



**Erskine Park Waste and Resource Management Facility
Modification to approved SSD 7075
Environmental Assessment Report**

Cleanaway

January 2018

EME
advisory

Version	Date	Status	Author
1.0	30/11/2017	Preliminary Draft	Brian Cullinane
2.0	11/12/2017	Updated in response to Cleanaway review	Brian Cullinane
3.0	13/12/2017	Updated following meeting with DPE	Brian Cullinane
4.0	11/01/2018	Final for Submission	Brian Cullinane
5.0	22/01/2018	Final for Submission	Brian Cullinane

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1. Introduction

1.1 Background

The Planning Assessment Commission (PAC), acting as delegate of the Minister for Planning, approved an application for the Erskine Park Waste and Resource Management Facility (WRMF) Staged Development Application (SSD 7075) on the 5 October 2016, comprising:

- A concept plan for a Waste and Resource Management Facility with a maximum processing capacity of 300,000 tpa. All waste received at the WRMF shall enter the Waste Transfer Station (Stage 1), up to 150,000 tpa of this waste may be recycled at the Resource Recovery Facility (Stage 2)
- Construction and operation of the Stage 1 Waste Transfer Station with a maximum processing capacity of 300,000 tpa.

The WRMF will be developed in two stages, the first being a Waste Transfer Station (WTS) and the second being a Resource Recovery Facility (RRF). An Environmental Impact Statement (EIS) was prepared to support the application for the WRMF Concept Proposal and the Stage 1 WTS. A separate EIS for the Stage 2 RRF will be developed at a later date.

The WTS will receive commercial and household waste from the Western Sydney region which would subsequently be transported to a licensed waste management facility off site. A proportion of the waste received at the WTS would be diverted to the RRF for recycling and recovery of saleable products. The design capacity of the completed WRMF is 300,000 tonnes per annum, inclusive of both stages.

1.2 Site location and context

The site location and context are shown in Figures 1 – 3. The site is located approximately 11 kilometres south-east of Penrith, in western Sydney, NSW. The site is located at 85 – 87 Quarry Road, Erskine Park and identified as Lot 1 in Deposited Plan (DP) 1140063 in the Penrith Local Government Area (LGA). The title comprises approximately 3.5 hectares.

1.3 Site description

The existing weighbridges and weighbridge office on site is currently used by Cleanaway to support the ongoing Erskine Park Landfill operations that is located adjacent to the site (Lot 4, DP 1094504).

Construction works have commenced on site under the approved SSD 7075 and includes earthworks and demolition of buildings, car parks, sheds, laydown areas, weighbridge and sealed roads and clearing of minor vegetation.

The topography of the site is relatively flat, sloping gently to the west, with an elevation of approximately 60 metres Australian Height Datum (AHD). South Creek, which is part of the Hawkesbury-Nepean catchment, is located approximately 1.5km to the west of the site.

The site gains vehicular access from the adjoining Quarry Road. The area surrounding the site is primarily industrial land uses, including Stramit Building Products and Hasbro to the north, Dutt Transport, Viscount Plastics, Dincel Construction Systems, Devondale Dairy and Stockland to the south, Cleanaway Depot to the west, and the Cleanaway Erskine Park Landfill to the east.

The nearest residential dwellings are located within the suburb of St. Clair, approximately 0.7 km to the north of the site, and rural-residential properties located in Orchard Hills, approximately 0.7 km to the west of the site.

1.4 SSD 7075 Modification 1

An application to modify the approved SSD 7075 was approved by the Department of Planning on 25th August 2017. Modification 1 made changes to the staging of the development, layout of car and truck parking and load out-bays, capacity of the stormwater management system, reduction in overall site levels and changes to the ramps accessing the landfill.

1.5 Proposed Modification (Modification 2)

Following ongoing detailed design development and the appointment of a construction contractor by Cleanaway, the design of the project has been reviewed from a construction and operation perspective. This has identified issues with the approved site levels and the interface with landfill access ramps which require a minor increase in site levels compared to the levels approved by Modification 1 but which remain within the levels originally approved in the Environmental Impact Statement (EIS) and Response to Submissions (RtS).

The modification also proposes to relocate the car park from its location in the Stage 2 area, as approved by Modification 1, to a location adjacent to the inbound road which was approved in the original development consent. This avoids the need for long ramp arrangements to access the office from the car park as well as simplifying the car park arrangement.

The proposed modifications relate to both the Concept Plan and the Stage 1 Waste Transfer Station. The modifications are described in detail in Section 3 and shown on the updated site drawings in Appendix A.

A small number of design and construction clarifications are also addressed through Modification 2 and are described in Section 4.

The application for Modification 2 is made under Section 96 (1A) of the Environmental Planning and Assessment Act 1979 as the proposed changes involve minimal environmental impact.

This Environmental Assessment Report describes the proposed changes and clarifications and provides an assessment of their environmental impact including consideration of relevant Environmental Planning Instruments (EPIs) and considerations under the Environmental Planning and Assessment Act 1979.

1.6 Applicant

The Erskine Park development site is owned by Cleanaway Waste Management Ltd (Cleanaway). Cleanaway is the applicant for the Modification. The relevant postal address is:

Attn: Paul Antony

NSW Engineering Manager

Cleanaway

85-87 Quarry Road, Erskine Park, NSW, 2759

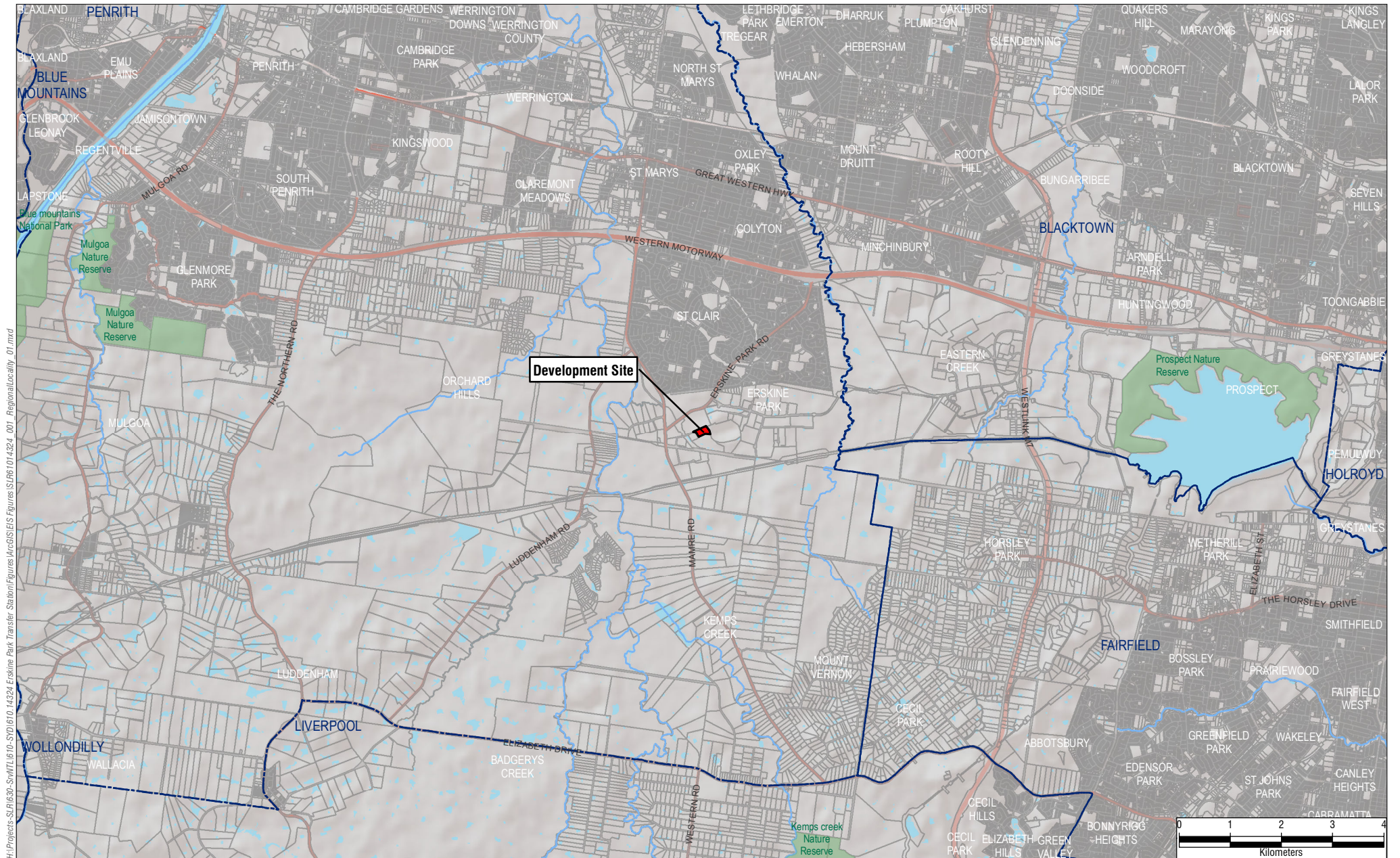
PO Box 804, St Marys, NSW, 1790

1.7 Document Purpose

This Environmental Assessment (EA) has been prepared on behalf of the applicant Cleanaway Waste Management Limited (Cleanaway) by EME Advisory. The EA supports an application under Section 96(1A) of the Environmental Planning and Assessment Act, 1979 (EP&A Act) to modify development consent for SSD 7075. The application is being made to the consent authority, the Minister for Planning. The application has been prepared in accordance with the provisions of the EP&A Act and the Environmental Planning and Assessment Regulation 2000 (EP&A Reg.).

This EA provides:

- The name and address of the applicant;
- A description of the development to be carried out under the consent;
- A brief description of the site and locality, including the address and particulars of title;
- A description of the approvals process;
- Details regarding consultation undertaken for this DA Modification;
- A description of the proposed modifications to the development consent;
- A description of the expected impacts of the modification;
- A comparison of the proposed modification with the approved development including any changes to environmental impacts;
- A statement of who the application is being made to;
- An assessment of relevant environmental planning considerations under Sections 96(1A) and 79C of the EP&A Act, including compliance with relevant planning instruments and controls, environmental impacts, site suitability and the public interest; and
- Summary and conclusions.



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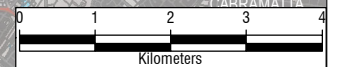


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Notes:

1. All features are approximate only and subject to detailed survey.
2. Aerial Imagery courtesy Nearmap.
3. DCDB courtesy NSW LPI.



Transpacific Industries Group LTD

Erskine Park Waste Transfer Facility

Site Location in Regional Context

FIGURE 1

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Erskine Park Waste Transfer Facility

Development Site

FIGURE 2



LEGEND

Existing Erskine Park Landfill

Development Site

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Transpacific Industries Group LTD

Erskine Park Waste Transfer Facility

Site Location and Surrounding Environment

FIGURE 3

2. Consultation

A pre-application meeting was held with the Department of Planning and Environment on 11th December 2017. The Department confirmed the information to be included in the proposed modification application and their intention to notify Council.

The Department requested that an updated drawing pack be provided (refer to Appendix A) and confirmation of any changed impacts to truck parking and circulation, the location of the load inspection area, visual assessment and surface water assessment. These are addressed in Section 3 and Section 5.

Cleanaway has also informed Council of its intention to lodge a modification application.

3. Description of the Proposed Modification

3.1 Introduction

This modification under Section 96(1A) of the EP&A Act seeks approval from the consent authority for a minor change to the Concept Plan and the Stage 1 Waste Transfer Station. The proposed modifications are:

- an increase to the overall site levels including relocation of the access ramp at the waste water treatment plant; and
- relocation of the car park

The proposed changes are shown on the updated site plans in Appendix A which show the changes to the approved Concept Plan and the Stage 1 Waste Transfer Station. These plans are intended to replace the plans included in Appendix 1 of development consent SSD 7075, as modified by Modification 1.

The proposed changes are minor when considered in the overall context of the project. They have negligible or minor changes in environmental impact and are substantially the same project as that for which consent was originally granted.

3.2 Site Levels

Table 1 shows the changes to the finished floor levels (FFL) and building height from the approved EIS / RtS through to Modification 1 and now proposed through Modification 2. As **Table 1** demonstrates the FFLs and building height have increased slightly compared to Modification 1 but are below the levels approved in the original EIS / RtS.

Table 1: Comparison of approved and proposed site levels

Item	Aspect	Original SSD 7075	SSD 7075 Mod 1	Proposed SSD 7075 Mod 2
1	Start of Landfill Access Ramp	51.0 RL	49.6 RL	51.1 RL
2	Transfer Station Floor	51.5 RL	49.6 RL	51.1 RL
3	Transfer Station Building Height	65.23 RL	63.51 RL	65.01 RL
4	Start of Northern Access Road	43.5 RL	43.5 RL	44.0 RL
5	Inbound Weighbridge RL	51.0 RL	49.3 RL	49.5 RL
6	Car Park for Stage 1	51.0 RL	48.5 RL	50.3 RL

Following development of detailed designs and appointment of a contractor by Cleanaway to construct the approved Stage 1 development, a review of the design by the contractor has identified that the approved site levels present operational issues for how the site interfaces with the access ramps to the site, the access ramps for the existing landfill and the interface between the car park and offices.

The approved site levels of 49.6 RL would mean that the transition from the hardstand adjacent to the WTS to the landfill via the access ramps would have a gradient of 1:4 which is unworkable for heavy truck access and would not be compliant with Australian Standards. To achieve a workable gradient with current site levels would require an access ramp of approximately 40 metres extending into the hardstand area, impacting on the circulation of trucks around the WTS and creating an unworkable design.

By raising the start of access ramp level by 1.5 metres to 51.1 RL and slightly relocating the ramp closer to the boundary of the site, a 1:10 gradient between hardstand and the landfill access via the ramps can be achieved which meets Australian Standards. In addition, the length of the ramp is reduced to approximately 28 metres which reduces impact on truck movements.

The existing site levels also present issues for the functioning of the access ramp from Quarry Road. The current approved design shows a 1:12 gradient which is problematic for heavy truck movements and increases the risk of a truck rolling backwards when parked on the ramp. Raising the overall site levels allows the start of the access ramp to be raised by approximately 0.5 metres which allows a 1:10 average gradient to be achieved between

Quarry Road access to the inbound weighbridge. This arrangement still allows for four trucks to queue on the access ramp within the site, as per the approved project, but provides for a safer operating arrangement.

The level of the load out tunnel on the southern end of the Waste Transfer Station has also been raised by 0.5 metres so that it is integrated with new site levels.

There are no changes to the surface water assessment presented in Modification 1 as the overall sealed catchment area does not change as a result of the change to site levels.

An updated swept path analysis is provided in the drawing pack in Appendix A which confirms that the new site levels do not impact on the safe and efficient movement of trucks through the site. In addition, the levels and revised access ramp arrangements do not impact on the location or layout of the load inspection area.

The proposed modified development is substantially the same Development as what was approved by development consent SSD 7075, as required by S 115(1)(g) of the Regulation.

As per Section 115 (1) (e) of the Regulation, the proposed modification is required to improve the efficiency of the overall site layout and operation of the Development.

3.3 Car Park Location

The approved SSD indicates car parking to the west of the WTS on the site of the future Stage 2 development. The proposed modification seeks to relocate the car park from the future Stage 2 footprint to west of office, the location of car park in the originally approved application.

The currently approved car park would require a 70 metre ramp to access the offices from the car park which creates issues for disabled access. The approved site layout identifies a landscape area which is the proposed location of the relocated car park. This takes advantage of the proposed new site levels and provides a simpler access from the car park to the office as well as a less complex car park arrangement compared to earlier configurations which included retaining walls, ramps and a series of stepped platforms.

The relocation allows for the provision of a small number of additional car parking spaces compared to the approved project. The approved concept plan (ie Stages 1 and 2) provides for 55 spaces while the proposed layout provides for 56 spaces including two accessible spaces. The approved Stage 1 provides for 20 car parking spaces including one accessible space while the proposed layout provides for 21 spaces including one accessible space. This satisfies the requirement of Condition B30(a) which requires the applicant to provide a total of 20 car parking spaces, including one accessible space, in Stage 1.

The proposed modified development is substantially the same Development as what was approved by development consent SSD 7075, as required by S 115(1)(g) of the Regulation.

As per Section 115 (1) (e) of the Regulation, the proposed modification is required to improve the efficiency of the overall site layout and operation of the Development.

4. Clarifications

The following sections provide further information to clarify various aspects of the approved development described in the EIS and RtS as well as Modification 1. These aspects are not proposed as modifications, instead they are presented as clarifications.

4.1 Gravel road to the west of the shed for fire access

Following consultation with Fire and Rescue NSW, it is proposed to add a gravel road to the west of the WTS to meet fire access requirements. This requires a fire access road to be located no more than 16 metres away from the building. This road would be removed with the construction of Stage 2.

4.2 Gravel road access to the north of the Waste Water Treatment Plant

Servicing of waste water treatment plant that treats landfill leachate requires one-way access around the plant for heavy or light vehicles. The access was approved as part of SSD 7075, however was omitted from the drawings during SSD 7075 Modification 1 submission. This access needs to be reinstated for servicing the waste water treatment plant.

4.3 Fire suppression system and associated water storage tanks

The approved SSD makes provision for a fire suppression system in the Waste Transfer Station and associated water storage tanks. The EIS noted that the rainwater harvesting storage tanks would also function as water storage tanks for fire suppression but that additional fire water storage capacity would need to be provided subject to the detailed design of the fire suppression system.

Subsequent detailed design has confirmed the need for additional fire water storage capacity (also functioning as rainwater harvesting storage) to be located adjacent to the Waste Transfer Station building on the south-east corner. The tanks would not alter the visual impact assessment as they are screened from views from Quarry Road and are located between the Waste Transfer Station and the landfill to the east.

The storage tanks provide water capacity for an essential fire management system as well as providing additional rainwater harvesting capacity for the site.

5. Environmental Assessment of Proposed Modification

5.1 Site Levels

The minor increase in the overall site levels compared to the levels approved through Modification 1 has the effect of increasing the building heights. This has the potential to change the assessment of visual impacts compared to those assessed in the Modification 1 Environmental Assessment.

The visual assessment of the building heights in Modification 1 assessed the impacts as negligible. The visual assessment of the building heights in the originally approved EIS / Rts was also assessed as negligible.

The proposed building heights in Modification 2 are between the heights referred to in Modification 1 and the EIS / Rts and are therefore also assessed as having a negligible visual impact.

There are no changes to the surface water assessment presented in Modification 1 as the overall sealed catchment area does not change as a result of the proposed modification.

The raising of site levels by approximately 1.5 metres has the added advantage of reducing the amount of excavation and therefore the amount of surplus fill to be transported and disposed off-site compared to the approved project.

The overall impacts as a result of the proposed site levels are negligible.

5.2 Car Park Location

The relocation of the car park does not change any of the impacts assessed in the EIS / Rts or Modification 1. The overall area of hardstand does not change and there are no changes to the surface water assessment presented in Modification 1. There are no changes to assessment of visual impacts which is determined by the building height described earlier.

The relocated car park aligns with the location of the car park as approved in original SSD 7075 and provides shorter and easier disabled access from the car park to the office and a less complex layout. It also negates the Stage 1 car park location becoming redundant when the Stage 2 build commences.

The relocation allows for the provision of a small number of additional car parking spaces compared to the approved project. The approved concept plan (ie Stages 1 and 2) provides for 55 spaces while the proposed layout provides for 56 spaces including two accessible spaces. The approved Stage 1 provides for 20 car parking spaces including one accessible space while the proposed layout provides for 21 spaces including one accessible space. This satisfies the requirement of Condition B30(a) which requires the applicant to provide a total of 20 car parking spaces, including one accessible space, in Stage 1.

The overall impacts as a result of the proposed relocation of the car park are negligible.

6. Assessment under Section 96(1A)

For the purposes of this assessment it is understood the nature of changes would be considered by the Minister (as the consent authority) under Section 96(1A) of the EP&A Act.

Section 96(1A) states:

(1A) Modifications involving minimal environmental impact A consent authority may, on application being made by the applicant or any other person entitled to act on a consent granted by the consent authority and subject to and in accordance with the regulations, modify the consent if:

(a) it is satisfied that the proposed modification is of minimal environmental impact, and

(b) it is satisfied that the development to which the consent as modified relates is substantially the same development as the development for which the consent was originally granted and before that consent as originally granted was modified (if at all), and

(c) it has notified the application in accordance with:

(i) the regulations, if the regulations so require, or

(ii) a development control plan, if the consent authority is a council that has made a development control plan that requires the notification or advertising of applications for modification of a development consent, and

(d) it has considered any submissions made concerning the proposed modification within any period prescribed by the regulations or provided by the development control plan, as the case may be.

As discussed earlier, the proposed modifications are substantially the same development, being design development of the approved Waste Transfer Station. The proposed modifications have negligible environmental impact with respect to visual impact, surface water and truck movements within the site.

7. Section 79C of the Act - Evaluation

In accordance with the requirements of Section 96 of the EP&A Act an evaluation based on the requirements of Section 79C has been undertaken.

7.1 Section 79C(1)(A)(i) – Environmental Planning Instruments

The key matters under Section 79C(1)(a)(i) of the EP&A Act are Local Environmental Plans (LEPs), Regional Environmental Plans (REPs) (now known as SEPPs) and State Environmental Policies (SEPPs).

State Environmental Planning Policies (SEPPs)

The following SEPPs were evaluated:

- SEPP No. 33 Hazardous and Offensive Development (SEPP 33);
- SEPP (Western Sydney Employment Area) 2009 (WSEA SEPP) – zoning;
- State Environmental Planning Policy (Infrastructure) 2007;
- SEPP No. 55 - Remediation of Land;
- SEPP (State and Regional Development) 2011;
- SEPP No. 33 Hazardous and Offensive Development;
- SEPP No.64 - Advertising and Signage Explanatory Information;

From this review it was determined the DA Modification application does not trigger any new assessable consideration under any SEPP, which was considered acceptable in the EIS and issuing of development consent SSD 7075 and subsequent modification.

Regional Environmental Plans (REPs)

The Sydney Regional Environmental Plan No. 20 – Hawkesbury-Nepean River (No. 2 – 1997) was considered in the original application and subsequent modification. However, as the current proposed modification does not impact on the surface water assessment, the REP has not been considered further for the purposes of this modification.

Local Environmental Plans (LEPs)

Local Environment Plans (LEPs) were not considered relevant for this evaluation. The WSEA SEPP prevails over relevant Local Environment Plans (LEP) and therefore the Penrith LEP is not relevant to the Development.

7.2 Section 79C (1)(a)(ii) – Draft Environmental Planning Instruments

The application is not considered to trigger any new assessable consideration under any draft environmental planning instruments that were deemed acceptable in the EIS assessment.

7.3 Section 79C (1)(a)(iii) – Development Control Plans

Section 18 of the WSEA SEPP states that a development proposal for a specific site, whether lodged with the NSW Government or the local council, may only be lodged once a Development Control Plan (DCP) is in place for the land. Although the Penrith 2010 DCP exists for the area, Clause 11 of the SRD SEPP states that DCPs do not apply to SSD Projects. Clause 7 of the SRD SEPP also states that in the event of an inconsistency between the SRD SEPP and another environmental planning instrument, the SRD SEPP prevails to the extent of the inconsistency. Consequently, a DCP is not relevant to the modification application.

Notwithstanding, the development has been designed to take into consideration the requirements of the Penrith Council DCP (2014).

7.4 Section 79C (1)(a)(iiia) – Planning Agreements

There is no Voluntary Planning Agreement (VPA) or other arrangement under EP&A Act Section 93F or in relation to the project site or SSD 7075.

7.5 Section 79C (1)(a)(iv) – Any matter Prescribed by the Regulations

The application is not considered to trigger any new assessable consideration under the Environmental Planning and Assessment Regulation 2000 (EP&A Regs) which was considered acceptable in the EIS and issuing of SSD 7075.

7.6 Section 79C (1)(a)(v) – Coastal Zone

The site is not impacted by the Coastal Protection Act 1979 and this DA Modification application will not alter this.

7.7 Section 79C (1)(b) Impact on the Environment

An assessment of environmental impacts of the modified Development is provided in Section 5, above.

7.8 Section 79C(1)(c) Site Suitability

The site is suitable for the proposed modifications. Only minor modifications are proposed to the development. The site would remain suitable for the development as modified.

7.9 Section 79C(1)(e) The Public Interest

The proposed modifications are in the public interest. If the modifications are not made the construction of the project cannot be undertaken in a way that ensures the safe and efficient operation of the site, potentially jeopardizing an important item of waste management infrastructure for western Sydney.

The modifications improve the feasibility of the project from Cleanaway's perspective, but also have been done in a way that does not change impacts compared to what was assessed in the EIS, RtS and Modification. The minor increase in site levels will improve environmental impact by reducing the amount of excavated material to be transported and disposed off-site.

The proposed modifications are necessary to allow the development to proceed and deliver the following benefits to the public:

- It gives job certainty to 120 local Cleanaway workers and will provide approximately 30 new jobs in the future; and
- Provides affordable waste management on the future. The Development is vital to sustainably manage the waste of an extra 1.3 million Sydneysiders by 2031.

8. Summary and Conclusion

The Planning Assessment Commission (PAC), acting as delegate of the Minister for Planning, approved an application for the Erskine Park Waste and Resource Management Facility (WRMF) Staged Development Application (SSD 7075) on the 5 October 2016, comprising:

- A concept plan for a Waste and Resource Management Facility with a maximum processing capacity of 300,000 tpa. All waste received at the WRMF shall enter the Waste Transfer Station (Stage 1), up to 150,000 tpa of this waste may be recycled at the Resource Recovery Facility (Stage 2)
- Construction and operation of the Stage 1 Waste Transfer Station with a maximum processing capacity of 300,000 tpa.

The Stage 2 RRF would be subject to a separate future Development Application. An application to modify the SSD was approved in August 2017 (Modification 1).

As part of detailed design development and following appointment of a construction contractor, a small number of minor issues were identified which require a modification to the approved Concept Plan and Stage 1 Waste Transfer Station.

This Environmental Assessment Report supports an application to modify existing consent SSD 7075 under Section 96 (1A) of the Environmental Planning and Assessment Act 1979. The proposed modifications are described in detail in Section 3 and include a proposal for a minor increase in site levels and relocation of the car park. The minor increase in site levels remain below the levels described and assessed in the original EIS, with the overall visual impact assessed as negligible. The reduced excavation resulting from the minor increase in site levels will also reduce the quantity of material to be transported and disposed off-site.

There is no change to the sealed surface area on the site and therefore no changes to the surface water assessment. The revised levels and car parking arrangements do not impact on the internal circulation of trucks through the site. There is a small increase in car parking spaces as a result of the relocated car park.

The proposed modifications to development consent SSD 7075 are minor. With the modifications, the project – both the WRMF Concept Plan and the Stage 1 WTS - would be substantially the same development as the project originally approved as it retains the core function of a WRMF and WTS and is within the same development site. The overall impacts from the proposed modifications have been assessed as negligible.

The proposed modifications would cause negligible environmental impact and risk which would be managed through existing management and mitigation measures. The proposed modifications are necessary to achieve a workable site layout that would allow the waste facility to operate safely and efficiently.

The proposed modifications were assessed against the requirements of Section 79C. The modifications were determined not to impact on any Planning Instruments, Development Control Plans, Planning Agreement or matters prescribed in the EP&A Regulations.

9. References

SLR Consulting Australia Pty Ltd (SLR), 2015, *Erskine Park Resource Management Facility, Staged SSD (SSD – 7075) Concept Plan and Stage 1 Waste Transfer Station, Environmental Impact Statement*.

SLR Consulting Australia Pty Ltd (SLR), 2016, *Erskine Park Resource Management Facility, Staged SSD (SSD – 7075) Concept Plan and Stage 1 Waste Transfer Station, Response to Submissions*

SLR Consulting Australia Pty Ltd (SLR), 2017, *Erskine Park Resource Management Facility, Staged SSD (SSD – 7075) Concept Plan and Stage 1 Waste Transfer Station, Modification Environmental Assessment*

Appendix A: Amended Plans

Drawing Reference	Description
Planning Drawings	
003	Proposed site layout – Stage 1
023	North and south elevations
024	East and west elevations
103	Site layout concept plan – full site development
Explanatory Drawings – Site Plans	
003	Proposed site layout Stage 1 – explanatory notes
103	Site layout concept plan – full site development – explanatory notes
Explanatory Drawings – Swept Path	
003	A-double trucks swept path analysis
003	Semi-trailer trucks swept path analysis

Planning Drawings

Explanatory Drawings – Site Plans

Explanatory Drawings – Swept Path