

EASTERN CREEK RECYCLING ECOLOGY PARK – MODIFICATION 9

Scoping Report

Section 4.55(2) Application (MP06_0139)

September 2021



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Acronyms and Abbreviations

Acronym	Definition
ADG Code	Australian Code for the Transport of Dangerous Goods by Road & Rail
bgl	below ground level
C&D	Construction and Demolition
C&I	Commercial and Industrial
CEMP	Construction Environmental Management Plan
CES	Consulting Earth Sciences
CLM Act	<i>Contaminated Land Management Act 1997</i>
DECC	Department of Environment and Climate Change
DPIE	Department of Planning, Industry and Environment
EIS	Environmental Impact Statement
EP&A Act	<i>Environmental Planning and Assessment Act 1979</i>
EPBC Act	<i>Environment Protection and Biodiversity Conservation Act 1999</i>
EPL	Environmental Protection Licence
Heritage Act	<i>Heritage Act 1977</i>
ICNG	Interim Construction Noise Guideline
ISEPP	<i>State Environmental Planning Policy (Infrastructure) 2007</i>
MNES	Matters of National Environmental Significance
MPC	Materials Processing Centre
MSW	Municipal solid waste
Mtpa	Million tonnes per annum
NPO	Non-putrescible organics
NPW Act	<i>National Parks and Wildlife Act 1974</i>
NW Act	<i>Noxious Weeds Act 1993</i>
OEMP	Operational Environmental Management Plan
OSD	Onsite Detention
PAC	Planning Assessment Commission
PHA	Preliminary Hazard Analysis
POEO Act	<i>Protection of the Environment Operations Act 1997</i>
REP	Recycling Ecology Park
Roads Act	<i>Roads Act 1993</i>

Acronym	Definition
RRF	Resource Recovery Facility
Rural Fires Act	<i>Rural Fires Act 1997</i>
SEAR	Secretary's Environmental Assessment Requirements
SEPP	State Environmental Planning Policy
SEPP 33	<i>State Environmental Planning Policy No. 33- Hazardous and Offensive Development</i>
SEPP 55	<i>State Environmental Planning Policy No. 55- Remediation of Land</i>
SEPP 64	<i>State Environmental Planning Policy No. 64- Advertising and Signage</i>
SMA	Segregated Materials Area
SSD	State Significant Development
tpa	tonnes per annum
WARR Act	<i>Waste Avoidance and Resource Recovery Act 2001</i>
Water Act	<i>Water Act 1912</i>
WHS	Work Health and Safety
WM Act	<i>Water Management Act 2000</i>

Executive Summary

Dial-A-Dump (EC) (DADEC) Pty Ltd, a fully owned subsidiary of Bingo Industries Pty Ltd (Bingo), is seeking approval to modify the existing Eastern Creek Recycling Ecology Park (REP) Project Approval (MP06_0139) which permits the operation of a Resource Recovery Facility (RRF) and general solid waste (non-putrescible) landfill. DADEC proposes to enclose existing and approved processing activities by constructing two new waste facilities (Modification Proposal) within the approved Project Approval boundary, but to the west of the current operational area (Western Operational Area). The facilities would enclose existing timber receipt, processing and storage activities currently undertaken externally in the operational area of the Eastern Creek REP, as well as establish a waste transfer station for non-putrescible organics (NPO).

The Modification Proposal would enhance the operational efficiencies of the Eastern Creek REF whilst also supporting the targets and priorities established in the *NSW Waste and Sustainable Materials Strategy 2041* (DPIE, 2021). The Modification Proposal is aimed at maximising the resource recovery capacity of the Eastern Creek REP to drive circular economy outcomes and to increase the rate of waste diversion from landfill. The Modification Proposal would support the targets and priorities established in the *NSW Waste and Sustainable Materials Strategy 2041* (DPIE, 2021) and enhance the ability of waste infrastructure in the Sydney basin to meet the future demands of the construction and demolition (C&D) and commercial and industrial (C&I) waste sectors.

DADEC is seeking a Modification to the transitioned Project Approval pursuant to Section 4.55 (2) of the EP&A Act which requires a consent authority to take into consideration matters referred to in Section 4.15, as they are of relevance to the development subject of the application. The Modification Proposal is considered 'substantially the same development' as the approved SSD project defined under Section 4.55(2) of the EP&A Act. This Scoping Report seeks to inform the Request for Secretary's Environmental Assessment Requirements (SEARS) for the Environmental Assessment (EA).

A preliminary screening of environmental issues was undertaken to identify the matters for consideration for further assessment and has identified minimal environmental impacts associated with the Proposal. Additional assessment requirements proposed for review within the EA include:

- **Noise and Vibration:** Construction activities could result in noise impacts to surrounding receivers
- **Air:** Odour, dust and vehicle emissions could be generated with potential to impact on nearby sensitive receivers
- **Water:** Surface and groundwater quality could be impacted through changed runoff patterns and increased impervious surfaces
- **Soil and contamination:** Exposed soils and stockpiled materials could result in erosion and sedimentation transport.
- **Visual:** Erection of new structures could impact nearby visual sensitive receivers.

DADEC is seeking a Modification to the transitioned Project Approval pursuant to Section 4.55 (2) of the EP&A Act. The application for approval will be supported by an EA. This Scoping Report provides information about the Modification Proposal and the existing environment of the Site and surrounding area as an input to the preparation of SEARs by the DPIE. The EA will address each of the SEARs and will describe how the design, construction and operation of the proposal will avoid, minimise and manage impacts on the environment, including issues that may be of concern to the community and stakeholders.

1 Introduction

1.1 Overview

This scoping report has been prepared on behalf of Dial-A-Dump Eastern Creek (DADEC) Pty Ltd (the Applicant), a fully owned subsidiary of Bingo Industries Pty Ltd (Bingo), and is seeking approval to modify the existing Eastern Creek Recycling Ecology Park (REP) Project Approval (MP06_0139) which permits the operation of a Resource Recovery Facility (RRF) and general solid waste (non-putrescible) landfill.

DADEC proposes to enclose existing and approved processing activities by constructing two new waste facilities (Modification Proposal) within the approved Project Approval boundary to the west of the current operational area (Western Operational Area). The facilities would enclose existing timber receipt, processing and storage activities currently undertaken externally in the operational area of the Eastern Creek REP, as well as establish a waste transfer station for non-putrescible organics (NPO), including green waste. Wood waste and timber derived waste from building and demolition (B&D) waste, as well as NPO waste, are currently approved to be received under the Project Approval. The Modification Proposal would also establish a levelled, stabilised pad for stockpiling, bin storage and truck parking, as well as an extension to the existing internal road network.

There have been a number of strategic shifts that have led to the need to increase resource recovery rates and divert greater volumes of waste from landfill, particularly for organic waste material. This Modification Proposal would provide state of the art advanced resource recovery capacity for wood waste and timber derived from B&D waste and NPO waste, resulting in increased recovery rates and meeting the objectives of the *NSW Waste and Sustainable Materials Strategy 2041 Stage 1: 2021 -2027* (the Waste Strategy) (DPIE, 2021b), including diversion targets. Importantly, the Modification Proposal would enclose existing and approved waste storage and processing activities leading to enhanced environmental outcomes associated with visual impacts, noise and air quality.

The Eastern Creek REP was originally approved (MP 06_0139) under Part 3A (now repealed) of the *Environmental Planning and Assessment Act 1979* (EP&A Act) in 2009 and commenced operations in 2012. Part 3A of the EP&A Act was repealed in 2011 however transitional arrangements remained in place allowing modifications (via Section 75W) to be made to Part 3A approvals. MOD 6 was the final modification under these transitional arrangements approved on 29 April 2020. The transitional arrangements provided by EP&A Regulations have now ceased, and the project was declared an SSD by the Minister on 2 October 2020. Precedent suggests that the approval transitioned from Part 3A to SSD as the 'as modified' approval; such that in this case the Eastern Creek REP approval as per the modified approval (MOD 6 MP03_0139) is the approved SSD project.

DADEC is seeking a Modification to the transitioned Project Approval pursuant to Section 4.55 (2) of the EP&A Act. Concurrently, DADEC is also seeking an SSD approval (SSD-11606719) to increase the throughput with associated infrastructure works at the Eastern Creek REP (Eastern Creek REP Increased Throughput SSD). This Modification Proposal and the Eastern Creek REP Increased Throughput SSD, while being sought concurrently, are largely independent of one another.

1.2 The Modification Proposal

The Eastern Creek REP is located at 1 Kangaroo Avenue (the Site), Eastern Creek and currently operates as an integrated waste management facility which comprises a resource recovery facility including two materials processing centres (MPC), a segregated materials area and a non-putrescible landfill.

The Site, as shown in Figure 1-1, currently operates under Project Approval MP06_139 which comprise Lots 1 and 2 DP 1145808 and Lot 2 DP 1247691. The current operational area, however, is currently limited to Lot 1 DP 1145808 and Lot 2 DP 1247691. The Applicant is seeking approval to expand the operational boundary of the Eastern Creek REP to the west within the existing Project Approval boundary, within Lot 2 DP 1145808¹, where it is proposed to erect two new enclosures and establish a stabilised pad for general operational activities including truck parking, bin storage and stockpiling. The Modification Proposal would facilitate the relocation and enclosure of existing and approved waste processing activities within the Eastern Creek REP.

The Modification Proposal includes the following:

- Expansion of the Eastern Creek REP's operational footprint to incorporate additional land within the Project Approval boundary to the west of the current operational footprint (the Western Operational Area)
- Construction and operation of a waste processing facility for wood and timber derived from B&D waste, connected to existing onsite processing facilities via transfer conveyors, to relocate and enclose existing timber waste processing and storage operations
- Construction to enclose currently approved NPO waste receipt and processing operations and expand operations to include an organics transfer station
- Establishment of new internal roads within the Western Operational Area
- Establishment of ancillary features such as water management infrastructure, signage and landscaping, as required.

The Modification Proposal would enable DADEC to maximise resource recovery across their broader network. The modification would also enable the relocation of existing and approved activities to enclosed facilities improving the environmental management outcomes committed through the existing conditions of approval and supporting environmental management plans in place for the Site.

¹ A Development Application has been lodged for the subdivision of Lot 2, DP 1145808

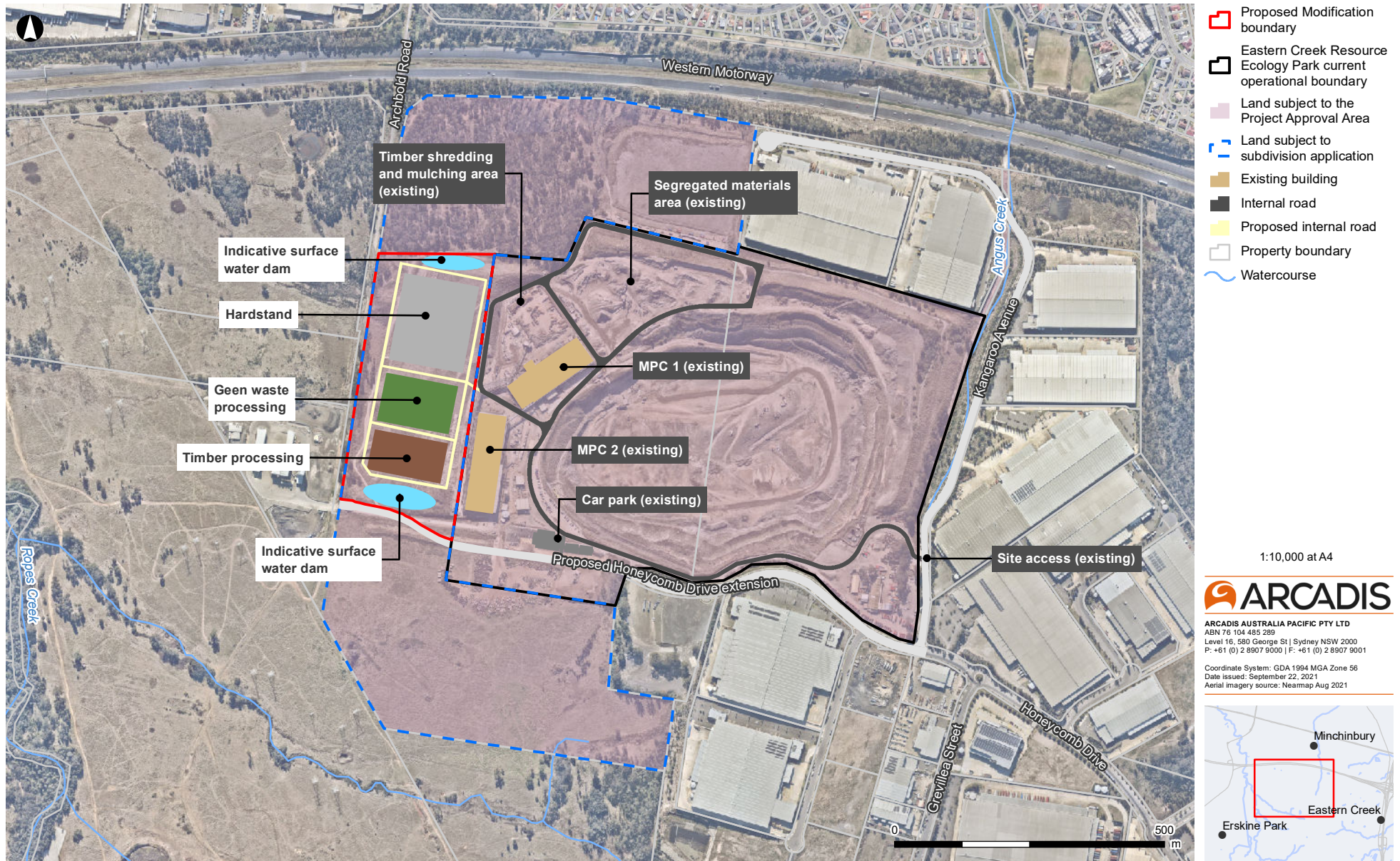


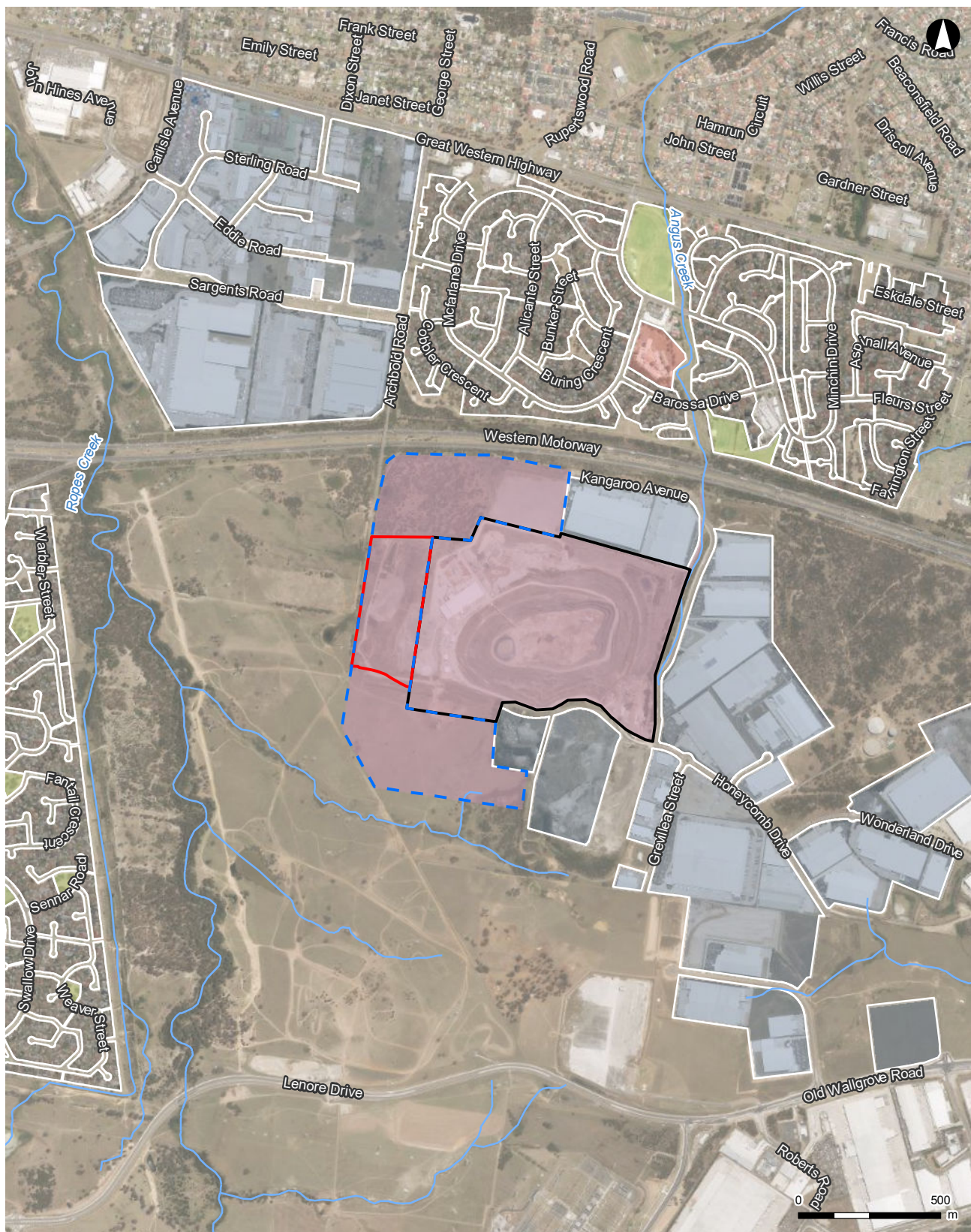
Figure 1-1: Proposal Modification layout

1.3 The Site

The Site is legally described as Lots 1 and 2 in DP 1145808 and Lot 2, DP 1247691. The “operational area” containing the approved resource recycling and landfill operations is located within the boundaries of existing Lot 1 DP 114508 and Lot 2 DP 1247691. The Modification Proposal is located in Lot 2 DP 1145808 which is owned by IRM Property Group No2 Pty Ltd and is currently subject to a subdivision application (DA-21-01557). Landowner’s consent is provided in Appendix A.

The Site is located within the Eastern Creek industrial precinct and forms part of the M7 business hub. The Site is surrounded by a large range of industrial developments, primarily to the east. These industrial developments include Techtronic Industries, H&M distribution warehouse, Kuehne + Nagel (Australia) Pty Ltd warehouse, Kmart distribution centre, Bunnings distribution centre and DB Schenker warehouse. To the west of the Site is the Fulton Hogan asphalt batching plant.

The Site is bounded by the Western Motorway (M4) to the north, Kangaroo Avenue to the east and Honeycomb Drive to the south. The Archbold Road extension would run parallel to the western boundary of the Site (Transport for NSW (TfNSW), 2019). The Eastern Creek REP is enclosed by commercial and industrial buildings to the immediate north, east and south of the Site. The closest residential receivers are located approximately 400 metres (m) to the north in the suburb of Minchinbury and approximately 1 kilometre (km) west in the suburb of Erskine Park. Nearby sensitive receivers are shown on Figure 1-2.



- | | |
|--|--|
| Proposed Modification boundary | Education facility (Minchinbury Public School) |
| Eastern Creek Resource Ecology Park current operational boundary | Industrial receiver |
| Land subject to the Project Approval Area | Recreational area |
| Land subject to subdivision application | Sensitive residential receiver |
| | Watercourse |

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Coordinate System: GDA 1994 MGA Zone 56
 Date issued: September 22, 2021
 Aerial imagery source: NSW LPI

1:20,000 at A4

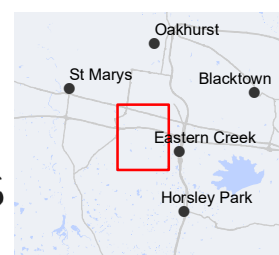


Figure 1-2: Nearby sensitive receivers

1.3.1 Site history

During the 1800s, the Eastern Creek REP site was used for both agricultural and breccia quarrying purposes. The quarrying activities expanded by the 1930s and was formally operated by the Ray Fitzpatrick Quarriers in the 1950s. Quarrying activities continued until September 2006, with the final quarry void estimated to be 11 million cubic metres (m³).

In November 2009, Dial-A-Dump Industries (DADI) acquired the site and gained approval (MP 06_0139) for the construction and operation of the Genesis Xero Waste Management Facility (now named Eastern Creek REP), comprising a resource recovery facility and non-putrescible landfill with a material handling capacity of 700,000 tpa. The Eastern Creek REP commenced operations in 2012.

Bingo acquired DADI in February 2019, including all its NSW waste and recycling assets and Bingo took over the operation of the Eastern Creek REP following completion of the acquisition process.

Since the original project approval, seven modifications have been subsequently submitted and approved, the most recent of which was in April 2020. Table 1-1 provides a summary of these previous approvals.

Table 1-1 Existing approvals at Eastern Creek REP

Approval	Details
MP06_139	Allows for construction and operation of a resource recovery facility and non-putrescible landfill facility. The approval allows for: <ul style="list-style-type: none"> • A waste recovery facility including a MPC and green waste area • Rehabilitation of the quarry void via a Class 2 (non-putrescible) landfill • A total throughput of up to 2 million tonnes per annum (Mtpa) • Landfilling of up to 700,000 tonnes of non-putrescible waste (including asbestos) • Stockpiling of up to 50 tonnes of tyres on site at any one time • Stockpiling of up to 20,000 tonnes of green waste on site at any one time.
MOD 1 (30 September 2010)	Included changes to site infrastructure such as electrically powered conveyor and chute, provision for two-way traffic on Fourth Avenue, concrete bay walls within the green waste processing area and relocation of the wheel wash. Also allowed for postponed commencement of construction.
MOD 2 (9 November 2010)	To correct minor details, specifically to update reference to the land being Lots 1, 2, 3 and 4 in DP 1145808.
MOD 3 (5 December 2011)	Allowed for changes and additions to site infrastructure and operations including: <ul style="list-style-type: none"> • Changes to final landform levels • Changes to operational landform levels and site stormwater design • Provision of an internal office and external amenities for the weighbridge • New amenities building • New amenities building associated with the spotter stations • New administrative/office building • New amenities at the tarp stand area • Approval for the use and relocation of the vehicle turning bay • A voluntary planning agreement.
MOD 4 (14 December 2013)	Included amendments to the approved MPC operational hours, extending hours to 6am to 10pm Monday to Friday, and 6am to 4pm Weekends and Public Holidays.
MOD 5 (17 March 2016)	Allowed for the construction and operation of an additional pre-sort enclosure adjoining the existing MPC to improve the efficiency of onsite operations.

Approval	Details
MOD 6 (29 April 2020)	Allowed for administrative changes including: <ul style="list-style-type: none"> An increase in the proportion of the annual waste receival limit that can be landfilled from 700,000 tpa to 1 Mtpa. Extension to operational hours for certain activities Increase in the noise limits set out in MP06_0139.
Transition to State Significant Development (2 October 2020)	Following the repeal of Part 3A of the EP&A Act on 1 October 2011, the project was subject to the transitional arrangements provided by the EP&A Regulations. The transitional arrangements provided by EP&A Regulations have now ceased, and the project has been transitioned to a SSD on 2 October 2020.
MOD 8 (3 March 2021)	Amendments to the MPC 2 (previously known as the pre-sort enclosure), including changes to the building footprint, tip floor operations and machinery. Also included the relocation of weighbridges and car parking spaces.
Eastern Creek REP throughput increase SSD-11606719 (in preparation)	DADEC is seeking approval to increase throughput at the Eastern Creek REP from 2 Mtpa to 2.95 Mtpa (an increase of 950,000 tpa). There would be no change to the approved waste types accepted at the REP. The increase in throughput would be processed through existing approved facilities including MPC 1, MPC 2 and the Segregated Materials Area (SMA). Supporting infrastructure is also proposed to provide improved operational efficiency to support the increase in throughput. The Eastern Creek REP Throughput Increase is considered a standalone SSD application and is independent of this Modification Proposal. The Environmental Impact Statement (EIS) to support the SSD Application is currently under preparation by the Applicant.

1.3.2 Current operations

The Eastern Creek REP is currently authorised for the following activities:

- A total throughput capacity of 2 Mtpa of non-putrescible waste accepted at the site, and landfilling of the quarry void of up to 1 Mtpa of non-putrescible waste (including asbestos and other non-recyclable waste) excluding residual chute waste from the MPCs
- The operation of two materials processing centres (MPC 1 and MPC 2) to recover recyclable material from C&D and C&I waste streams as well as utilisation of the chute and maintenance activities
- Crushing, grinding and separating works to process waste masonry material located in an area earmarked as the SMA
- Operation of the SMA, comprising crushing, grinding and separating works to process waste masonry materials
- Receipt of segregated materials and truck delivery for landfilling activities
- Recycling of an estimated 65-80 per cent of incoming waste (1.3 to 1.6 Mtpa, based on maximum capacity intake) e.g. to produce road base, aggregate, landscaping soil, bedding sand, mulch, wood chip, green waste compost and asphalt derived products for land application
- Stockpiles of 50 tonnes of tyres and 20,000 tonnes of green waste (stockpiles for all other material cannot exceed the height of the berms, impervious barriers or visual screens).

The approved operating hours for the Eastern Creek REP are presented in Table 1-2.

Table 1-2 Approved operating hours

Activity	Day	Time
Construction	Monday – Friday	7:00am to 6:00pm
	Saturday	8:00am to 4:00pm
	Sunday and Public Holidays	Nil
MPC – operation, waste receipt, chute use and maintenance	Monday – Friday	24 hours
	Saturday	
	Sunday and Public Holidays	
SMA – crushing and screening	Monday – Friday	6:00am to 6:00pm
	Saturday	8:00am to 4:00pm
	Sunday and Public Holidays	
SMA – receipt of segregated materials	Monday – Friday	24 hours
	Saturday	8:00am to 4:00pm
	Sunday and Public Holidays	
Landfill – truck deliveries	Monday – Friday	5:00am to 9:00pm
	Saturday	
	Sunday and Public Holidays	

1.4 Purpose of this Report

This Scoping Report has been prepared for submission to the Department of Planning, Industry and Environment (DPIE) to seek Secretary's Environmental Assessment Requirements (SEARs) for the Modification Proposal. These SEARs will provide the benefit of a defined scope of works to support the preparation of a Modification Application in line with the expectations of the regulators and in accordance with Part 4 of the EP&A Act.

This Scoping Report has been prepared with reference to the *State Significant Development Guidelines – Preparing a Scoping Report* (DPIE, 2021a) including:

- Strategic context
- Project details
- Statutory context
- Community engagement
- Proposed assessment of impacts.

The key objective of the Modification Proposal is to provide a key piece of infrastructure in the NSW market to respond to shortfalls in resource recovery and recycling infrastructure and to enhance the environmental outcomes of existing operations.

1.5 The Applicant

DADEC (the Applicant) is a fully owned subsidiary of Bingo Industries Pty Ltd (Bingo) and currently own and operate the Eastern Creek REP, formerly known as Genesis Eastern Creek (the Site). Bingo is an Australian entity, now majority owned by Macquarie Infrastructure and Real Assets (MIRA) and its managed funds, following MIRA's acquisition of Bingo in August 2021.

Bingo's operations include a network of strategically located resource recovery and recycling facilities in NSW and Victoria. The proposed modification would further strengthen Bingo's waste management infrastructure in Sydney, complementing its existing network by providing a means of treating waste streams that are currently subject to sub-optimal levels of recycling and recovery and reducing the volume of waste going to landfill.

Bingo employs over 1200 staff that manage and operate a fleet of over 350 modern collections and operations vehicles, carrying out thousands of services a day to a diverse set of customers.

1.6 Consultation

DADEC has commenced engagement with several Government and agency stakeholders regarding the Modification Proposal. During the preparation of the Modification Application the Applicant will consult with, as a minimum, the following:

- Department of Planning, Industry and Environment (DPIE)
- Blacktown City Council
- Environmental Protection Authority (EPA).

Any issues raised by community and/or Government stakeholders will be addressed. Amendments to the design of the development in response to these issues will also be identified. Where amendments have not been made to address an issue, an adequate explanation will be provided in the Modification Application.

2 Strategic Context

The Modification Proposal objectives are to:

- Enhance the operational efficiency of the Eastern Creek REP
- To maximise the efficiency of resource recovery activities at the Site and further enhance DADEC's ability to meet the State's resource recovery targets (80 per cent average recovery rate from all waste streams and to halve the amount of organic waste sent to landfill by 2030) under the NSW Waste and Sustainable Materials Strategy 2041 by increasing resource recovery landfill diversion rates
- Contribute to achieving the State's target of halving the amount of organic waste sent to landfill by 2030
- Improve the environmental outcomes of existing operations, particularly in relation to noise, air quality and visual impacts, by enclosing existing and approved waste processing activities
- Manage potential impacts associated with the construction and operation of the Modification Proposal in an environmentally and socially responsible manner.

2.1 Need for Modification Proposal

The Eastern Creek REP represents essential waste infrastructure to meet the demand for processing and recovery of the anticipated waste volumes in Greater Sydney in the next decade. Significant expansion of the recycling and reprocessing network is critical to meeting State and Commonwealth waste targets and respond to fundamental challenges to the recycling business model.

The Modification Proposal would primarily enhance resource recovery outcomes for NPO waste. In FY2019, an estimated 2.5 million tonnes of organic waste (such as food organics, garden organics, timber and textiles) was sent to landfill (DPIE, 2021b). The NSW Waste and Sustainable Materials Strategy 2041 (DPIE, 2021b) estimates that under BAU, Greater Sydney needs more than 3 Mtpa of additional non-putrescible waste capacity by 2030, and a further 1.2 Mtpa by 2040. The significant challenge to develop new landfill in Greater Sydney supports development of alternatives to landfill, such as the new and approved MPC2 at the Eastern Creek REP.

The Waste Strategy has a large focus on diverting organic waste from landfill, which the Modification Proposal would substantially aid. The strategy has set targets of an 80 per cent average recovery rate from all waste streams by 2030, to halve the amount of organic waste sent to landfill by 2030, and also includes the commitment of net zero emissions from organic waste by 2030.

There is very limited recovery of mixed C&I waste in Greater Sydney, with only three existing processing facilities offering a collective approved annual capacity of 280,000 tpa. The Cleanaway ResourceCo facility at Wetherill Park is the only significant facility at an approved capacity of 250,000 tpa, together with small facilities operated by Doyle Brothers and Waste Free. These facilities all produce a single-use refuse derived fuel (RDF), which is the lowest order recovery pathway in the waste hierarchy. This shortfall in recycling is putting pressure on Sydney's limited putrescible waste landfill capacity. Furthermore, carbon emissions from organic waste decomposing in landfill make up more than 2 per cent of total net annual carbon emissions in NSW. Increased diversion of organics from landfill is an important first step towards reducing carbon emissions from waste.

The waste strategy has acknowledged a significant shortfall of NSW waste recovery infrastructure including organics transfer stations to move material outside urban areas for processing and small-scale onsite solutions in high-population areas and industry centres. Highly urbanised areas account for the majority of organics waste and the biggest demand for new infrastructure. However, in these areas with high land value and community in proximity to odour-generating waste facilities, the prospects of developing major new facilities are reduced. Instead, transfer stations are likely to be needed to bulk and transport organics to

suitable locations for processing, with sites close to end markets likely to be preferred to minimise multiple handling. The Modification Proposal would not only improve the resource recovery outcomes for organic waste within the Eastern Creek REP but would also provide a key piece of infrastructure that would enable the processing of organic waste outside of urban areas.

The Eastern Creek REP was approved for the receipt and processing of green waste however these operations have not yet been undertaken on site. Furthermore, although timber waste is already processed on site, many of these activities occur within the outdoor operational areas. Constructing the proposed facilities within the existing operational footprint is not viable. Due to space constraints, only small facilities which would be operationally prohibitive could be constructed. Additionally, this would create increased traffic impacts and safety concerns for personnel on site within the Eastern Creek operational area, which would be to the detriment of the operations at Eastern Creek REP. In order to provide facilities that improve the environmental outcomes of the Eastern Creek REP operations without decreasing operational efficiencies, the expansion of the Eastern Creek REP's operational footprint is crucial.

DADEC is committed to improving the resource recovery capabilities of the Eastern Creek REP to facilitate greater outcomes for waste management in the Greater Sydney area, however, in a manner that does not increase the burden of environmental impacts on the local community. Enclosing the wood waste and timber and NPO waste activities within the proposed facilities would facilitate better environmental outcomes, as the potential risk of amenity impacts in relation to air quality, noise and visual impacts would be reduced. Furthermore, relocating the existing timber processing activities indoors would reduce the potential noise impacts associated with existing operations.

In a metropolitan region with severe space constraints and significant competition for land and high community sensitivity, optimising under-utilised facilities is a low-friction approach to enhancing the capacity and resilience of the overall system. Rather than expand the footprint of waste infrastructure in Sydney, the Modification Proposal aims to further unlock the potential of the strategically significant Eastern Creek REP, with benefits of scale and optimal location within the Sydney transport network. The Modification Proposal supports further development of the Eastern Creek REP, which is being developed in response to market demand and the policies of both the State and Commonwealth governments for expanded and enhanced resource recovery infrastructure.

The Modification Proposal is aimed at maximising the resource recovery capacity of the Eastern Creek REP to drive circular economy outcomes and to increase the rate of waste diversion from landfill. The Modification Proposal assists in the realisation of the State's recycling goals and would enhance the ability of waste infrastructure in the Sydney basin to meet the future demands of the C&D and C&I waste sectors.

The Modification Proposal supports the implementation of a circular economy in NSW as it directly relates to enhancing resource recovery outcomes and reducing the quantity of waste going to landfill. DADEC's investment in recycling and resource management infrastructure is aimed at closing the resource loop, by generating usable and market demanded products from recycled material. The Modification Proposal therefore represents critical infrastructure that will be required to facilitate the NSW Government's desire to pursue a holistic approach to resource management. The Modification Proposal would enhance DADEC's ability to successfully achieve this influence and optimise recovery and circular outcomes

2.2 Consistency with Strategic Planning

The Modification Proposal supports a number of key strategic documents and relevant legislation. The most applicable of these are detailed in Table 2-1.

Table 2-1 Modification Proposal's consistency with strategic planning

Strategy	Applicability
A Metropolis of Three Cities (GSC, 2018a)	A Metropolis of Three Cities is the plan for the Greater Sydney Region to 2056 and is built on a vision of three cities: one of which is the Central River City where the Eastern Creek REP is located. Objective 35 of this Plan seeks to promote the development of a circular economy; an outcome directly supported by the Eastern Creek REP and its resource recovery activities.
The Central City District Plan (GSC, 2018b):	As a guide to delivering A Metropolis of Three Cities, the Greater Sydney Commission has released five district plans. The Eastern Creek REP is identified as a major component of the Central River City and would support a number of the Central City District Plan's key actions, including allowing the continued use of an existing location for waste recycling management (Action 77), and reducing the volume of waste via resource recovery (Action 78).
NSW Government Circular Economy Policy Statement (NSW EPA, 2019):	The Policy Statement is aimed at changing the way we produce, assemble, sell and use products to minimise waste and reduce environmental impacts. Increasing the volume of resource recovery via the Modification Proposal directly contributes to achieving circular economy outcomes.
NSW Waste and Sustainable Materials Strategy 2041 (DPIE, 2021b):	The NSW Government has committed to having an 80 per cent recovery rate from all waste streams by 2030 and halving the amount of organic waste sent to landfill by 2030. The Modification Proposal would play a key role in assisting the NSW Government in achieving these targets.
Net Zero Plan Stage 1: 2020–2030 (DPIE, 2020):	This Plan sets out how we will reduce our emissions by 35 per cent by 2030 and reach net zero emissions by 2050. As part of the Plan, the NSW Government committed to setting a target of net zero emissions from organic waste to landfill by 2030. In 2019-2020, an estimated 2.5 million tonnes of organic waste (such as food organics, garden organics, timber and textiles) was sent to landfill. In providing a key piece of infrastructure required to process organic waste, the Modification Proposal would assist in the realisation of decreasing the amount of waste sent to landfill and reducing carbon emissions.
SEPP No. 59 CWSEEA – Eastern Creek Precinct Plan – Stage 3	The Central Western Sydney Economic and Employment Area (CWSEEA) Eastern Creek Precinct Plan operates to ensure the orderly provision of infrastructure and services. As the land within which the Modification Proposal is zoned for industrial uses and is located within the existing Eastern Creek REP, the Modification Proposal supports this objective by providing a key piece of waste infrastructure in an area containing consistent land uses.

2.3 Alternatives

Consideration was given to alternative approaches as part of the design development process for the Modification Proposal. However, each of these alternatives have been disregarded as they would not adequately address the critical need for the relocation of operations at the Eastern Creek REP. The feasible alternatives considered for the Modification Proposal are outlined in the table below. Based on the factors outlined in Table 2-2, the Modification Proposal at the Eastern Creek REP site is considered the most suitable option.

Table 2-2 Consideration of alternatives

Scenario	Justification
Do-nothing scenario	This scenario was rejected as it would result in a missed opportunity to improve the environmental outcomes of the Eastern Creek REP operations. Furthermore, it would not allow for the provision of much needed organics waste processing infrastructure within Greater Sydney. This would be inconsistent with the objectives and goals mandated in Local, State and Commonwealth strategic planning frameworks.
Alternative site	This scenario was rejected due to Eastern Creek REP's current approvals for diverse resource recovery activities and the integrated nature of waste management operations at the site. As the Modification Proposal relates to the relocation and enclosure of approved and existing waste streams, it could not logically occur anywhere else as it is intrinsically linked to current operations. The co-location of these waste activities would optimise the efficiency of the existing waste infrastructure. Furthermore, the Eastern Creek REP is situated in close proximity to key regional transport infrastructure and is therefore considered the optimal location for the Modification Proposal, with the result that alternate sites have not been considered.
Alternative site configuration and layout	This scenario was considered unviable as the alternative site configuration and layout would be to construct the proposed facilities within the existing operational footprint. This would result in operationally prohibitive, small facilities and create traffic impacts that detriment the operations of the Eastern Creek REP and safety outcomes for personnel on site.

3 Modification Proposal

The Applicant is seeking approval to expand the operational boundary of the Eastern Creek REP to relocate existing and approved waste processing activities. The Modification Proposal would require the erection of two new structures within the western portion of the Site to enclose existing waste processing activities which would continue to process approved and existing waste streams and tonnages.

The Modification Proposal would also include the establishment of a hardstand area adjacent and north of the proposed structures for general operational activities including truck parking, bin storage and stockpiling.

3.1 Built form

The Modification Proposal as shown in Figure 1-1 would comprise the following new elements:

- An enclosed NPO waste processing facility
- An enclosed wood and timber waste derived from B&D waste processing facility
- A new storage area located on the hardstand adjacent to the proposed NPO waste transfer facility
- Landscaping, signage and water infrastructure
- Internal road network to connect into the broader Eastern Creek REP.
- Material transfer conveyors

The Modification Proposal would be designed and constructed in accordance with relevant legislation, regulations and standards.

3.2 Construction activities

Construction is anticipated to commence in late 2022 and would take approximately 18 months to complete. Works would generate approximately 40 full time equivalent jobs during the construction period.

Works would be undertaken during standard construction hours:

- 7am to 6pm Monday to Friday
- 8am to 4pm Saturday
- No works on Sundays or Public Holidays.

The key construction components of the Modification Proposal would include:

- Clearing and grubbing works
- Earthworks required to level the Site
- Construction of two new waste processing enclosures
- Internal road network upgrades and associated water management infrastructure (where required)
- Landscaping works.

Construction equipment is anticipated to include:

- Excavators
- Forklifts
- Bulldozers
- Rollers (vibratory and static)
- Cherry pickers and mobile cranes
- Water trucks
- Handheld tools
- Concrete agitators, concrete pumps and concrete saws.

3.3 Operations

The Modification Proposal would provide new waste processing and transfer infrastructure that would support and improve the waste recovery capacity of the Eastern Creek REP. The existing MPCs operate 24 hours a day, seven days a week and would supply residual wood waste and timber and NPO waste that has been sorted and separated within the existing MPCs to the Modification Proposal's facilities. Non-putrescible organic waste would also be directly delivered to the Modification Proposal's facilities. This recovered timber would be transferred from the MPCs to the tipping area either via a conveyor system or using trailer trucks. Direct deliveries of wood waste and timber and NPO waste may also be received within the two facilities via the internal road network.

Operation of the Modification Proposal would continue generally in accordance with the current approval and would comprise:

- Receival of NPO waste
- Resource recovery activities including wood and timber shredding and mulching, and NPO processing
- Stockpiling of wood waste and timber derived from B&D waste and NPO waste
- Use of the designated operational areas for general operational activities including truck parking, bin storage and stockpiling.

Key operational details of the Eastern Creek REP (as per the Project Approval), applicable to the Modification Proposal, are included in Table 3-1.

Table 3-1 Key operational details of the Modification Proposal

Operational component	Proposed operations
Types of waste accepted	<p>The Eastern Creek REP accepts dry non-putrescible waste material from municipal and commercial sources including:</p> <ul style="list-style-type: none"> • Wood waste and timber derived from B&D waste • Non-putrescible organic waste.
Resource recovery processing activities	<p>The resource recovery processing activities would include:</p> <ul style="list-style-type: none"> • Shredding and mulching • Non-putrescible organic shredding, mulching and consolidation.
General type of equipment used for processing	<ul style="list-style-type: none"> • Shredders and mulching equipment • Transfer conveyors • Auxiliary equipment including screens, stockpilers and reclaimers • Mobile equipment including loaders, excavators, dump trucks and water carts.

Table 3-2 Proposed operational hours

Activity	Day	Time
Organics Waste Processing and Transfer Station	Monday - Friday	24 hours
	Saturday	
	Sunday and Public Holidays	
Timber Processing Facility	Monday - Friday	24 hours
	Saturday	
	Sunday and Public Holidays	
Storage area – receipt of segregated materials	Monday - Friday	24 hours
	Saturday	8:00am to 4:00pm
	Sunday and Public Holidays	8:00am to 4:00pm

Note that the operational hours provided in Table 3-2 are consistent with those approved under MP06_0139.

It is also noted that as part of the Modification Proposal, amendments would be required to a number of the Project Approval conditions of consent. This will be detailed within the Modification Application Environmental Assessment. A number of dedicated environmental management plans are in place for the operation of the Eastern Creek REP. The Modification Application will also identify which operational plans will be updated to support the Modification Proposal.

4 Statutory Context

The following section provides an overview of the key legislation and planning instruments applicable to the Modification Proposal. A detailed assessment of all the relevant legislation will be undertaken as part of the Modification Proposal.

4.1 Commonwealth Legislation

The Commonwealth *Environment Protection and Biodiversity Conservation Act 1999* (EPBC Act) provides a legal framework to protect features deemed to be Matters of National Environmental Significance (MNES), including:

- World heritage properties
- National heritage places
- Wetlands of international importance (often called 'Ramsar' wetlands after the international treaty under which such wetlands are listed)
- Nationally threatened species and ecological communities
- Migratory species
- Commonwealth marine areas
- The Great Barrier Reef Marine Park
- Nuclear actions (including uranium mining)
- A water resource, in relation to coal seam gas development and large coal mining development.

An initial assessment of the Modification Proposal against MNES under the EPBC Act, suggests that the Modification Proposal would not have any significant impact upon these matters and therefore referral to the Commonwealth Minister for the Environment is not considered warranted.

4.2 NSW Legislation

4.2.1 Environmental Planning and Assessment Act 1979

The Eastern Creek REP was originally approved under Part 3A of the EP&A Act (MP 06_0139) in November 2009. Following the repeal of Part 3A of the EP&A Act on 1 October 2011, the Project Approval was subject to the transitional provisions provided by the EP&A Regulations. Since the commencement of operations in 2012, the Project Approval was modified seven times under Section 75W of the EP&A Act (refer to Table 1-1).

The Current Approval (MP06_0139) for a Resource Recovery Facility and general solid waste (non-putrescible) landfill was granted on 22 November 2011 by the then Planning Assessment Commission (PAC).

The transitional arrangements provided by EP&A Regs have now ceased, and the project was declared an SSD by the Minister on 2 October 2020. Precedent suggests that the approvals transitioned from Part 3A to SSD is the 'as modified' approval; such that in this case the Eastern Creek REP approval as per the modified MP03_0139 is the approved SSD project.

Modification to the transitioned project is sought under Section 4.55(2) of the EP&A Act. The Modification Proposal is considered 'substantially the same development' as the approved SSD project defined under Section 4.55(2) of the EP&A Act due to the following reasons:

- The proposed use is the same as that approved under the current approval
- Although garden waste is not currently processed at the Eastern Creek REP, these activities have been assessed and approved under the current approval

- There would be no increase in the approved amount of waste that is treated at the site
- The proposed activities would be located within land subject to the current Project Approval.

Section 4.55 (2) of the EP&A Act requires a consent authority to take into consideration matters referred to in Section 4.15, as they are of relevance to the development subject of the application. This includes consideration of any environmental planning instruments and legislation applicable to the land that is the subject of the proposed modification. The following sections consider the legislation and plans relevant to the Modification Proposal.

The Modification Proposal would also be considered in the context of Clause 115 (e)(ii) of the EP&A Regulations under which the proposed modifications are required to optimise resource recovery outcomes and increase the volume of waste diverted from landfill.

4.2.2 Other legislation

The Modification Application would provide a review of the Modification Proposal against relevant legislation. Legislation that may be applicable to the Modification Proposal includes, but may not be limited to:

Table 4-1 NSW Legislation potentially applicable to the Modification Proposal

Legislation	Applicability
<i>Protection of the Environment Operations Act 1977 (POEO Act)</i>	The POEO Act is the principal NSW environmental protection legislation and is administered by the EPA. The Site has two active Environmental Protection Licences (EPLs) (EPL numbers 20121 and 13426).
<i>Protection of the Environment Operations (Waste) Regulation 2014</i>	The POEO (Waste) Regulation 2014 requires tracking of certain waste within NSW and between participating states. Each party must be authorised to store, transport or receive the specific type of waste.
<i>Contaminated Land Management Act 1977 (CLM Act)</i>	The CLM Act governs the requirements to notify and remediate contaminated land in NSW. Previous environmental assessment documents have identified elevated levels of some analytes at the Eastern Creek REP site (e.g. nickel is found to be naturally occurring at the Site), however the previous assessment have not identified significant contamination.
<i>The Waste Avoidance and Resource Recovery Act 2001 (WARR Act)</i>	The WARR Act aims to encourage the most efficient use of resources to reduce environmental harm and ensure that resource management is undertaken in a logical, sustainable and organised manner. The Modification Proposal would promote resource recovery and diversion of waste to landfill and most importantly deliver on the principles of circular economy.

4.3 State Environmental Planning Policies

The following State Environmental Planning Policies (SEPPs) may be applicable to the Modification Proposal and would be considered within preparation of the Modification Application, as required.

Table 4-2 SEPPs potentially applicable to the Modification Proposal

SEPP	Applicability
State Environmental Planning Policy (Western Sydney Employment Area) 2009 (WSEA SEPP)	The WSEA SEPP aims to promote economic development and employment, provide for the orderly and coordinated development of land, rezone land for employment or conservation purposes, ensure development occurs in a logical, cost-effective and environmentally sensitive manner and conserve and rehabilitate. Under the WSEA SEPP, the Site is predominantly zoned IN1 General Industrial, with the conservation area to the north-west of the Site zoned E2 Environmental Conservation. As the Modification Proposal would be undertaken wholly within the area zoned as IN1 General Industrial, it would be considered permissible with consent.
State Environmental Planning Policy No. 55 – Remediation of Land (SEPP 55)	SEPP 55 aims to promote the remediation of contaminated land with the objective of reducing the risk of harm to human health or other aspects of the environment. Clause 7 of SEPP 55 imposes an obligation on the approval authority to have regard to certain matters before granting approval.
State Environmental Planning Policy No. 33 - Hazardous and Offensive Development (SEPP 33)	SEPP 33 links the permissibility of an industrial development to its safety and environmental performance. The Modification Proposal falls within the definition of a “potentially hazardous industry” or “potentially offensive industry” under the SEPP 33. The Modification Proposal would prepare a hazards screening assessment to determine if a preliminary hazard analysis is required.
State Environmental Planning Policy (Infrastructure) 2007 (ISEPP)	Section 121 of the ISEPP facilitates the development for the purposes of waste or resource management facilities to be undertaken with development consent within a ‘prescribed zone’ being IN1 General Industrial. The Eastern Creek REP is zoned IN1 General Industrial under the WSEA SEPP. Therefore, development of waste or resource management facilities and supporting infrastructure would be permissible on the Eastern Creek REP with development consent. In addition, the ISEPP identifies development that is considered to be Traffic Generating Development. As per Schedule 3 of the ISEPP, a recycling facility or transfer station of any size or capacity is considered to be a Traffic Generating Development. The Modification Proposal will assess traffic impacts in accordance with ISEPP.
Eastern Creek Precinct Plan (as a deemed Development Control Plan – adopted by the WSEA SEPP)	The Eastern Creek Precinct Plan was prepared in accordance with the now repealed State Environmental Planning Policy No. 59 – Central Western Sydney Economic and Employment Area (SEPP 59) and provides guidelines for planning and development in the Eastern Creek Precinct. The Eastern Creek REP is identified in the Stage 3 Release Area and therefore the Modification Proposal will consider the provisions of the Eastern Creek Precinct Plan.

4.4 Local planning instruments

The relevant local planning instrument is the Blacktown Local Environmental Plan 2015 (BLEP 2015). However, as Lot 2 DP 1145808 (subject of the Modification Proposal) is contained within the WSEA SEPP, the land use zoning of these lots in the BLEP 2015 is deferred.

Under the WSEA SEPP, the Eastern Creek REP is zoned as predominantly IN1 General Industrial with the conservation area to the north-west of the Site zoned as E2 Environmental Conservation.

5 Proposed Assessment of Impacts

A preliminary screening of environmental issues was undertaken to establish the requirement for further assessment. A summary of this screening is presented in Table 5-1 below. All issues will be assessed further in the Modification Application, however detailed technical assessment will be undertaken for issues presenting a moderate, high or very high-risk level, and have been identified as “key issues”. Issues determined as having a lower risk level have been separated into “other issues”. Key and other issues have been further assessed in Sections 5 and 6 respectively.

Table 5-1 Identification of environmental issues

Environmental Aspect	Preliminary Screening	Relevant Sections
Key environmental issues		
Noise and vibration	Noise during construction may have a negative impact on sensitive receivers. Modification Proposal is unlikely to cause any substantial change in noise impacts for both residential and commercial/industrial receivers during operation due to the enclosure and relocation of existing activities undertaken within the Eastern Creek REP.	Section 5.1
Traffic, access and parking	A traffic, access and parking impact assessment will be provided as part of the Modification Application. This assessment will determine the impacts during both the construction and operational phases of the Modification Proposal. No substantial changes to operational traffic are anticipated as no increase is proposed to total annual waste throughput.	Section 5.2
Air quality	Likely air emissions arising from the Modification Proposal include dust from demolition, construction and operational activities, vehicle emissions from heavy and light vehicles accessing the Site. Potential for odour emissions is expected to be minimal due to basic processing activities for the NPO component and the enclosed facilities and distance from sensitive receivers.	Section 5.3
Water quality and hydrology	Management of waste has the potential to impact stormwater runoff if not appropriately managed. Additionally, surface water management during construction and operation needs to be considered to manage potential for impact on local waterways.	Section 5.4
Soils and contamination	Reference to the Sydney 1:100 000 Geological Series Sheet indicates the site is underlain by Bringelly Shale from the Wianamatta Group. Bringelly Shale generally comprises shale, carbonaceous claystone, claystone, laminate, fine to medium grain lithic sandstone and rare coal. The adjacent landfill is found in an intrusive (igneous) plug of dolerite and breccia rocks which may have caused localised metamorphism of the shale rocks.	Section 5.5
Visual	The introduction of two new structures may result in visual impacts to nearby receivers.	Section 5.6
Other environmental issues		
Biodiversity	The Modification Proposal is located within an industrial area with limited ecological values and is unlikely to have a significant impact on biodiversity.	Section 6
Hazards and risk	Storage and handling of waste, hazardous and dangerous goods on site may result in impacts to the surrounding environment, including the potential as a fire risk.	Section 6

Environmental Aspect	Preliminary Screening	Relevant Sections
Waste management	It is unlikely that waste generation would increase as a result of the Modification Proposal as current waste management associated activities would only be relocated.	Section 6
Aboriginal heritage	Due to the history of quarrying activities and the disturbed nature of the Site, it was deemed unlikely to host Aboriginal artefacts of significance.	Section 6
Non-Aboriginal heritage	The heavily disturbed nature of the Site makes it unlikely that any objects of non-Aboriginal significance would be present.	Section 6

Potential environmental impacts associated with the Modification Proposal will be considered as part of the environmental assessment report supporting the Modification Application and if required, managed through the implementation of appropriate mitigation and control measures.

5.1 Noise and vibration

Table 5-2 Noise and vibration impact assessment

Aspect	Assessment
Overview	<p>The Eastern Creek REP is situated within an existing industrial precinct, with the closest sensitive receivers comprising the following:</p> <ul style="list-style-type: none"> • Residences in the suburb of Minchinbury, approximately 400 m north of the Eastern Creek REP on the opposite side of the M4 Motorway • Residences in the suburb of Erskine Park, approximately 1.2 km west of the Eastern Creek REP • Industrial warehousing facilities to the immediate north, east and south of the Eastern Creek REP. <p>The residential receivers above are affected by existing road traffic noise from the M4 Motorway and industrial noise from the M7 Business Hub. The current noise generating sources within the Eastern Creek REP include the MPC and landfill operations, truck movements within the Site and the operation of machinery and plant.</p>
Construction impacts	<p>Noise impacts during construction may arise as a result of construction activities. Construction activities would be undertaken during the 'standard hours' period in accordance with the Interim Construction Noise Guideline (ICNG) (Department of Environment and Climate Change (DECC), 2009) and previous project modifications.</p> <p>These impacts would be expected to be short lived as construction would be completed within an 18 month timeframe.</p>
Operation impacts	<p>The expansion of the operational footprint to the west of the Site would decrease the distance between site operations and the residential receivers located to the west of the Site by around 200 m. However, it is expected that the proposed enclosure of existing site operations would offset the noise and vibration impacts caused by this decrease in distance. Therefore, the Modification Proposal is unlikely to cause any substantial change in noise impacts for both residential and commercial/industrial receivers.</p>
Proposed assessment	<p>A noise and vibration assessment will be undertaken as part of the Modification Application to determine the potential impacts of the Modification Proposal on the surrounding sensitive receivers, for both construction and operation. This assessment will:</p> <ul style="list-style-type: none"> • Assess operational and construction noise impacts in accordance with the Noise Policy for Industry (NSW EPA, 2017) and the ICNG respectively

	<ul style="list-style-type: none"> Assess the potential for sleep disturbance from the Modification Proposal during the night-time period Assess traffic noise consistent with EPA's Road Noise Policy and site noise limits Identify feasible and reasonable noise mitigation measures to address potential noise exceedances at sensitive receivers, if required.
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5.2 Traffic, access, and parking

Table 5-3 Traffic, access, and parking impact assessment

Aspect	Assessment
Overview	<p>The Modification Proposal has been identified as a Traffic Generating Development, as per Schedule 3 of the ISEPP. It is noted that recycling facilities and waste transfer stations of any size or capacity are classified as a Traffic Generating Development.</p> <p>The Eastern Creek REP currently has one vehicle access point, which is used by both heavy and light vehicles. The access point is located on Kangaroo Avenue, approximately 150 m north of the Kangaroo Avenue/ Honeycomb Drive intersection. Site vehicles must travel 2.2 km east through the M7 Business Hub to reach Wallgrove Road/M7 Motorway which connects to the M4 Motorway (Western Motorway) to the north via a left turn from the Wonderland Drive intersection with Wallgrove Road/M7 Motorway. It is noted that new egress points are proposed as part of Throughput Increase SSD 11606719, which could be utilised by the Modification Proposal traffic in the future.</p>
Construction	<p>Construction of the Modification Proposal would require the use of heavy vehicles to deliver equipment, construction plant and materials, as well as for removing construction waste from the Eastern Creek REP. There would also be an increase in light vehicles to the Site and surrounding road network associated with the construction workforce.</p>
Operation	<p>During operation heavy vehicles would require access to the Modification Proposal in order to deliver waste materials to the Site. As the Modification Proposal would not increase the amount of waste received by the Eastern Creek REP, it is unlikely that traffic volumes would substantially increase as a result of the Modification Proposal.</p>
Proposed assessment	<p>A traffic, access and parking impact assessment will be provided as part of the Modification Application. This assessment will determine the impacts during both the construction and operational phases of the Modification Proposal. In addition, the assessment will provide recommendations to mitigate the likely impacts of the Modification Proposal. Appropriate consultation with TfNSW would be undertaken to satisfy the requirements of the ISEPP.</p>

5.3 Air quality and odour

Table 5-4 Air quality and odour impact assessment

Aspect	Assessment
Overview	<p>Possible air emissions arising from the Modification Proposal include dust from construction activities and vehicle emissions from heavy and light vehicles accessing the Site. The potential exists for dust to generate nuisance impacts and complaints from the nearby sensitive receivers. The limited nature of processing of the NPO and timber waste, as well as the enclosed nature of the facilities, would limit the potential for odour generation.</p>
Construction impacts	<p>During construction of the Modification Proposal, air quality impacts are likely to be caused by dust generation during earthworks, spoil storage and transport emissions from construction vehicles,</p>

Aspect	Assessment
	plant and equipment. Appropriate dust control measures would be implemented to minimise any potential impacts of dust generation on nearby sensitive receivers. Erosion and sedimentation control measures would also be established during construction to further mitigate potential dust impacts.
Operation impacts	Although the Eastern Creek REP is currently approved for the processing of NPO waste materials such as garden waste, activities in relation to NPO waste within the existing operational land exist primarily for recovery from existing waste streams. The enclosure of the NPO waste transfer station and timber waste would act to reduce any potential air quality impact. Heavy vehicles using any unsealed internal transfer roads have the potential to generate dust.
Proposed assessment	<p>A detailed air quality impact assessment will be carried out as part of the Modification Application to evaluate the impact of emissions of key pollutants during both construction and operation of the Modification Proposal. The assessment will:</p> <ul style="list-style-type: none"> • Predict potential air quality impacts during construction and during processing and transfer of NPO waste materials in accordance with the NSW EPA's Approved Methods for the Modelling and Assessment of Air Pollutants in NSW. In addition, cumulative particulate matter impacts will be assessed. • Predict potential air quality impacts from the Modification Proposal in accordance with the Technical framework: assessment and management of odour from stationary sources in NSW (NSW EPA, 2006). If required, additional air quality management measures would be identified in the Modification Application to be implemented as part of operation of the Modification Proposal.

5.4 Water quality and hydrology

Table 5-5 Water quality and hydrology impact assessment

Aspect	Assessment
Overview	<p>Existing stormwater management systems include a number of on site detention (OSD) basins whereby water is primarily reused for non-potable uses on site, including toilets, dust suppression and wheel washing. Residual water is discharged offsite via the Blacktown Council's stormwater system.</p> <p>The Western Operational Area is currently largely undeveloped and comprises mostly pervious land area. The introduction of the facilities would change the runoff patterns and introduce increased impervious surfaces. Furthermore, the land currently houses stormwater management infrastructure for the broader Eastern Creek REP. The Eastern Creek REP wide stormwater strategy would be required to be updated to include the Modification Proposal.</p>
Construction impacts	<p>The Modification Proposal would involve construction activities which would have the potential for the following impacts:</p> <ul style="list-style-type: none"> • Change in overland flow paths • Erosion and sedimentation transport through exposed soils and stockpiled materials • Water (both surface and groundwater) contamination resulting from an increase in sediment loads entering the stormwater system and entering nearby receiving waters.
Operation impacts	<p>The Modification Proposal would have the potential to alter the quantity of stormwater run-off from the Site due to the increased proportion of impervious surfaces (e.g. formalising of the internal road network and updating the stormwater strategy including on site detention). There are unlikely to be additional leachate impacts associated with the Modification Proposal as waste would be stored within the new enclosures.</p>

Aspect	Assessment
Further assessment	<p>An assessment of the potential impacts of the Modification Proposal on water quality and hydrology during construction and operation would be undertaken and would include:</p> <ul style="list-style-type: none"> • Stormwater design plan demonstrating adequacy with relevant standards and guidelines • Details of stormwater / wastewater / leachate management systems, including capacity of on site detention systems and measures to treat, reuse or dispose of stormwater • Detailed site water balance to support continued sustainable water use • Assessment of potential impacts of proposed stormwater management system upgrades during construction and operation.

5.5 Soils and contamination

Table 5-6 Soils and contamination impact assessment

Aspect	Assessment
Overview	<p>Reference to the Sydney 1:100 000 Geological Series Sheet indicates the site is underlain by Bringelly Shale from the Wianamatta Group. Bringelly Shale generally comprises shale, carbonaceous claystone, claystone, laminate, fine to medium grain lithic sandstone and rare coal. The adjacent landfill is found in an intrusive (igneous) plug of dolerite and breccia rocks which may have caused localised metamorphism of the shale rocks.</p> <p>Previous contamination assessments (Douglas Partners, 2006) presented as part of the original environmental assessment for MP06_13 indicated that contaminant levels present in the overburden and in-situ material at the Site were compliant with the criteria recommended for the land use. Review of the NSW EPA's Contaminated Land Record indicates that there are no records of contamination associated with the Site.</p>
Construction impacts	<p>The Modification Proposal would potentially have the following impacts:</p> <ul style="list-style-type: none"> • Erosion and sedimentation transport through exposed soils and stockpiled materials • Disturbance of known or unknown contaminants within the soil • Water contamination resulting from an increase in sediment loads entering the stormwater system and entering nearby receiving waterways.
Operation impacts	<p>There is potential for spills and leaks to occur from operating machinery. This may result in contamination of soil, groundwater and surface water. There is also potential for small volumes of leachate from waste in the stockpiling areas.</p>
Further assessment	<p>The Modification Proposal will provide an assessment of soils and contamination, including:</p> <ul style="list-style-type: none"> • Assessment based on previous investigations of the potential to disturb known or unknown contamination during construction and operation. In the event impacts are identified, the Modification Application will identify suitable mitigation and/or remediation measures • Details of the stormwater system, including capacity of on site detention systems and measures to treat, reuse or dispose of stormwater • Provide recommendations for erosion and sediment control measures during construction and operation of the Modification Proposal. Recommendations will be consistent with the Managing Urban Stormwater: Soils and Construction volume 1 and volume 2 series published by the former NSW Department of Environment and Climate Change (DECC, 2008).

5.6 Visual amenity

Table 5-7 Visual amenity impact assessment

Aspect	Assessment
Overview	<p>The Eastern Creek REP is located within an existing industrial precinct and is surrounded by industrial land uses. The visual nature of the surrounding land uses is typified by a mix of industrial developments including warehousing and manufacturing. To the immediate west and south west of the Eastern Creek REP site is a vacant lot containing stands of native vegetation, Ropes Creek and high voltage transmission lines.</p> <p>The Modification Proposal would involve construction of two new waste processing facilities. This may result in changes to the visual amenity of the area for nearby visual receivers.</p>
Construction impacts	<p>The construction of the Modification Proposal would be likely to result in minor visual impacts associated with construction activities (sites/compounds, machinery, temporary structures etc.) on the visual amenity of adjacent industrial properties, particularly those in Erskine Park.</p>
Operation impacts	<p>The built form of the Modification Proposal would be considered consistent with the established visual character of the broader area. However, to minimise the visual impact for nearby receivers' appropriate mitigation measures will be identified and implemented.</p>
Further assessment	<p>The Modification Proposal will provide an assessment of visual amenity, including:</p> <ul style="list-style-type: none"> • Identification of the visual qualities present, including the existing landscape character of the region, sensitive locations, catchments and key viewpoints • A description of the visual impacts of the Modification Proposal • The identification of feasible and reasonable measures to mitigate potential visual impacts.

6 Other Environmental Issues

The high-level environmental scoping assessment identified a number of key environmental issues that required detailed assessment and a number of 'other issues' where the level of further assessment could be limited to additional desktop assessment. These low-risk issues are identified below.

Table 6-1 Low-risk issues

Environmental Aspect	Impacts
Biodiversity	<p>Overview</p> <p>The Eastern Creek REP has been operating as both a quarry and waste management facility since the early 20th Century. Due to this, the Site is characterised by its highly modified industrial nature and has been largely cleared of vegetation. No fauna habitat has been identified on the Eastern Creek REP. All proposed works would be undertaken within the existing Eastern Creek REP site boundary in areas already subject to the operation of the Site.</p> <p>Summary of issues</p> <p>Construction</p> <p>As the Eastern Creek REP is highly modified in nature, vegetation clearing would be required for the construction of the Modification Proposal. The construction of the Modification Proposal may have potential for the following impacts:</p> <ul style="list-style-type: none"> • Animal strike • Potential introduction and/or spread of weeds, including noxious weeds • Potential impacts on aquatic environments, habitats and species. <p>Operation</p> <p>There is minimal remaining habitat for animals on the Eastern Creek REP. The operation of mobile plant and equipment associated with the Modification Proposal is unlikely to result in an increased likelihood of animal strike and possible mortality/injury to animals.</p> <p>Proposed further assessment</p> <p>In general, works associated with the Modification Proposal would be contained within the already disturbed areas of the Eastern Creek REP. Subsequently, detailed assessment of the biodiversity impacts would not be required within the Modification Application.</p>
Hazards and risk	<p>Overview</p> <p>The Eastern Creek REP currently has approval to store diesel, which is classified as a C1 – class 3 hazardous good but is not classified in the Australian Code for the Transport of Dangerous Goods by Road & Rail (ADG Code) (National Transport Commission, 2018). Under the Modification 6 (MP 06_0139 MOD 6) approval, Eastern Creek REP was not determined to be a hazardous development under SEPP 33 due to the storage of diesel on the Site not meeting the criteria threshold. The Modification Proposal would not introduce any new substantial quantities of hazardous materials that have not already been approved.</p> <p>Summary of issues</p> <p>Construction</p> <p>Hazards associated with construction of the Modification Proposal would be managed as part of a Construction Environmental Management Plan (CEMP), which would be prepared prior to construction commencing. Work health and safety (WHS) risks would be identified within the CEMP and managed in accordance with the <i>WHS Act 2011</i>.</p>

Environmental Aspect	Impacts
	<p>Operation</p> <p>The Modification Proposal would not involve the following:</p> <ul style="list-style-type: none"> • An increase in the generation of offensive emissions beyond EPL and POEO (Clean air) Regulation 2021 criteria • Location of structures/workshops within high bushfire hazard areas or increase risks associated with the landfill escarpment. <p>Potential hazards associated with the Modification Proposal would be managed as part the existing Operational Environmental Management Plan (OEMP) and the existing EPLs.</p> <p>Proposed further assessment</p> <p>The Modification Application will confirm the types, quantities, storage locations and storage conditions of any dangerous goods proposed to be stored on site. If any exceedances to thresholds are identified, the Modification Application will be supported by a comprehensive Preliminary Hazard Analysis (PHA) to determine the cumulative risks associated with the Modification Proposal, however this is considered highly unlikely to be required given minimal quantities of dangerous goods to be stored on site. Hazards and risks associated with the construction and operation of the Modification Proposal will be identified as part of the Modification Application and mitigation methods would be implemented.</p>
Waste management	<p>Overview</p> <p>It is unlikely that waste generation would increase as a result of the Modification Proposal, as current waste management associated activities would only be relocated. The construction and operation of the Modification Proposal itself would have limited potential to generate waste.</p> <p>Summary of issues</p> <p>Construction</p> <p>Waste may be generated during construction (e.g. excess construction material, vegetation waste etc). These waste streams would need to be managed appropriately to ensure minimisation of waste generation and avoid, where possible, transportation to landfill.</p> <p>Operation</p> <p>The Modification Proposal would be unlikely to generate substantial quantities of waste in excess to what is already produced by existing operations.</p> <p>Proposed further assessment</p> <p>A resource and waste management assessment will be undertaken as part of the Modification Application to determine the potential impacts of the Modification Proposal, both during construction and operation. The assessment will:</p> <ul style="list-style-type: none"> • Identify waste streams generated during the construction stage of the Modification Proposal • Assess waste management impacts associated with construction activities • If required, identify additional management and mitigation measures for resource use and waste to be incorporated into the existing OEMP.
Social and economic	<p>Overview</p> <p>The key economic activities in the vicinity of the Eastern Creek REP include manufacturing and storage. Residential receivers are located to the north in Minchinbury on the opposite side of the M4 Motorway and west in the suburb of Erskine Park. Industrial receivers are located to the north, east and south within the M7 Business Hub. The construction of the Modification Proposal could potentially provide employment opportunities for residents of Western Sydney.</p> <p>Summary of issues</p> <p>Construction</p> <p>There may be some minor and temporary amenity impacts to residential and industrial receivers during construction. These would result from potential air, noise and visual amenity impacts as discussed in sections above. Due to the limited nature of the construction activities and short construction timeframe, these amenity impacts are anticipated to be minor.</p>

Environmental Aspect	Impacts
	<p>Operation</p> <p>The Modification Proposal would provide the following direct social and economic benefits to the Sydney region:</p> <ul style="list-style-type: none"> • Increase the levels of landfill diversion in NSW • Increased rate of resource recovery and promotion of circular economy principles • Provide jobs (direct and indirect). <p>Community and stakeholder concerns would be addressed in the Modification Application to ensure any amenity impacts are mitigated or avoided.</p> <p>Proposed further assessment</p> <p>The potential social and economic impacts associated with the Modification Proposal would need to be further informed by technical impact assessments carried out for relevant issues (i.e. air, noise and visual). Feedback from community and stakeholder consultation and engagement activities will be required to inform the mitigation strategies implemented for the Modification Proposal.</p>
<p>Aboriginal heritage</p>	<p>Overview</p> <p>The previous Aboriginal archaeological assessment (McDonald, 2005) of the Eastern Creek REP identified two isolated finds and one open scatter comprising three artefacts within the site boundary. These were recorded on the boundary between a highly disturbed area with low archaeological potential and a minimally disturbed area with relatively high archaeological potential. Given that the surface manifestations of these artefacts were assessed as being “poor”, it was concluded that the public significance of these heritage finds was low.</p> <p>The assessment identified the vegetated conservation area in the north-western corner of the Eastern Creek REP, and an area to the south of the Site, have been previously identified as having ‘high archaeological sensitivity’.</p> <p>The original Environmental Assessment prepared for MP 06_0139, determined that the project would avoid impacts to items of Aboriginal and non-Aboriginal heritage significance. None of the subsequent project modifications involved impacts to Aboriginal or non-Aboriginal heritage.</p> <p>Summary of issues</p> <p>Construction</p> <p>The majority of the Modification Proposal would occur within an area which has been heavily disturbed by historical quarrying and earthmoving activities and is classified as having low archaeological potential or Aboriginal significance. There would be no disturbance to the area of high archaeological sensitivity to the north-west of the Western Operational Area. The western boundary of the Western Operational Area however traverses an area previously identified as having ‘moderate archaeological potential’. Additionally, an extensive search of the Aboriginal Heritage Information System (AHIMS) undertaken on 10 March 2021 revealed a number AHIMS registered sites within close proximity to the western boundary of the Western Operational Area.</p> <p>Operation</p> <p>It is considered unlikely that previously undiscovered items of non-Aboriginal heritage significance would be disturbed during the continued operation of the Modification Proposal.</p> <p>Proposed further assessment</p> <p>Contemporary land use practices have led to high levels of ground disturbance that would have removed or displaced any isolated archaeological material that may have been present. The majority of the Modification Proposal would be undertaken in areas with ‘low archaeological sensitivity’. Due to the possible disturbance of land of ‘moderate archaeological potential and the proximity of registered AHIMS sites to the Western Operational Area, a Due Diligence Assessment will be undertaken as part of the Modification Application to confirm the impacts of the Modification Proposal on Aboriginal Heritage.</p>

Environmental Aspect	Impacts
Non-Aboriginal heritage	<p>Overview</p> <p>Several non-Aboriginal heritage items are located approximately 2 km to the south-west of the Site. No non-Aboriginal heritage items or places have been identified on the Eastern Creek REP. The original approval (MP 06_0139) determined that the project would avoid impacts to items of non-Aboriginal heritage significance. None of the subsequent project modifications involved non-Aboriginal heritage.</p> <p>Summary of issues</p> <p>Construction</p> <p>The Modification Proposal would only involve ground disturbance to areas which are already disturbed by the current waste operations and former quarry. Therefore, it is unlikely that the Modification Proposal would impact known or unknown non-Aboriginal heritage items.</p> <p>Operation</p> <p>As stated above, the Modification Proposal would operate in previously disturbed areas of the Eastern Creek REP. Hence, it is considered unlikely that previously undiscovered items of non-Aboriginal heritage significance would be disturbed during operation.</p> <p>Proposed further assessment</p> <p>Given the above, it is not considered necessary to provide a detailed non-Aboriginal heritage assessment in the Modification Application.</p>

7 Conclusion

DADEC proposes to enclose existing and approved processing activities by constructing two new waste facilities (Modification Proposal) within the approved Project Approval boundary, but to the west of the current operational area (Western Operational Area). The facilities would enclose existing timber receipt, processing and storage activities currently undertaken externally in the operational area of the Eastern Creek REP, as well as establish a waste transfer station for NPO waste.

DADEC is seeking a Modification to the transitioned Project Approval pursuant to Section 4.55 (2) of the EP&A Act. The Modification Proposal is considered 'substantially the same development' as the approved SSD project defined under Section 4.55(2) of the EP&A Act for the following reasons:

- The proposed use is the same as that approved under the current approval
- Although garden waste is not currently processed at the Eastern Creek REP, these activities have been assessed and approved under the current approval
- There would be no increase in the approved amount of waste that is treated at the Site
- The proposed activities would be located within land subject to the current Project Approval.

The potential environmental impacts have been identified and their magnitude ascertained as part of this Scoping Report. The assessment concluded that minimal environmental impacts have been identified as a result of the Modification Proposal. The key environmental issues identified for the Proposal include:

- Noise and vibration
- Traffic, access and parking
- Air quality
- Water quality and hydrology
- Soils and contamination
- Visual amenity.

An assessment of the key environmental issues listed above, and other issues identified in Section 6 will be further assessed in the Modification Application.

8 References

Department of Planning, Industry and Environment (DPIE), 2020, *Net Zero Plan Stage 1: 2020–2030*, State of New South Wales

Department of Planning, Industry and Environment (DPIE), 2021a *State Significant Development Guidelines – Preparing a Scoping Report*, State of New South Wales

Department of Primary Industries and Environment (DPIE), 2021b, *NSW Waste and Sustainable Materials Strategy 2041*, State of New South Wales

Douglas Partners, 2006, *Report on Geotechnical Assessment of Materials, Light horse Business Centre, Quarry Road Eastern Creek* Prepared for Dial A Product Pty Ltd, April 2006

Greater Sydney Commission (GSC), 2018a, *The Greater Sydney Region Plan: A Metropolis of Three Cities*. State of New South Wales

Greater Sydney Commission (GSC) 2018b, *The Central City District Plan – connecting communities*. State of New South Wales

McDonald (2005), *Heritage Conservation Strategy*, prepared for Blacktown City Council as part of the Eastern Creek Precinct Plan by Cultural Heritage Management Pty Ltd.

NSW EPA, 2006, *Technical framework: assessment and management of odour from stationary sources in NSW*, New South Wales Government and the Environment Protection Authority

NSW EPA, 2016, *Approved Methods for the Modelling and Assessment of Air Pollutants in New South Wales*. New South Wales Government and the Environment Protection Authority.

NSW EPA, 2017, *Noise Policy for Industry*. New South Wales Government and the Environment Protection Authority.

NSW EPA, 2019, *NSW Government Circular Economy Policy Statement Final*. State of NSW and NSW Environmental Protection Authority

NSW EPA, 2021, *NSW Local Government Waste and Resource Recovery Data Report 2019–20*, New South Wales Government and the Environment Protection Authority.

PricewaterhouseCoopers (PWC), Sphere Infrastructure Partners, 2019, *NSW Waste Sector Volume II: Situational Analysis*, <https://www.nsw.gov.au/sites/default/files/2020-04/Situational-Analysis.pdf>, accessed 27 August 2021

Appendix A.

Landowners consent

24 September 2021

Industry Assessments Team
NSW Department of Planning, Industry and Environment
Locked Bag 5022
Parramatta NSW 2124.

Dear Sir/Madam,

Landowner consent for s4.55(2) Development Modification to Eastern Creek Recycling Ecology Park (REP) Project Approval MP06_0139

I would like to confirm that Bingo Property Pty Ltd is the owner of the site, 1 Kangaroo Avenue, Eastern Creek that is operated by Dial a Dump Eastern Creek. The Eastern Creek REP was originally approved (MP 06_0139) under Part 3A (now repealed) of the *Environmental Planning and Assessment Act 1979* (EP&A Act) in 2009 and commenced operations in 2012.

Part 3A of the EP&A Act was repealed in 2011 however transitional arrangements remained in place allowing modifications (via Section 75W) to be made to Part 3A approvals. MOD 6 was the final modification under these transitional arrangements approved on 29 April 2020. The transitional arrangements provided by EP&A Regulations have now ceased, and the project was declared an SSD by the Minister on 2 October 2020.

The applicant is Dial-a-Dump Eastern Creek (DADEC) Pty Ltd, a fully owned subsidiary of Bingo Industries Pty Ltd.


DADEC is seeking a Modification to the transitioned Project Approval pursuant to Section 4.55 (2) of the EP&A Act. The Applicant is seeking approval to expand the operational boundary of the Eastern Creek REP to the west within the existing Project Approval boundary, within Lot 2 DP 1145808¹, where it is proposed to erect two new enclosures and establish a stabilised pad for general operational activities including truck parking, bin storage and stockpiling. The Modification Proposal would facilitate the relocation and enclosure of existing and approved waste processing activities within the Eastern Creek REP.

This letter confirms that Bingo Property Pty Ltd, as the owner of the property, is supportive of the proposed development.

Should you require any further information, please do not hesitate to contact me.

¹ A Development Application has been lodged for the subdivision of Lot 2, DP 1145808

Your sincerely,



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