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Sheelagh Laguna  
Acting Team Leader  
Industry Assessments  
Department of Planning and Environment

4 Parramatta Square  
12 Darcy Street  
Parramatta NSW 2150

10 August 2022

**Attention: Sheelagh Laguna**

**RE: PLANNING SUBMISSION IN RELATION TO THE STATE SIGNIFICANT DEVELOPMENT APPLICATION – SSD-11606719**

**PROPERTY AT: 1 KANGAROO AVENUE, EASTERN CREEK (LOTS 1-2 DP 1145808, LOT 2 DP 1247691, LOT 7 DP 1200048)**

Dear Sheelagh,

Reference is made in relation to the State Significant Development (SSD) Application – SSD-11506719 (The Proposal). This submission is made on behalf of Dexus Funds Management Limited ACN 060 920 783 (Dexus) in relation to the increase in throughput of the existing Eastern Creek Recycling Ecology Park, including the upgrade of supporting site infrastructure at 1 Kangaroo Avenue, Eastern Creek (Lots 1-2 DP 1145808, Lot 2 DP 1247691, Lot 7 DP 1200048) (the Site) located within the Blacktown City Local Government Area (LGA).

## **1. INTRODUCTION**

This Submission seeks to inform objections and provide recommendations to the parties of interest including the NSW Department of Planning and Environment (NSW DPE) in relation to the SSD Application lodged by Dial-A-Dump (EC) Pty Ltd (the Applicant) (as owned by Bingo Industries Pty Ltd) with the NSW DPE.

Dexus has a landholding to the east of the Site at 2 Alspec Road, Eastern Creek which currently contains a warehouse and distribution centre. As such, Dexus is significantly invested in the area and stands to be directly impacted upon by the Proposal as outlined in **Section 6** of this Submission.

## **2. PROPOSAL OVERVIEW**

The subject SSD-11606719 seeks development consent to increase the throughput of waste at the existing Eastern Creek Recycling Ecology Park from 2,000,000 tonnes per annum (tpa) to 2,950,000 tpa and includes provision for the upgrade of supporting infrastructure, including new exit connections to the Honeycomb Drive extension and Kangaroo Avenue; installation of weighbridges; upgrade of internal roads and carparking; and a new skip bin maintenance and manufacturing workshop. It is proposed to develop the Site in three (3) stages:



- *Stage 1: Initial throughput and onsite upgrades: Stage 1 would comprise 500,000 tpa of additional throughput to be received at the Eastern Creek REP to enhance resource recovery outcomes by increasing utilisation of onsite processing capabilities*
- *Stage 2: Internal site optimisation: Stage 2 would facilitate the remaining throughput increase (an additional 450,000 tpa of the total 950,000 tpa proposed) to be received and processed across the Eastern Creek REP and operation of one of the two proposed new exit connections. Stage 2 would include:*
  - *The construction and operation of a new exit connection to Precinct Road and installation of two associated outbound weighbridges*
  - *The construction and operation of a new exit connection to Kangaroo Avenue in the north east of the Site and the installation of two associated outbound weighbridges and a dedicated weighbridge office*
  - *Earthworks for Stage 3 site establishment*
  - *Additional carparking and amenities*
- *Stage 3: Installation of supporting infrastructure: Stage 3 would comprise the redevelopment of the north-eastern corner of the Site. This would comprise:*
  - *Construction and operation of a workshop and maintenance shed (relocating this activity from elsewhere within the Site to a dedicated enclosed facility)*
  - *Construction and operation of a skip bin manufacturing and repair workshop*
  - *Installation of landscaping, signage, security fencing and finishing works*

### **3. APPLICATION ON EXHIBITION**

It is understood that the SSD Application has been lodged by the Applicant, which is on public exhibition from Thursday 14 July 2022 until Wednesday 10 August 2022.

### **4. REVIEW OF THE SSD-11606719 AND SUBMISSION IN OBJECTION**

The documentation pertaining to the Proposal that has been reviewed, includes (but not limited to):

- Environmental Impact Statement (EIS)
- Traffic Impact Assessment
- Noise and Vibration Impact Assessment Report
- Air Quality Impact Assessment
- Community and Stakeholder Engagement Strategy and Outcomes Report

In preparation of this Submission, other accompanying documents were reviewed; however, the above-mentioned documents form the basis of this Submission.

Based on the history of the Site and review of the SSD-11606719 Application and accompanying documents, Dexus has informed objections with supporting reasons in **Section 6** and has provided recommendations in **Section 7** of this Submission forming an overall objection in relation to the Proposal.

### **5. SITE CONTEXT AND LOCALITY**

The Site comprises the existing Eastern Creek Recycling Ecology Park (formerly Genesis Zero Waste Management Facility) which is owned by Bingo Industries Pty Ltd (Bingo). The Site is located at 1 Kangaroo Avenue, Eastern Creek and has a site area of approximately 54 hectares (ha). The Site is currently accessed from Kangaroo Avenue near the intersection with Honeycomb Drive.

The land uses surrounding the Site are primarily existing industrial and commercial land uses to the south, east and north (refer to **Figure 1** overleaf). To the south, east and north of the Site consists of warehouses and logistics providers, 'Cleanaway Eastern Creek Solid Waste Services', Pepkor Eastern Creek Distribution Centre, Best and Less Distribution Centre, Sydney Water site, Kmart Distribution Centre and Bunnings Eastern Creek Distribution Centre.





Directly to the north of the Site includes several industrial properties. Further to the west and north of the Site is the residential neighbourhoods of Erskine Park and Minchinbury, approximately 1km and 500m away, respectively. These areas consist of residential properties, schools, childcare centres, fruit markets, shopping centres, and Sydney Zoo (near the M4 Motorway and Great Western Highway).

Specifically, Dexu owns the land at 2 Alspec Place (Lot 207 in DP 1074277) approximately 1.4km to the south-east of the Site (refer to **Figure 2**). It is noted that the Dexu landholding comprises a large warehouse and distribution centre and is currently in operation.



Figure 1 Site Context and Surrounding Area (Source: Nearnap, 2022)

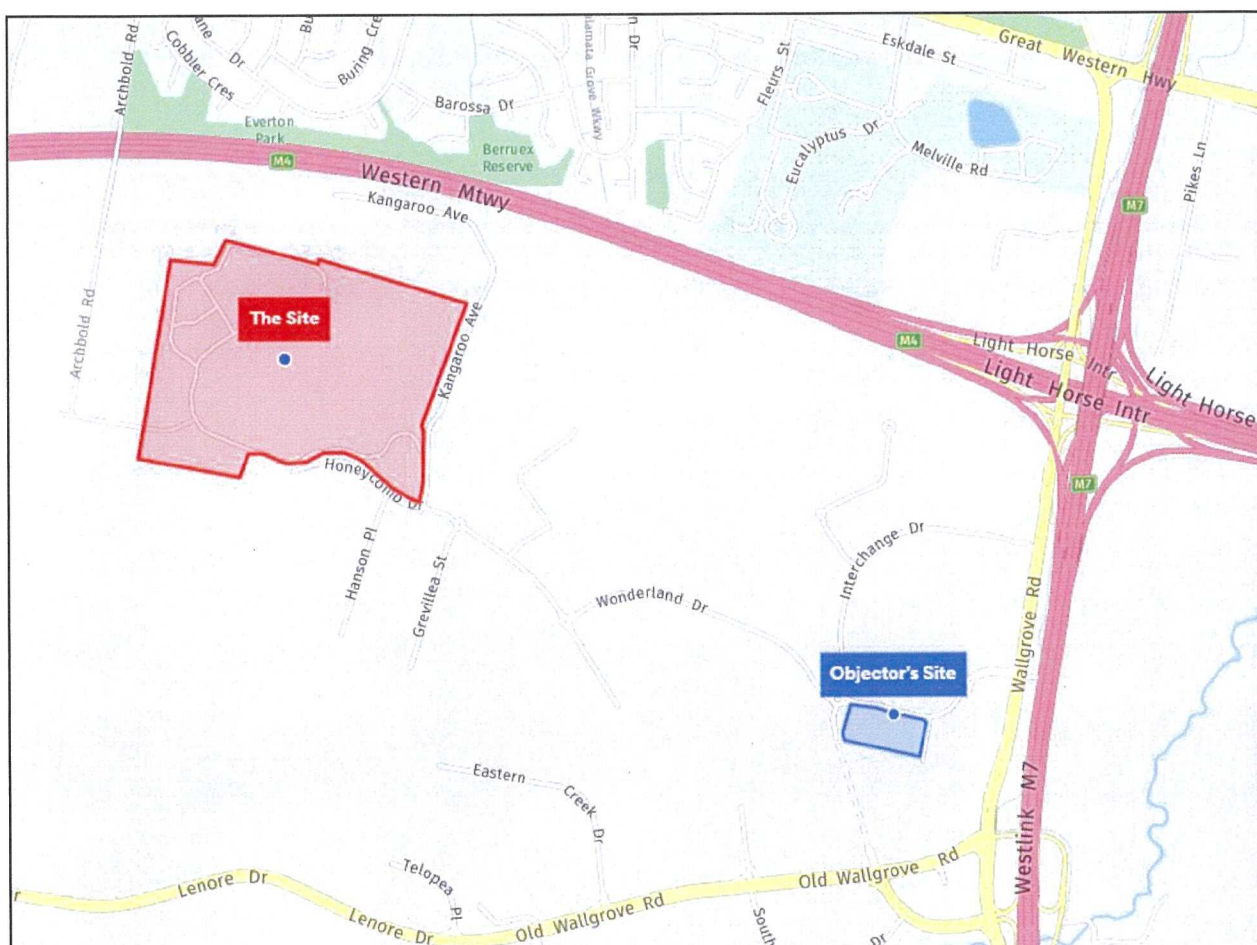


Figure 2 Location of the Site in relation to the Dexu Property (Source: Nearmap, 2022)

## 6. KEY ISSUES

The following key issues have been taken into consideration in making this Submission:

### 6.1 TRAFFIC AND TRANSPORT

#### Observations:

The *Traffic Impact Assessment (2022)* prepared by The Transport Planning Partnership (TPPP) for the Proposal has been reviewed and confirms that:

- During the peak construction in Stage 2, the works are estimated to generate in the order of 72 heavy vehicles and 40 light vehicles daily. In Stage 3, the peak construction activities are expected to generate in the order of 24 heavy vehicle and 12 light vehicles per day
- The full material throughput increase of 950,000 tpa would be reached by the end of Stage 2, at which point the total number of additional material transportation vehicles generated by the Proposal would be 283 vehicles per day or 13 vehicles per hour.
- By the end of Stage 3, an additional 70 staff will be employed on site, an increase of 38%.
- All intersections operate at a level of service (LoS) A in the AM peak and PM peak periods, except for Wallgrove Road-Wonderland Drive. This intersection operates at LoS B with an average delay per vehicle of 24 seconds in the AM peak hour and LoS C with an average delay of 32 seconds in the PM peak hour





## Objection

This objection has been made against the Proposal based on the observations and information provided in the *Traffic Impact Assessment*. There is potential that there will be impact of traffic on the adjoining land uses, including developments that rely on Kangaroo Avenue, Honeycomb Drive and Wonderland Drive due to the proposed works as:

- It is noted that one of the 5 key intersections studied in the TIA, being the Wallgrove Road-Wonderland Drive intersection is of key importance to the operations at the Dexus landholding. The TIA notes that this intersection currently operates at LoS B in the AM peak and LoS C in the PM peak. The modelling for 2025 suggests that the level of service of this intersection would reduce from LoS B to LoS C in the AM peak (+8 seconds average delay) and stays at LoS C in the PM peak. The conditions and wait times at this intersection are currently unacceptable to occupants and visitors to the precinct and that any further delay at this intersection is unacceptable. Any further delay has the potential to severely affect the viability of the employment generating uses in the precinct.
- The existing pavement conditions of the road network have not been considered in the TIA. The need for potential upgrades to Wonderland Drive as a result of the increased heavy vehicular movements should be considered as a result of the increased traffic generation requirements.
- The author of the TIA should elaborate on how the data tabulated in Table 6.4 (Cumulative Impacts) of the TIA has been factored into the SIDRA modelling, including a breakdown of likely hours where the increased traffic throughput would be on the road network, i.e. will this mainly be within the AM and PM peaks, or will it vary throughout the course of the day.
- Table 6.5 in the TIA identifies, that by the end of Stage 3, an additional 70 staff will be employed on the Site, an increase of 38%. The start and end of shifts concentrate around peak traffic periods, including 6:00am, 3:00pm and 6:00pm. Concern is raised regarding the additional pressure that those vehicular movements will have on the existing traffic situation on key roads, including the intersection of Wonderland Drive and Wallgrove Road, which is heavily congested in the AM and PM peak period with both light and heavy vehicles.
- Construction traffic is expected to peak during Stage 2, generating an additional 112 heavy and light vehicles on the Site and construction is expected to take place during daytime hours only. The potential to carry out some low-impact construction after 'close of business' (subject to other amenity impacts being acceptable) should be investigated, in order to disperse construction traffic over a wider timeframe.
- Table 2-10 of the EIS identifies that some operations at the Site are currently approved on a 24-hour basis, such as operation of the MPC including waste receipt, and the SMA including receipt of segregated materials. Landfill truck deliveries are approved from 5:00am to 9:00pm daily. Concern is raised in relation to an intensification of operations at the Site and the hours of operation should be reviewed.
- Table 2-11 in the EIS identifies that there are currently no REP-wide capacity restraint conditions in relation to the turnover of vehicles depositing waste and collecting product (i.e., the turnaround time required to deposit or pick up product and the number of vehicles that can simultaneously tip. Comprehensive REP-wide conditions should be contemplated, considering the Proposal.
- Additional vehicular movements are a significant concern to Dexus and has the potential to adversely impact on the day-to-day operations of the Dexus landholding. As such, it is recommended that a peer review of the TIA submitted with the Proposal should be undertaken.
- The planned extension of Honeycomb Drive to the south to Old Wallgrove Road (as described in the TIA) will provide an additional egress point for those sites in the western part of the business park. This could help alleviate traffic issues on Wonderland Drive and should be expedited.
- Similarly, the planned extension of Archibald Road (as described in the TIA) to the north to the Western Motorway would provide additional access points for the Site near the proposed carpark and should be expedited.
- Further consideration should be given to the proposed Stage 2 works not being commenced until after the Honeycomb Road and/or Archibald Road extensions take place, in order to alleviate potential impacts in the area surrounding the Site. This will provide additional connections to the road network to accommodate the increased construction traffic, waste delivery vehicles and additional staff involved with Stages 2 and 3. This will also alleviate pressure on the Wallgrove Road-Wonderland Drive intersection and reduce delays.



## 6.2 NOISE AND VIBRATION

### Observations

The *Noise and Vibration Impact Assessment Report (2022)* prepared by Wilkinson Murray for the Proposal has been reviewed and confirms that:

- Industrial receivers in Eastern Creek are located in close proximity to the north, east, south and west of the Site, including where Dexus's landholding is located.
- Construction activities are not proposed to be outside of normal construction hours.
- Modelling has considered earthworks to remove amenity berms at the Site, in a staged manner.

The *SSD-11606719 Environmental Impact Statement* prepared by Arcadis Australia Pacific Pty Limited (Arcadis) for the Proposal has been reviewed and identifies that the Site is in close proximity of sensitive commercial and industrial receivers to the north, east and south of the Site (refer to **Figure 3**).

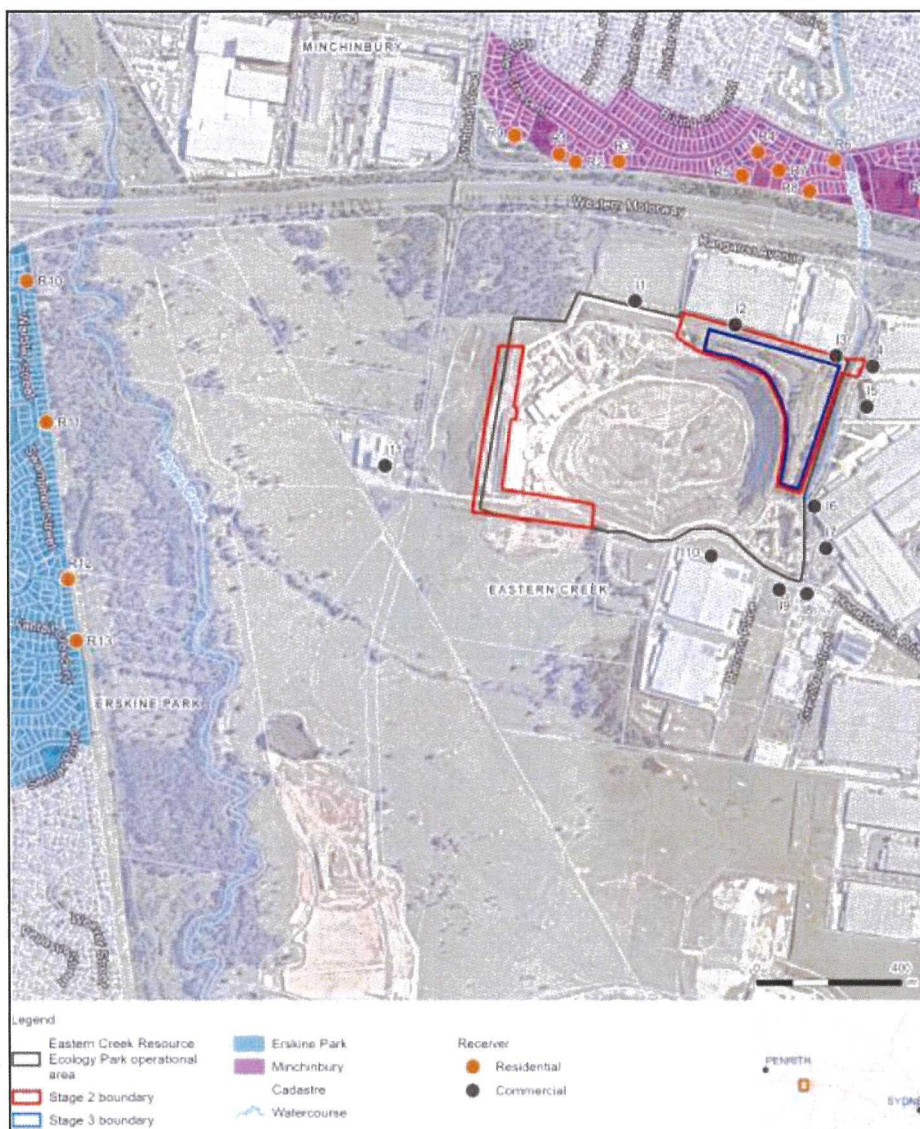


Figure 3 Assessment locations (Source: SSD-11606719 Environmental Impact Statement)





### Objection

This objection has been made against the Proposal based on the observations and information provided in the *Noise and Vibration Impact Assessment Report*. There is potential that there will be impact of noise on the adjoining land owned by Dexu due to the proposed works as:

- The noise associated with the intensification of the use of the Site will impact on the acoustic amenity of the workers in the existing commercial and industrial facilities in the area, including the Dexu owned land,
- It is noted that the approved hours of operation of the REP allows 24 hours operation for particular operations at the Site. Truck deliveries to the Site are approved from 5:00am to 9:00pm. The approved hours of operation should be reviewed considering the potential traffic and noise impacts associated with the Proposal for an intensification of operations at the Site.
- The Proposal involves the removal of the amenity berms in the north-eastern corner, along Kangaroo Avenue. As the Community and Stakeholder Engagement Strategy and Outcomes Report (CSESOR) prepared by WSP / Elton Consulting identifies, adjoining landowners have previously raised concern with Dexu regarding the removal of the amenity berms. Dexu would appreciate the opportunity to have ongoing engagement with Dexu regarding potential replacement amenity devices in this location.

### **6.3 AIR QUALITY AND ODOUR**

#### Observations:

The *Air Quality Impact Assessment (AQIA) (2022)* prepared by EMM for the Proposal has been reviewed and confirms that:

- The maximum number of additional days above the 24-hour average PM10 impact assessment criterion at a commercial assessment location is 28 for Stage 1 operations.
- The maximum number of additional days above the 24-hour average PM2.5 impact assessment criterion at a commercial assessment location is 3 for Stage 1 operations.
- The maximum number of additional days above the 24-hour average PM10 impact assessment criterion at a commercial assessment location is five for Stage 2 operations and there is one commercial assessment location above the annual average impact assessment criterion for Stage 2 operations
- The maximum number of additional days above the 24-hour average PM2.5 impact assessment criterion at a commercial assessment location is two for Stage 2 operations. The existing background for annual average PM2.5 is already above the impact assessment criterion.
- It is noted that the existing REP has a history of odour complaints recently, including three (3) complaints resulting in clean up notices issued by the EPA in 2021.
- The Proposal involves the removal of the amenity berms in the north-eastern corner, along Kangaroo Avenue.
- It is noted in the AQIA that adjacent commercial receptors are considered less sensitive to air pollution than residential receptors.



## Objection

This objection has been made against the Proposal based on the observations and information provided in the *Air Quality Impact Assessment*. It is considered that there will be potential impacts pertaining to poor air quality and odour on Dexu's landholding and surrounding receivers due to the Proposal as:

- As noted in the CSESOR, adjoining landowners have previously raised concern with Bingo regarding dust from the Site operations and dust tracking from vehicles. Dexu shares this concern and would appreciate further engagement on this matter.
- As defined by the NSW Environment Protection Authority (EPA), sensitive receptors are any locations that may be affected where people are likely to work or reside (NSW Department of Environment and Conservation, 2005). It is therefore important to ensure the potential risks posed by the Proposal are suitably mitigated in accordance with the NSW EPA emission standards.
- It is noted in the AQIA that adjacent commercial receptors are considered less sensitive to air pollution than residential receptors. The Dexu owned land located nearby employs a significant number of staff who could potentially be exposed to poor air quality and odour for long periods of time as a direct result of the increased throughput. Therefore, it is considered that the nearby commercial and industrial lands present comparable sensitivity to poor air quality and odour.
- It is noted that the south-eastern portion of the Site does not contain any amenity berms or screening, as well as containing minimal vegetation. Given the proposed intensification of operations at the Site, the potential for amenity screening and increased vegetation to the southern part of the Site should be considered.
- The Site is located in close proximity to sensitive receivers associated with industrial and commercial uses. It is questionable whether an intensification of the use of the Site is suitable given its location.
- Due to a record of the received complaints previously, there is potential that an intensification of the use of the Site will produce long-term negative impacts including poor air quality and odour. The impact of this on the property market in the vicinity of the Site in general and particularly to the surrounding industrial lands including the Dexu owned land could be devastating.
- Given the increase in maximum number of additional days above the 24-hour average PM10 impact assessment criterion at a commercial assessment location for Stage 1 and Stage 2 works, a peer review of the *Air Quality Impact Assessment* is recommended. Appropriate measures should be further investigated to reduce the extent of impact.
- It is recommended that the existing Environmental Management Strategy (EMS) and the Air Quality Odour and Greenhouse Gas Management Plan (AQOGHGM) for the REP be reviewed in light of the Proposal.
- Should the Proposal be granted consent to proceed, ongoing community engagement should be undertaken to demonstrate that any emissions are within the NSW EPA criteria threshold limits and would not pose a risk to human health.

## **6.4 SOCIO-ECONOMIC IMPACT**

An assessment of the social-economic impacts of the Proposal are provided in the EIS prepared by Arcadis for the SSD.

## Observations

- It is noted that DPE did not identify any SEARs relating to socio-economic impacts. Given the nature of the Proposal, Dexu considers this to be a significant consideration and should be included in the SEARs.
- It is mentioned in the EIS that "*businesses along Kangaroo Avenue may experience amenity impacts associated with increased traffic utilisation of the roadway, if left unmitigated... Proposed upgrades (such as the development of the Honeycomb Drive extension) to the connectivity of the surrounding road network would likely alleviate potential impacts in the area immediately surrounding the Site.*"
- Stage 2 operations would not commence until the construction of one of the new proposed exit connections either to the Honeycomb Drive extension or Kangaroo Avenue has been completed.





## Objection

This objection has been made against the Proposal based on the observations and information provided in the EIS. Due to the cumulative impacts of increased traffic, noise, air emission and odour, there will be potential long-term negative impacts on the economic feasibility of the surrounding industrial and employment lands in Eastern Creek and Erskine Park. It is considered that further justification is required to confirm the forecasted market trends for these areas, which will ensure from a socio-economic standpoint, that the Proposal is in the public interest, whereby the socio-economic impacts would far outweigh the negative impacts.

The following factors have been considered to outline the reasons for the objection against the Proposal.

- Further consideration should be given to the proposed Stage 2 works not being commenced until after the Honeycomb Road and/or Archibald Road extensions take place, so as to alleviate potential impacts in the area immediately surrounding the Site. This will provide additional connections to the road network to accommodate the increased construction traffic, waste delivery vehicles and additional staff involved with Stages 2 and 3.
- The proposed intensification of the use of the Site will not promote ongoing economic benefits to the local community. Potential traffic, noise, poor air quality and odour impacts will lead to adverse impacts on the amenity of the surrounding employment lands. This could result in a poor working environment for workers and ultimately jeopardise the employment-generating ability of the Eastern Creek and Erskine Park localities.
- The EIS and supporting documents do not reflect any modelling results satisfying that the Proposal will not depreciate the property value of the surrounding suburbs in the event of any emissions or noncompliance as a result of the increased throughput.

## **7. PUBLIC INTEREST**

### Observations

This EIS prepared by Arcadis for the Proposal has concluded that the Proposal should proceed as it would result in no significant long term adverse impacts to the environment or local community and is in the public interest.

### Objection

This objection has been made against the Proposal based on the observations and information provided in the EIS and supporting documents submitted with SSD-11606719. The Proposal does not align with the public interest based on the following reasons.

- Reference should be made in relation to **Section 6.1 – Traffic and Transport** of this Submission, for which it is considered that there is uncertainty about potential impacts on the Dexus owned land located to the east of the Site. Further detail in relation to the increased heavy vehicular traffic on Kangaroo Avenue during construction and intensified operation of the Site is required as outlined in the submission above. Furthermore, the existing condition of the road network has not been considered in the TIA.
- Reference should be made in relation to **Section 6.2 – Noise and Vibration** of this Submission, for which it is considered that given the Site's location within close proximity to commercial receivers and employment lands in the immediate vicinity, the potential for impacts on those land uses is significant. Furthermore, the approved hours of operation for the REP should be reconsidered as part of the assessment of the Proposal.
- Reference should be made in relation to **Section 6.3 – Air Quality and Odour** of this Submission, for which it is considered that there are potential impacts of poor air quality and odour due to the Site's record of received complaints previously. There is probability that there will be long-term negative impacts of poor air quality and odour on the feasibility of the industrial and employment lands in the vicinity of the Site in general and particularly to the properties owned by Dexus nearby.
- Reference should be made in relation to **Section 6.4 – Socio-Economic Impact** of this Submission, for which it is considered that due to the cumulative impacts as discussed throughout this submission including traffic, noise, poor air quality and odour, there will be potential long-term negative impacts on the employment-generating ability of the industrial lands.



Accordingly, through consideration of the abovementioned sections, it is considered that the Proposal in its current state is not in the public interest. This is due to a culmination of various parameters that appear to be negatively impacting on the community's needs; interests; and long-term socio-economic status with respect to human health, wellbeing and productivity. If the Proposal were to proceed, the following recommendations should be considered in order to reduce the potential risks to human health and economic viability.

## 8. RECOMMENDATIONS

Dexus provides the following recommendations for the Proposal:

- It is recommended that the Response to Submissions consider the Proposal's consistency in respect of the Section 1.3 (Objects of the Act) under the *Environmental Planning and Assessment Act 1979*.
- It is recommended that a peer review of the TIA submitted with the Proposal should be undertaken.
- Given the potential for detrimental traffic impacts due to increased heavy vehicle movements, it is recommended that an Operational Traffic Management Plan or an amendment to any existing Management Plan be procured by the Applicant for consideration as part of the subject Application. This should include a traffic monitoring plan undertaken on a quarterly basis to ensure the traffic generation of the site is consistent with the findings proposed.
- The TIA should be amended to investigate and provide comments in relation to the existing condition of the roads nearby and whether any road surface and pavement upgrades are required in the future as a result of increased traffic generation.
- Further consideration should be given to the proposed Stage 2 works not being commenced until after the Honeycomb Road and/or Archibald Road extensions take place, so as to alleviate potential impacts in the area surrounding the Site.
- It is recommended that further consideration should be given with respect to increased provision of landscaping to help ameliorate potential visual impacts through deep soil landscaping.
- Further investigation should be undertaken into alternative options for access to the Site to limit the removal of the amenity berms. Further stakeholder engagement should be carried out with nearby landowners including Dexus, in relation to the removal of the amenity berms and potential replacement alternatives.
- If the Proposal is approved, ongoing community and stakeholder engagement should form part of the Conditions of Consent to ensure stakeholders and landowners are continually informed of the Proposal to ensure emissions are below the relevant threshold criteria at all times. Further consultation should be undertaken to explain the ongoing odour issues at the Site, as the community concerns demonstrate that this is still an ongoing issue.
- It is recommended that the approved 24-hour operation of components of the REP should be reconsidered given the throughput increase and intensification of use on the Site.





## 9. CONCLUSION

On behalf of Dexus, this Submission has sought to inform objections and provide recommendations to the DPE about the subject SSD Application.

Dexus objects to the Proposal on the following grounds:

- Further investigation into potential impacts on traffic in the vicinity of the Site, including increased heavy vehicle movements during construction and intensified operation of the Site, the condition of existing road surfaces, and any required intersection upgrades is required.
- Further consideration should be given to the proposed Stage 2 works not being commenced until after the Honeycomb Road and/or Archibald Road extensions take place, so as to alleviate potential traffic impacts in the area surrounding the Site.
- The site is located in close proximity to sensitive receivers associated with employment generating uses. As such, there will be potential impacts of emissions and odour on the health of the general public due to the proposed works.
- The proposed throughput increase will not promote ongoing economic benefits to the local community. It is considered that given the potential for traffic impacts, poor air quality and odour events, poor visual amenity and socio-economic outcomes, the Proposal could have a detrimental impact on the property value of the surrounding employment generating uses.

Yours faithfully,

Belinda Hufton  
Portfolio Manager