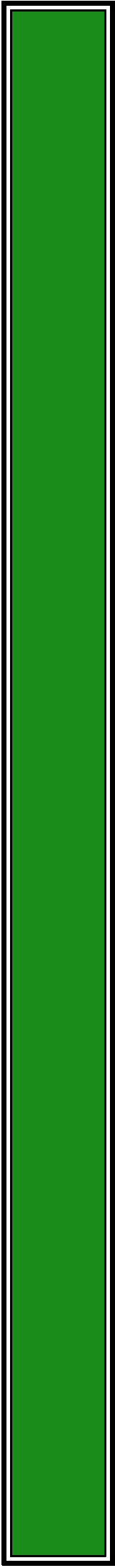


Attachment 1

Copy of submissions received





29 April 2016

Attn: Director - Industry Assessments  
NSW Department of Planning and Environment,

Online submission at: [www.majorprojects.planning.nsw.gov.au](http://www.majorprojects.planning.nsw.gov.au)

**Re: SSD 15\_7256: Environmental Impact Statement ResourceCo Resource Recovery Facility Wetherill Park**

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Thank you for the opportunity to comment on the EIS for this waste recycling facility. The Southern Sydney Regional Organisation of Councils (SSROC) is an association of sixteen municipal and city councils. SSROC provides a forum for the collaboration between our member councils, and an interface between governments, other councils and key bodies on issues of common interest. Together, our member Councils cover a population of over 1.6 million, (one third of the population of Sydney), and an area of 680 square kilometres.

SSROC notes that the facility does not process municipal solid waste, but will enhance the capacity of the industry to process other waste streams. The site was previously used by as a metal recycling facility by SIMS metal and so appears to be an appropriate location. We recognise the need for resource recovery facilities within the Sydney basin so that increasing quantities of waste generated by a growing population can be sustainably managed. We further note that the proponent claims a 90% recovery rate thereby supporting the NSW Government targets. SSROC is therefore supportive of this development.

Whilst Process Engineered Fuel (PEF) is most commonly used in energy intensive industries such as cement-making, the documentation was not clear on the market for the PEF that is to be produced here. It would have been helpful for the proponent to clarify if the PEF is for export or for use within Australia.

Please note that, due to the timing of this submission, it has been drafted by the SSROC Secretariat, and has not been endorsed by the SSROC Delegates. Should any issues arise as a result I will contact you. For any enquiries regarding this submission, please feel free to contact me or Helen Sloan, Program Manager SSROC on 02 8396 3800 or email [ssroc@ssroc.nsw.gov.au](mailto:ssroc@ssroc.nsw.gov.au)

Yours sincerely,

A handwritten signature in blue ink that reads 'Dougall'.

Namoi Dougall  
General Manager  
Southern Sydney Regional Organisation of Councils



19 April 2016

Our Reference: SYD15/01138 (A12572510)  
Department Ref: SSD 7256

DA Coordinator  
Priority Projects, Key Sites and Industry  
Department of Planning & Environment  
GPO Box 39 SYDNEY NSW 2001

Attention: Leanne Grove

Dear Sir/Madam,

RESOURCE RECOVERY FACILITY  
35 FRANK STREET, WETHERILL PARK

Reference is made to your email dated 15 March 2016, regarding the abovementioned Application which was referred to Roads and Maritime Services (Roads and Maritime) for comment in accordance with the State Environmental Planning Policy (Infrastructure) 2007.

Roads and Maritime has reviewed the submitted documentation and raise no objection to the proposed development.

Should you have any further inquiries in relation to this matter, please do not hesitate to contact Hans Pilly Mootanah on telephone 8849 2076 or by email at [development.sydney@rms.nsw.gov.au](mailto:development.sydney@rms.nsw.gov.au)

Yours sincerely,

A handwritten signature in black ink, appearing to read 'Pahee Rathan'.

Pahee Rathan  
**Senior Land Use Planner**  
**Network and Safety Section**



File Ref. No: BFS16/465 (10043)  
TRIM Doc. No: D16/24267  
Contact: Mark Castelli

22 March 2016

The Department of Planning & Environment  
C/- Emma Barnet  
GPO Box 39  
SYDNEY NSW 2001

Email: [emma.barnet@planning.nsw.gov.au](mailto:emma.barnet@planning.nsw.gov.au)

Dear Ms Barnett

**Proposed ResourceCo Resource Recovery Facility  
35 Frank Street, Wetherill Park (SSD 15\_7256)**

I refer to the above development proposal's Environmental Impact Statement (EIS) which is currently on public exhibition (from the 17 March 2016 to the 2 May 2016).

Fire & Rescue NSW (FRNSW) have reviewed Part 12 of the EIS (Hazard & Risk Assessment) and various appendices. FRNSW note that the primary purpose of the facility is to receive waste and process it into process engineered fuel (PEF). As detailed in the exhibited documents, PEF possesses a high calorific value and therefore has significant potential to be a high fire load with associated risks.

In addition, due to the nature of materials processed, there is significant potential for contaminated fire water runoff to pollute off-site storm water management systems and water courses (e.g. Prospect Creek). Due to the significant potential there is an increased likelihood that Fire & Rescue NSW (FRNSW) personnel would need to actively manage the containment of polluted fire water runoff during a fire incident (N.b. a specific function imposed upon the Commissioner of FRNSW by virtue of Section 10A of the Fire Brigades Act 1989).

Based on our review, the following comments and recommendations are submitted to the Department of Planning & Environment (DPE) for consideration:

1. Table 1 of Appendix 8 of the EIS states that it is proposed to develop an alternative solution to address EP2.2 of the BCA. The proposed alternative solution is described as rationalising the required automatic smoke hazard management system to a smoke clearance system (presumably a system activated manually by FRNSW personnel). It is unclear whether the smoke exhaust rate is also intended to be reduced.



FRNSW considers PEF to be a material that is a special hazard as detailed in Clause E2.3 (c) of Volume One of the Building Code of Australia (BCA).

In the event of the development proposal being approved, and due to the potential high fire load nature of the development, FRNSW recommends that any conditions of consent include a requirement that the development comply with Clause E2.3 of the BCA. In addition, that the smoke hazard management system be automatically activated and have a smoke exhaust capacity that is determined by first principal assessment rather than reference to Figure 2 of Clause 3 of Specification E2.2b of the BCA.

2. Section 6.1 of the Building Code of Australia Report (Appendix 20) states that a fire hydrant system is required to be provided to the requirements of Clause E1.3 of the BCA and Australian Standard (AS) 2419.1 – 2005.

FRNSW considers PEF to be a material that is a special hazard as detailed in Clause E1.10 (a) of Volume One of the Building Code of Australia (BCA).

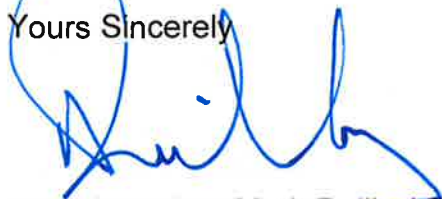
In the event of the development proposal being approved, and due to the potential high fire load nature of the development, FRNSW recommends that any conditions of consent include a requirement that the development comply with Clause E1.10 of the BCA. In particular, the fire hydrant system's performance, with respect to minimum flow rates, should be specifically addressed. FRNSW would not consider Table 2.1 of AS2419.1 – 2005 to be an appropriate methodology to determine the fire hydrant system's minimum flow rates.

3. As discussed earlier, the nature of this particular development will require FRNSW personnel to pro-actively manage the containment of polluted fire water runoff during a fire incident.

FRNSW recommends that the site's surface and storm water management systems be designed to provide FRNSW with an ability to contain contaminated fire water runoff. The design of the systems' capacities is recommended to take into account the concurrent operation of the sprinkler and fire hydrant systems.

For further information please contact Mark Castelli of the Fire Safety Assessment Unit, referencing FRNSW file number BFS16/465 (10043). Please ensure that all correspondence in relation to this matter is submitted electronically to [bfs@fire.nsw.gov.au](mailto:bfs@fire.nsw.gov.au).

Yours Sincerely



Superintendent Mark Reilly AFSM, CMIFireE  
Manager  
Fire safety Assessment Unit  
FRNSW

**In reply please quote:** 16/04398 – A1868355  
**Your Ref:** SSD 15\_7256

**Contact:** Edward Saulig on 9725 0229

4 May 2016

Emma Barnet  
Major Project Assessments  
Department of Planning and Environment  
GPO Box 39  
Sydney NSW 2001

**Attention:** emma.barnet@planning.nsw.gov.au

Dear Ms Barnet

**SSD 15\_7256 - SUBMISSION - PROPOSED WASTE AND RESOURCE  
MANAGEMENT FACILITY AT 35-37 FRANK STREET, WETHERILL PARK**

**Submission summary**

Council raises no objection to the proposal subject to issues being addressed as identified in this submission and the inclusion of conditions as recommended in the proposal's determination.

**Overview**

Council has received notification from the NSW Department of Planning and Environment of a proposed Waste and Resource Management Facility (State Significant DA) at 35-37 Frank Street (site area 2.1 ha) in the Wetherill Park Industrial Area. The project has a Capital Investment value (CIV) of approximately \$30.8 million (making the DP&E the relevant consent authority) and involves:

- Demolition of existing structures and buildings associated with a scrap metal facility previously operating on the site since the early 1980s.
- Earthworks and construction of new office/processing buildings, storage, vehicular parking and weighbridge areas for the purpose of a waste and resource management facility.
- Capability to convert up to 250,000 tonnes of raw material per annum into approximately 150,000 tonnes of processed engineering fuel (an alternative fuel used for industrial purposes including cement manufacturing) and over

75,000 tonnes of reusable commodities such as metal, wood, concrete, bricks, rubble and soil.

- Creation of 40 permanent employee positions.

The Environmental Impact Statement (EIS) prepared for the proposal indicates benefits stemming from the proposal include:

- Diversion of waste from landfill through recycling of 90% of material to be delivered on the site.
- Conversion of fossil fuel by replacing it with sustainable 'green fuel'.
- Achieving carbon emission reduction in the cement manufacturing process.
- Cost savings for industry through replacement of fossil fuel with 'green fuel'.
- Employment generation both during construction and once the facility is operating.

## **Issues for Fairfield City**

### **A. Land Use, Proposed Development and Local Impact**

Under Fairfield LEP 2013, the land use category is Zone IN1 - General Industrial and the proposed use is permissible with development consent.

Under Fairfield City Wide DCP 2013, the proposal is generally consistent with the provisions of Chapter 9 – Industrial Development. The proposed built form, site layout and design features of the development are compatible with the character of existing industrial development in the surrounding area.

The site is located centrally in the Wetherill Park Industrial, approximately 700-800m from the nearest residential properties to the east and south in Smithfield and Wetherill Park. In this regard the potential for the operations on the site to directly impact on the amenity of the residential areas of the City is considered negligible.

### **B. Traffic and Parking**

The proposal has been reviewed by Council's Traffic and Transport Branch, noting, in part:

- On weekdays at full capacity the site will generate up to 400 truck movements a day; the facility will also receive material from the general public delivered by car/trailer.
- Principle truck movements to the site are proposed to be via the existing road network servicing the Wetherill Park Industrial Area including the main arterial roads of Elizabeth Drive, Victoria Street and The Horsley Drive.

- Traffic generated by the proposal has limited potential to impact on the residential road network of the City.

Council raises no objection to the proposal subject to the following being satisfactorily addressed prior to determination:

- a) That the proposal shall be referred to the Roads and Maritime Services for comment.
- b) That the existing vehicular crossings in Frank Street shall be retained. All trucks shall enter and exit using the western vehicular crossing, to be widened to 13.5 metres and separated by a raised concrete median 1 metre wide in order to accommodate B-Double and articulated vehicles.
- c) That the existing crossing on the eastern side of the site shall be used by staff and visitor vehicles and shall be a combined driveway.
- d) That demand for car parking shall be determined by a car parking survey of a comparable facility in order to provide on-site parking.
- e) That manoeuvring on site, particularly in the vicinity of car parking space No.2 shall be re-evaluated to ensure compliance.
- f) That the applicant shall liaise with Council's Subdivision Branch in regard to replacing the drainage pit grate located within the western vehicular crossing.
- g) That the car parking areas shall be designed in accordance with AS 2890.1:2004.
- h) That a Traffic Management Plan shall be submitted for the demolition/construction activities, detailing vehicle routes, number of trucks, hours of operation, access arrangements and traffic control measures.
- i) That an Incident Management Strategy shall be submitted for crashes involving toxic and flammable loads transported on arterial and local roads.

### **C. Environmental Protection**

The proposal has been reviewed by Council's Environmental Management Branch including an assessment of safeguards included in the proposal with relevant industry standards for this form of development.

The proposal involves the establishment of a Waste and Resource Management Facility to process waste material to produce *Processed Engineering Fuel* (PEF) and other reusable commodities including aggregates, metal, timber and soil. The source material is comprised of dry mixed light loads which usually contain a mix of timber,

metals, plastics, cardboard and paper. The material stream may also include small amounts of concrete, bricks and rubble.

The proposal is listed as a scheduled activity under the NSW Protection of the Environment and Operations Act (POEO Act) and will require licensing from the NSW Environment Protection Authority. The proposed facility would operate in accordance with an Environment Protection Licence.

In the review of the EIS, the PEF is derived from commercial/industrial waste streams and provides an alternative fuel source to industries to replace fossil fuels (eg. coal). The benefits of recycling combustible waste into PEF include:

- a) Diversion of waste from landfill
- b) Conservation of natural fossil fuel by replacing it with sustainable green fuel
- c) Achieving carbon emission reduction in the cement manufacturing process
- d) Cost saving for industry through replacement of fossil fuel with PEF

The majority of materials (90%) are predicted to be recycled with 10% waste being disposed of to landfill.

The EIS (Part 15.2) contains a Draft Statement of Commitments (SoC) which details the management and mitigation measures proposed for the Waste and Resource Management Facility. One aspect of the SoC is the development of an Environmental Management Plan (EMP) for the construction and operation stages of the development. Sub sections of the EMP shall consist of:

- a) Induction and training
- b) Erosion and Sediment Control Plan
- c) Air Quality Management Plan
- d) Waste Management Plan
- e) Stormwater Management Plan
- f) Traffic Management Plan
- g) Complaints Register
- h) Hazard Reduction Plan

In addition to the above, environmental monitoring and reporting during construction and operational stages is proposed. Reporting shall include compliance reports, remedial actions taken in response to incidents, auditing and monitoring (air quality, acoustic and water quality).

In view of above, provided the recommendations made within the EIS are implemented, the proposed development should not result in a significant impact on the environment or surrounding community.

Although air quality assessment criteria are predicted to be complied with at residential sensitive receptor locations, other sensitive receptors such as workers within neighbouring industrial areas have not been identified as potentially affected.

Council recommends that the Air Quality Assessment be amended to include other sensitive receptors including locations where people work. Should air quality assessment criteria be exceeded, appropriate mitigation measures shall be recommended.

Subsequent to the above amendment, Council raises no objection to the proposal subject to the following conditions:

**Erosion and Sedimentation Control** - Prior to the commencement of any construction works on site, controls in accordance with Chapter 3.11 of the Fairfield City Wide DCP 2013 shall be implemented prior to clearing of any site vegetation, to ensure the maintenance of the environment and to contain soil erosion and sediment on the property. Erosion and sediment controls shall be maintained until all construction works are completed and all disturbed areas are restored by turfing, paving and revegetation.

The documented erosion and sediment control plan shall be available on-site for inspection by Council Officers and all contractors undertaking works on the site.

**Note:** On the spot penalties up to \$1,500 will be issued for any non-compliance with this requirement without any further notification or warning.

**During Construction or Demolition** - During the construction or demolition period, the applicant must ensure that:

- a) There is provision of a trade waste service to ensure that all debris and waste material is removed from the site for the period of construction or demolition;
- b) All plant equipment, fencing or materials of any kind is not placed or stored upon any public footpath or roadway; and
- c) Any building work is to be carried out within the following hours.
  1. Monday – Friday between the hours of 7:00am to 6:00pm and Saturday between 8:00am and 1:00pm in all zones. No work may be carried out on Sundays or public holidays.

Except that,

Building works in a IN1 zone may be carried out within the following hours:

2. Monday – Friday between the hours of 7:00am to 6:00pm and Saturday between 8:00am and 5:00pm. No work may be carried out on Sundays or public holidays.

**Note:** On the spot penalties up to \$1,500 will be issued for any non-compliance with this requirement

**Maintenance of Construction Site** - During the construction and any dormant period, the applicant must ensure that the construction and/or development site is adequately maintained, as not to be prejudicial to the surrounding neighbourhood. In the event that the construction/development site remains dormant for a period in excess of three (3) months, permanent security fencing, hoarding or scaffolding, as defined in the relevant Australian Standard and incorporating visual shielding shall be provided and maintained to the satisfaction of Council until the completion of the development or as applicable.

Signage alerting to the presence of danger and prohibiting unauthorised entry to the site and any other signage, as required by a Development Consent, shall be displayed in a prominent position.

**Note:** On the spot penalties up to \$600 will be issued and/or legal action in the form of Notices/Orders for non-compliance with this requirement will be instigated.

**Wheel Wash Facility** - All trucks leaving the site, having had access to unpaved or contaminated areas, shall depart via a wheel wash facility in order to prevent mud, dust or debris from being deposited on Council roads. In order to achieve this, a wheel wash facility shall be constructed prior to any truck movements occurring. A plan and operational guidelines for the wheel wash facility shall be submitted for approval prior to the commencement of the removal of fill material from the site. Any direction of Council with regard to cleansing trucks or the clean up of road pavements adjoining the site shall be complied with immediately.

**Monitoring of State of Roadways** - The applicant shall monitor the state of roadways leading to and from the site and shall take all necessary steps to clean up any adversely impacted road pavements as directed by Council.

**Unreasonable Noise and Vibration** - The industry, including operation of vehicles, shall be conducted so as to avoid unreasonable noise or vibration and cause no interference to adjoining or nearby occupations. Special precautions must be taken to avoid nuisance in neighbouring residential areas, particularly from machinery, vehicles, warning sirens, public address systems and the like. In the event of a noise or vibration problem arising at the time, the person in charge of the premises shall when instructed by Council, cause to be carried out, an acoustic investigation by an appropriate acoustical consultant and submit the results to Council. If required by Council, the person in charge of

the premises shall implement any or all of the recommendations of the consultant and any additional requirements of Council to Council's satisfaction.

**Lighting** - Illumination of the site is to be arranged in accordance with the requirements of Australian Standard 4282 1997 so as not to impact upon the amenity of the occupants of adjoining and nearby residential premises.

**Public Address System** - No public address system or sound amplifying equipment shall be installed so as to permit the emission of offensive noise, as defined by the Protection of the Environment Operations Act 1997, onto any private premises or public place.

**Bund Wall** - A bund wall shall be constructed around all work and liquid storage areas to prevent any spillage entering into the stormwater system. The bunded area shall provide a volume equal to 110% of the largest container stored and graded to a blind sump so as to facilitate emptying and cleansing.

**Storage of Flammable and Combustible Liquids** - Flammable and combustible liquids shall be stored in accordance with AS 1940-2004 – The Storage and Handling of Flammable and Combustible Liquids.

**Storage of Dangerous Goods** - Should any 'dangerous goods' proposed to be stored on the premises exceed the manifest quantity as prescribed by WorkCover, a Notification of Dangerous Goods on Premises (form FDG01 or FDG02) is required to be submitted to WorkCover for assessment.

**Wheel Wash Facility** - All trucks leaving the site, having had access to unpaved or contaminated areas, shall depart via a wheel wash facility in order to prevent mud, dust or debris from being deposited on Council roads. In order to achieve this, a wheel wash facility shall be constructed prior to any truck movements occurring. A plan and operational guidelines for the wheel wash facility shall be submitted for approval prior to the commencement of the removal of fill material from the site. Any direction of Council with regard to cleansing trucks or the clean up of road pavements adjoining the site shall be complied with immediately.

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**Drain Stencilling** - All stormwater drains/pits on the site shall be provided and maintained with the message; "This pit drains to the Georges River". Lettering shall be 100mm high block bold yellow painted lettering. Paints used shall be of road line marking standard.

**Environmental Reports Certification** - Within three (3) months from the date of construction of the Waste and Resource Management Facility, written certification from a suitably qualified person(s) shall be submitted to NSW Environment Protection Authority and Fairfield City Council, stating that all works/methods/procedures/control measures/recommendations approved in the following reports have been completed:

- a) Environmental Impact Statement, prepared by Nexus Environmental Planning Pty Ltd, dated 8 March 2016.
- b) Noise Impact Assessment (Report no. 15278-N Version A, prepared by Wilkinson Murray Pty Ltd, dated 28 January 2016) as contained within the Environmental Impact Statement, prepared by Nexus Environmental Planning Pty Ltd, dated 8 March 2016.

**Compliance monitoring** - An acoustic report is to be prepared and submitted to the Appropriate Regulatory Authority, for its assessment and approval within three (3) months of occupation/completion of the development. The report shall include but is not limited to the following information:

- a) Noise measurements taken at the nearing noise sensitive locations as indicated in the Noise Impact Assessment, Report no. 15278-N Version A, prepared by Wilkinson Murray Pty Ltd, dated 28 January 2016.

- b) Verification that noise levels at the nearest potentially affected receiver/s comply with all relevant assessment criteria detailed in the abovementioned report;
- c) All complaints received from local residents in relation to the operation of the premises/development.
- d) Where noise measurements required under point a) above indicate that the relevant assessment criteria are exceeded, recommendations shall be provided in relation to how noise emissions can be satisfactorily reduced to comply with the assessment criteria.

Following written approval from the Appropriate Regulatory Authority, any recommendations provided under point d) above shall be implemented fully.

**Waste classification** - Prior to the exportation of waste (including fill or soil) from the site, the material shall be classified in accordance with the provisions of the *Protection of the Environment Operations Act 1997* and NSW Environmental Protection Authority (formerly known as Department of Environment and Climate Change) "Waste Classification Guidelines Part 1: Classifying Waste". The classification of the material is essential to determine where the waste may be legally taken.

**Importation of fill material** - Any fill imported into the site must meet the criteria of "Virgin Excavated Natural Material" as defined in EPA Environmental Guidelines – Assessment Classification and Management of Liquid and Non-Liquid Wastes 1999.

'Chain of Custody' documentation shall be kept for the transport of the validated fill material from the source site. A record of 'Chain of Custody' shall be submitted to Council within seven (7) days of the fill material being moved to or from the subject site.

**Environmental Management Plan** - An Environmental Management Plan shall be prepared for the approved facility. The Plan shall be carried out by a suitably qualified environment consultant and shall address means by which the commitment in the EIS, subsequent assessment reports, approval or licence conditions will be fully implemented. The EMP shall also 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.

**Land Contamination** - Any new information which comes to light during construction works which has the potential to alter previous conclusions about site contamination and remediation must be notified to the Appropriate Regulatory Authority and Consent Authority immediately after discovery.

**Environment Protection Authority (EPA)** - The Environment Protection Authority General Terms of Approval shall be complied with at all times.

**NB:** The EPA General Terms of Approval DO NOT constitute a license under the Protection of the Environment Operations (POEO) Act 1997. The applicant is required to obtain a license from the EPA for the approved development pursuant to the POEO Act 1997, prior to the commencement of any construction works, or any works or processes associated with the proposed development.

#### **D. Section 94A Contributions**

The imposition of a Section 94A levy, in accordance with the Fairfield City Council Indirect Development Contributions Plan 2011, on this proposal is considered appropriate having regard to the long term responsibility Council has to manage the local road network. The amount payable will be 1% of the final estimated Capital Investment Value (CIV).

In this regard, Council imposes the following condition where a Section 94A contribution is payable.

##### **Section 94A Levy Development Contributions**

Prior to the issue of a Construction Certificate, a receipt for the payment to Fairfield City Council of Section 94A Levy Contributions shall be submitted to the Certifying Authority.

The Section 94A Levy as determined at the date of this consent is \$(\*).

The contribution amount payable may be adjusted at the date of payment. Any unpaid contributions will be adjusted on a quarterly basis to account for movements in the Australian Bureau of Statistics, Producer Price Index – Building Construction (New South Wales).

#### **E. Building Control and Compliance**

Council's Building Control Branch have reviewed the proposal and conducted a partial BCA review. Council raises no objection to the proposal subject to the following conditions.

**Waste Management Plan** - Prior to the issue of a Construction Certificate, a Waste Management Plan shall be submitted to and approved by the Principal Certifying Authority. The Waste Management Plan shall be prepared in accordance with the requirements of the Fairfield City Council Waste Not

DCP. The Waste Management Plan shall address the type of materials expected from demolition/construction; estimated volumes or tonnes of materials; proposed reuse or recycling methods; the contractors to be used; and the recycling outlet and/or landfill site.

**Erosion and Sediment Control Plan** - Prior to the issue of a Construction Certificate, an Erosion and Sediment Control Plan shall be submitted to and approved by the Principal Certifying Authority. The Erosion and Sediment Control Plan shall be prepared in accordance with the requirements of the Fairfield City Council's Erosion and Sediment Control Policy. The Erosion and Sediment Control Plan shall clearly show and demonstrate how erosion is to be minimised and how sediments are to be trapped on the site and prevented from escaping, transported, carried or discharged across and outside the boundaries of the site of the development or building activity.

**Sydney Water Consent** - The plans must be submitted to a Sydney Water Quick Check agent to determine whether the development will affect any Sydney Water asset and if any requirements need to be met. The plans will be appropriately stamped. All amended plans will require restamping.

Please refer to the web site [www.sydneywater.com.au](http://www.sydneywater.com.au) for:

- Quick check agents details – see Building and Developing then Quick Check; and
- Guidelines for Building Over/Adjacent to Sydney Water Assets – see Building and developing then Building and renovating

or telephone 13 20 92

**Construction Certificate Required** - Prior to the commencement of any building and construction works, a Construction Certificate is required to be issued by a Certifying Authority. Enquiries regarding the issue of a Construction Certificate can be made to Council's Customer Service Centre on 9725 0222.

**Appointment of a Principal Certifying Authority** - Prior to the commencement of any construction works, the person having benefit of a Development Consent, or Complying Development Certificate must:

- a. appoint a Principal Certifying Authority; and
- b. notify Council of the appointment.

**Notify Council of Intention to Commence Works** - The applicant must notify Council, in writing of the intention to commence works at least two (2) days prior to the commencement of any construction works on site.

**Kerb and Gutter Status Form** - Prior to the commencement of any construction works on site, the applicant shall return the attached footpath/kerb and gutter form to Council detailing the existence of, and the

condition of, any foot paving, and/or kerb and gutter provided adjoining the site for checking against Council's records. Damage to footpaths, kerbs, stormwater systems and general streetscape will require restoration at the developer's expense.

**Toilet Facility** - Prior to the commencement of any construction works on site, a flushing toilet facility is to be provided on site. The toilet must be connected to either a public sewer, or an accredited sewage management facility or to an alternative sewage management facility (chemical closet) approved by Fairfield City Council.

**Required Signage** - For building, subdivision or demolition work that will affect the external walls of the building, signage shall be installed in a prominent position detailing:

- The name, address and telephone number of the principal certifying authority for the work; and
- The name of the principal contractor (if any) of the building work and a telephone number on which that person may be contacted outside working hours; and
- Stating that unauthorised entry to the work site is prohibited.

This sign shall be maintained while the building, subdivision or demolition work is being carried out and must be removed when the work has been completed.

**Interim / Final Occupation Certificate Required** - Prior to the commencement of any use and/or occupation of the subject development (whole or part), either an Interim Occupation Certificate or Final Occupation Certificate must be issued.

Prior to the issue of any Occupation Certificate, the Principal Certifying Authority must be satisfied that the development (part or whole) is in accordance with the respective Development Consent, Construction Certificate or Complying Development Certificate.

**Interim Fire Safety Certificate** - Prior to the issue of a final/interim Occupation Certificate, a final/interim fire safety certificate shall be submitted to and approved by the Principal Certifying Authority.

**Note:** An Annual Fire Safety Statement for the building premises dealing with essential fire safety measures shall be submitted to Council in accordance with the requirements of Clauses 177 and 181 of the Environmental Planning and Assessment Regulation 2000.

**Building in Saline Environments** - The whole of the Fairfield Local Government Area is potentially saline affected, and as such appropriate

design features and building materials need to be incorporated into the construction of buildings, to minimise the risk of salt damage.

Prior to the issue of an Occupation Certificate, documentary evidence shall be submitted to the Principal Certifying Authority, certifying that the building has been constructed in accordance with Fairfield City Council's 'Building in Saline Environments Policy'.

**Compliance with the Building Code of Australia** - All building work must be carried out in accordance with the provisions of the Building Code of Australia. Compliance with the performance requirements can only be achieved by:

- a. complying with the deemed-to-satisfy provisions; or
- b. formulating an alternative solution which:
  - i. complies with the performance requirements; or
  - ii. is shown to be at least equivalent to the deemed-to-satisfy provisions; or
- c. a combination of (a) and (b).

**Administration Fee for the Lodgement of Certificates** - Where a Principal Certifying Authority has been appointed other than Council, an administration fee is charged by Council for the lodgement of Construction Certificates, Interim Occupation Certificates, Occupation Certificates and Complying Development Certificates.

Thank you for the opportunity to comment.

For more information, please call 9725 0229.

Yours faithfully,



Edward Saulig  
**STRATEGIC LAND USE PLANNER**



DOC16/192801

Ms Leanne Grove  
DA Coordinator  
Priority Projects, Key Sites & Industry  
GPO Box 39  
SYDNEY NSW 2001

**EMAIL**

**2 May 2016**

Dear Ms Grove,

**ResourceCo Resource Recovery Facility Wetherill Park SSD 7256**

I am writing in response to the Department of Planning and Environment's ("DoPE") request for the Environment Protection Authority ("EPA") to review State Significant Development ("SSD") Application No.7256.

I understand that ResourceCo RRF Pty Ltd ("the Proponent") is seeking development consent to establish a waste and resource management facility at No.35-37 Frank Street, Wetherill Park ("the Premises"). The facility proposes to process waste material to produce Processed Engineering Fuel (PEF) and other reusable commodities including aggregates, metal, timber and soil.

After reviewing the EIS and technical reports, the EPA has determined that the application does not meet the Secretary's Environmental Assessment Requirements and the EPA is unable to recommend approval of this proposal in its current form.

The EPA requires additional information to be included in the EIS for the EPA to be able to properly assess impacts of the project. Please refer to Attachment A for details of the issues identified in the application provided.

The EPA has reviewed the following documents:

- *Volume 1 Environmental Impact Statement Waste And Resource Management Facility SSD 15-7256 ResourceCo Pty Ltd 35-37 Frank Street Wetherill Park*, prepared by Nexus Environmental Planning Pty Ltd, dated 8 March 2016
- *Waste And Resource Management Facility Air Quality Impact Assessment Report No. 15278-AQ Version A*, prepared by Wilkinson Murray Pty Limited, dated 28 January 2016
- *Frank Street, Wetherill Park Waste & Resource Management Facility Noise Impact Assessment Report*, No. 15278-N Version A, prepared by Wilkinson Murray Pty Limited, dated 28 January 2016
- *Waste and Resource Management Facility Surface Water Assessment*, prepared by Advisian, dated 27 January 2016
- *Architectural Plans* prepared by Bell Architecture dated 27 January 2016.

If you have any questions regarding this matter, please contact Melissa Ward on 9995 5747.

Yours sincerely

A handwritten signature in black ink that reads "Spitts." The signature is written in a cursive style with a large, looping initial 'S'.

**DEANNE PITTS**  
**A/Unit Head Waste Compliance**  
**Environment Protection Authority**

Contact officer: MELISSA WARD  
(02) 9995 5747

## **Attachment A**

State Significant Development (“SSD”) 15\_7256 has been submitted to the Department of Planning & Environment’s (“DoPE”), seeking development consent to establish a waste and resource management facility at No.35-37 Frank Street, Wetherill Park (“the Premises”). The EPA has reviewed the Environmental Impact Statement provided. We have determined that the Environmental Impact Statement (“EIS”) does not contain sufficient information for the EPA to adequately assess the impacts of the proposed development. The EPA requires the following additional information.

### **1. Energy from Waste**

The application provides limited information to demonstrate compliance with elements of the *NSW Energy from Waste Policy* (“the Policy”) that apply to Processed Engineered Fuel (“PEF”) proposals. EPA requires the following additional information to allow an assessment of the proposal under the Policy:

- i. Additional information on each waste stream to be received at facility including:
  - a. quantities - maximum volume of each waste type to be stored onsite at any one time and the maximum throughput of each waste type;
  - b. specifications;
  - c. suppliers;
  - d. upstream management procedures (to support waste specifications and controls for non-conforming wastes as well as PVC and hazardous materials); and
  - e. current destination for each waste stream.
- ii. Demonstrated compliance with resource recovery criteria in Table 1 of the Policy for each waste stream.
- iii. More information on contaminated material management of waste inputs including:
  - a. detailed information on procedures for hazardous material identification and removal;
  - b. controls and management for the removal of halogenated substances (including PVC materials); and
  - c. quarantine and management protocols for identified hazardous materials.
- iv. Additional information on the halogenated substances contained in the PEF including laboratory test results of current residual waste to landfill and expected PEF material post processing. Facilities in NSW using the PEF will be required to demonstrate the content of halogenated substances in waste fuels and Group 6 emissions standards within the *Protection of the Environment Operations (Clean Air) Regulation 2010*, as outlined in the Technical Criteria of the Policy.
- v. PEF is not being used on site and no information on the destination for this material is provided. More information is required to detail contingency management plans for the PEF material. For example, failure of pickup and transport, resulting in stockpiling of PEF.
- vi. Specific export requirements apply to the export and transport of waste materials. The Proponent must ensure that they comply with all relevant requirements.
- vii. More information to describe how the development is consistent with the aims and objectives in the *NSW Waste Avoidance and Resource Recovery Strategy 2014-2021*.

### **2. Noise**

The EPA has reviewed the Noise Impact Assessment (“NIA”) and requires the following additional information:

- viii. The proposed site is to operate mainly during daytime and evening hours, however some activities will occur during the early morning and night-time periods. As such we require the

Proponent assess any potential sleep disturbance impacts. There may be a potential for short-term noise events from activities such as dumping onto the tipping floor, shredding, and metal-on-metal impacts. There may also be some potential for explosive events from gas bottles in the incoming waste stream. The sleep disturbance assessment must also detail how short noise events term and the potential for gas bottle explosions will be managed and, if necessary, mitigated.

- ix. Noise monitoring has only been carried out at Res 1 – Maugham Crescent. It is possible that the background noise levels at Res 2 – Hassel Street and Res 3 – Chifley Street will be lower than those at Res 1 as they are further removed from the traffic noise influence of The Horsley Drive. Background noise levels at Res 2 and 3 should be considered.
- x. It is unclear how the criteria for evening and night-time periods at receiver Res 1 were derived in Table 4-3 of the NIA. The Proponent must provide an explanation for the derivation process in the text accompanying the table.
- xi. The NIA identified prevailing westerly winds in Section 5.1, however Section 4 states that a highest tenth percentile modelling approach was used in the assessment. The report must clarify which method was used to predict noise emission levels under adverse meteorological conditions.
- xii. Table 7-2 of the NIA states that the daytime construction noise management level is 58 dBA for receivers Res 1 to Res 4. As the daytime rating background level for Res 1 is 47 dBA, this value must be revised to 57 dBA.

### 3. Air

The EPA has undertaken a review of the Air Quality Impact Assessment (AQIA) and requires that the AQIA and notes that the assessment is incomplete. There is no estimation of impacts to the air environment from construction (being earthworks and building) of the proposal. The Proponent must include construction impacts in their assessment.

### 4. Water

The EPA has reviewed the EIS and determined that additional information is required to ensure that all water pollution risks are identified and appropriately managed.

#### Stormwater / wastewater / leachate management systems

It is unclear how wastewater from material processing or leachate from waste stockpiles will be managed. The EIS indicates that water will be used for waste processing, namely dust suppression, however the fate of this process water is unclear.

The EIS includes a proposed treatment train but it is unclear if this only applies to stormwater. As there will be a range of materials stored and processed at the Site there is potential for a range of non-trivial pollutants to be potentially present in process water. The proposed stormwater pollution control system would be unlikely to adequately treat pollutants other than those typically found in stormwater.

Further information is required to demonstrate how contaminated run off will be managed and appropriately disposed of. If a discharge is proposed further information is required regarding how contaminated runoff will be treated to an appropriate level prior to discharge. The Proponent must clearly demonstrate:

- xiii. how stormwater and contaminated runoff will be managed, including:
  - a. areas that discharge direct to stormwater (e.g. carpark; roofs); and
  - b. areas that receive contaminated runoff;
- xiv. how leachate and process water will be managed, including detail of the fate and treatment of any contaminated water and the practical measures that will be taken to ensure it does not enter stormwater infrastructure.

### Potential impacts on watercourses and groundwater

The EPA understands that discharges will potentially occur from the sediment basin and a stormwater drain at the southern boundary of the Premises. However it is unclear if the sediment basin will only receive stormwater. If the sediment basin is to receive wastewater from the premises the Proponent will need to consider all pollutants potentially present that pose a risk of non-trivial harm to human health or the environment and assess the potential impacts on receiving waters.

In addition the proponent has not considered the environmental values of Prospect Creek or the practical measures that could be taken to restore or maintain those values.

The EPA requires the EIS includes an assessment of the impact of any proposed discharge from the Premises including:

- xv. characterisation of the water, identifying all pollutants that pose a risk of non-trivial harm to human health or the environment, including their concentrations and loads;
- xvi. an assessment of the expected frequency and volume of discharges;
- xvii. an appraisal of the practical measures that can be taken to prevent, control, abate or mitigate the pollution and protect the environment from harm;
- xviii. a description of the receiving environment, including the environmental values of the receiving waters affected by any discharge and the practical measures that could be taken to restore or maintain those environmental values; and
- xix. an assessment of the nature and degree of impact that any proposed discharge will have on the receiving environment. This must include consideration of the indicators and associated trigger values or criteria for the identified environmental values with reference to ANZECC (2000) Guidelines.

### Site Water Balance

The water balance detailed in the EIS focusses on the water demands of the proposed facility rather than water outputs. In addition, there appears to be no analysis or statement regarding the volume and frequency of overflow discharges. The EPA requires that the EIS includes:

- xx. a comprehensive water balance which quantifies all water inputs and outputs including, but not limited to, the water used in processing the waste.



OUT16/17750

Ms Emma Barnet  
Industry Assessments  
NSW Department of Planning and Environment  
GPO Box 39  
SYDNEY NSW 2001

Emma.barnet@planning.nsw.gov.au

Dear Ms Barnet

**ResourceGo Resource Recovery Facility Wetherill Park (SSD 7256)  
Comment on the Environmental Impact Statement**

I refer to your letter/email dated 16 March 2016 to the Department of Primary Industries in respect to the above matter. Comment has been sought from DPI Water and DPI Fisheries. DPI Fisheries advise no further issues. DPI Water comments are as follows. Any further referrals to DPI can be sent by email to [landuse.enquiries@dpi.nsw.gov.au](mailto:landuse.enquiries@dpi.nsw.gov.au).

Comment by DPI Water

DPI Water has reviewed the Environmental Impact Statement (EIS) and provides the following comments:

The SEARs require the EIS to assess potential impacts on groundwater. The EIS notes the site would be fully sealed and would therefore have no impact on any groundwater underlying the site (see Section 9.6, page 9.8). It also indicates significant earthworks would be required to achieve a level site and the site works would include cut and fill (see Section 13.4.2, page 13.5). It is unclear if the proposed cut is likely to intercept groundwater.

Should excavation intercept groundwater and there is a requirement to extract groundwater or to dewater, including any ongoing take of groundwater, then DPI Water needs to be advised and a licence may be required.

For further information please contact Janne Grose, Water Regulation Officer at DPI Water (Parramatta office) on t: (02) 8838 7505; e: [janne.grose@dpi.nsw.gov.au](mailto:janne.grose@dpi.nsw.gov.au):

Yours sincerely

Mitchell Isaacs  
**Director, Planning Policy & Assessment Advice**  
02/05/2016