



In reply please quote: SSD-10395 or 20/25264

Contact: Andrew Mooney on (02) 9725 0214

20 November 2020

Ms Sally Munk,
Industry Assessments
Department of Planning, Infrastructure and Environment
Locked Bag 5022
PARRAMATTA NSW 2124

Dear Ms Munk,

REQUEST FOR ADVICE – WESTERN SYDNEY ENERGY AND RESOURCE RECOVER CENTRE (SSD-10395)

Council at its meeting of the 17 November 2020 resolved to lodge an objection to the above State Significant DA based on the following key points:

1. Public exhibition of the proposal has not been accompanied by independent expert review of the proposal. This has meant that Council's assessment and submission to the proposal has relied entirely on the reports prepared by the applicant that suggest the proposal complies with national and international guidelines relevant to this form of development.
2. Without the benefit of the independent expert advice, it is uncertain if the proposal will result in unacceptable negative impacts on the environment and community of Fairfield City.
3. Based on the above, Council believes that the proposal should be re-exhibited once the independent expert review of the proposal has been undertaken and been made publically available.
4. Truck movements associated with the proposal have the potential to generate adverse impacts on the local road network of Fairfield City. Accordingly, any approval for the project should include measures to ensure all trucks entering or exiting the site should be from or to Wallgrove Road. This should include GPS tracking and/or provision of structures (e.g. gantries) to monitor truck movements through the surrounding road network.

In addition, Council also resolved to request that in the event the project is approved:

- Given the close proximity of the proposed facility to the Fairfield Local Government Area (LGA) (in particular nearby rural-residential development in Horsley Park), the proposed Community Reference Group must include strong representation from the community of Fairfield City.



- The Community Funding Package for the project to support community projects must be focussed toward the community of Fairfield City that has the greatest level of exposure to potential impacts from the project.

The following information further background regarding the above:

Executive Summary

The nature of operations of the Energy from Waste facility are highly complex and if approved require licensing issued by State agencies, including the Department of Planning, Industry and Environment (DPIE) and NSW Environmental Protection Authority (EPA). As part of this approval, it is understood the EPA would also undertake ongoing monitoring of the air quality issues relevant to future operations of the site to ensure the proposal complied with licensing requirements.

The Fairfield City LGA comprises the area where the majority of sensitive receptors (e.g. rural/residential development, schools and childcare facilities) are located. Furthermore, an analysis of prevailing local wind patterns undertaken for the project indicates that areas of Fairfield City (located directly south east and south west of the site) are the most likely to be impacted by seasonal winds. These issues provide the foundation for Council's concerns in relation to the project.

It is noted that the DPIE will be engaging independent experts to undertake a detailed assessment of the project following the public exhibition period. Given the complexity of the project, Council has major concerns that public exhibition of the proposal did not include a review of the reports supporting the proposal and the merits of the proposal. In this respect, the proposal should be re-exhibited once this advice becomes available.

A. Environmental Management and Waste Services

The applicant advises that the proposal has been prepared to address NSW EPA requirements. The facility has been designed to meet the requirements of the European Industrial Emissions Directive (IED) (Directive 2010/75/EU of the European Parliament) and the associated Best Available Techniques Reference 2019 (BREF) document.

The consultant has also made comparisons to available data from 2 reference facilities, one in Dublin, Ireland and the other in Filborna, Sweden. These facilities were utilised by the consultant for assessment due to their similarities with the proposed facility and to demonstrate compliance is achievable.

Council officers do not have the technical expertise to determine compliance with the BREF document and the proposal has not been accompanied by the independent expert's review of the proposal. It is uncertain if the proposal will result in unacceptable negative impacts on the environment and the community of Fairfield City therefore Council believes that the proposal be re-exhibited once the independent experts review on waste management, air quality emissions and human health risk have been undertaken and made publically available.

B. Traffic Management Issues

It is estimated that there will be approximately 200 truck movements on/off site per day or around 17% of the sites capacity. This does not appear to include additional movements from increased operations of the business over time, with low initial estimates of trade as the business grows over several years. Based on this, the traffic generation should be considered further in the context of expected maximum capacity of the facility, rather than business forecasts.

The broader origin-destination information is lacking in the traffic report and somewhat glossed over, 50% of traffic appears to come from the processing plant near Mamre Road, the rest is not really identified or discussed in the traffic report.

It is uncertain whether the assumption that all traffic will access the site via Wallgrove Road is reasonable. It is understood that the nearby Austral Brickworks has an access road from Wallgrove Road to Ferrers Road.

Given the broader network performance, vehicles heading westbound along either the Great Western Highway or The Horsley Drive are more likely to use Ferrers Road than loop around to Wallgrove Road (particularly having to negotiate the M7/The Horsley Drive intersection).

The Ferrers Road intersection would need significant upgrades for additional heavy vehicle access (as it is not designed for this as it is currently closer to a rural road environment) and Council is not in a position to implement a 5tonne or 10tonne load limit on the road to prevent the heavy vehicle use (Ferrers Road is also an approved B-Double route).

If the applicant maintains that traffic will access the site only from Wallgrove Road, then all trucks servicing the site should be subject to (Global Positioning System) GPS monitoring of access paths, with the GPS data provided to relevant local councils (Fairfield & Blacktown) and TfNSW on a quarterly basis to demonstrate compliance.

In the event the proposal is approved, a condition should also be applied for significant ongoing non-compliance of access arrangements to require an upgrade of Ferrers Road intersection within (say) a 3 year timeframe (with suspension of operating licence if upgrade is not completed).

In addition to the above, it is recommended:

- The installation of traffic control signals whether it is on a local road or state road requires approval from TfNSW and there are specific warrants that need to be met according to TfNSW 'Traffic signal design Section 2 – Warrants'. It should be noted that the installation of traffic control signals may require significant land acquisition and would impact the adjoining road network.
- Vehicle access to/from the site at 339 Wallgrove Road, Eastern Creek is affected by access denied restrictions that runs across the site's access driveway (parallel to the Austral Bricks Road). Clarification is required about whether the access denied restrictions should be removed/modified as part of the SSDA process.
- Swept path analysis showing the largest vehicle can satisfactorily manoeuvre into and out of the site to/from the adjoining road network shall be submitted for assessment.

C. Social Planning Branch

i. Job creation

In the event the proposal is approved, It is recommended that Fairfield City Council remain a key stakeholder in ongoing community engagement and professional consultation during the proposal, construction and operational life of the facility. Although the proposed site is within the Blacktown Local Government Area, the closest residential areas and majority of residents identified in the 3 km radii local study area were from Fairfield City. Aside from a childcare centre that serves businesses within the immediate business district, the closest nearby community and cultural facilities are located in Horsley Park.

The documentation provides figures on job creation of up to 900 jobs during the construction of the site and up to 1,200 indirect jobs through the supply chain. Given the ongoing high unemployment in Fairfield City – it is recommended that Fairfield residents are targeted for employment and training opportunities both during construction and in facility operations.

It is suggested that the applicant connect with Fairfield and Cumberland Chambers of Commerce and Council's Place and Economic Development teams to assist. During the consultation phase when asked about potential community benefits, the community showed the strongest support for local employment opportunities.

ii. Community Reference Group and Community Funding Package for Western Sydney

The applicant should honour their commitment to having a Community Reference Group (CRG) at all stages of the planning, construction and operation of the facility. This CRG should be made up of suitable representatives that represent local residents, services and business that may be impacted on by the facility. Council has potential to work with the facility to promote further community engagement opportunities with Fairfield City residents.

The applicant should consult with the proposed Community Reference Group and Council on identified community needs and social priorities to help guide a suitable allocation of the proposed community funding package for Western Sydney (\$150,000 per year).

iii. Stakeholder concerns considered on ongoing basis

Concerns of residents, especially identified or **perceived** negative social interactions engaged in the community engagement process continue to be acknowledged, and mitigated where necessary throughout the duration of the planning, construction and operational life of the facility.

A number of concerns of residents have been included in the Social Impact Assessment (SIA) prepared by ARUP on behalf of Cleanaway & Macquarie Capital. The SIA indicates that residents' main concerns included:

- The safety of locating the facility in proximity to residential areas.
- the potential impact of emissions (gasses and particulates) on people's health
- Anticipated traffic issues.
- Potential negative impacts on recycling habits.
- Negative impacts on property values, potential increase in council rates.
- Environmental impacts, including on plants, water and air quality.
- The (in)efficiency of the facility and its ability to adapt to technological change.
- That the facility does not achieve compliance with international and local regulations or reflect best practice.
- That the operations would lack the appropriate monitoring, reporting and enforcement of safety and environmental standards.

The community's concerns must continue to be monitored, and where possible, the facility operators convey information on the best practice approaches they undertake that address the variety of concerns, and build this into ongoing community engagement processes.

iv. Annual Open Day and Visitor's Education Centre

It was identified through the community consultations that the community had a limited understanding of the process of creating energy from waste and there is a need for general education on the benefits of energy-from-waste, as a way of diverting waste from landfill.

Should this proposal be approved it is recommended that the applicant hold annual open days for groups to tour the facility as well as consider having an onsite visitor's education centre. This will demonstrate transparency on the part of the applicant on their practices and will help to alleviate the community's concerns as highlighted above.

D Conclusions:

The processes and technology associated with the proposal are highly complex and it is noted that the DPIE will be engaging the services of independent experts to undertake a detailed assessment of the proposal following public exhibition.

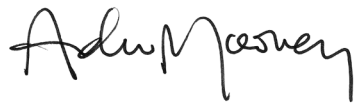
In this respect, it would have been highly desirable for DPIE to make the assessment undertaken by the independent experts available during public exhibition to assist in addressing any uncertainties about the project. Accordingly, DPIE should formally re-exhibit the proposal once the findings of the independent expert are made available.

Compared to other LGAs, the community of Fairfield City (in particular the rural residential areas of Horsley Park) are located in closest proximity to the site. Furthermore, analysis of the prevailing seasonal winds accompanying the proposal indicate that these areas of Fairfield City (south east and south west of the site), represent the areas of Western Sydney with the highest potential to be impacted by emissions from the proposal.

In this regard, the proposed Community Reference Group for the project should incorporate strong representation from members of the Fairfield Community. Similarly, any Community Funding Package should be focussed on the nearest community potentially affected by the project being the nearby areas of Fairfield City.

If you have any questions regarding the above matters, please contact the undersigned on (02) 9725 0214.

Yours faithfully,

A handwritten signature in black ink that reads "Andrew Mooney". The signature is written in a cursive, flowing style.

Andrew Mooney
ACTING MANAGER, STRATEGIC LAND USE PLANNING