



# ***Erskine Park Waste & Resource Management Facility***

State Significant  
Development  
Modification Assessment  
(SSD 7075 MOD 3)



October 2018

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### **Cover photo**

Erskine Park Transfer Station & Landfill (Source: newmatilda.com)

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## Glossary

Abbreviation	Definition
AHD	Australian Height Datum
BCA	Building Code of Australia
C&I	Commercial and Industrial
CIV	Capital Investment Value
Consent	Development Consent
Council	Penrith City Council
Department	Department of Planning and Environment
DPI	Department of Primary industries
EIS	Environmental Impact Statement
EPA	Environment Protection Authority
EP&A Act	<i>Environmental Planning and Assessment Act 1979</i>
EP&A Regulation	<i>Environmental Planning and Assessment Regulation 2000</i>
EPBC Act	<i>Environment Protection and Biodiversity Conservation Act 1999</i>
EPI	Environmental Planning Instrument
EPL	Environment Protection Licence
ESD	Ecologically Sustainable Development
LEP	Local Environmental Plan
LGA	Local government area
Minister	Minister for Planning
MSW	Municipal solid waste
OEH	Office of Environment and Heritage
Secretary	Secretary of the Department of Planning and Environment
SEPP	State Environmental Planning Policy
SRD SEPP	<i>State Environmental Planning Policy (State and Regional Development) 2011</i>
SSD	State Significant Development
WRMF	Waste and resource management facility
WTS	Waste transfer station



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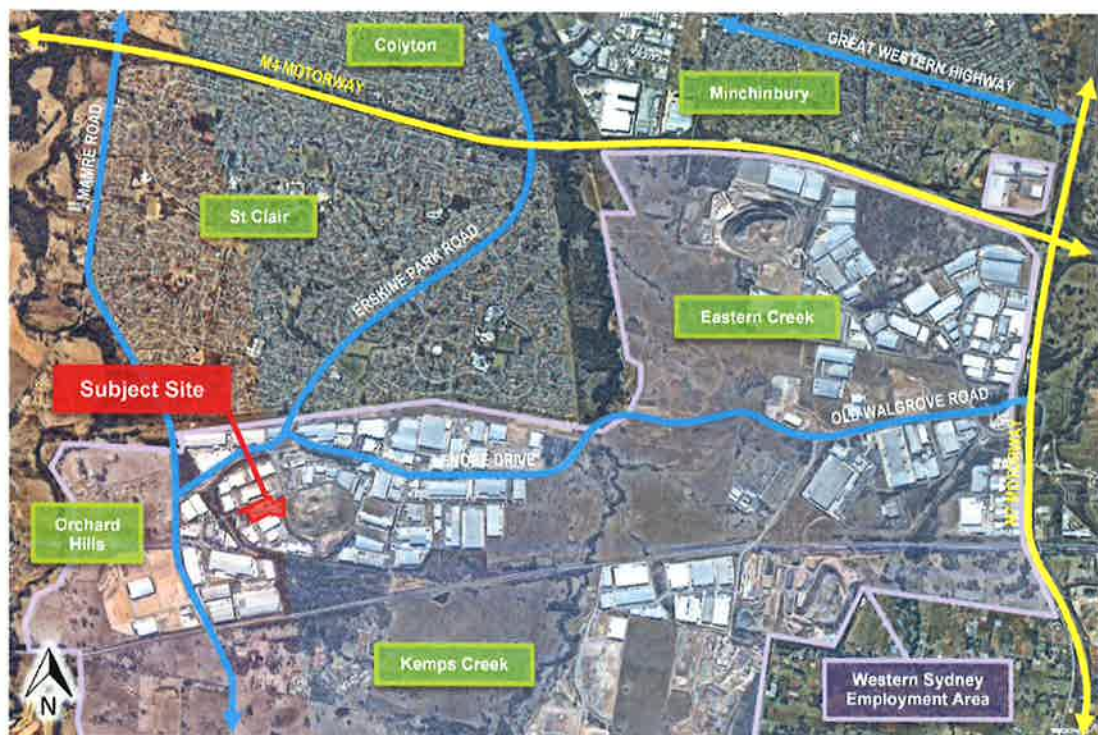
# 1. Introduction

This report assesses a modification application by EME Advisory Pty Ltd on behalf of Cleanaway Waste Management Limited (the Applicant) to modify the concept proposal and stage 1 development for State significant development consent (SSD 7075) for the Erskine Park Waste and Resource Management Facility (WRMF), which is located within the Penrith Local Government Area (LGA). The modification includes minor amendments to site layout, building design and operation. The application has been lodged pursuant to section 4.55(1A) of the *Environmental Planning and Assessment Act 1979* (EP&A Act).

The proposed modification is required by the Applicant to facilitate basic resource recovery of general solid waste (non-putrescible) of the Stage 1 Waste Transfer Station (WTS) by physically separating stockpile material through the inclusion of a manual sort line. The proposed amendments to site layout and building design are sought by the Applicant to improve the functionality and efficiency of the development.

## 1.1 Background

In October 2016, development consent was granted for the WRMF at 85-87 Quarry Road, Erskine Park in the Penrith LGA (see **Figure 1**). The site is legally identified as Lot 1 in DP 1140063. The WRMF is currently under construction. The site and the adjacent existing Erskine Park Landfill are owned by the Applicant. The site is currently utilised by the Applicant to support the adjacent Erskine Park Landfill and contains demountable office buildings, car parks, sheds, laydown areas, a weighbridge and associated infrastructure. The landfill is expected to close in the next few years.



**Figure 1** | Site Location

The site is located within an existing industrial precinct known as the Erskine Park Industrial Estate, which falls within the Western Sydney Employment Area (WSEA), as identified under the *State Environmental Planning Policy (Western Sydney Employment Area) 2009*. The surrounding land uses are primarily industrial in nature and include manufacturing facilities, warehouses and dairy processing.

There is one isolated resident located within the Erskine Park Industrial Estate, approximately 1.3 kilometres (km) east of the site. The nearest residential area is located at St Clair approximately 740 metres (m) to the north of the site. A childcare facility is located on Mamre Road approximately 670m to the west of the site.

The Applicant being Cleanaway Waste Management Limited is a national leader in waste management, industrial and environmental services that has been operating in the waste industry since 1987. Cleanaway Waste Management Limited services more than 95 municipal councils and over 135,000 local businesses in Australia.

The site and surrounds are identified in **Figure 2** below.



**Figure 2** | Site & Surrounds

## 1.2 Approval History

On 5 October 2016, development consent was granted by the then Planning Assessment Commission (the Commission), as delegate of the Minister for Planning, for the staged development of the Erskine Park WRMF (SSD 7075). The staged development application (DA) consisted of the following:

- a concept proposal for the WRMF, including:
  - a Waste Transfer Station (WTS) (Stage 1) capable of processing up to 300,000 tonnes per annum (tpa) of commercial and industrial waste (C&I) and Municipal Solid Waste (MSW)
  - a Resource Recovery Facility (RRF) (Stage 2) designed to process up to 150,000 tpa of recyclable material from the WTS (Stage 1) into saleable commodities
- Stage 1 physical works, including demolition of existing structures, construction and operation of the WTS.



The WRMF will have a maximum processing capacity of 300,000 tpa of both C&I and MSW. The WTS would be constructed first, followed by the RRF (referred to as Stage 2) which will be subject to a separate DA. The site's office, truck and car parking would be utilised by the entire WRMF (Stages 1 and 2), and are approved to be constructed as part of Stage 1.

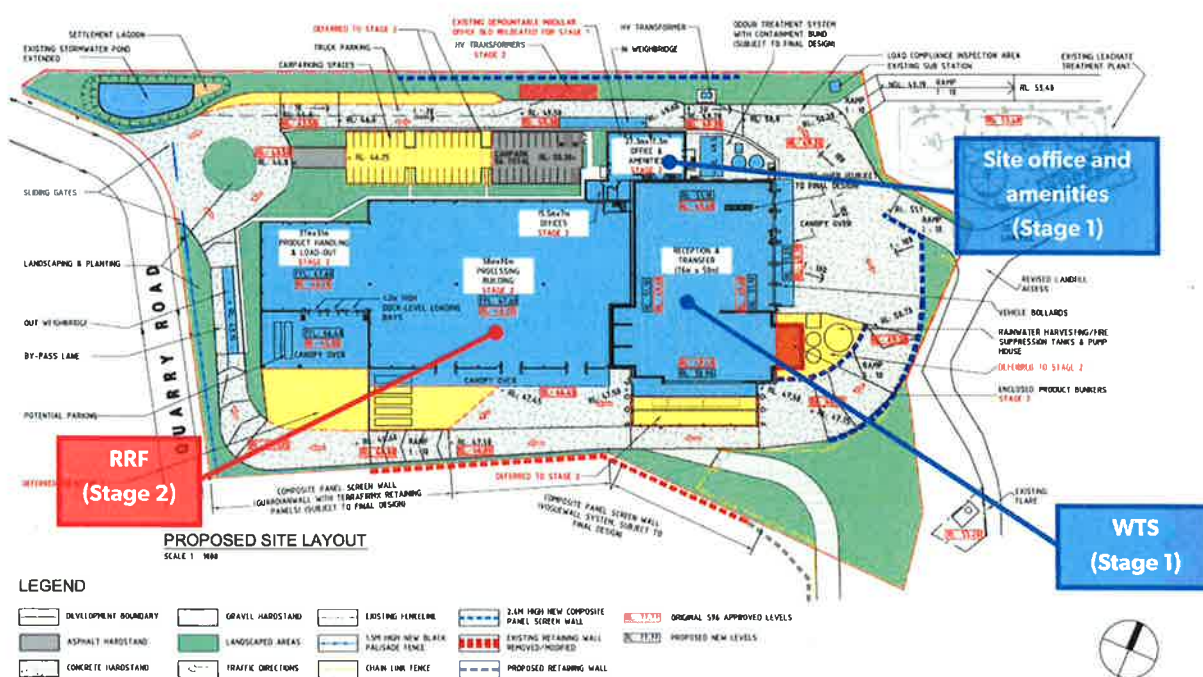
On 25 August 2017, the development was modified (SSD 7075 MOD 1) under section 4.55(1A) of the EP&A Act to facilitate the following:

- changes to the site levels and a reduction in the amount of bulk earthworks across the site
- deferral of the construction of the car park from Stage 1 to Stage 2 (existing demountable buildings currently owned and utilised by the Applicant for the existing adjacent landfill will be used for Stage 1)
- removal of the south-east truck parking and replacement with a landscaped area
- construction of two additional landfill exit ramps
- deferral of the construction of two load out bays in the WTS to Stage 2
- reduction in the capacity of the stormwater detention basin.

On 26 February 2018, the development was modified (SSD 7075 MOD 2) under section 4.55(1A) of the EP&A Act to facilitate the following:

- changes to overall site levels
- relocation of the access ramp adjacent to the wastewater treatment plant
- relocation and redesign of the car park

The approved concept proposal (Stage 1 and 2), as modified, is shown in **Figure 3**.



**Figure 3 | Approved Concept Proposal Stages 1 and 2**

On 7 August 2018, a fourth modification application was lodged (SSD 7075 MOD 4) under section 4.55(1A) of the EP&A Act to modify the conditions of consent to increase hours of construction. The modification application is currently under assessment with the Department.

The development consent has been modified on two occasions and two modification are currently under assessment (see **Table 1**)

**Table 1** | Summary of Modifications

Mod No.	Summary of Modifications	Approval Authority	Type	Approval Date
<b>MOD 1</b>	Changes to site levels and amendments to parking and internal driveways	Minister	4.55(1A)	25 August 2017
<b>MOD 2</b>	Changes to site levels, relocation and the redesign of car parking and access ramps	Minister	4.55(1A)	26 February 2018
<b>MOD 4</b>	Increase in the hours of construction	Minister	4.55(1A)	Under Assessment





## 2. Proposed Modification

The Applicant has lodged a modification application under section 4.55(1A) of the EP&A Act to modify the concept proposal and Stage 1 development. The modification is described in full in the Statement of Environmental Effects (SEE) included in **Appendix A** and is summarised in **Table 2**. It is noted that whilst the Applicant is seeking to modify the concept proposal, physical works are only permitted under Stage 1. All Stage 2 works would be subject to a future DA.

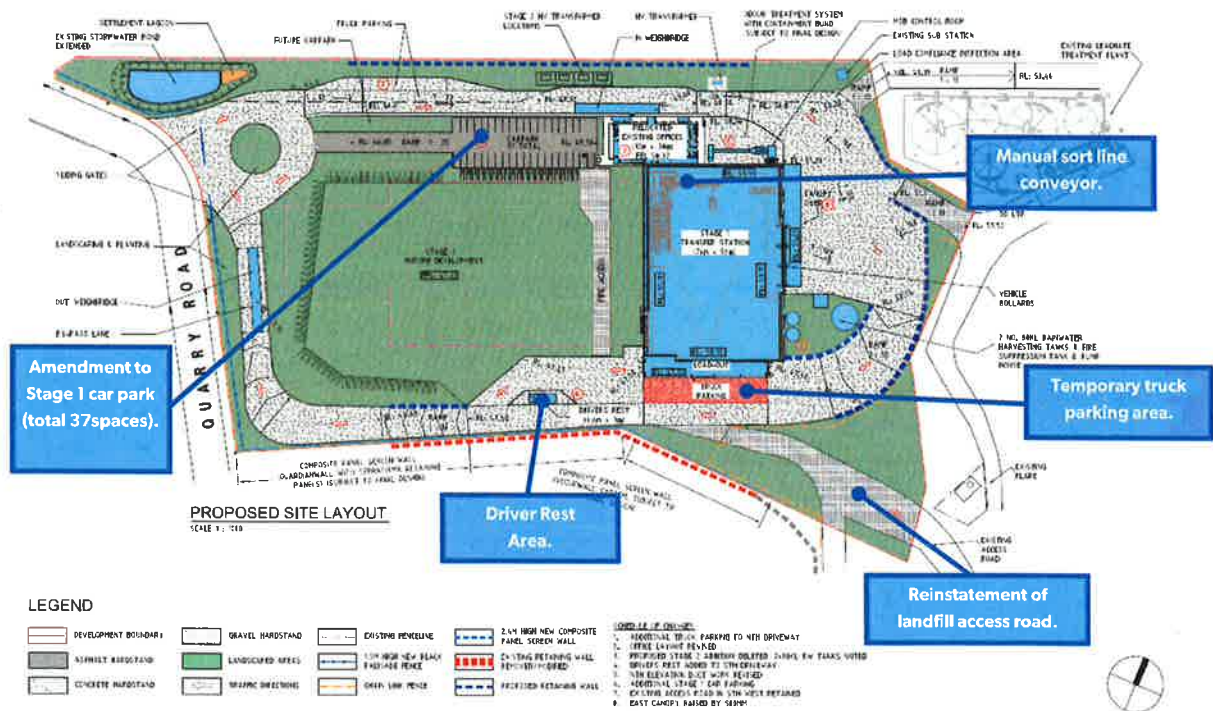
The Applicant has proposed the following modifications to the approved development:

- the implementation of a manual sorting line within the Stage 1 WTS requiring an additional fifteen (15) employees for operation
- increase of car parking provisions to facilitate additional employment numbers associated with the manual sorting line
- inclusion of a truck parking area to the north of the site
- inclusion of a driver rest area in the southern driveway
- temporary truck parking area
- reinstatement of south-east landfill access road
- minor external design changes.

**Table 2** | Summary of proposed Modifications

Aspect	Approved	Proposed
Resource Recovery	<ul style="list-style-type: none"> <li>• Stage 1 WTS processing up to 300,000 tpa of C&amp;I and Municipal Solid Waste</li> <li>• Employment of 130 people during operation (10 operational, 120 drivers).</li> </ul>	<ul style="list-style-type: none"> <li>• Introduction of a manual sorting line and conveyor for 'basic' resource recovery</li> <li>• Additional 15 employees required for manual sorting line.</li> </ul>
Car parking	<ul style="list-style-type: none"> <li>• Stage 1 car park with 21 spaces located adjacent to the office building.</li> </ul>	<ul style="list-style-type: none"> <li>• Addition of 16 spaces to Stage 1 carpark.</li> </ul>
Hardstand	<ul style="list-style-type: none"> <li>• Stage 1 building envelope of 5,412m<sup>2</sup></li> <li>• Concept proposal footprint of 11,780m<sup>2</sup>.</li> </ul>	<ul style="list-style-type: none"> <li>• Addition of 300m<sup>2</sup> of hardstand area to the north west of internal access road to allow for the un-tarping of trailers.</li> </ul>
Access Ramps	<ul style="list-style-type: none"> <li>• Re-inclusion of the leachate treatment plant access ramp to Stage 1, for a total of three ramps on the northern half of the site (landfill inbound, landfill outbound and leachate treatment plant access)</li> <li>• Minor reconfiguration of landfill access ramp to achieve a gradient suitable for heavy trucks.</li> </ul>	<ul style="list-style-type: none"> <li>• Re-instate a section of the access road between the existing landfill access road and the new landfill exit ramp in the south-eastern corner.</li> </ul>
Driver Rest Area	<ul style="list-style-type: none"> <li>• No driver rest area approved.</li> </ul>	<ul style="list-style-type: none"> <li>• Provision of a demountable driver rest area (12 m x 3 m)</li> <li>• Located in the southern driveway of the site.</li> </ul>
Retain Landfill access	<ul style="list-style-type: none"> <li>• Three access ramps on the northern half of the site</li> <li>• Reconfiguration of landfill access to achieve a gradient suitable for heavy trucks.</li> </ul>	<ul style="list-style-type: none"> <li>• Re-instate a portion of the access road to the existing landfill access.</li> </ul>

Truck parking	<ul style="list-style-type: none"> <li>Stage 1 truck parking with four (4) spaces.</li> </ul>	<ul style="list-style-type: none"> <li>Inclusion of a temporary truck trailer parking space in load-out area</li> <li>One (1) truck parking space to the north of the site.</li> </ul>
Odour Management System Ducting	<ul style="list-style-type: none"> <li>Tri-stack fan with an RL of RL 68.677.</li> </ul>	<ul style="list-style-type: none"> <li>Increased RL height of 983 mm for the OMS tri-stack fans.</li> </ul>
Office	<ul style="list-style-type: none"> <li>Office and amenities 27.3m x 17.3m and 15.5m x 7m.</li> </ul>	<ul style="list-style-type: none"> <li>Addition of a weighbridge booth</li> <li>Increased office space floor area of 8 m<sup>2</sup>.</li> </ul>
External	<ul style="list-style-type: none"> <li>Six (6) flight of stairs roof access on northern elevation.</li> </ul>	<ul style="list-style-type: none"> <li>Re-orientation of roof access stairs (5 flights)</li> <li>Removal of translucent wall sheeting.</li> </ul>
Stormwater	<ul style="list-style-type: none"> <li>Rainwater harvesting tanks and fire suppression tanks on the northern elevation of the building</li> <li>Rainwater harvesting tank capacity of 159 ML.</li> </ul>	<ul style="list-style-type: none"> <li>Relocation of rainwater harvesting tanks to the eastern elevation</li> <li>Relocation of the fire suppression tanks and pump house to the eastern elevation</li> <li>No change in capacity.</li> </ul>
Canopy	<ul style="list-style-type: none"> <li>Eastern elevation canopy over loading bay at an RL of 60.2.</li> </ul>	<ul style="list-style-type: none"> <li>Height of canopy increased by 500 mm (RL 60.7).</li> </ul>



**Figure 4 | Proposed Modifications to Stage 1 WTS**



### 3. Strategic Context

The NSW Government has announced the Premier's Priorities which cover 12 key areas including economic growth, provision of infrastructure, protection of vulnerable communities, improving education and environmental protection. One of the Premier's key priorities is 'Creating Jobs'. The NSW Government aims to provide 150,000 new jobs over the next four years.

The proposed modification to the Stage 1 WTS would contribute toward 'Creating Jobs' by providing an additional 15 operational jobs in the Penrith LGA.

The proposed modification is also consistent with the goals, directions and action outlined in *A Plan for Growing Sydney* as it will:

- provide additional employment opportunities within close proximity to existing residential developments in Western Sydney (Direction 1.4)
- provide a high-quality development which will stimulate economic activity and create new jobs within the Erskine Park Industrial Estate (Direction 1.7)

#### WARR Strategy

Reducing waste and keeping materials circulating within the economic are priorities for the NSW Government. To meet this important challenge, the Government has prepared a state-wide Waste Avoidance and Resource Recovery Strategy. The strategy for 2014-2021 sets a waste recovery targets for commercial and industrial waste (C&I) and municipal solid waste (MSW). The targets are as follows:

By 2021-2022, increase:

- recycling rates for MSW to 70%
- recycling rates for C&I to 70%
- waste diverted from landfill to 75%

The proposed modification would contribute to the State's recovery performance for C&I and MSW, and diversion from landfill due to the inclusion of a manual sorting line.



## 4. Statutory Context

### 4.1 Scope of Modifications

The Department has reviewed the scope of the modification application and is satisfied that the proposed modification would result in minimal environmental impacts, and relates to substantially the same development as the original development consent on the basis that:

- the primary function and purpose of the approved project would not change as a result of the proposed modification
- the modification is of a scale that warrants the use of section 4.55(1A) of the EP&A Act
- the approved processing rates of 300,000 tpa of C&I and MSW (Stage 1) and 150,000 tpa of recyclable material (Stage 2) would remain unchanged as a result of the proposed modifications
- any potential environmental impacts would be minimal and appropriately managed through the existing or modified conditions of approval.

Therefore, the Department is satisfied the proposed modification is within the scope of section 4.55(1A) of the EP&A Act and does not constitute a new development application. Accordingly, the Department considers that the application should be assessed and determined under section 4.55(1A) of the EP&A Act rather than requiring a new development application to be lodged.

### 4.2 Consent Authority

The Minister for Planning is the consent authority for the application under section 4.55(1) of the EP&A Act. Under the Minister's delegation of 11 October 2017, the Director, Industry Assessments, may determine the application under delegation as:

- the relevant local council has not made an objection
- a political disclosure statement has not been made
- there are no public submissions in the nature of objections.





## 5. Engagement

### 5.1 Department's Engagement

Clause 117(3B) of the *Environmental Planning and Assessment Regulation 2000* (EP&A Regulation) specifies that the notification requirements of the EP&A Regulation do not apply to State significant development. However, the application was notified to adjoining landowners and made publicly available on the Department's website on 25 May 2018, and was referred to Penrith City Council, EPA, DPI and TfNSW for comment.

During the notification period, a total of four (4) submissions were received, all from public authorities. Of the submissions received, none objected to the development.

### 5.2 Summary of Submissions

During the notification period, a total of four (4) submissions were received, all from public authorities. Of the submissions received, none objected to the development.

**Council** did not object to the modification, however Council provided comment regarding Onsite Detention (OSD) capacity requirements for the additional hardstand proposed.

The **EPA** did not object the modification but raised concern regarding the odour modelling used to assess the air quality impacts of the proposed manual sort line.

The **DPI** did not object to the modification and raised no comments.

The **TfNSW** did not object to the modification and raised no comments.

### 5.3 Key Issues – Government Agencies

None of the government agencies have objected to the proposed modifications, and the key issues raised by agencies have been addressed through the provision of additional information.

The EPA raised concern in their submission regarding the odour emission rate and odour control units identified in the odour modelling memorandum submitted as part of the modification application. The modelling used to assess the original SSD accompanying the EIS has been modified in the odour modelling memorandum for the modification application which now provided a substantial reduction in the odour emission rate without justification. Furthermore, the EPA noted in their submission that the odour control units only treat one of the three odour emission stacks. The EPA also suggested that treatment should occur for all stack emissions of the development.

### 5.4 Key Issues – Council

Council did not object to the proposed modification but provided comments to be addressed by the Applicant. Council requested on-site Stormwater Detention (OSD) be provided for the site due to the increase of hardstand proposed. Furthermore, Council requested a restriction as to user and positive covenant be registered on the property title for the OSD system.

### 5.5 Response to Submissions

On the 18 June 2018, the Applicant provided a response to the comments raised by PCC relating to Council's OSD requirements in accordance with Council's document *Stormwater Drainage Specification for Building*. The Applicant elaborated that the document is applicable to development sites less than 5,000m<sup>2</sup>, considering the

subject WRMF development site is 37,000m<sup>2</sup> the OSD requirements are not applicable. Furthermore, the stormwater management system of the development was prepared in consultation with Council for the original SSD application and Modification 1. The Applicant suggests that to re-design the stormwater system would be onerous as part of this modification.

On the 25 June 2018, Council completed a review of the Applicant's response and determined that Council's submissions had been satisfied by the Applicant.

On 29 September 2018, the Department facilitated a meeting between the Applicant and the EPA to address the EPA's outstanding concerns. The Applicant's odour expert provided additional insight into the amended odour emission rate (OER) and the Applicant submitted that the manual sorting line would only be used for non-putrescible wastes which are not odourous. The EPA were satisfied with the approach and asked the Applicant to formalise it in writing which they did through a memo submitted on 3 October 2018.



## 6. Assessment

The Department has assessed the merits of the proposed modification. During this assessment, the Department has considered the:

- the SEE and RTS provided to support the proposed modification (see **Appendix A**)
- the assessment report for the original development application and subsequent modification application(s)
- submissions from the public, State government authorities and Council (**Appendix B**)
- relevant environmental planning instruments, policies and guidelines
- requirements of the EP&A Act, including the objects of the EP&A Act.

The Department's assessment of modification application is provided in **Table 3**.

**Table 3** | Assessment of issues

Issue	Findings	Recommendation
Air quality/ Odour	<ul style="list-style-type: none"> <li>• The modification application includes the implementation of a manual sorting line which may produce odour and air quality impacts due to the agitation and liberation of waste materials.</li> <li>• The Applicant has provided an odour modelling review memorandum prepared by The Odour Unit (job no: N2216-01 dated 27/08/18) to assess the impacts of the proposed manual sorting line. The review identified an odour emission rate (OER) substantially reduced from the OER of the Air Quality Impact Assessment (AQIA) prepared by SLR Consulting Australia Pty Ltd for the original SSD approval of 503.1 ou.m<sup>3</sup>/t.s to 113.5 ou.m<sup>3</sup>/t.s.</li> <li>• The memo elaborates that the original odour modelling used in the AQIA overestimated the OER as an inaccurate worst-case scenario as a conservative approach to the assessment of odour impacts.</li> <li>• The modelling projections were based on the approved 300,000 tpa of C&amp;I and MSW of the Stage 1 WTS. The assessment was compared against the EPA's stringent criterion applied to residential receivers of 2 odour units (OU). The memo identifies that both models achieve the EPA 2 OU for residential receivers.</li> <li>• Furthermore, the memo concludes that the Tri-Stack fan, rapid acting roller doors and wet scrubbers imposed as mitigation measures from the original SSD approval are sufficient for the proposed modification.</li> <li>• The EPA made a submission on the proposed modification expressing concern for the change in OER between the original AQIA of the SSD application and the memo accompanying the EA for the proposed modification. The EPA requested clarity on the justification for the change in odour modelling data used in the memo for the proposed modification.</li> <li>• The Applicant provided a memo prepared by Cleanaway Waste Management Limited as an addendum to the submitted EA to clarify the OER used in the odour modelling review memo. The Applicant notes that the OER adopted in the AQIA was intentionally overestimated as a worst-case scenario in response to community concerns with odour in the locality. The Applicant argues that the implementation of a manual sorting line would not increase the OER to a level above what was initially assessed during the SSD application process as the manual sorting line would only be used for dry non-putrescible wastes which have a limited odour potential.</li> <li>• The EPA were satisfied that the proposed manual sort line would not exceed the OER initially predicted in the original SSD assessment considering the odour potential was low as it would only be used for dry wastes. Furthermore,</li> </ul>	<ul style="list-style-type: none"> <li>• No additional conditions are recommended.</li> </ul>

the EPA are satisfied that the odour management measures imposed by the original SSD approval will effectively manage odour emissions.

- The Department notes that the proposed modification retains compliance with the EPA's 2 OU criterion for the nearest sensitive receivers including the daycare and dwellings to the west of Mamre Road. In addition, the Department notes that manual sort line is indoors within the WTS facility with negative pressure and no increase to waste processing capacity of the WTS.
- The Department's assessment concludes that the proposed manual sort line will not exceed the worst-case scenario OER originally assessed under SSD 7075 and therefore odour impacts are not expected to impact the amenity of residential and other sensitive receivers in the locality. Furthermore, the odour management measures to be installed in the WTS including the use of a wet scrubber have been designed to control odour emissions during a worst-case scenario to ensure an impact is not felt at nearby sensitive receivers.
- The Department considers the existing conditions of consent adequately address odour mitigation and reduction for the Stage 1 WTS.

#### Noise

- The modification application includes the implementation of a manual sorting line. The manual sorting line and the additional traffic noise generated from the increase of staff traffic flows may have potential noise impacts on the locality.
- The Applicant has provided a memorandum prepared by SLR Consulting Australia Pty Ltd as an update of the original noise impact assessment (NIA) in Appendix C of the submitted SEE.
- The NIA memo assesses the proposed modification against the Noise Policy for Industry (NPI) in particular, amenity criteria, intrusiveness criteria and sleep disturbance criteria. In addition, the NIA memo models a 'worst case' scenario for the developments noise generation.
- The memorandum identifies the nearest residential receivers being 740m to the north and additional sensitive receivers including a child care centre being 670m to the west. The assessment stipulates that the new noise generated from the modification does not exceed the existing ambient noise levels and the noise predicted to be generated under the existing approval of the Stage 1 WTS.
- The NIA memo notes that although the operations of the WTS are compliant with the NPI, that reversing alarms may still be of an audible impact. However, there is no proposed increase in the traffic and delivery flows of heavy vehicles as part of this modification that would create a direct increase in the frequency of reversing alarms.
- The Department notes that the inclusion of the manual sorting line would not generate an increase of inbound and outbound waste delivery/ transfer vehicles as part of this modification. Additionally, the operation of the manual sorting line is enclosed within the WTS.
- The Department considers that the 'worst case' noise generation predicated in the noise impact assessment is compliant with the requirements of the NPI for amenity, intrusiveness and sleep disturbance.
- The Department's assessment concludes that the Applicant's NIA memo has provided a sufficient assessment of the noise impacts associated with the proposed implementation of a manual sort line to the operations of the Stage 1 WTS.
- No concerns were raised by the EPA in relation to noise impacts. The EPA monitor noise levels in accordance with the Environmental Protection Licence (EPL).
- As all the proposed operations are undertaken inside the WTS facility with fugitive noises only occurring via the opening of fast action roller doors during waste delivery/ transfer and considering the distance to sensitive receivers, the Department does not expect any noise impacts would be caused by the addition of a manual sorting line.
- Furthermore, the Department considers that noise generated from the additional light vehicle movements of the proposed modification are negligible as vehicle movements would be undertaken within an industrial precinct with minimal impact on distant residential receivers. With connections to regional roads which do not pass through residential areas.

- No additional conditions are recommended.



Traffic	<ul style="list-style-type: none"> <li>• The modification application seeks an additional fifteen (15) employees for the operation of the proposed manual sort line. The increase in employees for the Stage 1 WTS has the potential to cause an additional thirty (30) traffic movements per day in and out of the site.</li> <li>• The Applicant identified in the EA that the additional traffic flows resulting from new the manual sort line employees would have a negligible impact on the localities road network capacity.</li> <li>• The Traffic Impact Assessment (TIA) prepared by Traffix submitted as part of the original EIS identified the level of service (LOS) of three key intersections in the proximity of the development site. These key intersections include Mamre Road / Erskine Park Road, Mamre Road / James Erskine Drive, and Quarry Road / James Erskine Drive.</li> <li>• The TIA stipulated that despite the additional traffic flows of the WTS, the operating performance of the key intersections during the anticipated AM and PM employee travel times were consistent with the existing intersection performance.</li> <li>• Furthermore, the TIA identified that the key intersections provided good performance with acceptable delays and spare road capacity during the AM and PM time frames.</li> <li>• No concerns were raised by Council or TfNSW regarding traffic impacts.</li> <li>• The Department notes that the inclusion of the manual sorting line does not generate an increase of inbound and outbound waste delivery/ transfer vehicle traffic flows as part of this modification.</li> <li>• The Departments assessment concludes that the TIA of the original EIS demonstrates the road networks capacity to accommodate the additional traffic flows associated with the manual sort line and still enable key intersections within proximity of the development to perform at satisfactory levels.</li> <li>• The Department considers the existing conditions of consent adequately address traffic and access for the Stage 1 WTS.</li> </ul>	<ul style="list-style-type: none"> <li>• Condition B30 is to be amended to reflect the changes in parking provisions for Stage 1.</li> </ul>
Site Maneuverability and access	<ul style="list-style-type: none"> <li>• The modification application seeks to reinstate a portion of the access road to the adjoining landfill site and implement a driver rest area.</li> <li>• The proposed modification could potentially generate impacts regarding the accessibility of the site and its maneuverability.</li> </ul> <p><u>Landfill Access</u></p> <ul style="list-style-type: none"> <li>• The modification proposes to retain a portion of the landfill access road to the subject development site at the south-eastern corner of the site. The reinstated portion of the access road is to retain the existing access on site for traffic exiting the landfill site via the WTS.</li> <li>• The retention of the access road to the landfill site is to maintain sufficient traffic flows between the WRMF and the landfill.</li> <li>• No concerns were raised by Council regarding the onsite maneuverability and access to and from the site.</li> <li>• The Department notes a potential traffic conflict between the proposed access way to be retained and the approved access way to the south of the site. The Department has considered that the implementation of a give way sign at the intersection of the southern landfill access roads will mitigate any potential traffic conflicts that may occur.</li> <li>• The Department considers that condition B30 be amended to include the provision of a give-way sign at the southern access road junction from the adjacent landfill site.</li> </ul> <p><u>Driver Rest Area</u></p> <ul style="list-style-type: none"> <li>• The modification application proposes a 'Drivers Rest Area' which may impact traffic flows exiting the WTS. The location of the Driver Rest Area is within the existing hardstand internal road to the west of the WTS load-out bay.</li> <li>• The Applicant has provided a swept path analysis in conjunction with the SEE which demonstrates that vehicles including trucks, can manoeuvre unhindered around the driver rest area.</li> </ul>	<ul style="list-style-type: none"> <li>• Require the Applicant to install a give-way sign at the southern access road junction from the adjacent landfill site.</li> </ul>

- No concerns were raised by Council regarding internal maneuverability or the location of the Drivers Rest Area.
- The Department notes that a pedestrian walkway linkage is provided between the truck parking area and the Drivers Rest Area to allow safe foot traffic for drivers.
- The Department's assessment concludes that the development retains sufficient traffic movement and vehicle maneuverability around the proposed Driver Rest Area.
- The Department considers the existing condition of consent adequately addresses site maneuverability.

## Parking

### Car Parking

- The modification application seeks to increase the provision of car parking to accommodate the additional fifteen (15) employees required for the proposed manual sorting line of the WTS resulting in:
  - a Stage 1 car park with a total of 37 parking spaces accommodating 25 employees over an area of 880 m<sup>2</sup>
  - a Stage 2 car park with 56 spaces accommodating 45 employees over an area of 1,560 m<sup>2</sup>.
- The Traffic Impact Assessment (TIA) prepared by Traffix submitted as part of the original EIS argued that the parking controls of the Penrith Development Control Plan 2014 (DCP) were too onerous due to the scope of the development and the number of employees onsite. The DCP requires a parking rate of either 1 space per 75 m<sup>2</sup> GFA or 1 space per 2 employees, whichever is greater. The TIA justified that the provision of 1 space per 2 employees was adequate for the scope of the development.
- The original approval provided 10 parking spaces for 10 employees in Stage 1 and 15 parking spaces for 20 employees in Stage 2 (total 25 spaces for the concept approval) in accordance with the Council parking provision of 1 space per 2 employees. With subsequent modifications the applicant reconfigured the car parking layout which allowed them to accommodate a larger yield of 56 car parking spaces for the overall concept approval with no increase to employee numbers.
- Therefore, with the proposed addition of 15 employees as part of this modification, the applicant would be required to provide a total of 23 parking spaces for the overall concept approval based on the merits used in the original assessment in which the applicant has provided 56 for a total of 45 employees.
- The Department's assessment concludes that the proposed modification to the Stage 1 car parking would not result in any impacts beyond what has already been assessed as part of the original application and MOD 1 & 2.
- The Department considers the existing conditions of consent adequately address on-site parking, subject to minor amendments to facilitate the proposed modifications.

- Amend the conditions of consent to facilitate the proposed parking modifications.

### Truck Parking

- The modification application seeks to provide a truck parking area to the north of the site and a temporary truck and trailer parking in the approved load-out area.
- The Applicant has advised that the temporary truck parking is to coincide with the proposed driver rest area.
- The Department considers that the proposed temporary truck parking is not intended to facilitate additional truck and trailer movements to the WTS site.
- Truck parking space to the north of the site will increase the hardstand area by 300 m<sup>2</sup>.
- The Department's assessment concludes that the provision of truck parking reduces the risk of on-street truck parking occurring on Quarry Road.
- The Department considers the existing conditions of consent adequately address on-site parking, subject to minor amendments to facilitate the proposed modifications.

## Surface Water

- The proposed additional 300 m<sup>2</sup> of hardstand to facilitate the truck parking space provides an increase of the impervious area onsite by 1.10% from 86% impervious area to 87.1% impervious area.
- The modification includes a letter prepared by Costin Roe Consulting Pty Ltd as an Appendix of the SEE which reviews the drainage impacts resulting from the increased hardstand.
- The modification will result in a storage volume increase of 1.5 m<sup>3</sup> or 0.4%.
- The review identifies that the Stormwater Management Basin provides a volume of 465 m<sup>3</sup> capable of accommodating the increase in hardstand.
- Council requested on-site stormwater detention (OSD) be provided for the site. The Applicant argued in their response that the stormwater system had been designed in consultation with Council Engineers and a re-design of the stormwater system would be onerous as part of this modification. Council was satisfied by the response provided by the Applicant and raised no further comment.
- The Departments assessment concludes that the increase in stormwater storage volume onsite is negligible and capable of being detained in the existing Stormwater Management Basin.
- In addition, the proposed modification to the onsite impervious area would not result in any impacts beyond what has already been assessed as part of the original application and MOD 1 & 2.
- The Department considers that the existing conditions of consent adequately address the sites stormwater management.
- No additional conditions are recommended.



## 7. Evaluation

The Department has assessed the proposed modification in accordance with the relevant requirements of the EP&A Act. The Department considers the proposed modification is appropriate on the basis that:

- the proposed modification will result in minimal environmental impacts beyond the approved facility
- the production capacity would not increase as a result of the modification
- the proposed modification will not result in an increase in odour potential
- it provides an increase in operational jobs
- it is consistent with the strategic direction for waste management in NSW.

The Department is satisfied that the modification should be approved, subject to conditions.





## 8. Recommendation

It is recommended that the Director, Industry Assessments, as delegate of the Minister for Planning:

- **considers** the findings and recommendations of this report; and
- **Determines** that the application SSD 7075 MOD 3 falls within the scope of section 4.55(1A) of the EP&A Act.
- **accepts and adopts** all of the findings and recommendations in this report as the reasons for making the decision to grant approval to the application;
- **modify** the consent SSD 7075; and
- **signs** the attached approval of the modification (Attachment D).

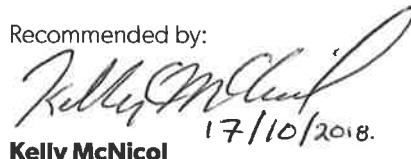
Recommended by:

 17/10/18

**Shaun Williams**

Planning Officer  
Industry Assessments

Recommended by:

 17/10/2018.

**Kelly McNicol**

Team Leader  
Industry Assessments



## 9. Determination

The recommendation is: **Adopted by:**

**Chris Ritchie**

Director

Industry Assessments

24/10/18.



# Appendices

## Appendix A – List of Documents

The Department has considered the:

- Environmental Assessment Report, prepared by EME Advisory Pty Ltd, Version 3.0, dated 29 April 2018
- Response to Submissions, prepared by Cleanaway Waste Management Limited, dated 18 June 2018
- Memo to Support Proposed Modification to SSD 7075 to Add Basic Sort Line in Stage 1, prepared by Cleanaway Waste Management Limited, dated 3 October 2018
- Odour Modelling Memorandum – Revised Report, prepared by The Odour Unit Pty Ltd, Job No N2216-01, dated 27 August 2018
- Drainage Impacts of Additional Impervious Area Letter, prepared by Costin Roe Consulting Pty Ltd, dated 15 May 2018
- Environmental Assessment Report – Erskine Park Waste and Resource Management Facility (SSD 7075), prepared by the Department of Planning and Environment, dated August 2016
- Section 96(1A) Modification Assessment Report – Erskine Park Waste and Resource Management Facility (SSD 7075 MOD 1), prepared by the Department of Planning and Environment, dated 25 August 2017
- Section 96(1A) Modification Assessment Report – Erskine Park Waste and Resource Management Facility (SSD 7075 MOD 2), prepared by the Department of Planning and Environment, dated 26 February 2017
- existing conditions of consent
- relevant environmental planning instruments, policies and guidelines
- relevant requirements of the EP&A Act.

## **Appendix B – Submissions**

Available on the Department's website at:

[http://www.majorprojects.planning.nsw.gov.au/index.pl?action=view\\_job&job\\_id=9348](http://www.majorprojects.planning.nsw.gov.au/index.pl?action=view_job&job_id=9348)

## Appendix C – Consolidated consent

## **Appendix D – Notice of Modification**

Available on the Department's website at:

[http://www.majorprojects.planning.nsw.gov.au/index.pl?action=view\\_job&job\\_id=9348](http://www.majorprojects.planning.nsw.gov.au/index.pl?action=view_job&job_id=9348)