

ASSESSMENT REPORT

Section 75W Modification Genesis Waste Facility (06_0139 MOD 4)

1 BACKGROUND

ThaQuarry Pty Ltd and ACN 114 843 453 (**the Proponent**) operates the Genesis resource recovery facility and non-putrescible landfill on the site of a former breccia quarry at Eastern Creek, within the Blacktown local government area (see **Figure 1**).



Figure 1 – Locality map

Both the resource recovery facility and the landfill operate under a single Ministerial approval (06_0139), which was granted on 22 November 2009 under Part 3A of the *Environmental Planning and Assessment Act 1979* (**the Act**). The approved operation involves:

- a throughput capacity of up to 2 million tonnes of non-putrescible waste per year;
- crushing, grinding and separating works to process waste masonry material;
- a materials processing centre (**MPC**), which recovers recyclable material from comingled commercial, industrial, construction and demolition waste;
- landfilling in the quarry void up to 700,000 tonnes of non-putrescible waste per year (including asbestos and other hazardous waste); and
- stockpiles for 50 tonnes of tyres and 20,000 tonnes of green-waste.

The original Ministerial approval was modified under a Class 1 appeal in the Land and Environmental Court by Blacktown City Council (**Council**). It has also been modified on 3 other occasions under section 75W of the Act. In summary, the 4 modifications to the original Ministerial approval were, primarily:

- an electric conveyor and chute from the MPC to the landfill in the quarry void;
- a correction of the legal description of the site;
- an increase in the developer contributions owing to Council; and
- various changes to the final landform and site infrastructure to improve site operation.

The approved operation commenced on 8 June 2012 and it also operates under an Environment Protection Licence (**EPL**) issued by the Environment Protection Authority (**EPA**).

1.1 Site and surrounding landuse

The site is legally known as Lots 1 and 4 DP 1145808. It is an irregular shape of 61.32 hectares (**ha**), which is dominated by a 30ha quarry void. Vehicular access is via Honeycomb Drive, which connects to Old Wallgrove Road and then to the M7 motorway.

The site is zoned IN1 – General Industry and it is located within the Eastern Creek Employment Lands of the Western Sydney Employment Area as described in *State Environmental Planning Policy (Western Sydney Employment Area) 2009*.

To the west of the site there is a large tract of publicly owned land. Immediately to the south and east, the area is in the nature of a business park and there are several newly established industrial land uses. The M4 motorway lies to the north.

The closest residential area is located in Minchinbury approximately 400 metres (**m**) north of the approved operation, on the other side of the M4 motorway. Residences in Erskine Park are approximately 1250m to the west of approved operation.

1.2 Approved operation

The approved operation accepts non-putrescible waste from construction, demolition, commercial and industrial sources for resource recovery and landfill. Waste is delivered to the site in trucks from 1-tonne to 40-tonnes. Upon arrival at the site, each vehicle is weighed at the weigh station, while the classification of its payload is verified with a visual inspection against the driver's waste classification documents.

Depending on both the classification and composition of the waste, it will be directed to a crushing and screening plant in the case of segregated hard-fill materials; the MPC in the case of mixed waste; and directly to the landfill in the case of waste such as asbestos. The layout of the approved operation is shown in **Figure 2**.

The MPC is an enclosed facility housing feedstock stockpiles, mobile machinery, and a large materials processing unit (see **Figure 3**). Mixed waste is delivered to and stockpiled within the MPC where it is first segregated as much as possible by the mobile plant. In particular, larger individual items are removed from the feedstock.

The mixed waste is then fed to the materials processing unit. This unit integrates up to 52 processes, which progressively convey, sort and separate the feedstock into its re-usable components for stockpiling using electro-magnetic separators, graders, sieves and physical sorters. The recovered material is conveyed directly from the processing unit to stockpiles immediately outside the MPC using materials conveyors.



Figure 2 – Layout of the approved operation

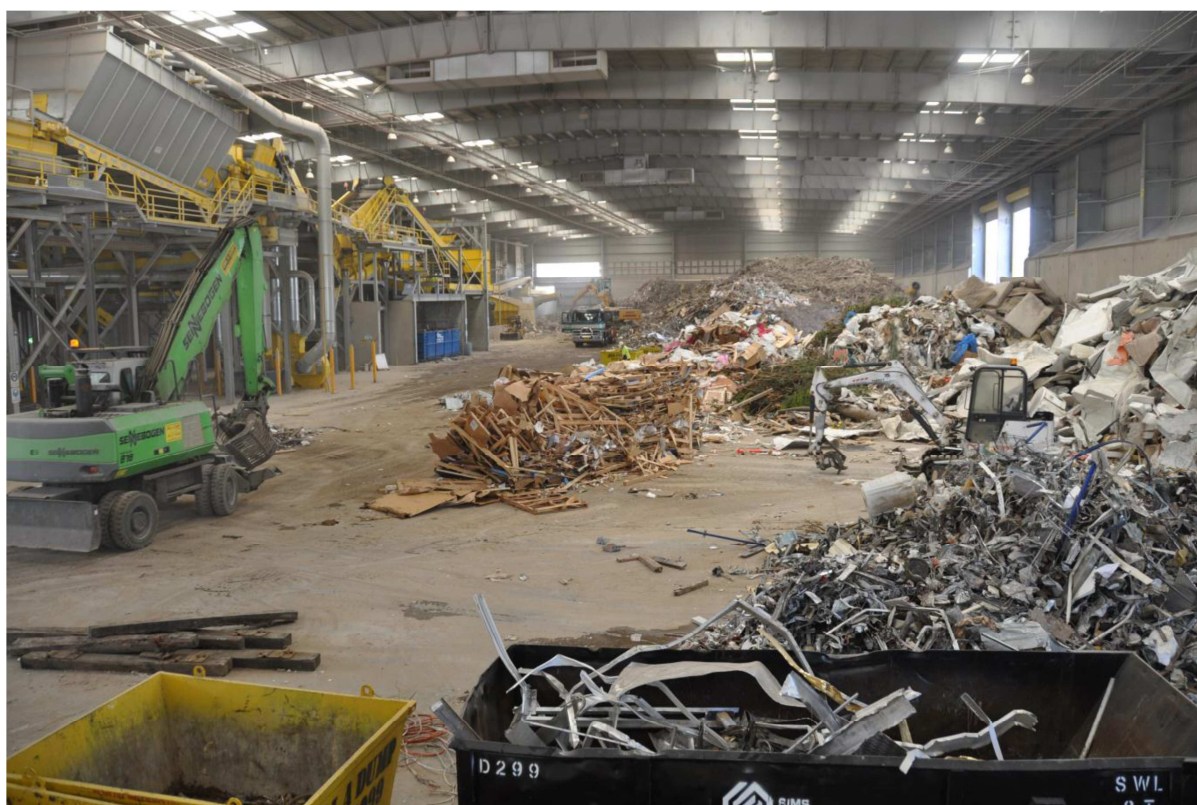


Figure 3 – Inside the MPC facility showing the materials processing unit on the left

2 PROPOSED MODIFICATION

The proposed modification is described in detail in the Proponent's Environmental Assessment (EA), which is attached at **Appendix B**. The modification primarily involves extending the approved operating hours for the MPC, as shown below in **Table 1**.

Table 1 – Approved and proposed hours of operation for the MPC

Days	Approved hours	Proposed hours
Monday to Friday	7am to 6pm	6am to 10pm
Weekends and Public Holidays	8am to 4pm	6am to 4pm

The extended hours would require up to 10 additional employees include an evening manager, assistant manager and up to 8 operators, cleaners and maintenance staff.

The Proponent explains that, with 12 months operational experience, it has become apparent that the MPC requires additional operating hours for the following reasons:

- to make-up for loss in production time arising from cleaning and maintenance of the processing unit. This unit is quite autonomous, but it is also sensitive to blockages, breakages, and dust build-up. Any maintenance or cleaning requires the whole unit to be shut down for worker safety; and
- depending on the nature of the waste that is received for any period:
 - the processing unit often needs to be run on a slower cycle to ensure higher resource recovery rates; and
 - additional time is required to pre-sort the feedstock with mobile plant, before it is fed to the processing unit in order to reduce the occurrence of damage.

Except for the materials conveyors, which transport recovered material from processing unit inside the MPC to stockpiles outside the MPC, no external fixture or machine would be operated during the extended hours. In particular, the electric conveyor and chute, which carries residue waste to the quarry void for landfilling, waste delivery trucks and the landfill compactor within the quarry void, would not be operated during the extended hours.

3 STATUTORY CONTEXT

3.1 Approval Authority

Under Clause 3 of Schedule 6A of the Act, Section 75W of the Act as in force immediately before its repeal on 1 October 2011, continues to apply to transitional Part 3A projects. Consequently, the Minister for Planning and Infrastructure is the approval authority for the proposed modification.

However, under the Minister's delegation of 14 September 2011, the Director – Industry, Key Sites & Social Projects may determine the modification application as Council did not object, the Proponent has not disclosed any political donations, and there were no public submissions by way of objection.

3.2 Modification

The Department is satisfied that the proposed modification can properly be characterised as a modification to the original approval, and can therefore be assessed and determined under Section 75W of the Act.

In this respect, the Department notes that the modification does not increase the capacity or footprint of the facility, and seeks only to extend operating hours to adjust the operational efficiency of the materials processing unit within the MPC to make-up for higher than expected requirements for maintenance and cleaning.

Table 2 – Predicted noise impacts during the evening and night periods

Receiver Area	Criteria	Predicted Noise Level $L_{eq,15min}$ dB(A)					
		Neutral Eve	Neutral Night	Adverse 1	Adverse 2	Adverse 3	Adverse 4
Minchinbury	35	28	28	33	32	33	32
Erskine Park	35	25	25	21	25	25	25

The Department is satisfied that operating the MPC during the evening and night periods would not result in noise impacts that exceed $L_{Aeq, 15min}$ 35dBA, which is the lowest INP criterion.

The EPA also stated that it expected noise impacts to be limited. Both the Department and the EPA consider it appropriate to modify the existing approval conditions for operating hours and noise criteria to reflect the proposed MPC operating hours. These modified requirements would apply to the MPC only and they do not extend to any other part of the operations on the site.

Note that, in the notice of modification, the Department intends to refer to the additional hours from 6am the 'morning shoulder' period and not the night period, to avoid any confusion, as the site is not permitted to operate at night.

4.2 Other Issues

Table 2: Other Issues

Issue	Consideration	Recommendation
Air quality and odour	<ul style="list-style-type: none"> The extended hours would apply to internal operation of the MPC. There would be no additional air quality impacts resulting from the additional operating hours of the MPC. Odour is not problematic at the site because putrescible waste is not accepted for processing or landfilling. 	No additional conditions necessary.
Traffic	<ul style="list-style-type: none"> The extended hours would not apply to truck deliveries and, as there is no change to the approved capacity of the site, there would be no additional heavy vehicle movements. The extended operating hours would require alteration to employee shifts. Shift changeover is likely to be outside of peak hour (i.e. approximately at 2pm), which would slightly reduce peak hour traffic on the local road network. 	No additional conditions necessary
Lighting	<ul style="list-style-type: none"> Additional external lighting would be installed along the entry driveway, and around the MPC, administration office and car park for employee safety and security. The additional lighting would need to comply with the existing approval condition, which requires compliance with the Australian Standard for <i>Controlling the effects of obtrusive lighting</i>. In any case, the additional lighting would be mostly concealed from far-field views by the overburden dumps that surround the site from the former quarry operation. 	No additional conditions necessary

5. CONCLUSION

The Department has assessed the proposed modification in accordance with the requirements of the Act. This assessment has found that the proposed modification can be carried out with minimal environmental impact and in particular without exceeding evening and night noise criteria as set out in the INP.

The Department's Assessment Officers also visited the site to observe the plant in operation and they are satisfied that there is a genuine need to extend the plant's approved operating hours to optimise the use of the processing unit.

Consequently the Department believes the proposed modification should be approved subject to some minor changes to the existing conditions of approval (as set out in the recommended notice of modification at **Appendix A**).

6. RECOMMENDATION

Under delegation of the Minister, it is RECOMMENDED that the Director – Industry, Key Sites & Social Projects:

- approve of the proposed modification under Section 75W of the Act; and
- sign the attached instrument (Appendix A).

David Mooney
Senior Planner



Chris Ritchie

A/Director

Industry, Key Sites & Social Projects

14/12/13.