



DOC16/47032-19

NSW Department of Planning and Environment
GPO Box 39
SYDNEY NSW 2001

Attention: Mr Chris Ritchie

29 February 2016

Dear Mr Ritchie

West Nowra Resource Recovery Park – SSD 15_7015

I refer to the Department of Planning and Environment's (DPE) notification of exhibition of Development Application (DA) SSD7015 and Environmental Impact Statement (EIS) for the proposed West Nowra Resource Recovery Park (the Proposal) located at 114 Flatrock Road, Mundamia being Lot 342 DP 257515 (the Premises) and DPE's invitation for the Environment Protection Authority (EPA) to provide comments.

The EPA understands that the Shoalhaven City Council (Council) is seeking a staged approval in accordance with Section 83B of the *Environment Planning and Assessment Act 1979* and the current DA is requesting approval only for Stage 1 of the Proposal. Council has outlined that Stage 1 consists of clearing of land and provision of basic infrastructure at the Premises. The EPA is providing comments and proposed approval conditions only in relation to Stage 1 and review and assessment of Stage 2 will occur once further information about the development is provided by Council.

The key areas of concerns in relation to Stage 1 of the Proposal include the following:

- Noise
- Dust
- Sediment and stormwater management

Appendix A outlines proposed conditions that the EPA would consider appropriate for inclusion on any approval issued for Stage 1 of the Proposal.

Appendix B outlines comments in relation to Stage 2 and further information and/or assessments required for the EPA to adequately assess Stage 2 and provided suggests conditions of approval.

In addition to the information provided in Appendix A and B the EPA also has provides the comments as outlined below for Council's consideration for the Proposal.

Environment Protection Licence

Section 47 of the *Protection of the Environment Operations Act 1997* (POEO Act) requires the occupier of a premises at which scheduled development works is carried out to hold an environment protection licence (licence). Scheduled development works is defined as:

work at any premises at which scheduled activities are not carried on that is designed to enable scheduled activities to be carried on at the premises

Therefore Stage 1 of the Proposal will require a licence for the works to be undertaken and Council must submit a licence application form and a licence must be issued prior to the commencement of any works at the Premises.

The additional information provided for Stage 2 Council must outline whether the Premises is proposed to be licensed separately or incorporated into the existing West Nowra Recycling and Waste Facility Environment Protection Licence no. 5877.

If the Proposal is to be licensed separately, Council need to also determine the scheduled activities that the Proposal will fall under. In particular whether one of the scheduled activities at the Premises is waste processing (non-thermal treatment) or resource recovery. Schedule 1 of the POEO Act outlines the scheduled activities and a facility can only be either a waste processing or resource recovery facility based on the percentage of waste by weight that requires disposal after processing. If more than 50% requires disposal then the scheduled activity is waste processing (non-thermal treatment) but if less than 50% requires disposal the scheduled activity is resource recovery.

Should you have any further enquiries in relation to this matter please contact Tracey McAndrew on (02) 4224 4124.

Yours sincerely



CATE WOODS
Unit Head Waste Compliance
Environment Protection Authority

APPENDIX A: EPA Recommended Conditions for Stage 1 of the proposed West Nowra Resource Recovery Park

1. NOISE

1.1. Construction noise levels above the noise management level, but below the 'highly noise affected' level in the *Interim Construction Noise Guideline* (DECC 2009) must be addressed in a construction noise management plan. A noise management plan must include, but is not limited to, the following:

- a) identification of each work area, site compound and access route (both private and public)
- b) identification of the specific activities that will be carried out and associated noise sources at each site and access route
- c) identification of all potentially affected sensitive receivers
- d) the construction noise objectives identified in accordance with the *Interim Construction Noise Guideline* (ICNG, DECC 2009)
- e) assessment of potential noise and vibration from the proposed construction methods, including noise from construction traffic, against the objectives identified in (d)
- f) detailed description of the feasible and reasonable noise mitigation measures that will be implemented to reduce noise from the project in an effort to meet the objectives identified in (d), including at least all feasible and reasonable measures from section 6 of the ICNG
- g) procedures for notifying residents of construction activities that are likely to affect their noise and vibration amenity
- h) measures to monitor noise performance and respond to complaints.

The construction noise management levels for the proposal are as follows:

Receiver	Noise management level $L_{eq(15min)}$ (dBA)		
	Standard hours	Outside standard hours – day and evening	Outside standard hours – night
R1 – R9	41	36	35

2. AIR

2.1. Construction Air Quality Management Plan

For all dust and odour emission sources at the site the proponent must prepare an air quality management plan that includes, but is not limited to:

- a) *Key performance indicator(s);*
- b) *Monitoring method(s);*
- c) *Location, frequency and duration of monitoring;*
- d) *Record keeping;*
- e) *Response mechanisms; and*
- f) *Compliance reporting.*

2.2. The air quality management plan must be implemented prior to construction commencing.

3. WASTE MANAGEMENT

3.1. No waste can be accepted at the premises.

Note: Waste cannot be accepted at the premises until all necessary statutory approvals are obtained for Stage 2 of the Proposal and construction is completed in accordance with any such approvals.

4. WATER CONCENTRATION LIMITS

- 4.1. In the event of an overflow from any of the sediment ponds at the Premises the following, the following limits apply:

Pollutant	Units of Measure	100 percentile Concentration Limit
pH		6.5-8.5
Total Suspended Solids	milligrams per litre	50

Note: Discharge points to be confirmed and clarified by Council prior to construction commencing.

5. SEDIMENT AND EROSION CONTROL

- 5.1. Install all necessary sediment and erosion control measures to minimise erosion and sediment from the Premises.

6. CONSTRUCTION HOURS

- 6.1. The construction works must only be undertaken during the following hours:
- 7:00am – 5:00pm Monday – Friday
 - 8:00am – 1:00pm Saturday
 - No work to be undertaken on Sundays or Public Holidays

APPENDIX B: EPA comments for Stage 2 of the proposed West Nowra Resource Recovery Park

NOISE

- Any concept approval should require Stage 2 of the Proposal to include all feasible and reasonable mitigation measures to attempt to meet the following operational noise criteria:

Receiver	Day and evening	Night time (dBA)	
	Leq(15min) (dBA)	Leq(15min)	L1(1min) or Lmax
R1 – R9	36	35	45

- A more detailed assessment of operational noise from Stage 2 of the Proposal must be provided prior to approval of that stage. That detailed assessment should be conducted in accordance with the *New South Wales Industrial Noise Policy* (EPA 2000) and *Application notes – NSW industrial noise policy* (EPA 2015), or the relevant EPA policy at the time of the assessment.

AIR

- EPA requests the following information in relation prior to approval of Stage 2 of the Proposal:

1.1. Prior to project approval, an updated air quality impact assessment be submitted.

1.2. The air quality impact assessment shall:

- be based on the final project design
- be conducted in strict accordance with ‘*Approved Methods for the Modelling and Assessment of Air Pollutants in NSW (2005)*’ or as updated
- include an operational air quality management plan for all dust and odour emission sources at the site that includes, but is not limited to:
 - a) *Key performance indicator(s);*
 - b) *Monitoring method(s);*
 - c) *Location, frequency and duration of monitoring;*
 - d) *Record keeping;*
 - e) *Response mechanisms; and*
 - f) *Compliance reporting.*

- The EPA provides the following comments in relation to the information provided in the EIS for the Proposal and should be considered when providing the updated air quality impact assessment for Stage 2 of the proposal:

2.1. Analysis of impacts for at least one full representative year, the choice of year being justified from within at least five years of meteorological data. The choice of time period provided with the concept outline was not discussed and justified.

2.2. Analysis against air quality goals requires use of an annual mean and a maximum daily concentration from the most representative available monitoring station.

2.3. Choosing an odour criterion based on the total affected population – resident and working.

2.4. Details of any proposed reactive management options, including guidance on when proposed actions are triggered.

- 2.5. Options for reducing odour should be noted as part of the approach to responding to odour complaints.
- 2.6. Care to present observational data consistent with its descriptive analysis.
- 2.7. Care to provide assessment results clearly and related directly to air quality criteria chosen for the project.
3. The proponent must be able to demonstrate that there is negligible impact from odours due to the maturation process being conducted not in an enclosed building

Waste Management

1. Council must provide a list of each waste type proposed to be accepted at the Premises.
2. Council must develop and provide an Asbestos Management Plan that outlines the measures put in place to avoid the acceptance of asbestos at the Premises and the steps to undertaken if asbestos is inadvertently accepted at the Premises to minimize the risk of exposure to workers and the environment.

Leachate

1. Provide an assessment of the expected quantity of leachate to be generated at the Premises to ensure that the proposed above ground leachate storage tanks are adequately sized to handle on-site leachate generation.
2. Provide any measures/controls put in place on the venting system of the leachate tanks to minimise odour emissions.

Soil and Water Management

1. Consider the use of rainwater tanks or other type of enclosed system to capture clean runoff from roof surfaces to minimise the potential for overflow events from sediment basins.
2. If sediment basins are used for the Proposal provide the location of proposed overflow points for the basins and the expected flow path and receiving water body in the event of an overflow from the basin.

Composting

1. Provide an outline of the timeframes for the composting process including the proposed point at which the organic waste will be moved to the West Nowra Recycling and Waste Facility and how long the material will be on each of the sites.
2. Provide evidence that the existing or modified leachate collection system at the West Nowra Recycling and Waste Facility has the capacity to manage any additional leachate generated from organic waste/compost received at the facility as a result of the Proposal.