



ResourceCo Waste & Resource Management Facility

*State Significant
Development
Modification Assessment
(SSD 7256 MOD 1)*



September 2018

© Crown Copyright, State of NSW through its Department of Planning and Environment 2018

Cover photo

Road sign to waste facility in Wetherill Park, NSW.

Disclaimer

While every reasonable effort has been made to ensure this document is correct at time of printing, the State of NSW, its agents and employees, disclaim any and all liability to any person in respect of anything or the consequences of anything done or omitted to be done in reliance or upon the whole or any part of this document.

Copyright notice

In keeping with the NSW Government's commitment to encourage the availability of information, you are welcome to reproduce the material that appears in ResourceCo Waste & Resource Management Facility State Significant Modification Assessment (SSD 7256 MOD 1). This material is licensed under the Creative Commons Attribution 4.0 International (CC BY 4.0). You are required to comply with the terms of CC BY 4.0 and the requirements of the Department of Planning and Environment. More information can be found at: <http://www.planning.nsw.gov.au/Copyright-and-Disclaimer>.



Glossary

Abbreviation	Definition
C&D	Construction and Demolition
C&I	Commercial and Industrial
Consent	Development Consent
Council	Fairfield City Council
Department	Department of Planning and Environment
EIS	Environmental Impact Statement
EPA	Environment Protection Authority
EP&A Act	<i>Environmental Planning and Assessment Act 1979</i>
EP&A Regulation	<i>Environmental Planning and Assessment Regulation 2000</i>
EPI	Environmental Planning Instrument
FRNSW	Fire and Rescue NSW
Minister	Minister for Planning
MSW	Municipal solid waste
PEF	Processed Engineered Fuel
Secretary	Secretary of the Department of Planning and Environment
SEPP	State Environmental Planning Policy
SRD SEPP	State Environmental Planning Policy (State and Regional Development) 2011
SSD	State Significant Development
WRMF	Waste and resource management facility



Contents

Glossary	iii
1. Introduction.....	1
1.1 Background	1
1.2 Approval History	2
2. Proposed Modification	3
3. Strategic Context.....	5
4. Statutory Context	6
4.1 Scope of Modifications	6
4.2 Consent Authority	6
5. Engagement	7
5.1 Department's Engagement.....	7
6. Assessment.....	8
7. Evaluation	10
8. Recommendation	11
9. Determination.....	12
Appendices.....	13
Appendix A – List of Documents.....	13
Appendix B – Modification Application	14
Appendix C – Submissions	15
Appendix D – Notice of Modification	16



1. Introduction

This report assesses a modification application by ResourceCo RRF Pty Ltd (the Applicant) to enclose the approved baling and wrapping machinery at its Waste and Resource Management Facility (WRMF) in Wetherill Park. The application has been lodged pursuant to section 4.55(1A) of the *Environmental Planning and Assessment Act 1979* (EP&A Act).

1.1 Background

The Applicant has constructed a WRMF at 35-37 Frank Street, Wetherill Park in the Fairfield local government area (LGA) (see **Figure 1**). The WRMF is capable of processing up to 250,000 tonnes per annum (tpa) of commercial and industrial (C&I) waste, construction and demolition (C&D) waste and municipal solid waste (MSW). The WRMF converts the combustible portion of the waste stream into an alternative fuel known as Process Engineered Fuel (PEF).

The PEF is intended as an alternative fuel primarily in the Australian cement industry, however it will be diverted to overseas markets as a contingency where there are disruptions in the Australian market. PEF to be sent overseas will be compacted, baled, wrapped in plastic wrap and then stored temporarily on-site prior to being loaded into shipping containers and removed by semi-trailers. PEF for use in Australia will be loaded in loose form into trucks for removal off-site. In addition, non-combustible commodities such as metals, wood, concrete, bricks, rubble and soil will be separated and transported off-site for reuse. Any remaining, non-recyclable waste will be removed for disposal at an appropriately licensed landfill.

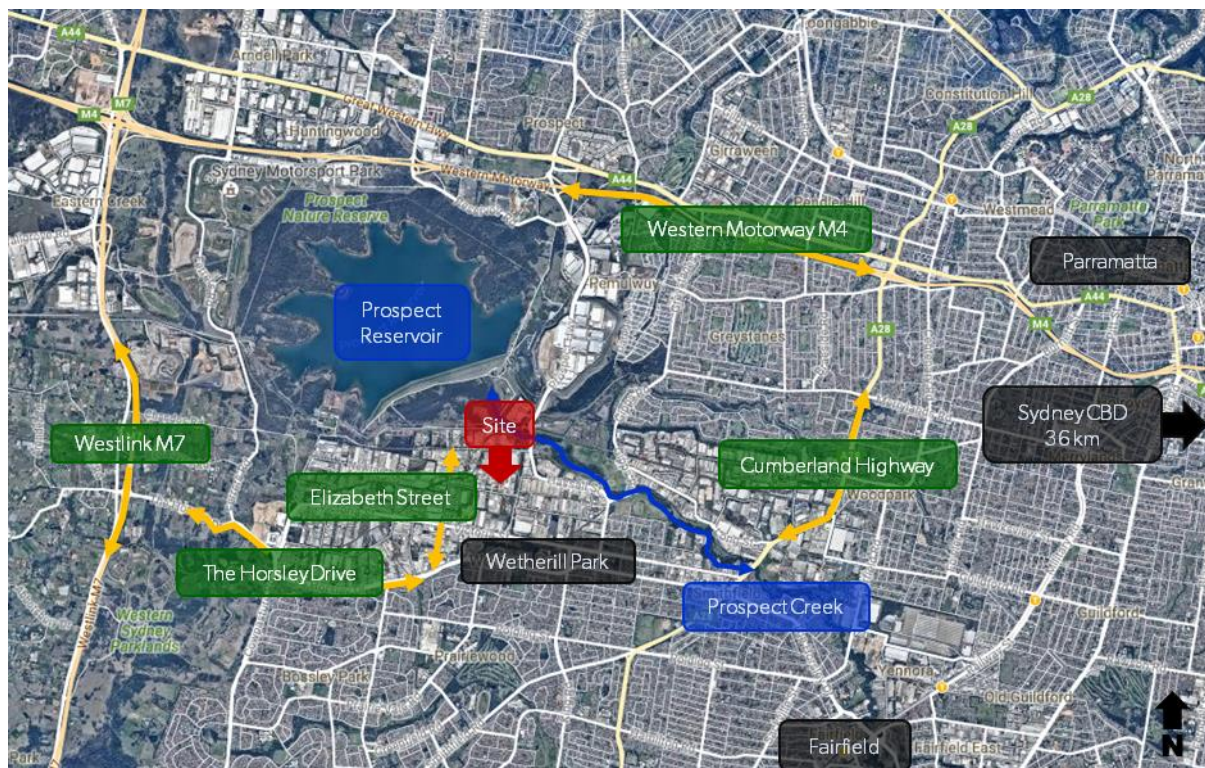


Figure 1 | Site Location

The site is situated in the Wetherill Park industrial estate within the wider Smithfield/Wetherill Park industrial area, a key manufacturing and distribution hub in Greater Western Sydney. Along the south-east and north-east

boundary of the industrial estate is a mix of recreational and low density residential lands. The nearest sensitive receiver, a residence at Maugham Crescent, is approximately 840 metres (m) south of the site. Prospect Creek is approximately 700 m north of the site.

During assessment of the SSD application for the WRMF, the Department raised concerns regarding the potential for leachate generation caused by rainwater entering the PEF baler and wrapper. The PEF baler and wrapper are located external to the PEF manufacturing building under an awning. The Department was ultimately satisfied there would be a very low potential for leachate generation from the baler and wrapper. However, the Applicant now requests to enclose the machinery within a structure to further reduce the potential to generate leachate and the potential spread of litter or debris from the baler and wrapper operations.

1.2 Approval History

On 10 April 2017, development consent was granted by the then Minister for Planning for the development of the ResourceCo WRMF (SSD 7256). The development consent permits the following works:

- construction of the WRMF
- operation of the WRMF with a waste throughput of 250,000 tpa.



2. Proposed Modification

The Applicant has lodged a modification application under section 4.55(1A) of the EP&A Act for the construction of a three-sided structure around the baling and wrapping machinery, within the footprint of the roof awning. The modification application was lodged early 2018, however it was placed on hold for several months at the request of the Applicant. At the time, construction was nearing completion and the Applicant did not want to create complexity during the certification and occupancy stages of the development.

The modification is described in full in the modification application included in **Appendix B**. The on-site context of the enclosure structure is illustrated in **Figure 2**.

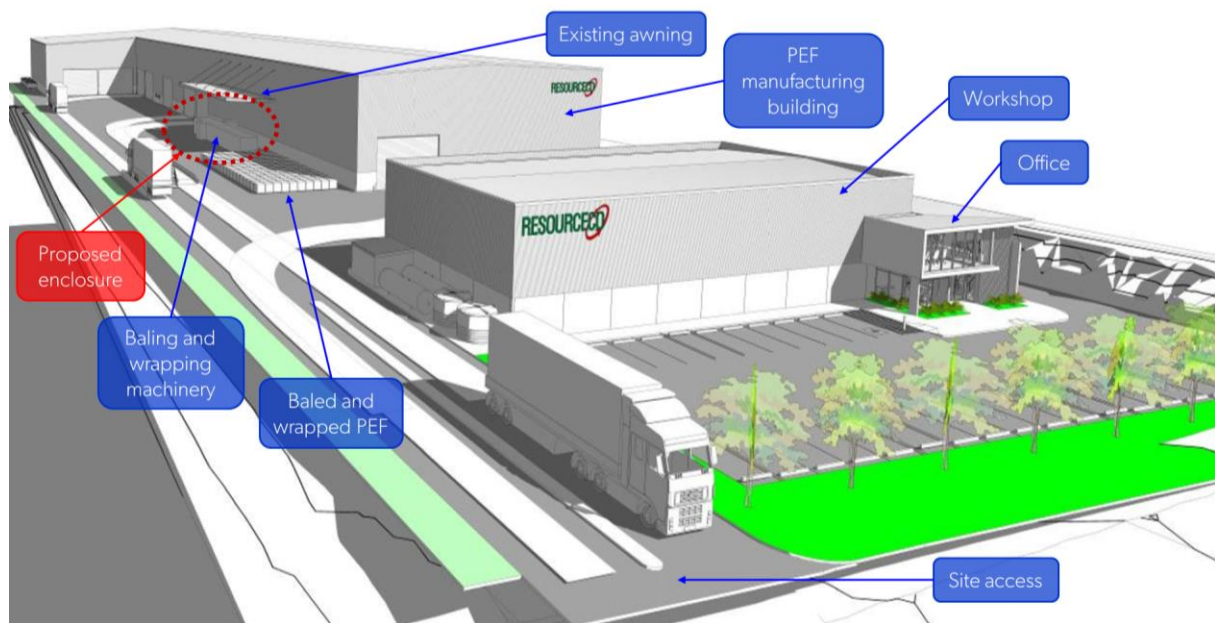


Figure 2 | Location of Enclosure for Baler and Wrapper

The proposed modification would not result in an increase in the WRMF production capacity or change in the operational processes. The proposed enclosure would be constructed of colorbond cladding on a steel frame and would be connected to the PEF manufacturing building. The existing awning, while independent of the proposed enclosure, would provide weather protection. The cladding would be the same colour (Surfmist) as the colorbond portion of the existing buildings. Baled and wrapped PEF would be removed by a conveyor through a small opening on the southern side of the proposed enclosure and placed in the adjacent baled PEF storage area awaiting transportation off-site. Details of the enclosure structure are provided in **Figure 3**.

The existing approved roof awning sprinkler system would remain and the baler and wrapper would still be accessible by the existing fire hydrant and hose reels.

The Applicant has justified the proposed modification by suggesting it is an improvement to the existing approved development as it would increase the site's visual appeal and eliminate the potential for leachate and litter generation by the baler and wrapper activities.

Construction of the enclosure is estimated to take three months.

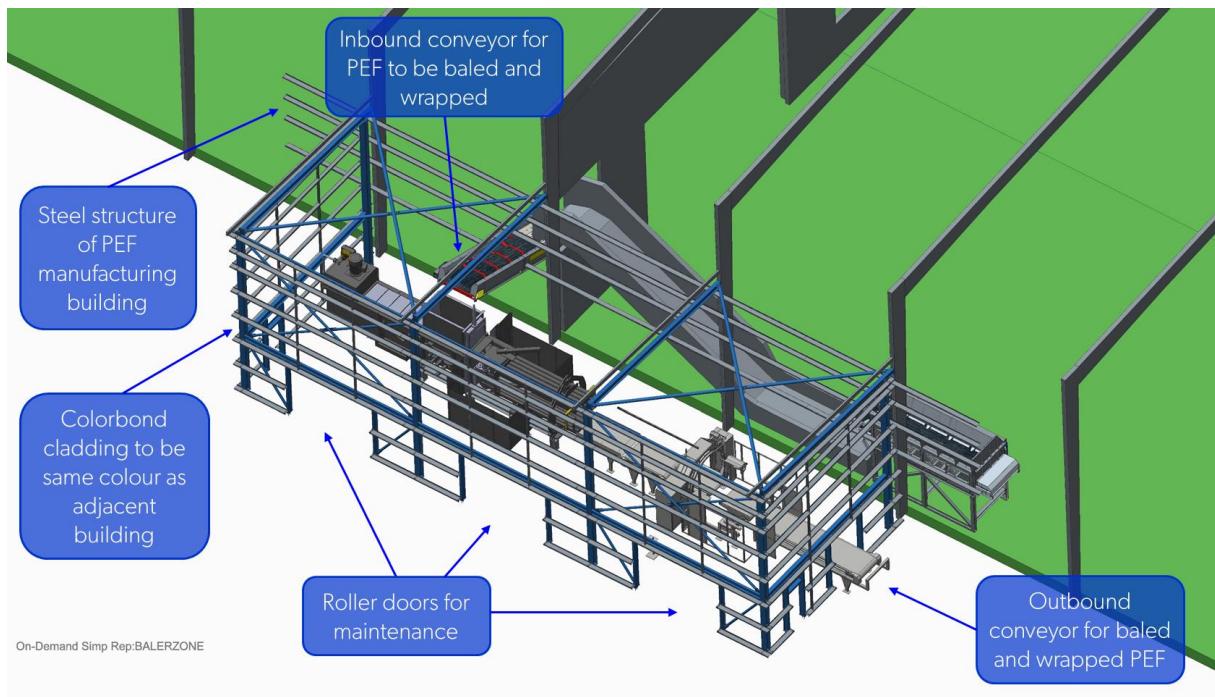


Figure 3 | Detail of Enclosure Structure around Baler and Wrapper



3. Strategic Context

One of the Premier's key priorities is 'Creating Jobs' in which the NSW Government aims to provide 150,000 new jobs by 2019. The development would continue to contribute toward 'Creating Jobs' by providing 34 construction jobs and 40 operational jobs in the Fairfield LGA. The development also represents over \$24 million capital investment in industrial development that would service other industries in western Sydney.

The development is also consistent with the directions and objectives outlined in *A Metropolis of Three Cities*, primarily as it would assist in ensuring more waste is re-used and recycled to support the development of a circular economy (Objective 35).

The Greater Sydney Commission has released six district plans encompassing Greater Sydney, which will guide the delivery of *A Metropolis of Three Cities*. The proposed development is located in the Western City District, which is identified as one of the fastest growing districts in Greater Sydney. The proposed development would assist in meeting Actions 83 and 84 of the district plan as it supports the reduction of waste volume through increased waste reuse and recycling.

Waste Avoidance and Resource Recovery Strategy

Reducing waste and keeping materials circulating within the economy are priorities for the NSW government. To meet this challenge, the government has prepared a state-wide WARR Strategy. The strategy sets waste recovery targets to be achieved by 2021–22, comprising:

- C&I from 57% (in 2010–11) to 70%
- C&D from 75% (in 2010–11) to 80%
- MSW from 52% (in 2010–11) to 70%
- increase the waste diverted from landfill from 63% (in 2010–11) to 75%.

By utilising waste material that would otherwise be destined for landfill, the proposed modification would continue to contribute to the State's recovery performance in both C&I and C&D waste.



4. Statutory Context

4.1 Scope of Modifications

The Department has reviewed the scope of the modification application and is satisfied the proposed modification would result in minimal environmental impacts, and relates to substantially the same development as the original development consent on the basis that:

- the primary function and purpose of the approved project would not change due to the modification
- the modification is of a scale that warrants the use of section 4.55(1A) of the EP&A Act
- the approved waste processing rate of 250,000 tpa, including PEF production, would not change
- any potential environmental impacts would be minimal and appropriately managed through the existing or modified conditions of approval.

Therefore, the Department is satisfied the proposed modification is within the scope of section 4.55(1A) of the EP&A Act and does not constitute a new development application. Accordingly, the Department considers that the application should be assessed and determined under section 4.55(1A) of the EP&A Act rather than requiring a new development application to be lodged.

4.2 Consent Authority

The Minister for Planning is the consent authority for the application under section 4.5(1) of the EP&A Act. Under the Minister's delegation of 11 October 2017, the Director, Industry Assessments, may determine the application under delegation as:

- the relevant local council has not made an objection
- a political disclosure statement has not been made
- there are no public submissions in the nature of objections.



5. Engagement

5.1 Department's Engagement

Clause 117(3B) of the *Environmental Planning and Assessment Regulation 2000* (EP&A Regulation) specifies that the notification requirements of the EP&A Regulation do not apply to State significant development. The application was not notified or advertised, however, it was made publicly available on the Department's website. The application was also referred to Fairfield City Council (Council) and the Environment Protection Authority (EPA) for comment.

Council and the **EPA** advised they raised no objections to the modification and had no further comments.



6. Assessment

Department has considered the:

- the Modification Application provided to support the proposed modification (see **Appendix B**)
- the assessment report for the original development application
- submissions from the EPA and Council (**Appendix C**)
- relevant environmental planning instruments, policies and guidelines
- requirements of the EP&A Act, including the objects of the EP&A Act.

The Department considers the key assessment issues are:

- leachate and firewater management
- fire risk
- visual impacts.

The Department's assessment of these issues is provided in **Table 1**.

Table 1 | Assessment of Issues

Issue	Assessment	Recommended Conditions
Leachate and Firewater Management	<ul style="list-style-type: none">• The addition of an enclosed area would have the potential to impact leachate generation and firewater management requirements.• The baler and wrapper are currently located external to the PEF manufacturing building under an awning with a fire suppression system installed below the awning.• As currently approved, there is little risk of rainwater exposure to the PEF. The PEF is sheltered by the awning and wholly contained within the baling and wrapping machinery until it is wrapped in plastic. However, there remains a small potential for stormwater to receive contaminants during extreme rain events.• As part of the approved development, any leachate generated in the PEF baling area would be treated by the stormwater pollution control system before discharge from site.• The Applicant's modification application states the construction of the proposed structure would have a positive impact on the potential for leachate generation.• The Department is satisfied the modification would prevent rainwater from reaching the baler and wrapper, thereby eliminating the potential for leachate generation from the baling and wrapping operations.• The Department had concerns regarding the management of firewater in the enclosure area and requested further information from the Applicant.• The Applicant confirmed that in the event of a fire, the fire suppression (sprinkler) system would be activated and an isolation valve in the stormwater discharge would automatically close. The isolation valve would only be re-opened manually through the fire system panel, ensuring any contaminated fire water does not enter the stormwater main.• Olsson Fire & Risk prepared a Fire Engineering Report, dated 5 October 2017, and supplementary advice, dated 30 January 2018. The documents confirm the building must be able to retain 470,000	No conditions are recommended.

litres of contaminated fire water and the proposed modification would not change this requirement.

- The Department was satisfied there would be negligible risk of leachate generation from the external PEF baler and wrapper area during the assessment of the original SSD application. The proposed enclosure of the PEF baler would further reduce the potential for leachate generation.
- The existing conditions of consent require the Applicant to review, and if necessary revise, the Leachate Management Plan following the approval of a modification application. The Leachate Management Plan covers leachate and firewater at the site, including the PEF baling and wrapping area. As such, no additional conditions are recommended.

Fire Risk	<ul style="list-style-type: none"> • A Hazards and Risk Assessment was included as part of the original SSD application which identified fires (equipment, raw material and finished product) as one of the greatest sources of risk for off-site impacts. • The Fire Engineering Report, dated 5 October 2017, outlines the fire safety features required based on the characteristics of the development. • The proposed modification would alter the built form of the development through the addition of an enclosed space, having the potential to impact the required fire safety features. • Supplementary advice from Olsson Fire & Risk, dated 30 January 2018, confirmed the proposed additional structure would not change the conclusions of the Fire Engineering Report, however recommended additional fire equipment be installed. • Additional fire equipment includes sprinkler protection underneath equipment as well as hydrant and hose reel coverage. • The Department is satisfied any additional fire risk from the proposed enclosure would be minimised via the recommendations provided from Olsson Fire & Risk. • The existing conditions of consent require the Applicant to prepare the final design of the development to the satisfaction of FRNSW. Further, the Applicant must store all chemicals, fuels and oils in accordance with Australian Standard. As such, the Department concludes fire risk is sufficiently addressed via the existing conditions of consent. 	No conditions are recommended.
Visual Impacts	<ul style="list-style-type: none"> • The addition of the enclosure around the baler and wrapper has the potential to impact the visual amenity of the facility. • A Visual Impact Assessment (VIA) was included as part of the original SSD application. The VIA concluded that the visual character of the development would be consistent with its surrounding existing industrial precinct, therefore the visual impact would be negligible. • No assessment of the visual impacts was provided with the modification application, however the Applicant maintains the visual appeal of the WRMF would be improved through better control of debris and litter by enclosure of the baler and wrapper. • The Department is satisfied the overall aesthetics of the facility would be improved because the enclosure would reduce litter propagation, would be the same material (Colorbond) and colour as the main processing building and would screen the PEF baling and wrapping machinery from view. • The Department's assessment concludes there would be no adverse visual impacts from the modification, and the overall visual appeal would be improved. • The Department recommends the conditions be updated to include the revised plans which include the additional enclosure. 	Update the plans in Appendix A.



7. *Evaluation*

The Department has assessed the proposed modification in accordance with the relevant requirements of the EP&A Act.

The Department considers the proposed modification can be undertaken on the basis it would:

- result in minimal environmental impacts beyond the approved facility
- eliminate the risk of leachate generation from rainwater penetrating PEF inside the baler and wrapper
- continue to sufficiently manage contaminated fire water and meet fire safety requirements
- reduce the risk of escape of litter and debris from the baling and wrapping operations
- improve the visual appeal of the development by screening the PEF baling and wrapping machinery.

The Department is satisfied that the modification should be approved, subject to conditions.



8. Recommendation

It is recommended that the Director, Industry Assessments, as delegate of the Minister for Planning;

- **considers** the findings and recommendations of this report
- **determines** that the application SSD 7256 MOD 1 falls within the scope of section 4.55(1A) of the EP&A Act
- **accepts and adopts** all of the findings and recommendations in this report as the reasons for making the decision to grant consent to the application
- **agrees** with the key reasons for approval listed in the draft notice of decision;
- **modify** the consent SSD 7256
- **signs** the attached approval of the modification (**Attachment D**).

Recommended by:

Bianca Thornton 18/9/18

Bianca Thornton

Planning Officer

Industry Assessments

Recommended by:

Kelly McNicol 18/09/18

Kelly McNicol

Team Leader

Industry Assessments



9. Determination

The recommendation is: **Adopted / Not adopted by:**

C. Ritchie

Chris Ritchie

Director

Industry Assessments

24/9/18



Appendices

Appendix A – List of Documents

The Department has considered the:

- Application to Modify Development Consent – SSD 7256, prepared by ResourceCo RRF Pty Ltd, dated 31 January 2018 and all attachments
- Fire Engineering Report (Document S15332, Revision FER 2.0), prepared by Olsson Fire & Risk Consulting Engineers, dated 5 October 2017
- additional information provided via email by ResourceCo RRF Pty Ltd, dated 28 August 2018
- advice from Fairfield City Council and the Environment Protection Authority
- 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
- State Significant Development Assessment: ResourceCo Pty Ltd, Waste and Resource Management Facility, Wetherill Park, SSD 7256, prepared by the Department of Planning and Environment, dated March 2017
- existing conditions of consent
- relevant environmental planning instruments, policies and guidelines
- relevant requirements of the EP&A Act.

Appendix B – Modification Application

Available on the Department's website at:

http://www.majorprojects.planning.nsw.gov.au/index.pl?action=view_job&job_id=7256

Appendix C – Submissions

Available on the Department's website at:

http://www.majorprojects.planning.nsw.gov.au/index.pl?action=view_job&job_id=7256

Appendix D – Notice of Modification

Available on the Department's website at:

http://www.majorprojects.planning.nsw.gov.au/index.pl?action=view_job&job_id=7256