



21 December 2017

Chris Ritchie
Director – Industry Assessments
Department of Planning and Environment
GPO Box 39
SYDNEY NSW 2001

Recycling & Recovery

Dear Chris,

RE: S96(1A) Modification Application – Extend Operating Hours at LHRRP - SSD 6835

SUEZ currently operates the resource recovery park at Lucas Heights 2 referred to as the Lucas Heights Resource Recovery Park (LHRRP). On 23 January 2017, the State Significant Development (SSD) 6835 application was approved by the Planning Assessment Commission to allow for an increase in landfill capacity, relocation and expansion of the garden organics facility and construction and operation of a new resource recovery facility.

The SSD 6835 consent allows for operation of the landfill between 6 am and 5 pm Monday to Friday and 8 am to 5 pm Saturdays and Sundays. SUEZ is seeking to modify the development consent (the modification) to allow for operation of the landfill between 5 am and 5 pm Monday to Friday and 6 am to 5 pm Saturdays (with no change to Sunday's operation hours).

SUEZ requests that Condition C53 of Schedule C of the Consent be modified as follows:

C53. The Applicant shall comply with the hours detailed in Table 2, unless otherwise agreed in writing by the EPA or the Secretary.

Table 2: Hours of Work

Facility	Activity	Day	Approved operating hours
Landfill	Construction	Monday – Friday	7 am – 5 pm
		Saturday - Sunday	8 am – 5 pm
	Operation	Monday – Friday	6 am – 5 pm 5 am – 5 pm
		Saturday Sunday	8 am – 5 pm 6 am – 5 pm 8 am – 5 pm
	Other operations ¹	Monday - Sunday	Anytime
GO facility	Construction	Monday – Friday	7 am – 5 pm
		Saturday - Sunday	8 am – 5 pm
	Operation	Monday – Friday	6 am – 5 pm
Saturday - Sunday		8 am – 5 pm	
	Other operations ²	Monday - Sunday	Anytime
ARRT Facility	Construction	Monday – Friday	7 am – 5 pm
		Saturday - Sunday	8 am – 5 pm
	Operation	Monday – Sunday	Anytime



1 Background & Environmental Assessment

Following receipt of approval for the expanded operations at the LHRRP in January 2017, SUEZ has been in consultation with Sutherland Shire Council (SSC) officers who have identified constraints with the existing operating hours at the LHRRP, currently 6 am to 5 pm Monday to Friday, and 8 am to 5 pm on weekends.

It has been observed that prior to 6 am, waste delivery vehicles are forming queues waiting to enter the LHRRP. This queuing time affects the turnaround times of all vehicles. In particular, SUEZ's transfer stations operators who deliver waste to the LHRRP, have provided feedback regarding the queueing prior to 6 am.

SUEZ is responsible for traffic management on site and as part of the expanded operations, has committed to no queuing on public roads including New Illawarra Road. In preparation of the increased traffic due to the closure of Eastern Creek landfill in July 2017, SUEZ made significant investment in the site to install an additional weighbridge at the LHRRP entrance, as well as upgrading our existing weighbridges with Mandalay ® software technologies to improve weighbridge efficiencies. However, in order to deliver better service to SSC as well as the wider Sydney waste network, SUEZ is proposing an extension to the approved operating hours by opening the LHRRP earlier to alleviate existing bottleneck. This would involve modification of the existing consent.

To evaluate the impacts of the earlier operating hours, SUEZ engaged technical consultant GHD to undertake an Environmental Assessment of noise, traffic, visual and other impacts. The assessment was a conservative assessment considered a 4.00 am opening time. The assessment concluded the following:

- **Traffic and access:** the proposed modification is expected to help address current queuing issues and result in a neutral or slightly improved operations to the local road network
- **Noise:** operational noise levels are predicted to comply with the night-time noise criteria at all sensitive receivers. Traffic noise levels are predicted to increase minimally as a result of the modification
- **Visual:** the proposed modification is expected to have negligible visual significance at all identified visual receptors

Given the minor nature of the proposed operational changes, the assessment concluded that the development remains substantially the same as the development subject to the original development consent. Furthermore, as the environmental impacts from the modification are negligible, it is considered appropriate that the modification be considered under Section 96(1A) of the *Environmental Planning and Assessment Act 1979*.

2 Consultation

2.1 Sutherland Shire Council as Joint Applicant

Due to the longstanding operational arrangements, SSC is a joint applicant for all major SUEZ proposals at the LHRRP.



The Environmental Assessment was prepared in consultation with SSC's Manager Environmental Science, and subsequently submitted as a supporting document of SSC's report to the Planning Committee for consideration. On 6 November 2017 SSC's Planning Committee considered the report on the SUEZ proposal to extend the operating hours of the LHRRP to 4.00 am. The Committee (PLN018-18) resolved the following:

1. *The report titled SUEZ Application to Modify Opening Hours at the LHRRP be received and noted.*
2. *Council at this stage do not support the extension of trading at 4am until SUEZ proposes remedies that will address noise generation at those times along New Illawarra Road, Heathcote Road and Bangor Bypass.*

Upon receiving the resolution, GHD (as engaged by SUEZ) reviewed and revised the Environmental Assessment to provide further consideration and clarification on potential traffic noise impacts.

This revised Environmental Assessment was provided to SSC's Manager Environmental Science for review. A subsequent report was provided to SSC's Planning Committee concluding that *"SUEZ have conducted further traffic studies and noise modelling that quantify the scale of noise impacts associated with the proposal. These studies indicate that impacts will be minimal and well below relevant guidelines. Despite this SUEZ propose a range of additional actions to further minimise traffic noise impacts."*

Subsequently, SSC's in its meeting resolved on 20 November 2017 the following:

1. *The report titled "SUEZ Proposal Extension of Lucas Heights Resource Recovery Park Opening Hours - Additional Information" be received and noted.*
2. *Council endorse the "Modification to Lucas Heights Resource Recovery Park Operational Hours Environmental Assessment" subject to the proposal seeking a 5.00 am opening Monday to Friday, and authorise the General Manager to sign the Modification Proposal as a joint applicant to allow lodgement with the Department of Planning.*
3. *A further report be presented to Council following the results of the public exhibition of the modification proposal.*

As a result of the consultation process, SUEZ is lodging this modification application for an opening time of 5.00 am. A copy of the revised Environmental Assessment is provided as part of this application for the Department of Planning and Environment's consideration.

2.2 ANSTO as Landowner

SUEZ also consulted with ANSTO regarding this modification as ANSTO is the landowner of a large portion of land at the LHRRP. ANSTO has provided their support for the project. ANSTO's consent is provided as an attachment to this modification application.



3 Conclusion

SUEZ is seeking a modification to SSD 6835 to allow for an extension to the operation hours of the landfill to between 5.00 am and 5.00 pm Monday to Friday and 6 am and 5 pm Saturdays (with no change to Sunday landfill operation hours) after extensive consultation with SSC as joint applicant and ANSTO as landowner.

The modification would address existing and potential future queuing issues at the site entrance prior to the current commencement of landfill operation hours at 6.00 am.

To evaluate the impacts of the proposed modification, an assessment of noise, traffic, visual and other impacts was undertaken to consider a worst case scenario (4.00 am opening). The assessment concluded the following:

- **Traffic and access:** the proposed modification is expected to help address current queuing issues and result in a neutral or slightly improved operations to the local road network.
- **Noise:** operational noise levels are predicted to comply with the night-time noise criteria at all sensitive receivers. Traffic noise levels are predicted to increase minimally as a result of the modification.
- **Visual:** the proposed modification is expected to have negligible visual significance at all identified visual receptors.

Upon consideration of SSC's requirements – SUEZ agreed to apply for a 5.00 am opening time (Monday to Friday) from the Department of Planning & Environment.

Given the minor nature of the proposed modification, it is considered that the modification is consistent with the original development consent. Furthermore, as the environmental impacts from the modification are negligible, it is considered appropriate that the modification be considered under Section 96(1A) of the EP&A Act.

If you require any further information, please do not hesitate to contact Carol Ng, Project Manager at 0439 449 380 or myself.

Yours Sincerely

Phil Carbins
NSW Projects Director
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