

Department of Planning, Industry and Environment
Locked Bag 5022
PARRAMATTA NSW 2124

Sent by email: william.hodgkinson@planning.nsw.gov.au

Re: Liverpool City Council advice on SEAR's - Luddenham Resource Recovery Facility (SSD-10446)

Dear Mr Hodgkinson,

Thank you for the opportunity to comment on the Request for Secretary's Environmental Assessment Requirements (SEARs) for the proposed Resource Recovery Facility at 275 Adams Road, Luddenham.

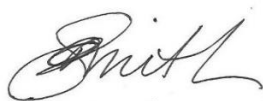
Council notes that the site is currently zoned RU1 Primary Production under the *Liverpool Local Environmental Plan 2008*, and Resource Recovery Facilities are not permissible within this zone. However, the proposed development is permissible under Clause 121 of *State Environmental Planning Policy (Infrastructure) 2007* (ISEPP).

The site is situated within the Western Sydney Aerotropolis boundary, and is subject to draft plans released by the Western Sydney Planning Partnership in December 2019. Under these plans, it is anticipated that the site will be rezoned in mid-2020 to the 'Agribusiness' and 'Environment and Recreation' flexible land use zones. The proposed development would not be permissible under these draft plans. It is also not clear at this point whether the permissibility for this land use under SEPP (Infrastructure) will continue to apply once the Aerotropolis SEPP is gazetted.

The proposed development has the potential for adverse impacts on the environment and to mitigate these it is requested that the Department takes the advice attached to this letter into consideration when preparing SEARs.

If you have any further enquiries in relation to the above, please contact Nancy-Leigh Norris, Acting Senior Strategic Planner on 8711 7399.

Yours sincerely,



David Smith
Manager Planning and Transport Strategy

SEARS Advice for Resource Recovery Facility - 275 Adams Road, Luddenham

1. Strategic Planning Context

- In December 2019, the Western Sydney Planning Partnership (WSPP) released the following documents for public exhibition:
 - Draft Western Sydney Aerotropolis Plan (WSAP)
 - Discussion Paper on proposed State Environmental Planning Policy (SEPP)
 - Draft Western Sydney Aerotropolis Development Control Plan Phase 1 (DCP)
- Under these plans, the site is identified within the Agribusiness and Wianamatta-South Creek Precincts and is to be zoned 'Agribusiness' and 'Environment and Recreation'. Anticipated timeframe for rezoning is mid-2020. Resource Recovery Facilities are not permitted within these proposed zones.
- The application is to address and consider the WSAP, SEPP Discussion Paper (as a draft EPI) and DCP, including:
 - WSAP Planning Principles
 - Zone objectives and land use tables
 - Proposed Maps
 - DCP Objectives and Performance Outcomes
- A Rehabilitation Plan showing how the site can be integrated in line with the vision of the Agribusiness Precinct.

2. Airport and Aviation Matters

- An Aviation Report containing a risk assessment of the proposal against airport operations, and addressing matters within Part 5 of the WSAP and Part 2.9 of the SEPP Discussion Paper, including:
 - National Airports Safeguarding Framework (NASF)
 - Australian Noise Exposure Concept/Australian Noise Exposure Forecast
 - Protection of airspace near airports
 - Wildlife management around airports
 - Airport safeguarding
 - Airport related maps:
 - Draft Australian Noise Exposure Concept
 - Draft Obstacle Limitation Surface Map
 - Draft Lighting Intensity and Windshear Map
 - Draft Wildlife Buffer Zones
- Architectural, Landscape and Operational Plans are to take these matters into account, e.g. reflectivity of materials, location of lights, height of buildings, choice of landscaping, stockpiling of materials, dust mitigation measures and acceptance and management of non-recyclable materials on site.

3. Traffic & Access

- Detail daily and peak traffic movements likely to be generated by the proposed development.
- Details of haulage profile (including vehicle type and likely arrival and departure times) and routes.
- Details of proposed access arrangement demonstrating compliance with requirements of the relevant Australian Standards (i.e. turn paths, sight distance requirements, aisle widths, surfacing etc).
- Proposed number of on-site car parking spaces, and layout demonstrating compliance with relevant Australian Standards and parking codes.
- Cumulative traffic impact assessment taking into consideration all the expected additional developments close to the development site, including Western Sydney Airport on adjacent intersections including Elizabeth Drive/Adams Road and The Northern Road/Adams Road intersections, and access arrangement to the development site.
- Intersection performance analysis of the following intersections considering cumulative traffic impacts of the proposed development and other adjacent developments:
 - Elizabeth Drive/Adams Road intersection;
 - The Northern Road/Adams Road intersection; and
 - Adams Road/the site access road intersection.
- Adequacy of Adams Road to be used as a heavy vehicle route, and improvements required to accommodate the heavy movements likely to be generated from the proposed development.
- Assessment of required infrastructure upgrades to facilitate the proposed development and funding mechanism.
- A construction traffic management plan providing details of all demolition/ construction activities, detailing vehicle routes, number of trucks, hours of operation, access arrangements, traffic control measures and impacts on the existing and proposed road network.
- A Section 138 Roads Act application with detailed civil engineering plans detailing all works proposed to the public road network.

4. Operational Environmental Management

- An Operational Environmental Management Plan (OEMP), prepared by a suitably qualified and experienced environmental consultant. This is to address how commitments in the Environmental Impact Statement and other environmental assessment reports will be fully implemented.

- The OEMP shall provide a framework for managing and mitigating environmental impacts for the life of the proposal and make provisions for auditing the effectiveness of the proposed environmental protection measures and procedures. The Plan must support recommendations proposed in the submitted technical reports whilst also addressing other risks to the environment including but not limited to material storage, dust/odour management, protection of watercourses, wet areas, water management and facility design.
- The OEMP shall be prepared to meet the requirements of ISO 14001 and as a minimum address the following requirements:
 - Provide the strategic context for the management of the development;
 - Identify all the statutory requirements of the development and any specific environmental standards;
 - Detail mitigation measures to minimise acoustic impacts;
 - Specify mitigation requirements to maintain air quality;
 - Outline mitigation measures to maintain water quality;
 - Address sediment and erosion control during operation; and
 - Include community consultation and complaints management procedures.

5. Contaminated Land

- A Stage 1 - Preliminary Site Investigation for the land, to determine the suitability of the land for the proposed development. The land's suitability is largely unknown and a precautionary approach to the assessment of this proposal is warranted. The Preliminary Site Investigation shall comply with applicable guidelines made or approved by the NSW EPA under the Contaminated Land Management Act 1997 and identify all past and present potentially contaminating activities; identify potential contamination types; discuss the site condition; provide a preliminary assessment of site contamination; and assess the need for further investigations.
- A Stage 2 - Detailed Site Investigation, where contaminating activities are suspected or known to have occurred, or if site history is incomplete. This investigation shall give regard to the potential effects of any contaminants on public health, the environment and building structures and shall meet the sampling density outlined in the NSW EPA 'Sampling Design Guidelines' (1995).
- A Remedial Action Plan (RAP), if the Stage 2 - Detailed Site Investigation indicates that the site poses unacceptable risks to human health or the environment. The RAP is to be prepared in accordance with applicable guidelines made or approved by the NSW EPA under the Contaminated Land Management Act 1997.
- Contaminated site reports shall be prepared by a suitably qualified contaminated land consultant who is certified under either the Environment Institute of Australia and New Zealand's Certified Environmental Practitioner (Site Contamination) scheme (CEnvP(SC)) or the Soil Science Australia Certified Professional Soil Scientist Contaminated Site Assessment and Management (CPSS CSAM) scheme.

6. Noise Management Plan & Acoustic Assessment

- A Noise Management Plan and Complaints Handling Procedure prepared under the supervision of a suitably qualified acoustic consultant.

- An Acoustic Report prepared by a suitably qualified acoustic consultant. This is to include a quantitative assessment of all noise and vibration generating sources during demolition, site preparation, construction and operation in accordance with the NSW Environment Protection Authority's 'Noise Policy for Industry' (2017) and Department of Environment and Conservation's 'Assessing Vibration: A Technical Guideline' dated February 2006. The cumulative effect of noise must be considered when assessing the impact upon receivers.
- The report shall assess potential road traffic noise impacts in accordance with the 'NSW Road Noise Policy' prepared by the Department of Environment, Climate Change and Water NSW (DECCW NSW) dated March 2011. The project noise trigger levels for the proposed development shall be selected according to the most stringent intrusive or amenity criteria. If required, recommendations and noise control measures shall be specified to achieve compliance with the assessment criteria. The assessment shall be representative of all noise generating activities on-site including but not limited to mechanical plant, deliveries and motor vehicle movements.
- The noise level shall be determined at the most affected point on or within the property boundary. Alternatively, when gauging noise levels at residences, the noise level shall be assessed at the most affected point on or within the residential property boundary. Where necessary, sound levels shall be adjusted in accordance with NSW Environment Protection Authority's guidelines for tonality, frequency weighting, impulsive characteristics, fluctuations and temporal content.
- Detailed specifications of any equipment, machinery or public address system are required to determine noise impacts associated with the proposed development's operation. Construction noise shall also be assessed in accordance with the 'Interim Construction Noise Guideline' published by the Department of Environment and Climate Change NSW dated July 2009.

7. Air & Water Quality Management

- An Air and Water Quality Assessment, prepared by a suitably qualified environmental consultant, in accordance with the NSW EPA's 'Approved Methods for the Modelling and Assessment of Air Pollutants in New South Wales' published January 2017, Office of Environment and Heritage (OEH) 'Technical Framework Assessment and Management of Odour from Stationary Sources in NSW' dated November 2006, and 'Approved Methods for the Sampling and Analysis of Water Pollutants in New South Wales' dated March 2004. Where required, recommendations shall be detailed to mitigate impacts on the environment and public health.
- Details of water quality treatment measures to treat stormflows from the site before discharging into receiving waters, ensuring Council's stormwater treatment targets are met. Water quality treatment devices such as bio-retentions, bio-filters and GPT shall be considered and designed using MUSIC modelling software, and water quality treatment performance shall also be verified using Councils MUSIC model.
- Details of appropriate safeguards in the design and construction of the facility to prevent the generation of wind-blown dust and contamination of overland flow and surface waters.

8. Flood Management

- A flood study with hydrologic and 2d hydraulic modelling to establish flood behaviour of the creek in the vicinity of the site. The model shall be updated to represent future development of the site, along with the proposed wall around the perimeter, and undertake flood impact assessment for the proposed development.
- The study shall consider future development proposed for the entire site including southern portion and expand the flood impact assessment for the whole development. It shall also assess any existing overland flows from upper catchment areas running through the site.
- Development shall not have adverse flooding impact on adjoining sites and appropriate measures shall be incorporated to the proposal to manage the flows safely. Any adverse flood impact shall be mitigated through flood mitigation works.
- The detailed flood study report, flood mapping and flood levels deference mapping for pre and post development scenarios along with electronic copies of flood models shall be submitted for Council's review.

9. Construction

- A Construction Environmental Management Plan prepared by a suitably qualified environmental consultant. Suitable management and control measures must be included within the Plan to ensure that there are no adverse impacts on the environment during construction and is to include soil and water management.

10. Waste Management

- A Waste Management Plan, detailing how refuse and waste will be managed during demolition, construction and operation. Suitable waste storage facilities are to be provided as part of the proposal.
- Wastewater and pollutant generated from operation of the recovery facility shall be treated through wastewater treatment plants and appropriate control measures before being discharged from the site.

11. Chemical Inventory & Storage

- Details on fuel or other flammable and combustible liquids which may be stored and handled on-site. If necessary, provide a Chemical Inventory Checklist and/or a Preliminary Hazard Analysis.
- Details of the forecourt and chemical storage areas, and identify bunding, spill kit locations and drainage infrastructure.
- Plans may also be required to demonstrate compliance with Australian Standard (AS) 1940–2017: The storage and handling of flammable and combustible liquids; AS/NZS 3833:2007 The storage and handling of mixed classes of dangerous goods,

in packages and intermediate bulk containers; and if applicable, Australian Standard (AS) 1692-2006 Steel tanks for flammable and combustible liquids.

12. Water Treatment Plant

- A Wastewater Report prepared by a suitably qualified and experienced environmental or wastewater consultant is to address details of the proposed Water Treatment Plant.

13. Site Plans

- Site plans are to detail:
 - Environmental safeguards such as trafficable bunds installed at the entry and exits of storage areas, vehicle, garbage bin and wash bays to prevent contamination of the surrounding environment;
 - A sealed forecourt area to prevent dust emissions and tracking of sediment and other material from the site;
 - An enclosed building for the complete storage of resource recovery materials;
 - Roofing covering all storage areas, garbage bin bays, chemical storage areas and vehicle wash bays containing an overhang of at least 10° to prevent rainwater intrusion. Uncontaminated rainwater shall be directed from the canopy and other roofed areas into stormwater drains;
 - The location of spill kits, stormwater pits and stormwater drainage infrastructure. A detailed drainage diagram shall be submitted with the Application to clearly identify the proposed location of surface drains, sewerage and stormwater infrastructure;
 - Manufacturer's specifications and the location of any pre-treatment devices to be installed at the subject premises;
 - Details of upgrades required to existing services such as power, water and sewer amplification;
 - Note: all containment measures (including trafficable bunds) shall be designed, installed and constructed in a manner which permits the safe passage of personnel and vehicles, maintains effective containment capacity and minimises intrusive/offensive noise impacts arising from vehicle operation.

14. Consultation

- The proposed development is near the Western Sydney Airport development site. Consultation is required with the WSA regarding the proposed access to the development and its impact on the future operations of the airport.
- Engagement with neighbouring businesses and residents within Luddenham is advised. There is significant change occurring in the area and local groups have formed to better understand and respond to this change.
- Any future application must be reviewed in consultation with the NSW EPA as the applicant indicated that the proposal may be Integrated Development and requires an Environment Protection Licence. In these circumstances, approval must be obtained from the NSW EPA before consent can be granted. The consent authority

must refer the development application to the relevant public authority and incorporate the public authority's general terms of approval.

Please note, to improve environmental health outcomes and efficiency during the development assessment process, Council requires development applications to be supported by technical reports prepared by suitably qualified and industry certified environmental consultants. Further information is available on Council's website at:

<https://www.liverpool.nsw.gov.au/development/development-and-building>