



S75W Modification 5

Pre-Sort Enclosure

March 2015

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Job Code	SA5223
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Statement of Validity

Section 75W Report:

Section 75W Report prepared by:

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Land Details: Genesis Waste Management Facility (former Pioneer Quarry site, Eastern Creek)

Lot & DP: Lots 1 & 4 in DP 1145808

Applicant Details: ThaQuarry Pty Ltd (ABN 65 119 533 372) and ACN 114 843 453 Pty Ltd (trustee for the Eastern Creek Land Trust ABN 82 892 904 202)

Applicant Address: 32 Burrows Road, Alexandria, NSW 2015

Project Summary: Modified Project Approval No. 06_0139 MOD 5
Addition of a Pre-Sort Enclosure adjoining the Materials Processing Centre

Declaration

We certify that the contents of the Section 75W report to the best of our knowledge, has been prepared as follows:

- In accordance with the requirements of the Environmental Planning and Assessment Act 1979 and Environmental Planning and Assessment Regulations 2000; and
- The information contained in this report is true in all material particulars and is not misleading.



Skye Playfair Redman (20 March 2015)

Executive Summary

This report has been prepared to support a Section 75W application to modify Project Approval (06_0139) for a project at the Genesis Waste Management Facility (former Pioneer Quarry site, Eastern Creek), which was granted on 22 November 2009 pursuant to Section 75J of the Environmental Planning and Assessment Act, 1979 (the Act).

The site address is Honeycomb Drive, Eastern Creek, and can be legally described by Lots 1 and 4, DP1145808.

The current use and operation of the site as a waste facility provides for:

- a waste recovery facility including a Materials Processing Centre (MPC) and greenwaste area. rehabilitation of the quarry void via a Class 2 (non-putrescible) landfill;
- a total throughput of up to 2 million tonnes of materials at the site per calendar year;
- landfilling of up to 700,000 tonnes of non-putrescible waste (including asbestos);
- stockpiling of up to 50 tonnes of tyres on site at any one time; and
- stockpiling of up to 20,000 tonnes of greenwaste on site at any one time.

Dial A Dump (EC) Pty Ltd, the license holder of EPL 20121 and 13426, operates a major recycling facility and general solid waste (non-putrescible) landfill facility known as the 'Genesis Recycling and Landfill Facility' at Honeycomb Drive, Eastern Creek. The recycling / waste transfer facility opened 8 June 2012 and operates pursuant to EPL 20121. Mixed or comingled building and demolition waste is transported by truck to the facility where it is unloaded within the MPC. In accordance with approved environmental management strategies for the facility, preliminary sorting of materials for processing takes place within the MPC.

The Proponent currently operates the Materials Processing Centre (MPC) from 6:00am to 10:00pm (Monday to Friday) and 6:00am to 4:00pm (Saturday, Sunday and Public Holidays) as per the modified approval (06_0139 Modification 4, Condition 39c).

Waste materials are currently delivered to the Genesis site by a combination of light, medium and heavy vehicles, with loads typically varying from approximately one to 40 tonnes (t) in weight.

Preliminary classification of waste is based on advice from the carrier, inspection of the carrier's documentation prepared in accordance with the EPA (2008) Waste Classification Guidelines and verification of this information by visual inspection using the weighbridge camera ('Check Point 1'). Mixed loads are directed to tip at the MPC work floor.

Where practicable mixed loads delivered to the MPC/WTS are first segregated by material type and where appropriate are placed in designated bays and bins for transport to appropriate areas for recycling, or to landfill or off-site (as required). These co-mingled loads tipped at the work floor are first mechanically and hand sorted by working from the northern to the southern end of the Building.

It is at this point that the existing operation is not maximising efficiency due to a lack of available floor space for the mechanical and hand sorting.

Subsequently this Section 75W Modification proposes to construction an additional pre-sort shed adjoining the existing MPC to improve the efficiency of on-site operations.

Under this proposed modification, there will be no additional tonnage of processing materials over and above the current Project Approval (as modified) limits. Moreover, there will be no additional impact from the proposed pre-sort facility with the operation maintaining its current operational and management procedures.

The Proponent has identified and examined the following potential environmental impacts of this modification which it is seeking. These include, in order of potential adverse impacts:

- noise;
- traffic; and
- odour.

An assessment of the potential impacts has confirmed the following:

- the proposed pre-sorting works will not be audible at the nearest residential receiver. Operations will therefore not result in unacceptable impacts on the nearby suburban residential area or result in any public community interest impacts;
- traffic impacts will remain as per the current traffic patterns at the Facility; and
- there will be no odour impacts resulting from this proposed modification. Putrescible material is neither authorised nor accepted at the facility. No composting of garden waste is being carried out. During MPC operations, impacts from odour are not observed.

1 Background

1.1 OVERVIEW

Dial A Dump (EC) Pty Ltd, the license holder of EPL 20121 and 13426, operates a major Resource Recovery Facility (RRF) and general solid waste (non-putrescible) landfill facility. The RRF includes a Materials Processing Centre (MPC) and a Waste Transfer Station commonly known and referred to as the 'Genesis Xero Waste Facility' or 'Genesis' at Honeycomb Drive, Eastern Creek. EPL 20121 specifically regulates the MPC operations and related materials.

The Project includes the operation of a Resource Recovery facility (RRF) and a general solid waste (non-putrescible) landfill.

In summary, the following activities have been approved under Part 3A of the Environmental Planning and Assessment Act 1979 (EP&A Act):

- capacity to receive up to two million tonnes of waste per annum, including inert and solid wastes from construction and demolition (C&D), commercial and industrial (C&I) waste streams complying with acceptable waste for general solid waste (non-putrescible) facilities and green waste clean ups;
- on-site waste processing including sorting, screening, sieving, crushing, grinding, shredding and/or chipping, and composting of green waste;
- recycling of an estimated 65-80% of incoming waste (1.3 to 1.6 million tonnes per annum (mtpa), based on maximum capacity intake) e.g. to produce road base, aggregate, landscaping soil, bedding sand, mulch, wood chip, green waste compost and asphalt derived products for land application;
- testing and on-site storage/stockpiling of finished products prior to resale from stockpiles, predominantly to the building, construction and landscaping sectors and potentially the domestic market;
- transport of an estimated 20-35% of incoming waste (0.4 to 0.7 mtpa, based on a maximum capacity intake) to the landfill, comprising incoming materials which are unsuitable or uneconomical for recovery and recycling (for example contaminated soils, asbestos waste and loads that cannot physically be sorted);
- quarantine and transfer of unacceptable wastes to an appropriate off-site facility for disposal;
- construction and operation of associated infrastructure, plant and equipment, including upgrade of the internal road network and reshaping of earthen amenity berms;
- use of the existing site access (via Old Wallgrove Road) [now replaced by public road Honeycomb Drive]; and
- retention and conservation of a significant area in the north-west corner of the site, incorporating a remnant endangered ecological community (EEC) of Cumberland Plain Woodland (CPW).

In relation to the scope of section 75W of the EP&A Act, we submit that the modifications proposed by this application do not constitute a 'radical transformation' to the Project Approval because:

- the proposed use is the same as that approved under the Project Approval;
- there will be no increase in the approved amount of waste that is treated at the site.

As such, the proposed modifications are within the scope of section 75W of the AP&A Act, and do not warrant a new application.

This report:

- demonstrates that the proposed modifications comply with the relevant environmental planning instruments and policies;
- addresses environmental impacts that may occur as a result of the proposed modification; and
- justifies how the proposed modification is consistent with the provisions of s75W of the Act.

1.2 THE SITE

The site address is Honeycomb Drive, Eastern Creek, and can be legally described by Lots 1 & 4, DP1145808. The Pre-sort enclosure is entirely located on Lot 1. These lots, while referenced to Archbold Road, are accessed via Honeycomb drive and are addressed as such.

The operational components of the site are largely restricted to the quarry void itself (for landfilling) and the area immediately to the west of the void (materials processing centre and associated infrastructure), which now totals 61.32ha (following the boundary adjustment in previous modifications).

The site is surrounded by land owned by Australand (North East), Hanson (South East), the Department of Planning and Infrastructure (South West) and Sargents (West). All of this land is earmarked under the Western Sydney Employment Area State Environmental Planning Policy (WSEA SEPP) to be redeveloped for higher end industrial and employment uses over the next decade. The closest residential areas are located approximately 400 metres from the northern boundary of the site at Minchinbury, and 800 metres to the west of the site at Erskine Park.

1.3 SCOPE OF THE ENVIRONMENTAL ASSESSMENT

This Environmental Assessment (EA) supports an application for modification submitted to the NSW Department of Planning and Environment (DPE), under section 75W of the EP&A Act to permit the construction of a Pre-Sort Shed to assist the MPC operation and further enhance the capacity to comply with the aims *Waste Avoidance and Recovery Act 2001*.

1.3.1 WASTE AVOIDANCE AND RECOVERY ACT 2001

The waste hierarchy, established under the *Waste Avoidance and Resource Recovery Act 2001* (WARR Act), is one that ensures that resource management options are considered against the following priorities:

- Avoidance including action to reduce the amount of waste generated by households, industry and all levels of government;
- Resource recovery including reuse, recycling, reprocessing and energy recovery, consistent with the most efficient use of the recovered resources; and
- Disposal including management of all disposal options in the most environmentally responsible manner.

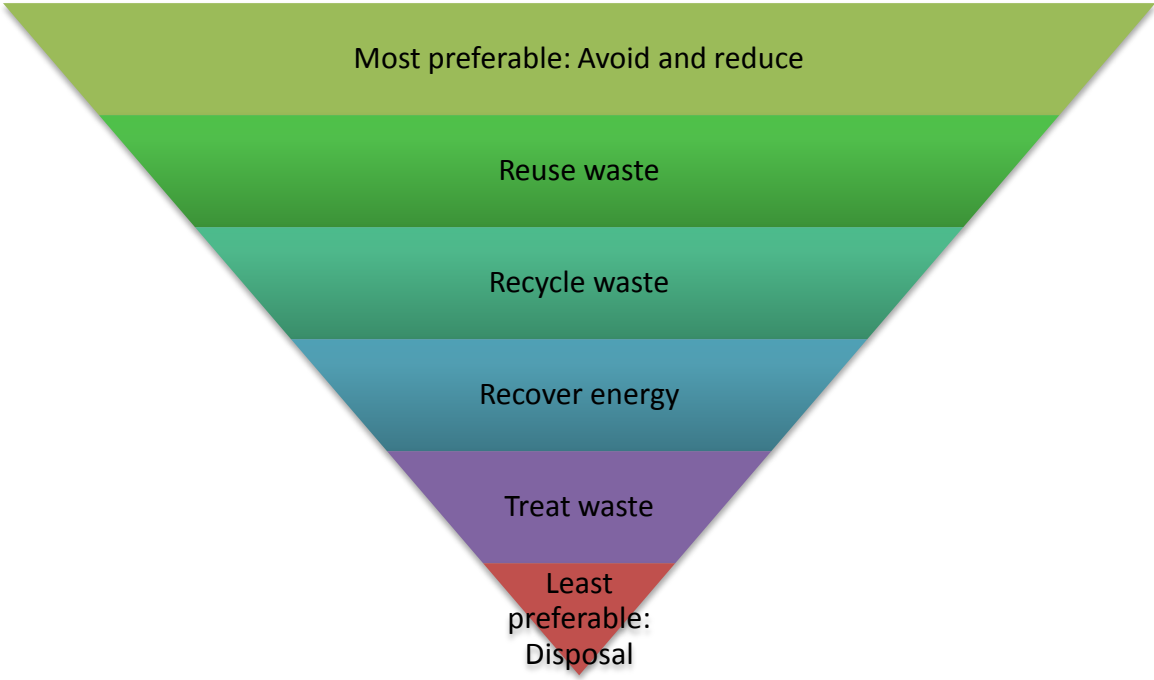
The highest priority, avoidance, encourages the community, industry and government to reduce the amount of virgin materials extracted and used and waste generated and to be more efficient in their use of resources.

Resource recovery maximises the options for reuse, recycling, reprocessing and energy recovery at the highest net value of the recovered material. This encourages the efficient use of recovered resources while supporting the principles of improved environmental outcomes and ecologically sustainable development. Resource recovery can also embrace new and emerging technologies.

An end-of-pipe solution, disposal, is the least desirable option and must be carefully handled to minimise negative environmental outcomes.

The waste hierarchy lists, in order of preference, the approaches needed to achieve efficient resource use with disposal being the least preferred method and waste avoidance the most preferred.

FIGURE 1 – POSITION OF GENESIS XERO WASTE FACILITY IN THE WARR ACT



1.4 THE PROPONENT

ACN 114 843 453 Pty Ltd own the Lot affected by this application (Lot 1). While Lot 4 is owned by ThaQuarry Pty Ltd, the Project Approval (06_0139) is associated with both Lots 1 and 4.

As such, the applicant is both ThaQuarry Pty Ltd (ABN 65 119 533 372) and ACN 114 843 453 Pty Ltd.

Dial A Dump (EC) Pty Ltd, the license holder of EPL 20121 and 13426, operates a major recycling facility and general solid waste (non-putrescible) landfill facility known as the 'Genesis Recycling and Landfill Facility' at Honeycomb Drive, Eastern Creek. EPL 20121 specifically regulates the MPC operations and related materials.

1.5 THE ORIGINAL PROJECT APPROVAL

The current Project Approval (06_0139) provides for:

- a waste recovery facility including a MPC and greenwaste area (rehabilitation of the quarry void via a Class 2 (non-putrescible) landfill);
- a total throughput of up to 2 million tonnes of materials at the site per calendar year;
- landfilling of up to 700,000 tonnes of non-putrescible waste (including asbestos);
- stockpiling of up to 50 tonnes of tyres on site at any one time; and
- stockpiling of up to 20,000 tonnes of greenwaste on site at any one time.

1.6 CONSENT HISTORY

The following consent and modifications are of relevance to this application:

- Original Project Approval – Minister’s Approval (06_0139) for construction and operation of a resource recovery and non-putrescible landfill facility;

- Modification (Mod 1 granted by the Minister on 30 September 2010) for the following components:
 - electrically powered conveyor and chute;
 - postponed commencement of construction;
 - two way traffic on Fourth Avenue;
 - concrete bay walls within the greenwaste processing area; and
 - relocation of the wheelwash.
- Modification (Mod 2 granted by the Minister on 9 November 2010) for correction to the land description details of the project Approval. The corrected reference to the land being Lots 1, 2, 3 and 4 in DP 1145808; and
- Modification (Mod 3 granted by the Minister on 5 December 2011) for the following components:
 - revised final landform level of the fill pad at Area D;
 - operational landform levels and site stormwater design;
 - internal office and external amenities to the Weighbridge;
 - new amenities building;
 - new amenities building associated with the spotter stations;
 - new administrative/office building;
 - new amenities at the tarp stand area;
 - approval for the use and relocation of the vehicle turning bay which works have already been carried out; and
 - voluntary planning agreement.
- Modification (Mod 4 granted by the Acting Director on 14 December 2013) to amend the approved MPC operational hours to the extended hours of 6am to 10pm Monday to Friday, and 6am to 4pm Weekends and Public Holidays (as per Condition 39c of the Approval Document). Under Condition 39b waste deliveries are restricted to the facility's operational hours as defined in condition 39 of Schedule 3.

1.7 BACKGROUND TO CURRENT OPERATIONS

The recycling / waste transfer facility opened 8 June 2012 and operates pursuant to EPL 20121. Mixed or comingled building and demolition waste is transported by truck to the facility where it is unloaded within the MPC. The MPC is a large building of cast concrete slab, steel and colour-bond construction typical of the surrounding industrial buildings within the Precinct.



FIGURE 2 – FRONT OF MPC BUILDING, FRONT MAIN DOORS VISIBLE

In accordance with approved environmental management strategies for the facility, preliminary sorting of materials for processing takes place within the MPC.

The facility operates to strict waste classification management standards including the screening of loads by weighbridge camera and then spotters at various positions throughout the facility. This will process will be supported with the proposed additional pre-sorting and space.

1.8 SITE PARTICULARS

The Genesis facility has the ability to accept up to two million tonnes of waste per annum.

Waste loads received at the facility are classified into the following categories:

CATEGORIES	
Segregated hard-fill materials	<ul style="list-style-type: none"> This is material capable of being recovered or recycled by a series of processes. Carried on externally to the MPC. After reprocessing and/or recovery, recycled hard-fill materials [brick concrete, sand soil stone bitumen] are stored on-site within the segregated material stockpile area SMA until sold. No change to operating hours is proposed.
Co-mingled construction and demolition waste and commercial and industrial waste	<ul style="list-style-type: none"> Consisting of metals, brick, concrete, plasterboard, soil, aggregates, plastics and a range of building and demolition wastes. These materials are delivered to the Materials Processing Centre [MPC] for classification and processing.
Land-filling	<ul style="list-style-type: none"> The remainder of incoming waste materials is directed straight to landfill for disposal This is due to its chemical

CATEGORIES

composition and waste classification which requires that it be disposed of by landfilling.

1.9 THE MPC PLANT

Waste which is received within the MPC is subject to processing by the Fixed Plant contained inside the MPC.

Dial A Dump (EC) Pty Ltd holds the license EPL 20121 which specifically regulates the MPC operations and related materials.

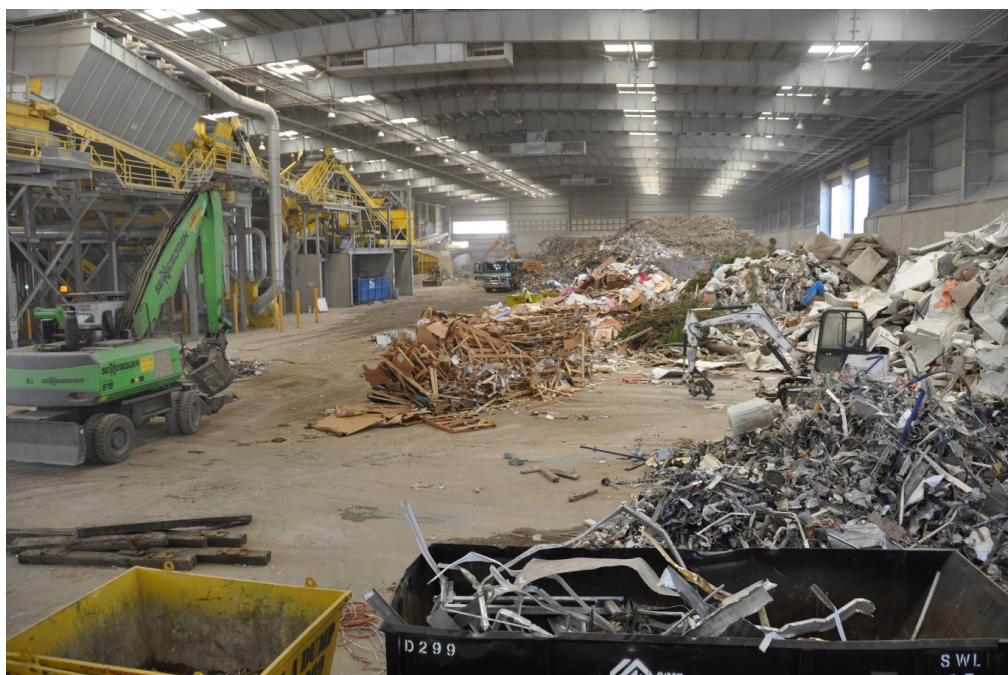


FIGURE 3 – PHOTO OF INSIDE THE MPC FROM THE SOUTHERN END

The Plant (as shown in the photos) is a large and complex piece of fixed machinery involving up to 52 interconnected electrically driven conveyors and a range of magnets, graders, screens sieves and hand sorting stations.

The proposed structure will alleviate pressure on the MPC by providing opportunity for additional space and time to sort the waste stream and increase the rate of recovery (in particular for harder to sort loads such as C&I waste).

1.10 MATERIALS RECEIVABLE

Waste materials are currently delivered to the Genesis site by a combination of light, medium and heavy vehicles, with loads typically varying from approximately one to 40 tonnes (t) in weight.

Preliminary classification of waste is based on advice from the carrier, inspection of the carrier's documentation prepared in accordance with the EPA (2008) Waste Classification Guidelines and verification of this information by visual inspection using the weighbridge camera ('Check Point 1').

Previously mixed loads were directed to tip at the MPC work floor. It is now proposed to enhance and increase the productivity of the MPC by also receiving appropriately classified waste into the Pre-Sort Enclosure. Once pre-sorted in the Enclosure the waste materials will be transported to either the landfill or to the MPC for further recovery or directly off site for reuse.

Small mixed loads that can be unloaded by hand are directed to the hand unloading area at the western end of the MPC. Larger mixed loads will be directed to be tipped at the Pre-Sort Enclosure floor. Co-mingled wastes, either C&D or C&I, are tipped onto the floor within the MPC, where a second visual inspection takes place of the contents. Unacceptable wastes which may have eluded identification at the weighbridge are identified at this point and rejected either for disposal by landfilling on site or elsewhere.

Where practicable mixed loads delivered to the MPC/WTS are first segregated by material type and where appropriate are placed in designated bays and bins for transport to appropriate areas for recycling, or to landfill or off-site (as required). These co-mingled loads tipped at the work floor are first mechanically and hand sorted by working from the northern to the southern end of the Building.

Ferrous and non-ferrous metals recovered through the sorting process (generally by use of a magnet and eddy current separators) as well as plastics and paper/ cardboard are sorted, placed into bays and bins and stored until sold or transported from site for recycling by others.

Timber waste wood waste is recovered from the mixed materials during the separation sorting process and currently that material is chipped for blending and/ or testing and resale as woodchip or for use as fuel by others.

Small aggregates and gravel sorted by the same processes is deposited outside of the western wall of the MPC.



FIGURE 4 – VIEW OF PLANT INSIDE THE MPC (FROM THE NORTHERN END)



FIGURE 5 – VIEW OF PLANT INSIDE THE MPC (FROM THE SOUTHERN END) SHOWING THE CONVEYORS WHICH ARE ELECTRIC-DRIVEN

Following the pre-screening process the mixed waste is then loaded by machine into the primary crusher and the Plant begins its progressive sorting and screening process.



FIGURE 6 – PHOTO OF TYPICAL LOADING MACHINERY INSIDE THE MPC

Long Objects (usually timber) are removed at an early stage and are deposited in a bay within the building as are ferrous metals.



FIGURE 7 – PHOTO SHOWING RESIDUE WASTE BEING RE-CIRCULATED AND THEN DEPOSITED INSIDE THE MPC BUILDING



FIGURE 8 – PHOTO SHOWING THE CONVEYOR FROM THE WESTERN SIDE OF THE MPC BUILDING DESIGNED TO CARRY SMALL TIMBER PIECES TO THE WOOD WASTE STORAGE AREA, WHERE IT IS DEPOSITED INTO A STOCKPILE AND SUBJECT TO FURTHER SORTING

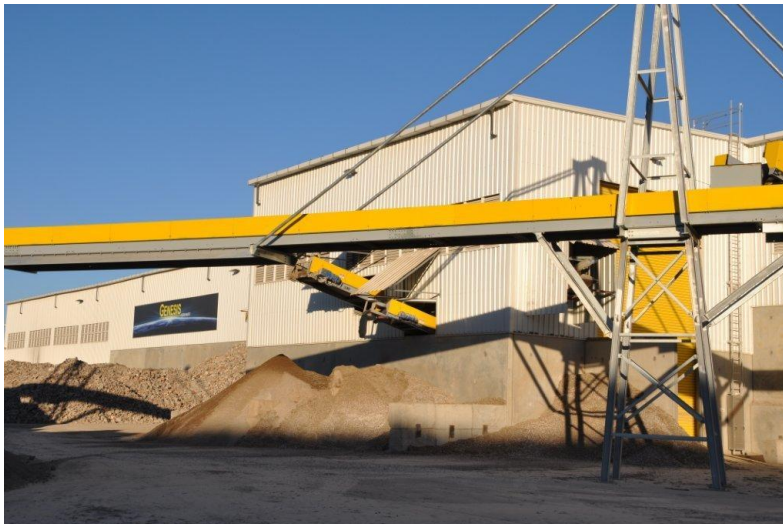


FIGURE 9 – PHOTO SHOWING THE CONVEYOR, AS DESCRIBED ABOVE

Screening actions of the Plant within the MPC separate lighter materials from heavier materials and the heavier being aggregates of various sizes which are then deposited through openings in the western wall of the MPC onto the concrete hardstand and against the building wall. These materials are then consolidated with stockpiles of the same product located in the SMA.

Management procedures for waste to be processed through the MPC (and landfill facility) including the classification, unloading, sorting, processing, storage and disposal of waste loads have been extensively

detailed in the initial environmental assessment for the project (prepared by ERM dated December 2008; reference 0088621).

The environmental management procedures have been developed in accordance with best practice to maximise resource recovery and minimise biodegradable material from being land-filled in accordance with relevant legislative requirements.

The MPC site also benefits from the construction of impervious barriers at various positions around the facility being a requirement under the Project Approval.

The processed materials (from the MPC plant) leaving the conveyor at the rear of the MPC facility are dry materials with no odour. 'Green' or garden waste is not processed by the Plant or conveyed to the chutes at the rear of the MPC.

Under this proposed modification, there will be no additional tonnage of processing materials over and above the current Project Approval (as modified) limits.

The Pre-Sort Enclosure is an additional building for the pre-sorting (particularly the C&I waste stream) of material to enhance the recovery of recyclables from the waste stream. This will increase the effectiveness of the Plant in the MPC and will allow better controls on waste being received as it will afford more time to be spent sorting the waste this will also generally increase safety at the facility.

- The proposed Pre-Sort Enclosure does not alter:
 - the operating hours of the current approvals at the facility; or
 - the range of operations and activities of the current approvals at the facility.
- Traffic impacts will remain of the current traffic patterns at the Facility.
- Repairs and maintenance activities will remain as per the current approvals at the facility.
- There will be no odour impacts resulting from this proposed modification; Putrescible material is neither authorised nor accepted at the facility. No composting of garden waste is being carried out. Odour is never an issue observed during operations.

2 Statutory Framework

2.1 PART 3A TRANSITIONAL PROJECTS

The Project was declared a Major Project to which (the former) Part 3A of the EP&A Act applies and for which approval of the Minister for Planning was required. Ministerial Project Approval (06_0139) was granted on 22 November 2009.

Following the repeal of Part 3A of the Act on 1 October 2011, the project continues to be subject to Part 3A of the Act pursuant to the transitional provisions provided in Schedule 6A of the Act as follows:

Transitional arrangements—repeal of Part 3A

- 1) *The following are, subject to this Schedule, transitional Part 3A projects:*
 - (a) *an approved project (whether approved before or after the repeal of Part 3A),*
 - (b) *a project that is the subject of an approved concept plan (whether approved before or after the repeal of Part 3A),*
 - (c) *a project for which environmental assessment requirements for approval to carry out the project, or for approval of a concept plan for the project, were last notified or adopted within 2 years before the relevant Part 3A repeal date (unless the environmental assessment is not duly submitted on or before 30 November 2012 or on or before such later day as the Director-General may allow by notice in writing to the proponent),*
 - (d) *a project for which an environmental assessment (whether for approval to carry out the project or for approval of a concept plan for the project) was duly submitted before the relevant Part 3A repeal date.*

As the project is the subject of an approved project, Part 3A of the Act continues to apply.

2.2 SECTION 75W OF THE ACT

Pursuant to Part 3A of the Act (as in force prior to its repeal), Section 75W provides that the proponent may request the Minister to modify the Minister's approval for a project (including an approved project). Such modifications may include:

- (a) *revoking or varying a condition of the approval or imposing an additional condition of the approval, and*
- (b) *changing the terms of any determination made by the Minister under Division 3 in connection with the approval.*

Section 75W does not limit the circumstances in which the Minister may modify a determination made under Division 3 in connection with the approval.

The requirements of s75W of the Environmental Planning & Assessment Act 1979 (EP&A Act) have been considered by the Courts on several occasions. The Land and Environment Court has observed that the language of s75W is not constrained by the qualification (contained in s96 of the EP&A Act) that the development as modified be "*substantially the same*" as the development already approved (*Williams v Minister for Planning (2009) 164 LGERA 204*). In other words, the power under s75W to modify is broader than the test under s96. Biscoe J expressed the test another way, by stating that s75W does not contemplate a "*radical transformation*" of the terms of an existing approval (*Williams v Minister*).

The Court of Appeal subsequently cautioned against seeking to use any descriptive phrase to substitute for or explain the statutory language in s75W. That Court has noted that “*the fact that there are no express standards to be applied in considering whether a particular request falls within the terms of the section itself gives rise to an inference that no essential precondition to the consideration of a request was intended*” (*Barrick Australia Ltd v Williams (2009) 74 NSWLR 733 at 401*).

We submit that the modifications proposed by this application do not constitute a ‘radical transformation’ to the Project Approval because:

- the proposed use is the same as that approved under the Project Approval;
- there are no variations proposed to the range of operations on the site; and
- there will be no increase in the approved amount of waste that is treated at the site.

This report:

- demonstrates the proposed modifications comply with the relevant environmental planning instruments and policies;
- addresses environmental impacts that may occur as a result of the proposed modification; and
- justifies how the proposed modification is consistent with the provisions of s75W of the Act.

3 The Proposed Modifications

3.1 PROJECT MODIFICATION OVERVIEW

The Proponent currently operates the Materials Processing Centre (MPC) from 6:00am to 10:00pm (Monday to Friday) and 6:00am to 4:00pm (Saturday, Sunday and Public Holidays).

The Proponent seeks to construct a Pre-Sort Enclosure for the sorting of waste to assist with current operations (location indicated in Figure 10 below).

The Pre-Sort Enclosure will be a purpose built structure for the sorting of waste. It will accept trucks which tip comingled and recyclable building, demolition, commercial and industrial waste onto the working floor. From this point the waste is progressively segregated for further sorting and processing.

The Pre-Sort Enclosure operations, when operating, would consist only of the following elements:

- Tracked or rubber tyred excavators for the sorting of waste.
- Front end loaders for pushing and loading of waste
- Forklifts to assist with recovery and handling of waste
- Bins and vehicles for the collection and removal of recyclables and residue wastes.

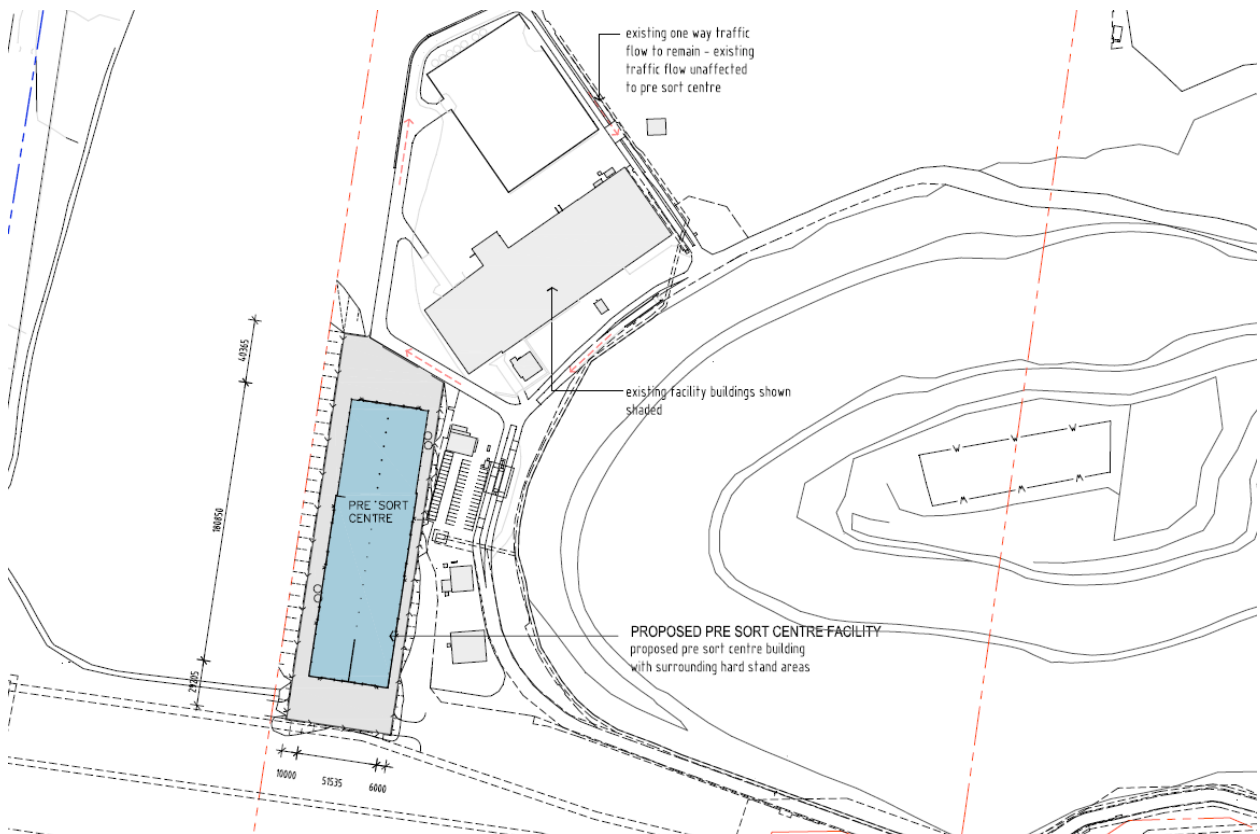


FIGURE 10 –LOCATION OF PROPOSED PRE-SORT ENCLOSURE

The Site Plan below provides an indication of the lot arrangement and boundaries. Further detail is provided in Architectural Plan DA/A101 Revision F, submitted with this application.

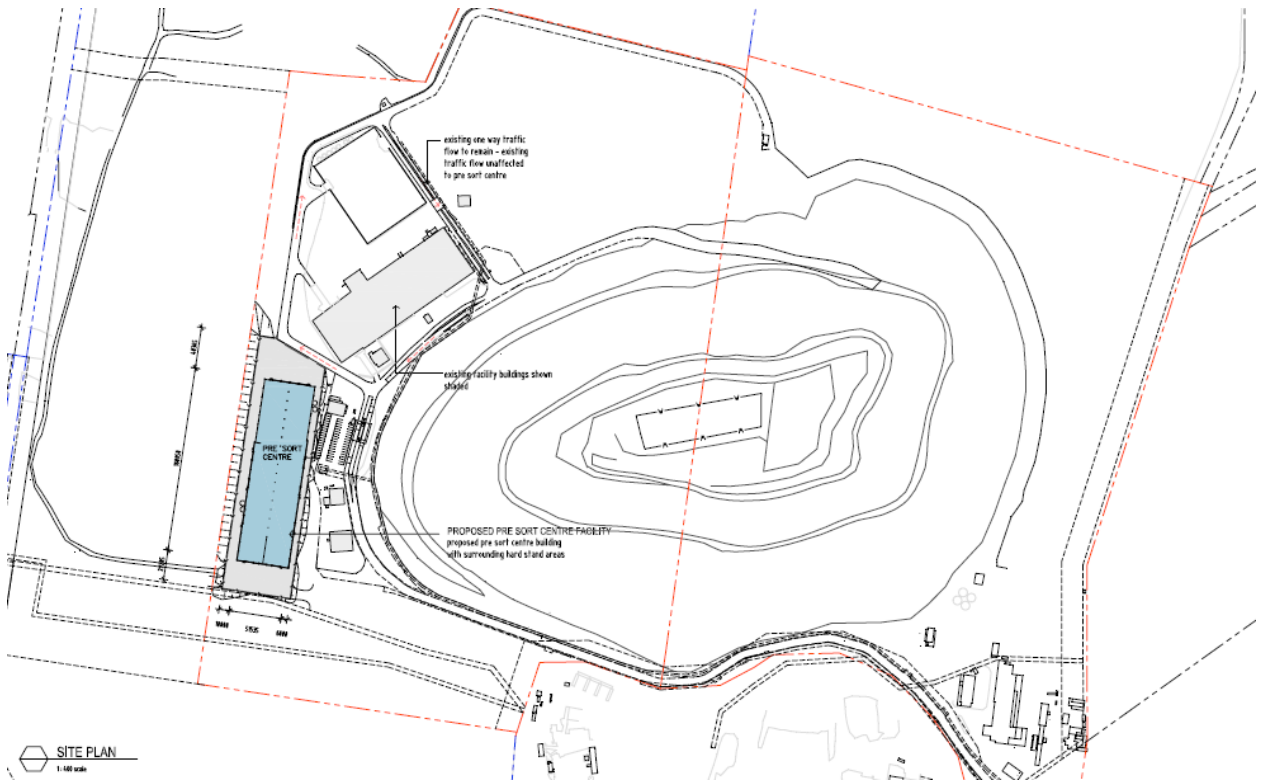


FIGURE 11 – SITE PLAN OF SUBJECT SITE (LOT BOUNDARIES INDICATED IN RED)

3.2 MODIFICATIONS TO THE PROJECT

The proponent seeks to construct a Pre-Sort Enclosure of 180.85 metres (length) by 51.535 metres (width) and a warehouse ridge level of 15.135 metres (height).

The Proponent seeks a variation of Project Approval (06_0139) together with such conditions as may be relevant or necessary to give effect to them, specifically an addendum to Appendix 1 to include the following plans and elevations prepared by Axis Architectural (submitted at **Appendix A**):

- DA/A – 101(F) – Pre Sort Centre Site Plan
- DA/A – 201(A) – Pre Sort Centre Floor Plan
- DA/A – 301(A) – Pre Sort Centre Elevations
- DA/A – 401(A) – Pre Sort Centre Typical Cross Section
- DA/A – 501(B) – Pre Sort Centre Perspectives
- DA/A – 601(A) – Pre Sort Centre Site Image

Further, the following Civil Drawings prepared by AT&L Civil Engineers (submitted at **Appendix B**):

- DAC001(B) – Cover Sheet and Locality Plan
- DAC002 (B) – Notes and Legend
- DAC003 (B) – Bulk Earthworks and Cut and Fill Plan
- DAC004(B) – Typical Sections Sheet 1
- DAC005 (B) – Typical Sections Sheet 1
- DAC010 (B) – Siteworks and Stormwater General Arrangement Plan
- DAC011(B) – Siteworks and Stormwater Drainage Plan Sheet 1
- DAC012 (B) – Siteworks and Stormwater Drainage Plan Sheet 2
- DAC013 (B) – Siteworks and Stormwater Drainage Plan Sheet 3
- DAC020 (B) – Pavement Plan
- DAC021(B) – Erosion and Sediment Control Plan
- DAC030(B) – Siteworks Details
- DAC031 (B) – Drainage Details

We propose Administrative Condition (2) under Terms of Approval be modified to facilitate the proposed modification as follows (underline emphasis on proposed change):

2. The Proponent shall carry out the project generally in accordance with the:

- a) EA;
- b) Statement of Commitments;
- c) site plan and building elevation drawings at Appendix 1;

- d) Modification application 06_0139 Mod 1 with supporting document titled *Light Horse Business Centre, Environmental Assessment Report: Project Modification* prepared by Light Horse Business Centre, dated August 2010 and Additional Information, dated 6.9.2010 and 13.9.2010;
- e) Modification application 06_0139 Mod 2 dated 9.11.10;
- f) Modification application 06_0139 Mod 3 dated 10 May 2011 with supporting document titled *Light Horse Business Centre, Environmental Assessment Report: Modification 3, September 2011* prepared by Light Horse Business Centre (which contains 'LandPartners' operational landform plan, 'Martens' report for stormwater management, and building elevations);
- g) Modification Application 06_0139 Mod 4 with supporting document titled the document titled S75W Modification 4, dated October 2013 and prepared by Urbis Pty Ltd; and
- h) Modification Application 06_0139 MOD 5 and associated documents and reports submitted and approved under this application; and
- i) conditions of this approval.

4 Reasons for the Proposed Modification

Since commencing MPC operations on 8 June 2013, the Proponent has received approximately 500,000 tonnes of material being predominantly building and construction materials.

The need and justification for the proposed Pre-Sort Enclosure is detailed in the points below:

- Pre-sorting of loads is an important step in the sorting of materials at the Genesis Xero Facility as it allows the extraction of large items from the comingled waste stream prior to entering the automated plant. Removal and segregation of larger flat items such as carpet, mattresses and large plastic reduces the occurrence of screen blockage and improves the quality of the output items for reuse.
- The added layer of sorting affords more time for the operators to work on each load to ensure better separation. The pre-sort removal of items that cannot be shredded (e.g. large steel pieces) reduces necessary maintenance through a reduction in damage caused to the main plant, and consequently increases the productivity of the plant.
- The pre-sort process enables the extraction of reusable timbers, a known commodity.
- Customers will benefit from shorter waiting times due to the increased area for sorting.
- Safety for employees will improve with the larger sorting area ensuring better separation of vehicles, machines and workers.
- The Genesis Xero Facility is currently running well within its approved capacity (about 50%), as such, no impact will arise from increased volumes above our current conditions.
- The Pre-Sort Enclosure is wholly contained within the approved site area.
- The Pre-Sort Enclosure will be completely enclosed.
- The Pre-Sort Enclosure does not alter traffic conditions on site.
- Genesis Xero have recently secured Blacktown Council contracts for dry waste and as such expect a greater amount of these material types. Further, Genesis Xero can achieve a higher rate of recycling and reuse of dry waste with improved pre-sorting procedures than could otherwise be extracted from C&D waste.
- With improved pre-sort systems and procedures Genesis Xero will increase beneficial reuse of recyclables associated with C&I waste.
- With the addition of a Pre-Sort Enclosure, much of the existing pressure associated with the MPC operation will be alleviated.

The construction of a Pre-Sort Enclosure is a natural progression for the Genesis Xero Facility allowing improved function and efficiency of the existing operation, increasing the productivity of the MPC and improving the amounts of recycled and reused material through improved extraction from exiting waste streams; further reducing landfill on site.

5 Environmental Assessment

5.1 CONSISTENCY WITH CURRENT APPROVALS

The modification proposed within this application does not constitute a 'radical transformation' to the original Concept Plan Approval because:

- the proposed use is the same as that approved under the Project Approval;
- there are no variations proposed to the operations on the site, with the improved pre-sort prior to existing waste streams entering the MPC Facility; and
- there will be no increase in the approved amount of waste that is treated at the site.

The proposed modification is consistent with the provisions of S75W of the EP&A Act as outlined in Section 2.2 of this report. As such, this modification does not constitute a new application.

5.2 ENVIRONMENTAL PLANNING INSTRUMENTS

The proposed modification to include a Pre-Sort Enclosure does not trigger provisions of environmental planning instruments given the prior granted approval under Project Approval (06_0139), and the nature of the site and its separation from other sites. Despite this, the key provisions in the Draft Broader Western Sydney Employment Area Structure Plan (WSEASP) are considered below:

- **Zoning:** General Industrial. The proposal is consistent with this land use.

The proposed modification is consistent with the framework for land use put forward in the WSEASP.

It is noted the key development provisions of the Draft Blacktown Local Environmental Plan 2013 (as adopted) do not apply to this site.

5.3 POTENTIAL IMPACTS

The Proponent has identified and examined the following potential environmental impacts of this modification which it is seeking.

These include, in order of potential adverse impacts:

- noise;
- traffic;
- air quality; and
- odour.

TABLE 1 – PROPONENT'S ENVIRONMENTAL RISK ASSESSMENT

ENVIRONMENTAL RISK ASSESSMENT	
Noise	<ul style="list-style-type: none">▪ There are minimal noise impacts that will result in the Pre-Sort Enclosure as the existing operations will remain the same.
Traffic	<ul style="list-style-type: none">▪ Traffic impacts will remain as per the current traffic patterns at the Facility. With the exception of some extra staff vehicles (parked in the staff car park next to the administration office building), estimated at 10 vehicles. There will be no increased traffic impacts. To enter the site staff must drive through the wider industrial estate,

ENVIRONMENTAL RISK ASSESSMENT	
	<p>and not through any residential areas.</p> <ul style="list-style-type: none"> ▪ The Proponent does not propose any intensification or change of the present permissible activities at the MPC facility.
Air Quality	<ul style="list-style-type: none"> ▪ Some of the activity currently undertaken in the MPC in respect of C&I wastes is proposed in the future to be carried out wholly within the Pre-Sort Enclosure being an enclosed purpose built structure for pre-sorting of commercial and industrial waste materials. ▪ The Pre-Sort Enclosure will generate no dust external to the building as these wastes are not inherently of a dusty nature. ▪ Air Quality Assessment and Compliance testing previously undertaken by Pacific Environmental Limited and reported to the NSW Department of Planning and Environment indicated the Genesis Facility, when operating at full capacity (including crushing screening grinding and land-filling) meets all environmental goals and standards for the Facility. ▪ The modification only seeks to enable further processing indoors to accommodate downtime and better productivity and resource recovery and to further enhance safety as well as facilitate better quality control procedures concerning the finished products.
Odour	<ul style="list-style-type: none"> ▪ There will be no odour impacts resulting from this proposed modification, no putrescible material is authorised and no composting of garden waste is being carried out. Odour is never an issue observed during MPC operations. ▪ The modification does not involve the processing composting storing managing or otherwise dealing with greenwaste or biodegradable materials liable to generate odour.

The Proponent has assessed the key potential environmental impacts above and formed the view that there are no adverse environmental impacts resulting from the proposed modification.

5.4 POTENTIAL CONSEQUENTIAL CHANGES

The Proponent has assessed that the proposal will not result in consequential changes to the approved Genesis Xero Facility resulting from the construction of the Pre-Sort Enclosure.

In order to facilitate the construction of the Pre-Sort Enclosure a Stormwater Management Plan has been prepared by AT&L to attenuate any impacts associated with the increased surface area (submitted at **Appendix C**).

The results presented in the Stormwater Management Report demonstrate the OSD basin with extended detention (permanent) has enough capacity to satisfy both the detention and the water quality requirements.

The AT&L report has demonstrated that a storm water system consistent with good management practices can be provided for the proposed development.

6 Conclusion

This report concludes that overall the proposed introduction of the Pre-Sort Enclosure will not have a significant environmental impact.

An assessment of the potential impacts of the Pre-Sort Enclosure operating alongside the MPC has confirmed the following:

- There is justifiable demand for the Pre-Sort Enclosure due to mechanical stoppages, enhancing the operation and making it safer and increasing recovery of recyclables and fine-tuning of the processing cycle to produce a quality recycled product;
- The operating hours will remain as per the current approvals at the Facility;
- The operation and activities will remain as per the current approvals at the Facility.
- Traffic impacts will remain as per the current traffic patterns at the Facility;
- Repairs and maintenance activities will remain as per the current approvals at the facility; and
- There will be no odour impacts resulting from this proposed modification. Putrescible material is neither authorised nor accepted at the facility. No composting of garden waste is being carried out. Odour is never an issue observed during operations.

The construction of a Pre-Sort Enclosure is a natural progression for the Genesis Xero Facility allowing improved function and efficiency of the existing operation, increasing the productivity of the MPC and improving the amounts of recycled and reused material through improved extraction from existing waste streams; further reducing landfill on site.

Disclaimer

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Appendix A

Architectural Drawings

Appendix B

Civil Drawings

Appendix C

Stormwater Management Report

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