



Mr Pascal Bobblier  
General Manager Development

LEVEL 5 2  
GROSVENOR STREET  
BONDI JUNCTION New South Wales 2022

03/09/2020

Dear Mr Bobblier

Luddenham Resource Recovery Facility (SSD-10446)  
**Response to Submissions**

The exhibition of the development application including the Environmental Impact Statement (EIS) for the above proposal ended on 26 August 2020. All submissions received by the Department during the exhibition of the proposal are available on the Department's website at <https://www.planningportal.nsw.gov.au/major-projects/project/30151>.

The Department requires that you provide a response to the issues raised in those submissions, in accordance with clause 85A(2) of the Environmental Planning and Assessment Regulation 2000. Please provide a response to the issues raised in these submissions within two months of the date of the issue of this letter.

Unfortunately, Fire and Rescue NSW and the Department of Planning, Industry and Environment – Water / Natural Resources Access Regulator (NRAR) were not able to provide their submissions at the time of writing. These will be forwarded through once these have been received.

The Department notes the concerns raised by the Western Sydney Planning Partnership in their submission regarding the permissibility of the proposal under the Western Sydney Aerotropolis Discussion Paper on the proposed State Environmental Planning Policy (Draft SEPP) and will provide additional comments for you to address on this matter.

Note that under clause 113(7) of the Environmental Planning and Assessment Regulation 2000, the days occurring between the date of this letter and the date on which your response to submissions received are not included in the deemed refusal period.

If you have any questions, please contact Ellen Luu on 02 8275 1037 or via email at [Ellen.Luu@planning.nsw.gov.au](mailto:Ellen.Luu@planning.nsw.gov.au).

Yours sincerely

A handwritten signature in black ink, appearing to read 'C. Ritchie'.

Chris Ritchie  
Director  
Industry Assessments

**as delegate for the Planning Secretary**

## ATTACHMENT 1

In order to finalise the Department's assessment, additional information is required including but not limited to the following:

### 1. Traffic and Access

- The TIA notes the northern section of Adams Road and the Adams Road/Elizabeth Drive intersection will need to be upgraded. Please clarify whether these upgrades form part of this development application and include all relevant details required by the roads authority to undertake an assessment. It is noted the TIA relies on these upgrades being completed prior to operation.
- Section 2.1 of the EIS notes the project would involve the construction and upgrade of the internal access road connecting the proposed RRF to Adams Road and this would include minor widening. However, the EIS does not provide details or design plans on what those proposed upgrades would entail. It is requested further information (and any engineering plans) are provided.
- Provide further breakdown of vehicle waiting and activity duration during peak operations for:
  - vehicles waiting to access the site and the RRF
  - vehicles at the weighbridge
  - vehicles within the RRF, waiting to access unloading areas
  - vehicle unloading/loading times
  - vehicles exiting the site
  - the differences between weekdays and weekends.
- Please provide an analysis of the worst case vehicle stacking/queuing/waiting scenario (including any stacking/queuing/waiting on the internal access road) based on the proposed processing capacity, peak delivery times (including quarrying operations) and the duration of time a vehicle is on site. This should be in the form of scaled plan with supporting information.
- Provide further details regarding the proposed operational measures to manage all traffic arriving at the site during peak operations and during an emergency plant shutdown or similar.
- The Department notes swept path analysis was provided for the largest vehicle proposed to enter the site and the product bay. Swept paths must also be provided for heavy vehicles in the 'tip and spread area' and for light vehicles manoeuvring around the site including but not limited to:
  - on site car parking areas to demonstrate safe manoeuvrability in and out of car park
  - light vehicle movements throughout the site including the designated hand unloading area to ensure no conflict with heavy vehicles.
- Update the site plans to identify the location of where heavy vehicles with comingled waste and segregated loads would be directed and the location of the light vehicles designated hand unloading area.
- Provide details of the frequency of trucks which will be bringing potable water to the site and trucks attending the site to remove septic waste. This information will also need to be factored into the traffic impact assessment.
- Provide a breakdown of heavy vehicle and light vehicles, including in AM and PM timeframes. The EIS states that the RRF will generate up to 1,386 vehicle movements during full production.

## 2. Waste & RRF Operations

- The EIS identifies the project is proposing a 90% recovery rate. However, the EIS also states up to 120,000 tpa of non-recyclable waste would be disposed off-site which would achieve a worst case recovery rate of 80%. It is requested the Applicant clarify the proposed resource recovery rates and demonstrate how the proposed project would achieve the nominated rate. It is requested further details are provided on the proposed collaboration with NSW Circular and UNSW Material Sciences.
- The EIS does not identify the proposed maximum waste storage limit for the development. It is requested the Applicant consult with the EPA and provide this information.
- The EIS does not list or describe the proposed operational waste processing plant and equipment (screens, shredder, separators etc.) to be installed or used to undertake operations (dozers, wheel loaders, excavators etc.). It is requested details of all waste plant processing plant and equipment is provided including diagrams (and any images).
- The EIS has not detailed the contingencies the Applicant would put in place in the event of machinery breakdown and ensure no delays or backlog of waste processing. It is requested those contingency measures are provided.
- The site plans (1190066\_DA-100) identify unloading/processing area, however the EIS also refers to a 'tip and spread area'. It is requested clarification is provided on the difference between the two areas and site plans updated accordingly.
- It is noted the EIS has not identified or provided any details of the processed waste the Applicant is likely to generate nor provided details of the resource recovery orders the Applicant would produce including those that would be required to rehabilitate the quarry void. It is requested further detail is provided on the processed waste to be generated.
- Provide further details on the types of materials which would be accepted at the RRF that are deemed 'non-recyclables'.
- Section 2.2.4i of the EIS states that a preliminary inspection of incoming waste will be undertaken, and suspected contaminated loads will be rejected. It is requested the following be provided:
  - procedures for inspecting incoming waste and identifying suspected contaminated loads
  - detail on the criteria of a 'suspicious load' and how it is identified or determined during the inspection
  - the management measures the Applicant will employ to ensure that no contaminated waste is to be accepted at the site, such as the receipt of waste classification documentation etc.
- Section 2.1.8 of the EIS details the proposed fire safety measures to be installed however the EIS has not identified the separation distances or size/volumes of waste stockpiles. Please demonstrate the proposal is consistent with the NSW Fire and Rescue's document "Fire Safety Guideline: Fire Safety in Waste Facilities", 2020, including minimising fire spread and facilitating emergency vehicle access.
- The EIS states hazardous chemicals will be stored in bunded facilities within the RRF in accordance with relevant government guidelines and Australian Standard 1940:2004. Please update the relevant site plans to show the storage location of the hazardous chemical

### 3. Soil and Water

- It is noted a leachate tank is proposed to be located within the RRF for the capture of dirty water from processing operations. Please update the site plans to show the location of the internal leachate collection system. Furthermore, please provide details on the following:
  - the process in which dirty water/leachate will be collected within the warehouse;
  - the capacity of the leachate tank;
  - the amount of leachate generated from operational activities;
  - the frequency in which leachate will be pumped out and removed from the tank/ disposed off-site; and
  - how the leachate tank will be stored within the warehouse.
- Provide further clarification on the management of wheel wash water, including details on where the wheel wash water will be stored, treated and/or discharged or reused. Please also provide further details on how the tracking of mud within the RRF and site will be managed from incoming/outgoing vehicles.
- Section 6.4.3 of the EIS details that after a fire event, retained fire water would be tested to determine if safe to discharge into the stormwater system. Provide further details on the proposed water quality monitoring methodology and appropriate water quality criteria which would be used to assess the fire water prior to discharge.
- Provide further details on the proposed water quality monitoring methodology for treated water which is proposed to be reused for site operations, including frequency of sampling and appropriate water quality criteria.
- It is understood stormwater overflows from the proposed onsite detention storage basin will discharge to Oaky Creek. Provide details on how water quality will be assessed and monitored from the overflow of the stormwater detention basin. Please update site plans to show the location of the stormwater discharge point into Oaky Creek.
- The EIS states the development has been designed to avoid potential impacts to the Oaky Creek riparian zone. Provide details on the established riparian buffer and specify the minimum distance between the RRF and the Oaky Creek riparian corridor. Update site plans to clearly show the location of the Oaky Creek riparian corridor.
- Provide details on the sediment and erosion controls and measures to be implemented through the various stages of construction works proposed for the development.
- A Preliminary Site Investigation (PSI) was prepared to identify potential contamination at the site which may impact the proposed development and intended use of the site as an RRF. The PSI does not provide a definitive conclusion that the site is suitable for the intended use. Further information is required in this regard as per the requirements of SEPP 55.

### 4. Noise

- The Noise and Vibration Impact Assessment (NVIA) assesses the proposed construction and operation of the RRF in two scenarios, with consideration of the proposed Aerotropolis SEPP (currently in draft). It is noted the construction and operation of the RRF will exceed the project noise trigger levels (PNTLs) at surrounding sensitive receptors, R2 – R6. Please clarify and provide further details on the noise mitigation measures proposed to manage these noise exceedances.
- Section 5.3 of the NVIA provides an assessment of the construction vibration impacts on residents and surrounding sensitive structures during the construction of the development. It is unclear whether the vibration assessment included the combined impacts from the

construction of both the RRF and road upgrades associated with the development. Please clarify.

- The EIS states construction noise levels from the project are predicted to exceed noise management levels (NMLs) at sensitive receptors, R3 and R6 at greater than 10 decibels (dB). The Department requires further details on mitigation/management measures to undertake an adequate assessment of the proposed development.

## 5. Air Quality

- The Air Quality Impact Assessment (AQIA) modelling results reported exceedances for 24-hour average PM<sub>10</sub>, annual, 24-hour average PM<sub>2.5</sub>, and annual average TSP at the nearby sensitive receptors, R3 and R6 associated with the cumulative scenarios, including Scenario 1 (concurrent operation of the RRF with the quarry, and construction of the Airport) and Scenario 2 (concurrent operation of the RRF with the operation of the Airport following the rehabilitation of the quarry). Provide details on the air quality mitigation measures proposed for exceedances identified at sensitive receptors R3 and R6.
- The air quality impacts have not been considered for construction works associated with the development within the AQIA modelling.
- The AQIA provides details on the dust management and control measures for the proposed RRF and access road, however no details have been provided on the proposed pollution control technology to be installed on operational plant/machinery and site. Please provide details on the operational pollution control measures for the site.
- It is understood that general solid waste (putrescible) will not be accepted at the development. The AQIA states that as no putrescible waste will be accepted at the RRF and no sources of odour emissions identified from the RRF operations, odour was not quantitatively assessed in the EIS. A quantitative assessment of odour impacts, as per the SEARs requirements should be provided to provide baseline data and conservatively assess and provide mitigation measures for potential odour impacts to future sensitive receptors, including the Western Sydney Airport and approved/future developments in the vicinity.
- The EIS notes that the proposed RRF warehouse will be fitted with four doors providing vehicle access points. Provide further details on whether these doors will be automated and closed to minimise emission impacts associated with the development operations to the surrounding environment.
- The AQIA further states that the air quality associated with the proposed Western Sydney Airport were considered in the air quality modelling, and included the future terminal areas, runway area, fuel farm area and airport infrastructure area. Please incorporate the Airport modelling receptor locations in site figures relating to the assessment locations for air quality within the EIS and AQIA.

## 6. Heritage

- The Department notes that a draft Aboriginal Cultural Heritage Assessment Report (ACHAR) which includes the test excavation methodology was submitted in the EIS. The test excavation activities and results are still pending following further consultation with the Registered Aboriginal Parties (RAPs). As per the comments from NSW Heritage, it is requested that the details of the consultation with the RAPs and results of the test excavations are provided for review.

## 7. Airport Safeguarding

- The Aeronautical Impact Assessment concludes that the proposed RRF development is likely to infringe on the Building Restricted Areas (BRA) for the WSA Ground Based Augmentation System (GBAs) during the second stage of the airport development, if the GBAs are located adjacent to the site. Provide further details on whether further consultation has been sought with the WSA Corporation regarding the placement of the Airport GBAs and whether this will have implications on the design and operation of the development.

## 8. General Comments

- Section 1.2 of the EIS states that the project Applicants include a subsidiary of the Coombes Property Group (CPG) and KLF. Please clarify and provide further details on the roles and responsibilities of each Applicant, including (but not limited) to the land ownership, construction and operations of the RRF.
- Further clarification is required on the extent of works proposed (for example, whether the proposal include upgrades to the Adams Road/Elizabeth Dr Intersection) and staging of the works. As per comments from the Department of Infrastructure, Transport, Regional Development and Communications (DITRC) the timing of the various stages of the development and other development on site over the medium to long-term is unclear.
- An overlay is requested to show how the development is located in relation to the existing and proposed zoning boundaries.
- Provide details on the anticipated volume of non-recyclable materials that would be required to rehabilitate the quarry void, and who will be responsible for overseeing the mobilisation and disposal of wastes from the RRF to the quarry.
- Provide further details on the site history, including land-use and development approvals, including Council development consents and environment protection licences (if any).
- It is noted the Quantity Surveyor (QS) report does not include the cost of operational plant and equipment to be installed on site in the capital investment value (CIV). In accordance with the definition of CIV under the Environmental Planning and Assessment Regulation 2000 these costs must be included as they are costs necessary to establish and operate the development. Furthermore, should upgrades works to the northern section of Adams Road and the Adams Road/Elizabeth Drive intersection form part of this development application, these costs must also be included in CIV.
- The EIS states that the proposed hours of operation for the RRF will be 24 hours, 7 days per week. Please clarify the proposed hours for transporting materials, including the receipt of incoming waste materials, and the distribution of processed/recycled materials, as well as unsuitable materials to be transported off-site for landfill disposal (i.e. non-recyclables).