

3 June 2013

Mr Chris Ritchie
Manager – Industry
Development Assessment Systems and Approvals
NSW Department of Planning and Infrastructure
GPO Box 39
SYDNEY NSW 2001

Dear Mr Ritchie

Re: Expansion of the SITA Kemps Creek AWT Facility (SSD-5275)

I write in response to your letter dated 26 April 2013 in relation to the Notice of Exhibition of the Expansion of the SITA Kemps Creek AWT Facility. Council is generally supportive of the proposed expansion. Council does however raise a number of environmental concerns that require detailed assessment by the department.

Increased capacity to process Liverpool's organic waste

The SAWT facility currently receives, separates and processes the organic fraction (paper, cardboard, food, garden materials) of Council's mixed municipal solid waste, producing a product suitable for soil enhancement and landscape remediation purposes; (the EIS refers to this material as compost). Council's demand for this service is likely to increase as the population grows, notwithstanding the ongoing efforts of Council's waste section to encourage residents to remove paper and cardboard as well as reduce food wastage.

The collection of Council's household garden waste is currently composted at the Australian Natives Landscapes facility that is not licensed to process food waste. With increasing pressures on landfill and new NSW Government incentives to divert food waste, it is possible that Council will introduce food waste to its existing garden waste collection in the near future. The separation of this material at source will add commercial value to the composted end product. SITA's expanded facility would enable the processing of more source separated organics for new, potentially local, markets.

Potential to reduce carbon liability for Liverpool residents

Council currently pays a surcharge to SITA to cover the cost of greenhouse gas emissions from its landfilled component of processed waste (i.e. the carbon tax). The conversion of high impact methane to carbon dioxide through "flaring" of the gas emissions would reduce its greenhouse impact. However, the use of this landfill gas for energy generation is a higher value process and should be a required as a condition of consent for the proposed development. It is noted that the current EIS does not determine this use, which may be the subject of a future DA.

Regionalisation of services

The South Western Sydney Regional Action Plan, part of the NSW Government's "NSW 2021" plan released in December 2012, includes the requirement that local councils develop regional waste avoidance and resource recovery strategies. This may lead to collaboration between councils in key operational areas including the issuing of contracts for waste and recycling and is no doubt a commercial factor in the proposed expansion. Such collective issuing of contracts, if delivered through an expanded SAWT facility at Kemps Creek, would compound existing environmental impacts as its operations increase dramatically with each new contract. Council would expect that any further qualitative increase in the amount of waste treated at the facility would be the subject of a subsequent application.

Traffic Generation and Impact

The EIS includes a Traffic Impact Assessment report prepared by AECOM. The assessment indicates that following consultation with the RMS, the Agency has agreed that intersection performance analysis (as part of the traffic assessment) should be limited to the following three intersections:

- Elizabeth Drive/access to Kemps Creek Resource Recovery Precinct
- Elizabeth Drive/The Northern Road
- Elizabeth Drive/Mamre Road.

The traffic impact assessment report has modelled the intersection performance of the three intersections and has identified that they would continue to operate with an acceptable level of service (after the proposed development) and do not require intersection upgrade. This assessment is agreed to.

The intersection performance analysis has however identified that the existing Elizabeth Drive/Resource Recovery Precinct Road intersection which has a channelised right turn bay (CHR) would be expected to operate with level of service (LoS) C from the current level of service LoS B. The RMS has previously advised the applicant to upgrade the existing intersection to a seagull island which includes a westbound storage bay. This upgrade is included in the development proposal. Should the development be approved, Council recommends that an appropriate condition be imposed to require this intersection treatment to be carried out.

Due to its location and the road layout in the local area, traffic to and from the development site is predominantly along Elizabeth Drive and would not be expected to have a significant impact on the local road network in the Liverpool LGA.

In addition to operational traffic impact the EIS has identified the need for a construction traffic management plan (CTMP). Council recommends that a requirement for the CTMP to be prepared and implemented during construction, in accordance with RMS requirements, should be imposed as a consent condition.

The EIS has identified the need for up to 130 car parking spaces. The assessment does not include a reassessment of heavy vehicle parking. That assessment should be clarified. The development is to accommodate all parking demand from the proposed expansion, on site to Penrith City Council's satisfaction.

The proposed development along with the existing waste processing facility generates noise. It is noted that the EIS includes a noise assessment report which has forecast noise levels to rural residential properties close to the development site. A number of these properties are within the Liverpool LGA. The assessment report includes recommendations for ensuring that these noise levels not exceed acceptable levels. Should the proposal be approved, Council recommends that appropriate conditions be included to ensure the recommended for the noise attenuation measures are implemented.

Should the development be approved as indicated above the following traffic related conditions are recommended:

1. That a CTMP be prepared and implemented during construction, in accordance with RMS requirements. Council recommends that the CTMP include the following:
 - Ensuring heavy vehicles meet the Australian Road Rules and RMS standards so that road safety is not compromised.
 - Proper safety signs to be placed in the event of a road closure.
 - Satisfactory notification of the local community on the progress of the works and the scheduling of works so as to inform the local community of any additional vehicles added to the local road network.
 - Transporting oversized equipment and machinery in accordance with the RMS guidelines for oversized movements.
 - Implementing appropriate signage to warn road users of the presence of construction vehicles.
 - Parking for employees and construction vehicles on-site.
 - Strategies to encourage employees to travel to the site by car-pool where possible.
2. The existing intersection off Elizabeth Drive to be upgraded to a seagull island which would include westbound storage bay. The intersection upgrade is to be carried out in accordance with RMS requirements.
3. The development to accommodate all parking demand from the proposed expansion, on site to Penrith City Council's satisfaction.
4. The recommended noise attenuation measures outlined in the EIS to be implemented to the Department of Planning and Infrastructure's satisfaction.
5. That haulage routes be identified and restricted to Elizabeth Drive, Mamre Road and The Northern Road as far as possible.

Odour issues

Although the proposed development is situated within the Penrith LGA, it is close to the boundary with Liverpool City Council and the existing facility has a history of odour issues affecting the local community. Once released, odours are subject to prevailing weather and the design of the site expansion should factor issues such as prevailing wind speed and direction to anticipate and ameliorate those factors that could impact on Liverpool residents. Council recommends that the conditions pertaining to odour in the existing Environmental Protection Licences pertaining to the site (Licences 12889 and 4068) be extended to any new licences issued for the expanded site and that these conditions be rigorously enforced by the NSW Environment Protection Authority.

Transport of Nuclear Waste through the Liverpool Local Government Area

Council notes that the EIS makes brief mention of the potential for the site to treat radioactive materials, along with other "hazardous materials" on page xvii of the Executive Summary. Council requests that the applicant be required to expand in detail on the likely methodology and treatment of materials on the site categorised "hazardous materials" particularly of the nature of radioactive materials. Council requests further consultation between the department and council upon this expanded information being made available from the applicant.

Should you require any further information on this matter, please do not hesitate to contact Tanya O'Brien, Manager of Strategic Planning on 9821 9341.

Yours sincerely

A handwritten signature in black ink, appearing to read 'F. Portelli', written over the closing 'Yours sincerely'.

Farooq Portelli
Chief Executive Officer