial – General under the Blacktown Local Environmental Plan 1988 (Blacktown LEP). The objectives of the zone include:

"(a) to provide areas for accommodating both traditional and modern forms of industrial, warehousing and like development outside areas used or zoned for residential or business purposes and so encourage economic and employment growth in Blacktown,

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

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

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

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

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

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

(h) to enable development for the purposes of community facilities such as child care facilities either in association with or independent of other permitted development to serve the needs of the workforce of the area."

The current land use is permissible within the 4(a) Industrial – General zone and the site is located within an existing industrial area, on an already developed site where waste recycling operations already occur, and manufacturing. It is therefore considered the proposal meets the aims of the 4(a) Industrial – General zone.

5.5.1.2 Flooding

Breakfast Creek is located along the southern boundary of the site, and as a result the site is partially affected by flooding. Clause 20 of the Blacktown LEP relates to development in areas affected by the 1 in 100 year flood level, stating:

"(2) Despite any other provision of this plan, the council may refuse consent to the carrying out of any development on land affected by the 1% annual exceedance probability flood where, in its opinion, the development may:

(a) adversely affect the efficiency, or unduly restrict the capacity, of the floodway or where the safety of the development would be affected in time of flood,

(b) affect the flood peak at any point upstream or downstream of the development,

(c) affect, to a substantial degree, the flow of floodwater on adjoining lands,

(d) cause avoidable erosion, siltation or unnecessary destruction of riverbank vegetation in the area,

(e) affect the water table on any adjoining land,

(f) adversely affect riverbank stability, or

(g) create a hazard to life or property in time of flood.

The proposal does not include the construction of any buildings or installation of any equipment or machinery on land affected by the 1% annual exceedance probability flood level. The proposed expansion will result in the removal of buildings from within the 1 in 100 year flood zone. The only new building proposed is located at the northern end of the site, outside the flood prone section of the site. Blacktown City Council has also carried out remediation works on Breakfast Creek, which have the potential to reduce flooding impacts.

As such, it is considered unlikely that the proposed development will impact on flood levels or flood flow at the site. Notwithstanding this preliminary assessment, subject to the issuance of SEARs, this issue will be more appropriately addressed in an EIS.

5.5.2 Draft Blacktown Local Environmental Plan 2013

The *Blacktown LEP 2013* (DBLEP) has successfully been through the Gateway Process, and is now awaiting final approval by DP&E and, as such, the LEP is deemed "imminent". It is relevant to consider whether the proposed development will reserve the character anticipated by the draft zone and whether the proposed development will meet the objectives of that zone.

Under the DBLEP, the land to which the site is located will be zoned 'IN1 – General Industrial'. Metal recycling and management facilities will continue to be a permissible use within the future IN1 – General Industrial zone. The figure below is an extract of the draft proposed Land Zoning Map for the site.

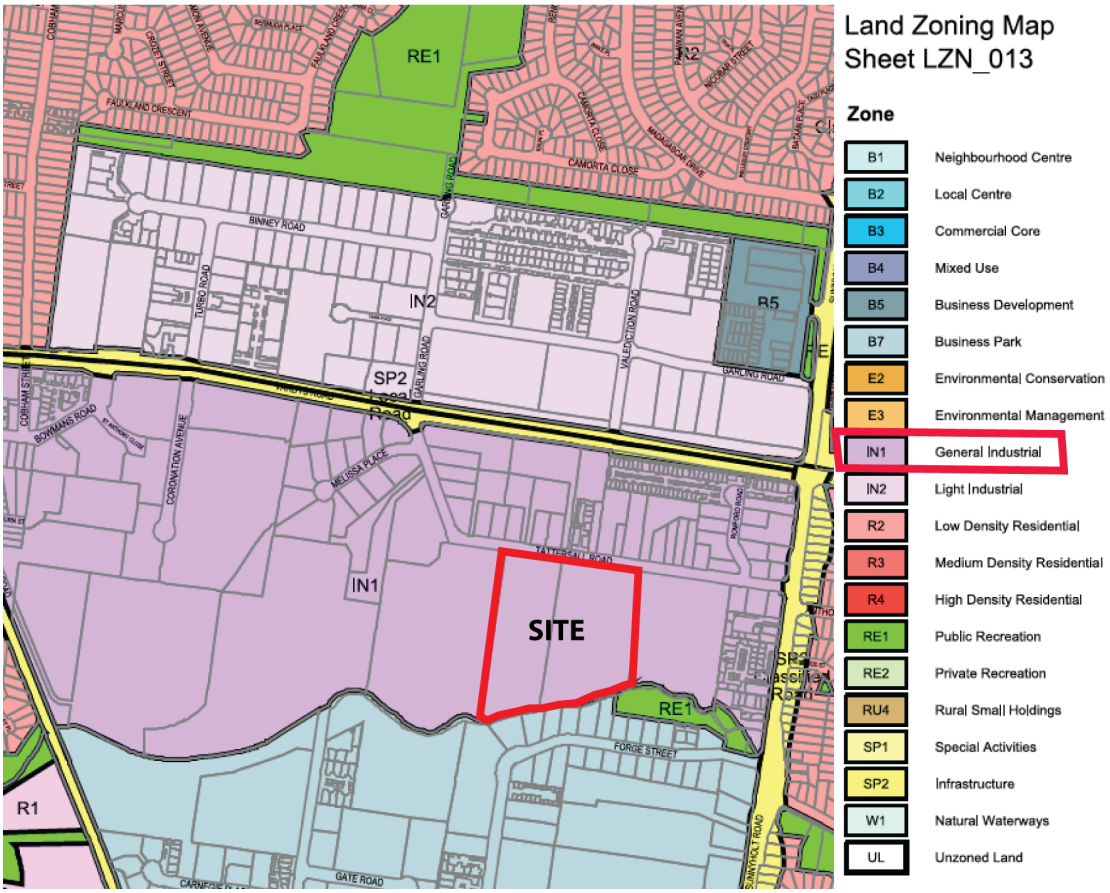


Figure 3. Subject site
Source: Blacktown City Council

The Proposal is therefore considered permissible with consent under both the current LEP and Draft LEP under the respective zoning.

6. Environment Assessment

6.1 Identification of Issues

The key issues associated with the proposal warranting detailed assessment and reporting will be identified through:

- The SEARS to be issued by the DP&E;
- The existing environmental context of the development site and surrounding locality;
- The legislative framework applicable to the assessment of the development (see Section 5);
- A high level environmental risk assessment, which has already been completed (see below);
- The outcomes of consultation to be undertaken with government agencies and other relevant stakeholders; and
- Specialist studies to be completed as part of the preparation of the EIS.

Ecological Assessment

Given the already highly disturbed nature of the site, and the fact that only landscaped trees that exist between the two current separate sites, are proposed to be removed, it is considered highly unlikely that the proposed development will have any impacts on any threatened species, populations or ecological communities and their habitats as listed under the NSW TSC Act or the Commonwealth EPBC Act.

Heritage Assessment

Aboriginal Cultural Heritage Assessment

A search of the OEH Aboriginal Heritage Information Management System (AHIMS) database by ERM identified one object or place of Aboriginal heritage significance approximately 650m to the south of the expanded site. However, given both the existing site and expanded site area are already highly disturbed (i.e. the land at both sites has previously been extensively excavated and backfilled) it is considered highly unlikely that objects or places of Aboriginal heritage significance will be impacted as a result of the proposed development.

Historical Heritage Assessment

A desktop assessment of national, state and local legislation and registers by ERM showed that two items of local heritage significance have been identified within the locality, but not within the vicinity of the proposed expanded site. Both of these sites are located on private land, sufficiently distant from the proposed development and as such will not be disturbed by the proposed expansion of the site. Given this, coupled with the existing site and expanded site area are located on previously, extensively disturbed land, it is unlikely that the proposed activity will cause any potential impacts to historic heritage.

Acoustics Assessment

A noise and vibration report will be conducted for the proposed development as part of the EIS.

The focus of the acoustic assessment will be noise emissions to residential premises, which are located approximately 460m from the site. Based on previous vibration measurements undertaken, vibration levels from the proposed expanded site are unlikely to cause human discomfort to the occupants of the nearest adjoining buildings. Noise and vibration emissions from proposed site operations to neighbouring existing and proposed new industrial premises will be made to comply with the project- specific noise levels once the noise and vibration mitigation measures proposed as part of the expansion are implemented. Potential traffic noise associated with the operation of the facility and impacting nearby residential receivers is likely to be insignificant, however will be considered for compliance with the RNP.

Air Quality Assessment

Subject to issuance of the SEAR's, it is expected that an Air Quality will be undertaken in accordance with the Level 2 impact assessment, as described by the Approved Methods and Guidance for the Modelling and Assessment of Air Pollutants in New South Wales, (DEC, 2005). The Air Quality assessment will determine potential impacts from the expansion of operations using worst-case input data.

Greenhouse Gas Assessment

A greenhouse gas assessment will be undertaken to estimate GHG emissions for the site upon its expansion. The GHG assessment will determine a growth factor, whilst considering the level of GHG emissions from the existing site activities.

The greenhouse gas assessment will determine the contribution of the emissions from the site to the totals for NSW and the nation, and whether the upgrade represents a negligible increase in GHG emissions or not.

Soil and Water Assessment

Stormwater Management

Stormwater runoff generated at the existing site currently reaches a stormwater basin in the southern portion of the site via overland flow and a network of inlets and underground pipes. This basin has a riser that acts as a discharge point that is not licensed. At the proposed expansion site (the predominant source of runoff is generated from the roof space occupying the majority of the site. This runoff is assumed to flow to the adjacent rock and earth lined stormwater drain to the east that links down gradient to Breakfast Creek. The carpark in the northern portion of the site drains to a series of inlet pits that discharge to the adjacent drainage line to the east. The carpark in the southern portion of the site is presumed to drain to Breakfast Creek in the south.

Two oil/water separators are proposed for the new drainage system within both the existing and expanded site area. Each oil/ grit separator would be a precast unit such as a Humesceptor or similar device. Based on the manufacturer's performance details removal rates of 80% for total suspended solids and 65-99% for hydrocarbons would be expected. The majority of metals would be removed with the suspended solids. Heavy metals in such run-off are generally associated with the suspended solids. Removal of a high proportion of the finer fraction of the suspended solids will also prevent heavy metals being exported from the site. The oil/grit separators will also provide for treatment of contaminated water generated during fire fighting

operations in the event of a fire occurring at the metal recycling facility.

A bioretention filter will also be installed to receive runoff from overland flows and the underground pipe network on the expanded site area. The existing stormwater pond will be dredged and excavated to remove any contaminated sediments and lined with clay. Verification sampling will be required as will waste classification sampling to allow for the appropriate disposal of any dredged material.

Erosion Control

Erosion control will primarily be in the form of site stabilisation by sealing with concrete. Sediment control will be through the use of the existing sediment basin and additional network of inlet pits and underground pipework conveying water to a series of oil water separators and ultimately the existing stormwater basin or the bioretention filter.

Groundwater

A search of NSW Office of Water (NOW) registered groundwater bore licences by ERM, identified 11 licensed bore within approximately 1km of the site. The logs for boreholes drilled to the east of the site reported a shallow water bearing zone of silty clay between 1.5 and 6.5m below ground level (BGL). The boreholes to the northwest of the site did not report any water bearing zones or aquifer geology, though the standing water level for these wells was uniform at seven metres.

The proposed development does not require any activities such as significant excavation that would cause direct disturbance to groundwater. Adjacent groundwater wells indicated that the shallowest aquifer would be approximately two metres BGL. The site of the proposed development is already sealed with associated drainage installed such that limited infiltration rainwater occurs on the site. The Natural Resource Atlas indicated that the groundwater identified in wells adjacent to the site is saline. There are not expected to be any significant effects on regional groundwater as a result of the expanded site operations.

Current and Future Site Water Use

The estimate of current water usage based on the current processing capacity of 90,000 tpa was assumed to be 68.24kL/day based on information provided in water consumption invoices. Production at 350,000tpa is a 3.89 times greater than the existing rate so this factor has been applied to the current estimated rate to estimate a predicted increased water usage rate of 265.4kL/day. Assuming an average number of site operational days of 304 days per year (by excluding Sundays and Public Holidays) this is a water requirement of approximately 80.68 Megalitres/year for the proposed increase production rate.

Based on preliminary calculations it assumed that between 15% and 35% of the total water requirement on-site could potentially be supplied by the stormwater basin in dry years (10%ile rain year) and wet years (90%ile rain year) respectively with an average rainfall year potentially supplying 26% of the site water requirements. Thus the reliance on mains supplied potable water is greatly reduced.

The stormwater basin has an estimated volume of 1,440m^3, a size that if the basin was empty prior to receiving rainfall would be suitable to capture a rainfall event up to 64mm.

Water for operational purposes for the proposed expansion will be sourced from mains supplied potable water and continued use of the runoff collected in the stormwater basin. The increase in water use with the proposed expansion warrants on-going use of collected runoff in the stormwater basin for operation requirements, thus reducing the requirement on mains supplied potable water, as long as the water is of a quality such that impacts to site infrastructure, the surrounding environment and the health and safety of employees is avoided.

Rainwater tanks may also be installed to utilise the runoff from roof spaces and would likely be best suited to providing water for personal use such as toilet flushing, reducing the requirement for mains supplied potable water. The option is available to use a system of rainwater tanks to capture the predicted roof rainwater, however the large size of tanks required, the likely excavations/preparatory works required to install the tanks in the space constrained site and the network of piping to distribute the water to the shredder may not be viable (compared to the more viable option of a single pipe required to distribute captured water from the stormwater basin to the shredder).

Potential Acid Sulphate Soils (PASS)

Assessment of the Australian Soil Resource Information System (CSIRO, 2006) mapping layer identified that the site has no known occurrence of Acid Sulfate Soil (ASS). Typical site operations are not expected to encounter or disturb PASS, nor lower the water table on adjacent lands to expose acid sulphate soils to oxidation.

Riparian Corridor Management

Although exempt from controlled activity approvals under the Water Management Act 2000, due to the proposed development being State Significant Development (SSD), redevelopment of the site will be designed to meet as far as practicably possible, the new rules developed by NOW (2012) regarding controlled activities within riparian corridors. Landscaped areas along the south boundary will include a range of locally endemic species to enhance the portion of the riparian corridor inside the operational boundary of the redeveloped site.

Contaminated Land

A Phase I Environmental Site Assessment (ESA) of the two adjoining properties, planned to be redeveloped by Sell and Parker will be undertaken to assess the suitability of each property for ongoing industrial land use.

Hazards and Risks

A Preliminary Hazard Analysis (PHA) will be undertaken. The PHA will includes a semi-quantitative analysis and assessment of off-site fatality, injury and property damage risk, in accordance with the NSW Hazardous Industry Planning Advisory Paper (HIPAP) guidelines.

The PHA will assess whether the proposed development is a hazardous industry, as defined in State Environmental Planning Policy (SEPP) No. 33. Based on preliminary findings, it is unlikely that the proposal will meet the qualitative criteria for offensive or hazardous industry.

Fire and Incident

Floc material has been identified as a potential source of fire. This will be managed by keeping the stockpile small, so as not to consider the warehouse in which it is kept as a high hazard occupancy. Water cannons will also be provided for the various stockpiles.

Any uncontrolled leaks or spills have the potential to contaminate soils within unsealed sections of the site, or be entrained in stormwater flow to the detention basin at the rear of the site. Overflow of potentially contaminated water from the detention basin, has the potential to detrimentally impact on Breakfast Creek.

Mitigation measures will be implemented to ensure incidents such as accidental spills and / or leakages from machinery are contained and managed appropriately, and will be detailed further in the EIS.

Transport Impact Assessment

A transport impact assessment (TIA) will be undertaken to determine the impact of the additional volume of traffic generated by the proposed development on the surrounding road network and identify any required mitigation.

Vehicle Access and Circulation

As part of the amalgamation of the two sites, the physical barrier between the two sites will be largely removed, permitting the movement of operational vehicles between the two sites. The increase in operational area at the expanded site will permit heavy vehicles to layover on-site in between weighing events, removing the need for these vehicles to return to Tattersall Road between loading and unloading of metal. This change will significantly reduce the movement of heavy vehicles on Tattersall Road adjacent to the site, improving the movement of vehicles along Tattersall Road.

The relocation of all administration functions to the existing administration building at 23-43 Tattersall Road will greatly improve pedestrian safety at the expanded site by separating pedestrians from the operational activities of the site. The proposed pedestrian access arrangements to the administration building will be unchanged from the existing arrangements to this building with pedestrians accessing the building from the on-site car park.

Car Parking Requirements

The proposed development will provide 147 on-site car parking spaces, which meets the minimum car parking requirements outlined in DCP 2006 and is considered to be appropriate.

Traffic Generation

Whilst against current operations and output, the reconfigured site operations would result in a net decrease in daily traffic movements, the expanded output is expected to result in a small increase in vehicle movements (2 rigid vehicles per hour) on the surrounding road network. Given this, the proposed development in its own right would not warrant any upgrades to existing road infrastructure on the vicinity of the site.

Construction traffic

At this stage it is not possible to accurately quantify the traffic volumes likely to be generated during construction as a contractor is yet to be appointed. However, construction activities associated with the proposed development are anticipated to generate only a small proportion of the daily vehicle movements currently generated by the Dexion site. Given this, the construction activities would result in a net decrease in traffic generation when compared with the existing traffic generated by the operation of the two sites.

Social and Economic Resources

In both the short and the long term, the potential impacts on social and economic resources are generally positive. The additional development has a capital investment value ("CIV") of $1.1 million. The proposed expansion of the site will provide for increase labour force, creating positive flow-on effects to the local economy. The proposed expansion of the site will also enable Sell and Parker to utilise the available plant capacity in order to better respond to increasing demands, including community expectations for efficient an effective metal resource recovery and recycling facilities.

An education and training centre is proposed within the new office area at the expanded site, which will be used to promote recycling initiatives and to explain the nature of resource recovery. Where possible, the centre will provide support and seek to participate with the education programme in schools and tertiary education facilities, thus positively contributing to the local community.

Visual Impact Assessment

There are no sensitive receptors with views to the site. The closest residence is located approximately 470m to the east of the site on Sunnyholt Road. The closest park is Headingley Reserve located approximately 460m to the east, also on Sunnyholt Road. Due to the topography and other industrial developments adjacent to the site, the site cannot be seen from either of these locations. There are no schools, parks or recreation facilities in close proximity.

Views to the site from Tattersall Road are limited as there is an existing 4m fence along the front (northern end) of number 45 Tattersall Road as well as landscape plantings. This sound wall will prevent views of the proposed new non-ferrous processing building from Tattersall Road. Small modifications are proposed to the sound wall, including the extension of the dust screen on the western end of the wall, however these changes are only very minor. In addition, the second driveway on the western side of 45 Tattersall Road will be removed, providing an improvement to the Tattersall Road streetscape.

A concept landscape plan will be developed, which will provide for plantings of native tree, shrub and grass species along site boundaries, particularly the frontage with Tattersall Road.

Waste Management

The construction and operational phases for the proposal will produce several specific waste streams that will require management. Opportunities for waste reduction and the beneficial reuse of materials will be identified in accordance with the proponent's obligations under the Waste Avoidance and Resource Recovery Act 2001. This will also include the appropriate segregation of materials for processing.

All wastes will be classified (where required), stored and disposed in accordance with the Waste Classification Guidelines, Part 1: Classifying Waste (OEH, 2008). The requirements of the Protection of the Environment Operations Act 1997 (POEO ACT) will also be met during the construction works and operation of the facility.

Cumulative Impacts

There is potential for short term minor adverse effects on properties close to the proposed development from the combination of construction noise, air quality, minor visual intrusion, traffic and general amenity effects arising from site activity, plant operation and traffic movements.

These effects are not predicted to be significant and will be limited to temporary periods during construction, however will be considered in the EIS.

7. Justification of the Development

This request for SEAR's has considered the key environmental considerations associated with the Tattersall Road Waste Metal Recovery, Processing and Recycling Facility proposal. The proposal will enable an increase in the handling capacity of waste metal recycling which will assist in meeting the current and expected future demand, particularly that from landfill operators, which are beginning to mine their sites to extract metal for recycling. .

The expanded facility will provide a viable metal recycling service for the surrounding region. The waste metal recycling service at the Tattersall Road facility will better meet demand and assist in meeting community expectations for efficient and effective metal resource recovery and recycling facilities. The Tattersall Road facility is based in the Blacktown Industrial Estate therefore providing an important employment role, not only at the facility itself, but also in related industries such as suppliers of equipment, landfills and construction and demolition firms.

The proposed development involves the expansion of an existing metal recovery, processing and recycling facility which is already equipped with modern equipment able to meet the proposed increase in handling capacity. The development will allow important components for waste metal recycling to be undertaken at a site that is already highly disturbed. The service provided by the facility will help achieve the reduction of solid waste going to landfills in Sydney, while the recycled metal products provide an alternative to raw materials used to make metal products. The proposal will have positive flow on effects throughout the local economy through the creation of jobs in associated industries.

8. Summary

The expansion of the site is predicted to have a number of positive impacts including:

- a capital investment value ("CIV") of $1.1 million;

- increased labour force, creating positive flow-on effects to the local economy, off setting the loss of jobs in response to the Dexion operations being closed and relocating offshore;

- ability to better respond to increasing demands, including community expectations for efficient an effective metal resource recovery and recycling facilities; and

- establishment of and education and training centre to promote recycling initiatives and to explain the nature of resource recovery to school groups and tertiary education facilities.

- an Environmental Risk Assessment (ERA) will be undertaken to provide an analysis of the environmental risks that need to be addressed as part of this EIS.

- the proposed development will create a number of beneficial effects, including a number of positive social and economic benefits to the local area, including considerable capital investment, creation of additional jobs and associated flow on effects to the local economy. Post-upgrade the site will have additional capacity to recover ferrous and non-ferrous materials from the recycling processes, thus decreasing the need for end users to source raw materials from the extraction industries, reducing metal waste going to landfill and thus positively impacting on reducing greenhouse gas emissions.

We trust this submission has sufficiently outlined the proposed development and we respectfully request that you issue Secretary Environmental Assessment Requirements for the preparation of an EIS, within the statutory 28 day period. In the meantime if you have any questions in respect to the above request, please contact me on 8667 8668 or acoburn@mecone.com.au.

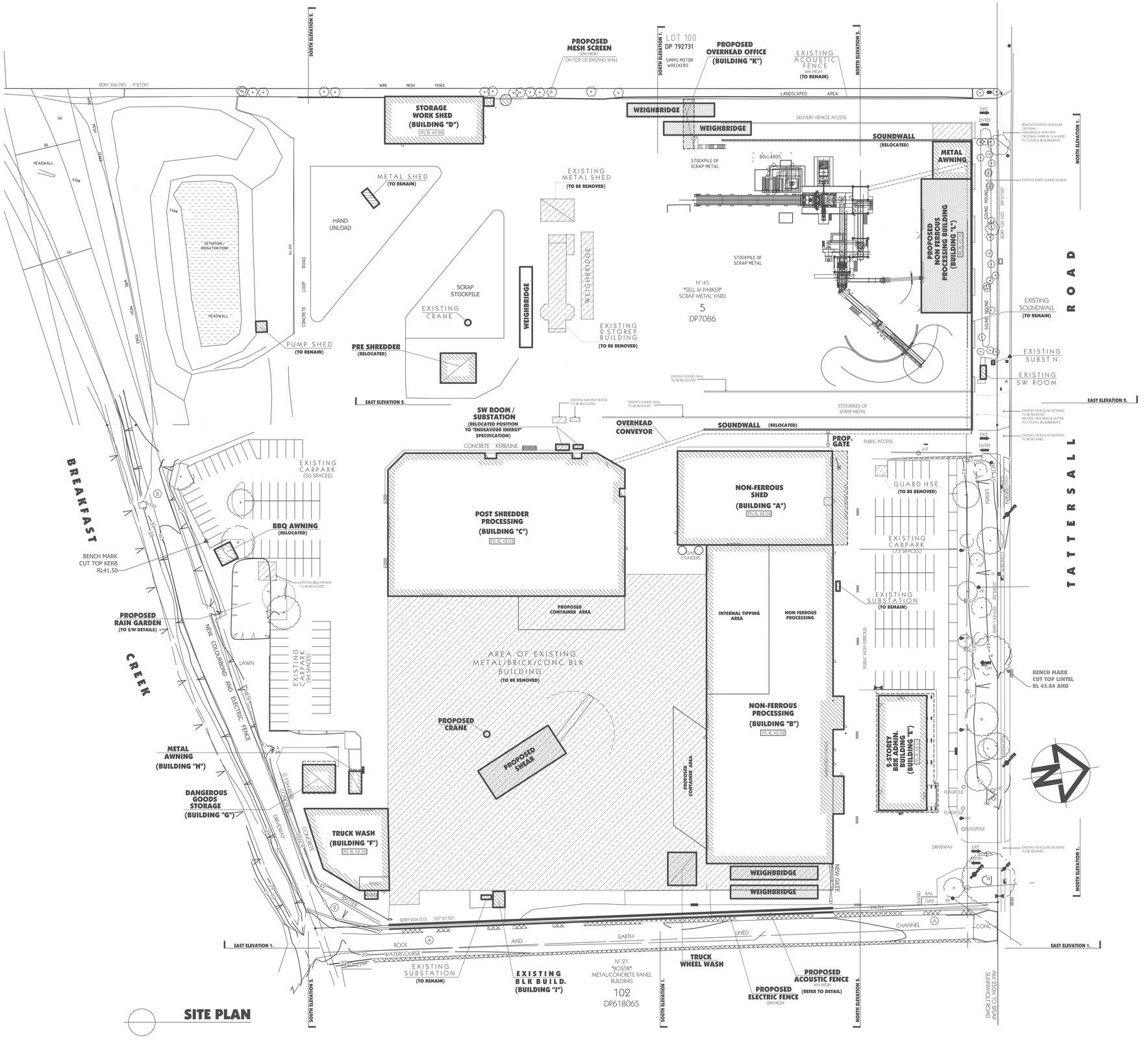
Yours sincerely,

Adam Coburn

Appendix 1 – Site Plan

Suite 12.04B, Level 12, 179 Elizabeth Street, Sydney NSW 2000 - tel. +61-2-8667 8668, fax +61-2-8079 6656 –

info@mecone.com.au - www.mecone.com.au



DEVELOPMENT DATA

SITE AREA	**59 475 M2 approx.**	
	FLOOR AREAS	
	W/HOUSE	**OFFICE /AMEN**
BUILD "A"	1278 M2	24 M2
BUILD "B"	3162 M2	438 M2
BUILD "C"	2981 M2	--------
BUILD "D"	415 M2	--------
BUILD "E"	984 M2	--------
BUILD "F"	494 M2	--------
BUILD "G"	81 M2	--------
BUILD "H"	25 M2	--------
BUILD "J"	17 M2	--------
BUILD "K"	47 M2	--------
BUILD "L"	593 M2	--------
TOTAL	**10 077 M2**	**462 M2**

CARPARKING

REQUIRED

TOTAL GR FLR AREA / 75	=	**10077 / 75**	
	=		**134**
TOTAL OFFICE AREA / 40	=	**462 / 40**	
	=		**11**
TOTAL	=		**145**
PROVDED	=		**147**

LEGEND

- EXISTING STRUCTURE TO REMAIN
- EXISTING STRUCTURE TO BE REMOVED
- PROPOSED NEW STRUCTURE
- EXISTING STRUCTURE TO BE FOR REUSE OR TO BE RELOCATED

Issue	By	Description	Date
A	CZ	FOR DA	5/03/14

GENERAL NOTES

1) All dimensions and floor areas are to be verified by the Builder prior to the commencement of any building work. Any discrepancies are to be brought to the attention of the designer.
2) Levels shown are approximate unless accompanied by reduced levels.
3) Figured dimensions must be taken in preference to scaling.
4) All boundary clearances must be verified by the surveyor prior to the commencement of any building works.
5) Where engineering drawings are required such must take preference to this drawing.
6) Stormwater to be discharged to Councils' requirements and AS 3500.3–1990.
7) All services to be located and verified by the Builder with relevant authorities before any building work commences.

Consultants

Date:	FEBRUARY 2014
Scale	1:500 UNO
Drawn	J.LARIA
Checked	C.ZAPPIA
Certified	

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Project: PORPOSED ALTERATIONS TO EXISTING RECYCLING CENTRE
LOT 2 DP550522 & LOT 5 DP7086 , No 23 & 45
TATTERSALL RD, KINGS PARK

Client: SELL & PARKER METAL — Project No.: P4144

Title: DEVELOPMENT APPLICATION
SITE PLAN

Activity Type:	Job No.:	Sheet No.:	Issue
DA	1049-13	A101	A

B1 SHEET