

In reply please quote: 23/06789

Contact: Kerren Ven on 9725 0878

9 August 2024

Industry Assessments
NSW Department of Planning, Housing and Infrastructure
Locked Bag 5022
Parramatta NSW 2124

Request for advice: SSD-56517209 – Proposed bioenergy facility at 780 Wallgrove Road, Horsley Park

Dear Sally Munk,

Fairfield City Council is in receipt of the state significant development application seeking to construct and operate a bioenergy facility at the above-mentioned premises. The facility is proposing to process up to 150,000 tonnes per annum (tpa) of solid and liquid organic waste, utilising anaerobic digestion to produce biogas of up to 150,000 tpa to digestate. The works will also involve bulk earthworks and delivery of infrastructure to accommodate the development.

It understood that the subject site currently operates as a quarry and brick manufacturing facility operated by Austral Bricks. The proposed bioenergy facility will be fenced and operated by Delorean Corporation which will include the installation of a high-pressure pipeline between the both facilities to convey the gas produced directly to the brick making kilns. In this regard, the proposal shall ensure that the development does not impede on the existing uses and licenses that operate on site and the developments are to operate concurrently.

In addition to above and based on the review of the Environmental Impact Statement, additional information and clarification is required for Council to be able to consider the proposal further.

1. Stormwater management and run-off

- a) No details of the proposed On-site Detention Basin has been provided in the stormwater plan. Details of the OSD shall be provided and be designed in accordance with Council's Stormwater Management Policy Sept 2017. Any storage of rainwater for the purpose of usage on the facility shall be in addition to the OSD capacity.
- b) Please verify the reason for directing the runoff from the development to the existing dam while the runoff from the development will be clean water.
- c) Details of the proposed swale shall be included in the plan to demonstrate that the proposed swale is clear of the existing easement for overhead powerlines.

- d) The proposed retaining wall along the southern boundary will result in natural surface flows from upstream properties being impeded and therefore cannot be supported. The retaining wall shall not be above the existing ground level.

2. Traffic & Access

- a) Vehicle access to and from the site at Horsley Park Bioenergy Facility at 780 Wallgrove Road is proposed via Ferrers Road restricted to a left-in, left-out (LILO) arrangement. It is expected that all vehicles will arrive from the south and depart to the north of the site.

The swept path diagram (AG2174-01-v06.dwg SHEET AG01) does not show the road boundaries, the existing double barrier lines or edge lines along Ferrers Road, or where the left-in and left-out treatment is proposed at/near the site. The plans need submitted for the proposal must be updated to reflect the location of the left-in and left-out treatment.

Furthermore, the construction of a median island shall not be carried out until approval has been received from the Fairfield Traffic Committee and an Engineering Construction Certificate has been issued by Council under Section 138 of the Roads Act 1993. Details of the median island including location, length and width shall be provided prior to the issue of an Engineering Construction Certificate.

- b) The plans submitted with the application shall illustrate where loading bays and traffic aisle will be delineated through signs and/or line markings. Where the traffic flow within the site is not designed to cater for two-way traffic movements, one-way traffic signage and line markings shall be installed to clarify the direction of travel within the site. In this regard, the signage and line marking plans shall illustrate the one-way pavement markings within the site.
- c) The largest vehicle to access the site is 20m articulated vehicle. The travel conditions exist on Ferrers Road with conditions allowing for southbound travel only. A vehicle that is not longer than 19m may use all roads in NSW if the mass of the vehicle is under the general mass limits of 50 tonnes. Should the applicant wish to operate vehicle that is above the general mass limits requires a permit from National Heavy Vehicle Regulator (NHVR).
- d) A Loading Management Plan shall be provided and incorporate a breakdown of types of heavy vehicles accessing the site on an hourly basis. This is to ensure that vehicles using the site will be managed in a way that will not affect traffic circulation within the site and/ or cause vehicles queuing onto the external road network.
- e) A Construction Traffic Management Plan shall be provided detailing a swept path analysis demonstrating that the largest vehicle can satisfactorily traverse along the selected routes when approaching and existing the site. The CTMP shall also specify the number of heavy and light vehicle trips to and from the site during all stages of construction works.
- f) Any issues/ concerns raised by Transport for NSW shall be satisfactorily addressed prior to determination.

3. Noise

- a) The consultant has used meteorological data from 2017 as part of the assessment. This data appears to be outdated therefore the consultant should use more current meteorological data to account for noise-enhancing weather conditions for the assessment.
- b) When establishing the project noise trigger levels for the proposal the consultant has stated in Section 6.1.1.3 Amenity Noise Level, the Suburb amenity category has been selected from the residential noise amenity criteria. However, in Table 6.-1, the consultant has listed the Urban noise level criteria which is greater than the suburb criteria. The area in which the proposal is located and that of identified sensitive residential receivers (along Chandos Road) is best described as a rural area and therefore the Rural noise criteria should be adopted in developing the Project Noise Trigger Level (PNTL). The change in the PRTL will need to be reflected throughout the entire report.

4. Biodiversity

The Biodiversity Development Assessment Report (BDAR) report prepared by Cumberland Ecology have identified that 6 ecosystem credits (Cumberland Shale Plains Woodland - PCT 3320) and 5 species credits for threatened species (Cumberland Plain Land Sail Fauna – *Meridolum corneovirens*) is to be retired as a result of the proposal.

The report however concludes that the project has sought to avoid impacts the biodiversity values and add a suite of mitigation measures implemented as part of the project to now allow for a credit liability of 1 PCT 3320 ecosystem credit and 1 *Meridolum corneovirens* species credit. The credit reduction will therefore be required to be applied to the relevant approval authority.

5. Air quality

The Air Quality Impact Assessment Report identifies the modelled air pollutants and odours associated with the proposal. Dispersion modelling has been conducted for the sources and pollutants presented in Table 2 of the report to determine operational impacts from the bioenergy facility on the surrounding environment.

Accumulative air polluting activities such as the existing brick kilns have also been included within the assessment and data capture from monitoring equipment installed to the stacks of the brick kilns has been used. No information however has been provided on any contingencies and additional equipment to be installed to the proposal facility in terms of pollution controls, should the proposed equipment not be sufficient to reduce odours associated with the operation of the site.

It is understood that the proposal is a licensed facility and will be subject to an Environmental Protection License from the NSW EPA. The planning authority and the NSW EPA will need to ensure this document is assessed internally by a technical officer to validate the contents of the report and to ensure that the proposal meets air and odour emission requirements.

6. Contamination

The Detailed Site Investigation Report findings have detected metal concentrations, various contaminants (TRH, BTEX, PAH, OCP, OPP, PCB) and asbestos in certain soil samples.

The below recommendations in the report shall be implemented to ensure the site is suitable for the use and that the development will not have any negative impact on the environment and surrounding sensitive receptors before determination of the application.

- Additional soil sampling after stockpile removal.
- Preparation and implementation of an Acid Sulfate Soils Management Plan (ASSMP).
- Implementation of an Asbestos Management Plan (AMP) and Unexpected Finds Procedure (UFP).
- Further asbestos sampling under the NSW EPA Waste Classification Framework for offsite disposal.

Thank you for allowing Fairfield City Council the opportunity to provide comments in relation to the above mentioned SSD. If you would like more information regarding the above, please contact Kerren Ven on 9725 0878.

Yours sincerely



Andrew Mooney
Executive Planner
Strategic Land Use Planning, City Strategic Planning